

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

300TH MEETING

FULL COUNCIL SESSION

Omni Hotel

Houston, Texas

JUNE 26-27, 2024

VOTING MEMBERS

- Kevin Anson (designee for Scott Bannon).....Alabama
- Kesley Banks.....Texas
- Susan Boggs.....Alabama
- Billy Broussard.....Louisiana
- Dale Diaz.....Mississippi
- J.D. Dugas.....Louisiana
- Tom Frazer.....Florida
- Bob Gill.....Florida
- Dakus Geeslin (designee for Robin Riechers).....Texas
- Michael McDermott.....Mississippi
- Anthony Overton.....Alabama
- Chris Schieble (designee for Ryan Montegut).....Louisiana
- Joe Spraggins.....Mississippi
- Andy Strelcheck.....NMFS
- C.J. Sweetman.....Florida
- Ed Walker.....Florida
- Troy Williamson.....Texas

NON-VOTING MEMBERS

- Dave Donaldson.....GSMFC
- LT Carl Fuhs.....USCG

STAFF

- Max Birdsong.....Social Scientist
- Assane Diagne.....Economist
- Matt Freeman.....Economist
- John Froeschke.....Deputy Director
- Beth Hager.....Administrative Officer
- Lisa Hollensead.....Fishery Biologist
- Mara Levy.....NOAA General Counsel
- Emily Muehlstein.....Public Information Officer
- Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Carrie Simmons.....Executive Director
- Camilla Shireman.....Administrative & Communications Assistant
- Verena Wang.....Fishery Biologist

1 **OTHER PARTICIPANTS**

2 Neal Adams.....FL

3 Eric Brazer.....Shareholders Alliance

4 Adam Brick.....TX

5 B.J. Burkett.....Panama City Beach, FL

6 Rick Burris.....MS

7 Shane Cantrell.....Galveston, TX

8 Assistant Commander Les Casterline.....TPWD

9 Mike Celata.....BOEM

10 Ronald Chicola.....LA

11 Mike Colby.....Clearwater, FL

12 Anthony Colletti.....FL

13 Jason Cox.....

14 Scott Daggett.....Madeira Beach, FL

15 Jason Delacruz.....FL

16 Karoline DiPerna.....BOEM

17 Richard Fischer.....LA

18 Sonja Fordham.....Shark Advocates International

19 Tim Griner.....SAFMC

20 Buddy Guindon.....Galveston, TX

21 Ken Haddad.....ASA, FL

22 Sepp Haukebo.....TX

23 Jesse Heiser.....

24 Frank Helies.....NMFS

25 Scott Hickman.....Galveston, TX

26 Rachal Hisler.....Double Bayou, TX

27 Dylan Hubbard.....FL

28 David Johnson.....Madeira Beach, FL

29 Michelle Johnston.....NMFS

30 Randy Lauser.....

31 Brian Lewis.....Clearwater Beach, FL

32 Lissa Lyncker.....BOEM

33 Kyle Kimball.....Port Arthur, TX

34 Tricia Kimball.....Port Arthur, TX

35 David Krebs.....FL

36 Adam Major.....

37 Lawrence Marino.....LA

38 Jack McGovern.....NMFS

39 Ronnie Moon.....Port Arthur, TX

40 Kelia Paul.....Panama City, FL

41 Benjamin Quarles.....

42 Charlie Renier.....FL

43 Ed Salinas.....NOAA OLE

44 Tony Sappe.....

45 Mike Sullivan.....Panama City, FL

46 Steven Vaughan.....

47 John Walter.....SEFSC

48 Bob Zales.....Panama City, FL

49

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3 [PAGE 107](#): Motion to approve the changes to Sections 2.5.3 and
4 2.6.3. [The motion carried on page 107.](#)

5
6 [PAGE 107](#): Motion to accept the proposed changes to the SOPPs in
7 Section 3.8, Council Member Compensation. [The motion carried on](#)
8 [page 108.](#)

9
10 [PAGE 108](#): Motion to accept the proposed addition to Training in
11 Section 4.8.1 of the SOPPs. [The motion carried on page 108.](#)

12
13 [PAGE 122](#): Motion to direct staff consider if wahoo in the Gulf of
14 Mexico is in need of conservation and management. [The motion](#)
15 [carried on page 125.](#)

16
17 [PAGE 126](#): Motion that the need for this action is to improve
18 management and monitoring of the federally permitted for-hire and
19 headboat component of the recreational sector of Gulf reef fish
20 and CMP fisheries to prevent overfishing while achieving, on a
21 continual basis, the optimal yield. [The motion carried on page](#)
22 [126.](#)

23
24 [PAGE 139](#): Motion to request the Southeast Fisheries Science Center
25 conduct a desk MSE on Spanish mackerel to examine the impacts that
26 the unknown magnitude of recreational landings data may have on
27 management performance of Spanish mackerel. This evaluation
28 should consider but not be limited to differences in historical
29 calibrations of landings in the eastern Gulf as well as
30 uncertainties in these calibration for state and federal landings
31 that may contribute to additional management uncertainty. The
32 evaluation could also consider the performance of decreasing the
33 recreational bag limit. [The motion carried on page 140.](#)

34
35 [PAGE 141](#): Motion to request that NOAA Fisheries recommend that
36 the National Academies of Sciences follow up on "Assessing Equity
37 in the Distribution of Fisheries Management Benefits" with a second
38 Consensus Study Report that, as noted in the current report, "would
39 build on this contribution by evaluating equity in select,
40 illustrative fisheries using the information available. [The](#)
41 [motion carried on page 141.](#)

42
43 [PAGE 142](#): Motion to direct staff to write a letter to ask for an
44 extension to the EBFM Roadmap request comment deadline of July 31,
45 2024, to allow the ETC to meet and provide their input prior to
46 submission. [The motion carried on page 142.](#)

1
2 [PAGE 143](#): Motion to postpone the discussion of the following
3 vision until the August 2024 council meeting. Fishery vision: a
4 cohesive commercial fishery that includes a diverse suite of
5 successful businesses and fishery trusts that optimizes access to
6 and use of available IFQ shares. Process vision: a simple,
7 automated, and transparent process that ensures IFQ shares and
8 allocation are equitably distributed by NMFS to a defined user
9 group, the impacts of which are measurable and evaluated over time.
10 [The motion carried on page 149.](#)

11
12 [PAGE 156](#): Motion to direct staff to explore the possibility of
13 establishing a permit pool from those commercial reef fish permits
14 that will be terminated. [The motion carried on page 159.](#)

15
16 [PAGE 165](#): Motion to direct staff to begin a framework action to
17 remove the twenty-fathom recreational seasonal closure for
18 shallow-water grouper. [The motion carried on page 166.](#)

19
20 [PAGE 167](#): Motion to request staff to start a document to evaluate
21 minimum size and bag limits and other measures to stay within the
22 ACL for lane snapper. [The motion carried on page 167.](#)

23
24 [PAGE 168](#): Motion that the council requests the SEFSC to conduct
25 an interim analysis for lane snapper. [The motion carried on page](#)
26 [168.](#)

27
28 [PAGE 180](#): Motion to move Action 3 to Considered but Rejected.
29 [The motion failed on page 182.](#)

30
31 [PAGE 183](#): Motion to delay action on Framework 14: Modifications
32 to Spanish Mackerel Catch Limits and Accountability Measures until
33 CMP stakeholder engagement is complete. [The motion carried on](#)
34 [page 183.](#)

35
36 [PAGE 199](#): Motion that agenda items not fully in the briefing book
37 five calendar days prior to their time on the final agenda shall
38 be deleted from the agenda and scheduled for the next council
39 meeting. [The motion failed on page 202.](#)

40
41 - - -
42

1 The Full Council of the Gulf of Mexico Fishery Management Council
2 convened at The Omni Hotel in Houston, Texas on Wednesday morning,
3 June 26, 2024, and was called to order by Chairman Kevin Anson.

4
5 **CALL TO ORDER, ANNOUNCEMENTS, INTRODUCTIONS**
6

7 **CHAIRMAN KEVIN ANSON:** Welcome to the 300th meeting of the Gulf
8 Council. My name is Kevin Anson, chair of the council. If you
9 have a cell phone, or a similar device, we ask that you place it
10 on silent or vibrating mode during the meeting. Also, in order
11 for all to be able to hear the proceedings, we ask that you have
12 any private conversations outside. Please be advised that
13 alcoholic beverages are not permitted in the meeting room.

14
15 The Gulf Council is one of eight regional councils established in
16 1976 by the Fishery Conservation and Management Act, known today
17 as the Magnuson-Stevens Act. The council's purpose is to serve as
18 a deliberative body to advise the Secretary of Commerce on fishery
19 management measures in the federal waters of the Gulf of Mexico.
20 These measures help to ensure that fishery resources in the Gulf
21 are sustained, while providing the best overall benefit for the
22 nation.

23
24 The council has seventeen voting members, eleven of whom are
25 appointed by the Secretary of Commerce and include individuals
26 from a range of geographical areas in the Gulf of Mexico with
27 experience in various aspects of fisheries. The membership also
28 includes the five state fishery managers from each Gulf state and
29 the Regional Administrator from NOAA's Southeast Fisheries
30 Service, as well as several non-voting members.

31
32 Public input is a vital part of the council's deliberative process,
33 and comments, both oral and written, are accepted and considered
34 by the council throughout the process. We will welcome public
35 comment from in-person and virtual attendees.

36
37 Anyone joining us virtually that wishes to speak during the public
38 comment should register for comment online. Virtual participants
39 that are registered to comment should ensure that they are
40 registered for the webinar under the same name they used to
41 register to speak.

42
43 In-person attendees wishing to speak during the public comment
44 should sign-in at the registration kiosk located at the back of
45 the meeting room. We accept only one registration per person.
46 Public comment may end before the published agenda time if all
47 registered in-person and virtual participants have completed their
48 comment.

1
2 A digital recording is used for the public record, and, therefore,
3 for the purpose of voice identification, I would ask that meeting
4 participants seated at the table identify him or herself, starting
5 on my left.
6
7 **MR. J.D. DUGAS:** J.D. Dugas, Louisiana.
8
9 **MR. BILLY BROUSSARD:** Billy Broussard, Louisiana.
10
11 **MR. CHRIS SCHIEBLE:** Chris Schieble, Louisiana.
12
13 **MR. RICK BURRIS:** Rick Burris, Mississippi.
14
15 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine Fisheries
16 Commission.
17
18 **MR. MICHAEL MCDERMOTT:** Michael McDermott, Mississippi.
19
20 **MR. DAKUS GEESLIN:** Dakus Geeslin, Texas.
21
22 **DR. KESLEY BANKS:** Kesley Banks, Texas.
23
24 **MR. TROY WILLIAMSON:** Troy Williamson, Texas.
25
26 **DR. JOHN WALTER:** John Walter, Southeast Fisheries Science Center.
27
28 **MR. ANDY STRELCHECK:** Andy Strelcheck, NOAA Fisheries Southeast
29 Regional Office.
30
31 **MR. FRANK HELIES:** Frank Helies, NOAA Fisheries, Southeast Regional
32 Office.
33
34 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.
35
36 **MS. ANNE KERSTING:** Anne Kersting, NOAA Office of General Counsel.
37
38 **LT. CARL FUHS:** Carl Fuhs, Coast Guard District 8.
39
40 **MR. TIM GRINER:** Tim Griner, South Atlantic liaison.
41
42 **MR. BOB GILL:** Bob Gill, Florida.
43
44 **MR. ED WALKER:** Ed Walker, Florida.
45
46 **DR. C.J. SWEETMAN:** C.J. Sweetman, Florida.
47
48 **DR. TOM FRAZER:** Tom Frazer, Florida.

1
2 **DR. ANTHONY OVERTON:** Anthony Overton, Alabama.

3
4 **MS. SUSAN BOGGS:** Susan Boggs, Alabama.

5
6 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Carrie Simmons, council staff.

7
8 **CHAIRMAN ANSON:** Dale, you're online, correct? Can you identify
9 yourself?

10
11 **MR. DALE DIAZ:** Dale Diaz, Mississippi.

12
13 **CHAIRMAN ANSON:** Thank you. Well, this is -- June is a meeting
14 where some of our appointed members leave the council,
15 unfortunately, but oftentimes their membership on the council runs
16 out, after their nine years of consecutive service, and we have a
17 members that are currently on the council that won't be joining us
18 for our next meeting, and so I just wanted to take a few minutes
19 to talk about those folks.

20
21 I am honored to extend my gratitude to three exceptional
22 individuals, whose dedication on this council has significantly
23 impacted our fishery. Susan Boggs, Bob Gill, and Dale Diaz have
24 exemplified true commitment and passion in their service to
25 managing our nation's fisheries.

26
27 Susan Boggs' strategic insights and steadfast commitment to
28 sustainable fisheries management will leave a legacy on our
29 council's work. As a marina owner with years of experience with
30 the for-hire industry, Susan has led the charge to improve
31 fisheries management, by working with the for-hire industry and
32 the agency to develop a reporting program to improve data
33 collection for the industry. As a strong advocate, Susan has
34 worked hard to manage our fisheries fairly, and her contributions
35 will be missed.

36
37 Bob Gill's steadfast commitment to the principles of conservation
38 and collaboration has been instrumental in shaping council
39 policies for over a decade. His advocacy for the preservation of
40 our marine ecosystems, and the livelihoods of our fishermen, has
41 been both inspiring and invaluable. Always well prepared, Bob's
42 attention to detail and drive to improve efficiencies in the
43 council process and management overall will be dearly missed.

44
45 Dale Diaz's unwavering dedication to the Gulf of Mexico's fisheries
46 and coastal communities has been truly commendable. His leadership
47 at the council table, and tireless efforts to foster cooperation
48 and dialogue among stakeholders, have been instrumental in

1 advancing our shared goals. Dale's passion for conservation, and
2 his commitment to the welfare of our fishing communities, will
3 continue to make a profound impact on fisheries management for
4 years to come.

5
6 As we express our appreciation to Susan Boggs, Bob Gill, and Dale
7 Diaz, we should acknowledge the legacy they leave behind. Their
8 contributions have not only enriched our council, but have also
9 left an enduring imprint on fisheries management in the Gulf.
10 Thank you, Susan, Bob, and Dale, for your service and dedication.

11
12 We have a couple of items. Unfortunately, Dale, you couldn't make
13 it, and we're sorry to hear that you had other matters to attend
14 to, but we have some gifts available for you, as well as Bob and
15 Susan. Bob and Susan, could you -- Tell you what. Susan, could
16 you come up, and we'll have you up first?

17
18 **EXECUTIVE DIRECTOR SIMMONS:** In honor of your dedicated service to
19 the Gulf of Mexico Fishery Management Council, from 2018 to 2024,
20 we offer you this clock, and, for Mr. Gill, in honor of your
21 dedicated service to the Gulf Council from 2006 to 2024, and that
22 includes your first council appointment, your service on the SSC,
23 and your recent service on the council, sir. Mr. Diaz, your
24 service from 2015 to 2024, and thank you for serving as the chair
25 as well, and your leadership during that time. Thank you.

26
27 **MR. DIAZ:** Kevin, if I could, I would like to say a few words.

28
29 **CHAIRMAN ANSON:** Go ahead, Dale.

30
31 **MR. DIAZ:** First off, I want to thank -- I'm sorry that I couldn't
32 be there in-person this week. My wife's grandfather fell and broke
33 his hip right before the meeting, and so it just was not possible
34 for me to travel this week. I have been on the council since about
35 2009, being a state liaison and an at-large member, and, anyway,
36 it's been -- I've learned a lot, and I've met a lot of good people.

37
38 I often think -- You know, it would think that it would be easier
39 to manage a fish, but it's an incredibly difficult thing, and folks
40 work incredibly hard to manage those fish.

41
42 I also want to thank a few people. First, I want to say something
43 about the public though. One thing I hope the rest of the council
44 members think about is, when I look back, the best ideas that we've
45 worked on, and the best things that we've come up with -- I mean,
46 it generally starts with public testimony, and I've met so many
47 good people over the years, in-person and on the phone, and that's
48 one thing that I will always remember, but it's valuable. It's

1 very valuable. The public process is what makes the whole thing
2 work.

3
4 I do want to thank a few people for helping me, and supporting me,
5 and, first, I want to thank my wife, Deborah. She has supported
6 me all along, watching me working on briefing books at all hours
7 of the day and night, taking care of my family while I'm gone,
8 and, you know, folks out there listening to this realize that all
9 these council members that are there -- You know, there is good
10 people behind them, taking care of their family, and their
11 business, and making sure that they can do this job, and so,
12 anyway, I'm very thankful for that.

13
14 I have to mention my mentor, Corky Perret. Corky was on the
15 council before me, and I kind of followed him in my career, and
16 I'm very fortunate to be able to work with Corky, and to learn
17 from him, and I will always be thankful for that.

18
19 Also, I want to mention General Spraggins. I appreciate General
20 Spraggins' leadership and support since I've been on the council,
21 and, if you all ever meet a harder working person than General
22 Spraggins, I wish that you all would introduce me to him, because
23 I don't know a person harder working than him, and I appreciate
24 his support.

25
26 I do want to thank the council staff. You know, I've been around
27 a long time, and we've got a really good council staff. I
28 appreciate Dr. Simmons, Dr. Froeschke, Ryan, Bernie, and the rest
29 of the staff. You know, I can compare them to other councils, and
30 I've seen other councils, and we have a very good staff, and I
31 appreciate all the support in helping me do things that I needed
32 to do over the years. They have always been there for anything
33 I've asked.

34
35 I think this is kind of enough of this, but it's just, in closing,
36 I'm thankful that I've been able to be a small part of the good
37 work that this council has done in the Gulf of Mexico, and I really
38 believe that, during my time here, we have managed the fisheries
39 for the greatest good of the nation, and I'm proud of that, and
40 I'm proud to have served with every council member that is there
41 today, and thank you all very much, and I will be seeing you all
42 in the future.

43
44 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

45
46 **CHAIRMAN ANSON:** Thanks again, Dale, and, yes, we hope to see you
47 soon. With that, one other item that I would like to bring up for
48 folks is there will be a social this evening, Celebration for their

1 Service is what the title is, and it will be from 6:00 to 8:00
2 p.m., here in the hotel, at the Birdie's Café, which is just out
3 here off the main lobby, to continue our appreciation and
4 celebration of the work that Bob and Susan have given to the
5 council, and Dale of course, and so that is all that I have for
6 announcements.

7
8 That will take us then to Adoption of the Agenda and Approval of
9 the Minutes, Tab A, Numbers 3 and 4. Are there any changes needed
10 for the Adoption of the Agenda? Mr. Gill.

11
12 **MR. GILL:** Thank you, Mr. Chairman. I would request that we add
13 to Other Business a request for comment discussion.

14
15 **CHAIRMAN ANSON:** Okay. A request for comment discussion in Other
16 Business has been added. Does anyone else have any other items
17 for Other Business? Seeing none, is there a motion to accept the
18 agenda with the addition of the additional Other Business item?

19
20 **MR. GILL:** So moved, Mr. Chairman.

21
22 **MS. BOGGS:** Second.

23
24 **CHAIRMAN ANSON:** There is a motion, and it's seconded by Susan.
25 Is there any opposition to the motion? Seeing none, the motion
26 carries. The next item is Approval of the Minutes, Tab A, Number
27 4. Does anyone have any changes or comments to the minutes?
28 Seeing none, can I have a motion to accept the minutes as written?

29
30 **MR. GILL:** So moved, Mr. Chairman.

31
32 **MS. BOGGS:** Second.

33
34 **CHAIRMAN ANSON:** All right. We have a motion to accept the minutes,
35 and it's seconded. Any discussion on the motion? Seeing none,
36 any opposition to the motion? Seeing none, the motion carries.
37 That will take us to -- Next is an update from the Bureau of Ocean
38 Energy Management on Wind Energy Development in the Gulf of Mexico,
39 Tab A, Number 7. Ms. Lyncker is here in-person. Welcome.

40
41 **PRESENTATIONS**

42 **UPDATE FROM THE BUREAU OF OCEAN ENERGY MANAGEMENT ON WIND ENERGY**
43 **DEVELOPMENT IN THE GULF OF MEXICO**

44
45 **MS. LISSA LYNCKER:** Good morning. I'm Lissa Lyncker, and I am the
46 Chief of Staff for the Gulf of Mexico Region for the Bureau of
47 Ocean Energy Management. I will be presenting with a colleague
48 that is online, Karoline DiPerna, and we also have Mike Celata,

1 who is the Senior Advisor, and he will be online to help field
2 questions, as needed, and so I just wanted to mention that upfront.

3
4 Thank you for the opportunity to speak this morning. This
5 partnerships, and collaboration, are vital to continuing to
6 successfully develop the wind program in the Gulf of Mexico, and
7 transparency is also -- It's been important from the beginning,
8 and we're committed to laying out processes from our regulations
9 early, and rolling up our sleeves to sit down and help people
10 understand what it means and work collaboratively to figure out
11 solutions, ask hard questions now.

12
13 Today, we want to talk about -- We're going to take a step back
14 and talk about a little bit of process of, you know, looking at
15 our mission and the full range of our authority.

16
17 We talk mostly about wind development, but, actually, renewable
18 energy in the Gulf of Mexico, and actually in our jurisdiction
19 across the nation, includes a full range of other types of
20 renewable energy projects, and so we just want to -- We want to
21 lay that out, and then we'll put hydrogen -- We'll bring hydrogen
22 development back in context.

23
24 Another thing we want to make clear is we talk a lot about the
25 competitive wind leasing process, but we also have other means of
26 obtaining a lease in our regulations, and that includes an
27 unsolicited lease request, and it also includes a noncompetitive
28 lease process. Then I will wrap it up with where are we with wind
29 in the Gulf of Mexico, following the PSN publication, our proposed
30 sale notice publication.

31
32 BOEM's mission is managing responsible development of the
33 offshore, and the offshore is going to be -- You will hear me say
34 "offshore", and you will hear me say "OCS", or outer continental
35 shelf, and that is waters, federal waters, which, for most of the
36 United States, is three miles offshore, but, off of Texas, and the
37 western coast of Florida, it's nine miles, and so that's what --
38 In those waters, we're responsible for the mineral and geologic
39 resource management development in an environmentally and
40 economically-responsible way, and so what does our mission include
41 in those waters?

42
43 It includes conventional oil and gas, and it includes marine
44 mineral extraction, and it includes renewable energy activities,
45 and, in 2021, BOEM also gained the authority for carbon storage,
46 or carbon sequestration, and so we just wanted to show that BOEM
47 covers a broad range of acres. Thirty-two billion acres we're
48 looking at managing these four mission areas, and this includes

1 the territories, the U.S. territories, and so projects in our
2 mission area are oil and gas, renewable, marine minerals, and, in
3 the future, carbon storage, and that could even occur in the
4 territories, and we just want to make that clear.

5
6 I would be remiss to say that the Gulf of Mexico is unique, in the
7 fact that we have all four mission areas happening at the same
8 time, and so, while we don't have the carbon sequestration
9 regulations out, and the program is not moving, internally, we are
10 looking, and considering, all four program areas when we're making
11 decisions in prioritization of one program over another.

12
13 When we look at our renewable energy authority, we mostly focus on
14 wind, but, again, we want to take a step back and talk about what
15 is the full range of renewable energy potential, and so OCSLA,
16 which is the Outer Continental Shelf Lands Act, is our main
17 legislative authority that gives us the right for the mineral and
18 energy resource management, but, in 2005, it was amended to include
19 language that you see here that we can also manage energy from
20 sources other than oil and gas.

21
22 Then, in 2009, BOEM published our final regulations for renewable
23 energy, and we made it clear in that that these regulations were
24 developed to allow for a broad spectrum of renewable energy
25 development, which, in the preamble, specifically noted hydrogen
26 production, and so, in that energy policy act in 2005, it gave us
27 the authority for renewable, and it also gave us the authority to
28 look at alternative use of oil and gas platforms for other uses.

29
30 Fast forward a decade or so, and we then have a new administration
31 that puts an executive order out, in January of 2021, talking about
32 government-wide initiatives to reduce impacts from climate change
33 and reduce carbon emissions, and so one -- Along with the law that
34 talked about carbon, that gave BOEM the authority for carbon
35 sequestration, we also have the administration coming out and
36 talking about promoting hydrogen production.

37
38 Then, coming to present time, our modernization rule, and this is
39 basically, from 2009 to present, we had some lessons learned in
40 our renewable energy program, and we wanted to bring things up-
41 to-date. That rule was published this year, and it will be in
42 effect on July 15 of next month, July of this year.

43
44 Looking at the Gulf of Mexico, with an understanding that we have
45 this authority now, this broad authority, what is the range of
46 technology, and what is the range of viable options, for renewable
47 energy in the Gulf of Mexico, and so this is actually -- There's
48 a link on the bottom of this, and I can get this, and this is a

1 study that BOEM funded with NREL, and it was published in 2020,
2 looking at the range of technologies, the range of types of
3 renewable energy in the Gulf, and so, if you can see to the left
4 -- The blue is the potential, and then for the -- It's basically
5 based on the resource, and the red is the technological potential.

6
7 All the way to the left is wind, and this is why wind has dominated,
8 because it's got a great potential, and great technological
9 potential, to move forward. If you look to the right, the tallest
10 one is solar, and, at the time this was published, it had very
11 minimal offshore technological opportunity, and so, when you look
12 across the bottom, things that we have in our purview for renewable
13 energy include offshore wind, include wave energy, tidal, ocean
14 current, and then solar, and then to the right is ocean thermal
15 energy conversion, which is using temperature differentials to
16 convert the movement of water into energy.

17
18 What you don't see on this figure is hydrogen, okay, and so, in
19 2020, when this study was published, hydrogen was such a small
20 potential. Hydrogen production from wind was such a small
21 potential that it was not one of the top runners in what we were
22 looking at, and so why are we looking at it now, and why are we
23 talking about it to you now?

24
25 This is a rendition from a project that was funded. The Greater
26 New Orleans Partnership, in 2022, received \$50 million to analyze
27 the production of green hydrogen, research and development, and
28 even research projects, in Louisiana, and so this is a rendition
29 of offshore wind sending electricity to shore, and producing
30 hydrogen onshore, and why do we show this? Because, right now,
31 Louisiana is producing a huge amount of hydrogen onshore, and is
32 consuming a huge amount of hydrogen onshore, but most of it is
33 being done -- The hydrogen is being produced by blue or gray, which
34 is developed hydrocarbon use, and so this potential is that green
35 hydrogen can replace -- Lower carbon emissions for the sources for
36 hydrogen production in Louisiana.

37
38 The types of uses in Louisiana are, right now, chemical, feed
39 stock, fertilizers, oil refining, and steel. These are things
40 happening right now, and what the data shows is Louisiana is one
41 of the biggest consumers of hydrogen, industrial hydrogen, use
42 right now, and so, taking all of that into consideration, BOEM has
43 -- You know, one thing that I wanted to note as well is that DOE
44 has been provided a large sum of funds to study hydrogen as well,
45 and so we see the administration making it a priority.

46
47 It's our authority, and it's been our authority, and so what
48 happened? We looked at our leasing instrument, and we decided

1 that, to allow leases to propose hydrogen production, and not
2 permit it, and to not allow it, but just to propose it, our
3 solicitors wanted to revise some language, and so that's what
4 happened when we published the proposed sale notice earlier this
5 year. I presented to you that we made this edit.

6
7 Now where does green hydrogen fit into our process, and so, looking
8 at where we are today, we just published a proposed sale notice.
9 We had one sale last year in the Gulf, and we have one lease. That
10 lease does not propose to make hydrogen, but -- We don't have a
11 project proposal from them at this time, but, even in the onset,
12 they have not proposed hydrogen development.

13
14 We do not have a second lease sale yet, and we don't have a project
15 in place, and we don't have a proposal for this. Again, it's our
16 goal to get out here early, and share some context, and to be
17 transparent, so that we can move through this together, and we can
18 learn together, and we value the comments, and the input, from
19 this council.

20
21 What is covered at this stage? Right now, the only thing that
22 would be allowed, should a sale go forward, should a lease be let,
23 is site assessment, and so this is meteorological buoys, and this
24 is vessel trips, and then some surveys. It does not allow a
25 company to go build a windfarm, and it doesn't allow -- It doesn't
26 have project specifics. All of that will come. This means that
27 there will be numerous opportunities for continued engagement
28 throughout this process, and learning.

29
30 If we were going to have a hydrogen project, if a company was going
31 to get a lease, and they were going to propose it, where would
32 that fit it? If you can recall, we were over to the left, and
33 it's about a year to six years before we're even at a site
34 assessment and we would begin to understand what they would be
35 interested in developing, and then another five years or so before
36 they would even -- They would move through the construction and
37 operation process, and so we're looking at five to ten years down
38 the line before we have an awareness if companies are interested
39 in hydrogen, beyond the context that I've shared with you already.
40 We have time. The goal, with talking to you all about this, is
41 getting out here early, and hearing the concerns early, and working
42 together.

43
44 This is a hypothetical, and so this has not been submitted for
45 proposal, and we actually borrowed this from you all's comment to
46 us in the PSN, and this is three renditions of what a hydrogen
47 production installation could look like.

48

1 The top one is onshore, and the second one is a unified location
2 with an electrolyzer, where the electricity is coming from multiple
3 -- From multiple turbines, and then the third -- This one is
4 offshore, and then it's sending hydrogen onshore, and then a third
5 format, or scenario, would be an electrolyzer on each of the
6 turbines, and so, again, this is hypothetical. It could look like
7 this, or it could look different than this, but this is just an
8 example, to get a visual of what does this look like, what does
9 green hydrogen look like.

10
11 Where are we today? No leases with this, and we're five to ten
12 years out, before any construction plans, and we're continuing to
13 collaborate. We're continuing to learn. We have submitted study
14 profiles, and so we have congressional funding to understand the
15 effects of our permitting and management actions on the outer
16 continental shelf, and we've submitted study profiles, but this
17 might be a great opportunity where the council can begin to think
18 and submit study ideas as well to be approved for funding.

19
20 Just I want to say two weeks ago, I filled out a doodle poll, and
21 I'm going to be meeting with countries like the UK and Denmark, as
22 they have been working through this already, and we want to learn
23 from them, and we've been coordinating with DOE. There is a
24 master's thesis link on here, and this is from the Netherlands,
25 and this specific research looks at water uptake impacts from
26 offshore green hydrogen development, and so we are gathering
27 information. We'll share what we have, but we're to communicate
28 and offer the opportunity for these comments. At this point, I
29 will turn it over to Karoline DiPerna online to walk us through
30 these set of slides.

31
32 **MS. KAROLINE DIPERNA:** Good morning. My name is Karoline DiPerna.
33 I'm a project coordinator for the BOEM Gulf of Mexico Renewables
34 Leasing Team, and so, today, we just wanted to walk through some
35 general information about our unsolicited lease request process
36 and the noncompetitive lease award process.

37
38 There's a lot of information here on this slide, but we just wanted
39 to give a quick visual overview of the noncompetitive lease award
40 process. After BOEM reviews a company's unsolicited application,
41 as well as their qualification documents, the next step would be
42 to publish a request for competitive interest in the Federal
43 Register, and so this is a public notice that has a forty-five-
44 day comment period.

45
46 Following that comment period, BOEM will determine if there is, or
47 is not, competitive interest in requested area in that request for
48 competitive interest. We will break this down a bit more in the

1 coming slides.

2

3 Okay, and so you can see here that these are the BOEM regulations
4 on our unsolicited lease requests, and so some information that
5 must be included when submitting this lease request is the
6 requested area, of course, a description of the project, its
7 objectives, how the company intends to achieve these objectives,
8 general schedule of the proposed activities, available and
9 pertinent data and information, and, if available, a statement
10 that confirms that the company's proposal abides by state and local
11 energy planning requirements.

12

13 An example to note of how we can work together to make sure that
14 we are working in the most deconflicted areas is we had a company,
15 at one point, submit a proposal for a very large area in the Gulf.
16 They submitted data, maps, and other information that they have
17 gathered from and outside party.

18

19 BOEM received the proposal and compared the company's data with
20 BOEM's data, including our modeling efforts with NOAA NCCOS, and
21 we saw that parts of the requested area were quite conflicted, and
22 so what we did, at this point, was we worked with NCCOS, and we
23 performed more data modeling within that area, using data currently
24 available, and, from there, BOEM was able to present the company
25 with a reduced and more deconflicted area.

26

27 Just as a note, the information that companies submit may help
28 BOEM determine if a project is not only feasible in this area, but
29 to make sure that we are within deconflicted areas in the Gulf.

30

31 As we mentioned earlier, after the request for competitive interest
32 is published in the Federal Register, BOEM decides whether or not
33 competitive interest exists in this requested area, and so, if
34 competitive interest is determined, through the comments received,
35 BOEM does have the option to move forward into the competitive
36 leasing process, and so this process is simply our typical
37 competitive lease award process that you've seen with our previous
38 auctions. This would include a proposed sale notice, a final sale
39 notice, and, finally, an auction.

40

41 Now, on the other hand, if BOEM determines that there is no
42 competitive interest in this requested area, we'll then publish
43 another public notice to the Federal Register, and this is called
44 a determination of no competitive interest, and so this is just a
45 brief document that informs the public about the status of the
46 unsolicited lease request that was discussed and that request for
47 competitive interest.

48

1 Following the publication of the determination of no competitive
2 interest, we do have a few more steps, for not only the company,
3 for also for BOEM as well, before we even consider lease issuance,
4 and so, as Lissa mentioned, the BOEM modernization rule is
5 effective next month, and part of this identifies that BOEM will
6 be responsible for preparing and providing a written cost estimate
7 of the proposed fee to pay for processing costs, including
8 environmental review that BOEM may deem necessary before lease
9 issuance.

10
11 Following that, the company that has submitted an application is
12 also responsible for submitting consistency certification, as well
13 as data and information applicable to the state CZMA agencies, as
14 well as to BOEM. Finally, BOEM consults with affected federal,
15 state, and local governments, as well as affected indigenous
16 tribes, to review the noncompetitive lease request.

17
18 Our last slide here shows some significant topics that were
19 considered during the unsolicited lease request process, and
20 that's our NEPA considerations and environmental consultations.
21 These can be lengthy processes in themselves, but they ensure that
22 we're doing our due diligence to ensure that we're working within
23 those deconflicted areas and that we're consulting with affected
24 parties.

25
26 For NEPA, BOEM assumes that the environmental assessment covers
27 site characterization and site assessment activities only, and so
28 this timeframe may include six to twelve months of preplanning,
29 creating scenarios, identifying the scope, and coordinating any
30 public announcements, and so I do note that, if significant impacts
31 are found, BOEM prepares an environmental impact statement, and
32 this could take up to an additional two years.

33
34 Moving into our environmental consultations, these must be
35 complete before any activities in the area can be done, and so,
36 again, BOEM takes about six to twelve months of preplanning, and
37 about twelve months to actually conduct these consultations, and
38 these consultations are assumed to be for lease issuance, site
39 characterization, and site assessment activities only.

40
41 In addition to this, if there is no competitive interest, the
42 potential lessee must provide detailed information about their
43 proposed activities and any other information that BOEM requests
44 to support scenario development. Again, this can be lengthy,
45 possibly up to eighteen to twenty-four months, and that's if no
46 significant impacts are found.

1 After all the requirements have been met, BOEM decides -- If BOEM
2 decides on lease issuance, the process follows a similar protocol
3 as seen with competitive leasing, and so, just to wrap it up, our
4 goal today was to provide some general information as to what an
5 unsolicited lease request may look like and what could possibly be
6 expected in the event that we had one, and so I appreciate your
7 time, and I will pass it back to Lissa. Thank you.

8
9 **MS. LYNCKER:** Thank you, Karoline. As you can see, there's a lot
10 of details there, and I really appreciate her walking through
11 those, and, again, like Karoline just said, our takeaway is that
12 we have the competitive leasing process, which we've talked to you
13 a number of times about, but just as viable is this unsolicited
14 lease request, where companies could come in and ask for a project
15 anywhere in the Gulf, and then we have the noncompetitive process.

16
17 In the event that a competitive process winds up not having
18 competition, it can then move into a noncompetitive process, and
19 that's viable as well. One thing that I think it's important to
20 note here is we've done a substantial amount of work, in a large
21 portion of the Gulf, where we have deconflicted areas for wind,
22 and if, and when, a company would come in and ask for an unsolicited
23 proposal in those areas, those areas would have had the upfront
24 deconflicting done, and it doesn't preclude like subsequent steps
25 of making sure the NEPA is adequate, and CZMA, and it's not going
26 to preclude the site-specific plans, when those come in, but it's
27 just the fact that if like a plan -- If a proposal would come in
28 outside of the call area that we have become familiar with, then
29 it would be a more extended process, a full NEPA process, a full
30 review, that mirrors that longer competitive leasing process that
31 you all have come to know so far.

32
33 Just a quick where are we with wind in the Gulf right now, and so,
34 in March, we published our proposed sale notice, looking at four
35 potential sale areas in the Gulf of Mexico adjacent to the current
36 lease area in south Louisiana. We received twenty-four comments
37 on that, and so we're in the process of reviewing those, and we
38 appreciate the council's comments, and we are -- We got a number
39 of comments that we're working through.

40
41 We are reviewing those, and then we will make our responses to
42 comments public, and so those will likely be published on our
43 website, and we will make sure the council is aware of those
44 responses. The next step would be a potential publication of a
45 final sale notice, which would give the details and the timing of
46 the final sale, of the sale, and so where are we now?

47
48 We're continuing our outreach and engagement, to make sure

1 everybody knows where we are in the process, and what the next
2 steps look like, and we are planning a transmission workshop in
3 the Gulf of Mexico, in partnership with DOE and NREL and NCCOS,
4 and this is important, because, just like we've deconflicted areas
5 for where wind would be most suitable, and not that we would
6 dictate where industry would put their transmission lines coming
7 to shore, but we can certainly help look at the data and make a
8 collaborative recommendation for pathways to shore that would
9 reduce impacts to coastal communities.

10
11 If you look to the figure on the right, there is three areas
12 circled. The Secretary, in April, came out with our new wind
13 leasing, our five year wind leasing, schedule, and the Gulf of
14 Mexico does propose to have three sales, including the one this
15 year, and so that's more than any other region in the nation. Even
16 with the wind potentials being greater in other areas, the Gulf of
17 Mexico is on the map, and so we are -- Behind the scenes, we're
18 updating our NCCOS siting model for our subsequent -- For our
19 upcoming potential proposed sales, and we're looking at the next
20 set of wind energy areas, and I will take questions. Thank you.

21
22 **CHAIRMAN ANSON:** Do we have any questions? Mr. Gill.

23
24 **MR. GILL:** Thank you, Mr. Chairman, and thank you for the
25 presentation, Ms. Lyncker. The question might be for Dr. Walter,
26 or you, and I don't quite know, but, prior to the introduction of
27 the green hydrogen process, the integration of the Science Center
28 -- Between BOEM and the Science Center has been excellent, and
29 fruitful.

30
31 With the introduction of green hydrogen, that's a different kettle
32 of fish, and so my question is how the Science Center gets
33 integrated into that process, given the EA, and potential EIS,
34 results, and are they part of the process, or are they the review
35 side of it, and how is that going to work?

36
37 **DR. WALTER:** Thanks for the question directed to us. One thing we
38 have been working together with BOEM on is the marine spatial
39 planning. Up until this date, it's been highly successful. We
40 did not actually incorporate green hydrogen concerns in that marine
41 spatial planning, and so one of the things that we think, from a
42 science perspective, is that a data layer that would be including
43 eggs and larvae, which the main concern we have so far on green
44 hydrogen, from what we know, is the impingement of eggs and larvae,
45 and that it could be fairly substantial, and so a data layer that
46 would consider those and then be able to say maybe a particular
47 location is, or is not, suitable for that would be helpful in the
48 planning.

1
2 It was not included to-date, which is one of the things that is in
3 our letter on the proposed sale notice, and it's something for the
4 third round of Gulf Wind 3, for the marine spatial planning, and
5 we would like to be able to get a data layer like that into the
6 consideration, to say whether an area might be suitable or not for
7 that.

8
9 **CHAIRMAN ANSON:** Dr. Frazer.

10
11 **DR. FRAZER:** Just to follow-up on both of those comments, so, I
12 mean, I understand that BOEM has solicited a review, right, of the
13 environmental impacts, and most of the hydrogen production to-date
14 has been done on land, right, and there is a lot of produced water.
15 The interesting thing about the potential proposals that you might
16 receive are to do that in a marine system, right, and you're still
17 going to require a water, and so the effects extend well beyond
18 those on eggs and larvae and things like that, and so who is going
19 to determine, you know, what types of information you would
20 collect, you know, recognizing that there will be like production
21 of nitrogen oxide and things like that, and so what chemical
22 samples would you actually collect, right, and then who would be
23 ultimately responsible for determining what a sampling protocol
24 might look like, to determine whether or not there was an impact
25 or not, and that wasn't clear to me.

26
27 **MS. LYNCKER:** That's a good question, and so we -- So BOEM has a
28 team of scientists, an Office of Environment, with almost fifty
29 people, where we have experts in various ranges of -- Or various
30 disciplines of biology, and so we have a couple on the call
31 actually, and so they have begun looking into what are the range
32 of activities related to production of hydrogen, green hydrogen,
33 and so then, once we understand what are the actions, then we can
34 understand, okay, what are the potential impacting factors, what
35 are the things related to that.

36
37 We're open to -- That's why we're talking to Denmark, and the UK,
38 and looking at the Netherlands, and what have they seen to inform
39 this. Once we understand that, then we can begin developing
40 studies, and so sometimes we will contract out studies, and we'll
41 have the actual lead for those studies tell us that here's what we
42 think you need to know, and begin to investigate, and we also have
43 -- We get that input from all over.

44
45 We get the input from NOAA, what they feel like, and we'll get the
46 input from other stakeholders that maybe more -- That have
47 expertise in that area, but we're certainly open, and the point is
48 that we have time in the process to figure this out, in our opinion,

1 and we're very early, and we're putting the feelers out now, so
2 that we can capture what we need early.

3
4 **DR. FRAZER:** Thank you.

5
6 **MS. LYNCKER:** I do agree -- You know, just to follow-up on what
7 Mr. Walter said, that we have a number of other -- We have a range
8 of renewable energy opportunities in the Gulf, and a number of
9 them focus on some water uptake, whether it's tidal, whether it's
10 hydro, and so, you know, regardless of -- Just focusing on green
11 hydrogen, better understanding the larval transport, and the
12 timing across the Gulf, and having a layer for that, would be
13 really helpful.

14
15 We -- Just as an aside, we're developing layers for carbon
16 sequestration, and so what is the potential in the Gulf of Mexico,
17 and how does it overlap, and, even though we don't have regulations
18 yet, you know, and so it is the model yet, creating areas that are
19 off the table? No, but we do understand that it's coming, and so,
20 you know, just in discussions that we've had recently, and this is
21 not the end of the conversation, but, when we better understand
22 the larval patterns, and the entrainment issues, we can potentially
23 create subsets of more suitable areas for hydrogen.

24
25 In some areas of the Gulf, wind -- You know, in all areas of the
26 Gulf, wind is, you know, what we've -- We have these wind energy
27 areas that it's suitable for wind, and then a subset of that may
28 be more suitable for wind and hydrogen, but, you know, stay tuned.

29
30 **CHAIRMAN ANSON:** Mr. Strelcheck.

31
32 **MR. STRELCHECK:** Thank you, Lissa, for being here and presenting.
33 Great presentation, and it was very informative. I had a question
34 more about the transition workshop, and so you indicated that you
35 were coordinating with a number of federal agencies, and is the
36 vision there to be more of a federal family meeting, or would there
37 also be stakeholders pulled into that discussion? For example,
38 obviously, the shrimp industry has certainly been very engaged,
39 and you've been doing a great job of communicating with them, but
40 they're going to very interested in where those transmission
41 corridors are ultimately developed, and so I'm just curious when
42 their engagement might be in this process as well.

43
44 **MS. LYNCKER:** So we're at the very early stages, and I would say
45 DOE was lead, and they contracted with NREL, and the scope of this
46 workshop is still being -- I know that one component was data
47 gathering, for the scope of the workshop, and it doesn't have to
48 be the only workshop we do on this, but the scope of this one will

1 still be underdetermined, and BOEM isn't necessarily the lead, and
2 so we are in the planning meetings, but our role can be to make
3 sure that we encourage a robust -- Depending on what the scope is
4 for this, to make sure we have all the appropriate people
5 represented for the resources.

6
7 NCCOS is the lead for the data, and I will be learning -- You know,
8 we're sending emails back and forth right now, and the scope is
9 still being finalized, and so I will definitely follow-up on that.

10
11 **MR. STRELCHECK:** Great, and I definitely would love to chat with
12 you more, and, you know, we have our monthly tag-ups, and we can
13 certainly talk further then, and it extends beyond the fishing
14 industry, obviously, to our coastal communities, and engagement,
15 and involvement, with our equity and environmental justice
16 strategy, and so certainly, whether it's this workshop or future
17 workshops, I just want to make sure that we're engaging all of
18 those key stakeholders.

19
20 **MS. LYNCKER:** Thank you, and we commend the efforts that we've
21 seen with you and your staff, and we have touched base, and we're
22 looking at ways that we can learn and share from your EEJ outreach
23 efforts. Thank you.

24
25 **CHAIRMAN ANSON:** Dr. Walter, did you have your hand up?

26
27 **DR. WALTER:** Yes, and thanks, and I really want to thank BOEM for
28 their engagement here. I think they've been to almost every
29 council meeting in the past year or so, and often in-person, and
30 so I think that's a really high level of engagement, and so that's
31 really good.

32
33 Just a couple of developments. One, we're working closely with
34 BOEM and your staff, Lissa, on our survey mitigation strategy, and
35 we should have that document -- We hope for it to be finalized
36 fairly soon, in the next couple of weeks, and so that will really
37 set the stage for how we're going to mitigate and keep our surveys
38 whole with this new development.

39
40 In terms of incorporating things that may be on the horizon, and
41 I think one of the keys we learned about the marine spatial
42 planning is to do it big, do it for as much area as you can,
43 because it's easier than -- It allows you to do another round of
44 leasing, based on that original marine spatial planning, but also
45 to do things that might be on the horizon, green hydrogen and the
46 other energy sources, and so I think we are looking forward to
47 engaging, in terms of incorporating those into the planning, so
48 that we can really do an informed planning for the blue economy in

1 the Gulf of Mexico.

2
3 The other engagement that's been productive is engaging actually
4 with the developer, RWE, and we've had productive conversations
5 with them, early and often, to be able to begin to have the
6 discussions of what their monitoring might look like and how that
7 can be folded into potentially survey mitigation, and so that's
8 been productive.

9
10 The one concern I think that we have is, as I noted on things that
11 weren't included in the marine spatial planning, like green
12 hydrogen, is putting things in later on means that you aren't
13 really using the marine spatial planning process for its full
14 benefit, because you're not necessarily looking at areas that might
15 be better for an activity if that activity is then allowed in the
16 leasing process, and so we would say we certainly want to get that
17 in, if possible, for Gulf Wind 3 considerations.

18
19 Then, for in particular the noncompetitive lease sales, have --
20 They're challenging, because it's not as transparent as to how
21 that decision would get made, and it's not through the full
22 process, and so I think the only real way to maintain transparency,
23 and for that to be as effective as the original competitive lease
24 process that was done with the marine spatial planning is for that
25 planning to be used to also vet any noncompetitive lease sale and
26 for there -- There was mentioned engagement with stakeholders about
27 what those are, and it's not clear what that engagement is going
28 to look like, whether there would be an additional taskforce
29 meeting to consider noncompetitive ones, and maybe my main question
30 here is what does engagement look like if a noncompetitive lease
31 sale were to kind of go to fruition, and maybe if you could explain
32 what that would look like.

33
34 **MS. LYNCKER:** Thank you for the -- Do you want me to try to answer
35 now, or is this a follow-up?

36
37 **DR. WALTER:** As you wish, but I think a lot of people want to know,
38 like if a lease sale, noncompetitive, were to be offered, when
39 would there be public comment opportunity? Thanks.

40
41 **MS. LYNCKER:** Okay, and so there's a few things to unpack. Thank
42 you for all of that. I appreciate the thoughtful input, and we -
43 - As John have said, we have considered -- Right now, we have done
44 -- So I will tackle this, I guess, one part, looking at the NCCOS
45 and the siting, and what we've done now, and what we could do, and
46 then I will talk about the public review process.

47
48 As you can imagine, looking at the entire Gulf of Mexico, and

1 having an unsolicited lease coming in anywhere -- You know, just
2 data modeling is not our only concern, and so we're looking at
3 workload, and what if we have a whole bunch of them come in, and
4 so we -- Just recently, about a month ago, we had our leadership
5 come together and how we best situate ourselves for success when
6 considering this range of unknowns, where we don't know where, we
7 don't know when, and we don't know what kind of data we would need
8 for it.

9
10 One of those tasks is to look at building the capacity into our
11 process now to expand the NCCOS modeling across the Gulf, and so
12 we have to do it in stride with timing and finances, and so we
13 were looking at our schedule, and there is -- In that proposed
14 three sales, there's a break in there, and so maybe, you know,
15 while we're moving towards an earlier sale, in the background, we
16 start the development -- So, anyway, we're looking at -- We agree,
17 and we're looking at timing of where it fits in for capacity for
18 workload and for funding. Thank you for that insight, and we
19 agree, and we want to work with NCCOS to figure out how we can
20 maneuver that.

21
22 As far as the public -- The opportunity for like say the council
23 to weigh-in on an unsolicited lease proposal, so the company comes
24 in, and they have to be qualified, financially qualified, before
25 they can even move forward in the process, and so this is happening
26 in the leasing.

27
28 They have to give us enough information for us to understand where
29 the project is going, but it is not more information than we would
30 know if somebody was going to get a lease in one of our wind energy
31 areas, and so then we put it out for a request for competitive
32 interest, and it's a forty-five-day public comment period.

33
34 That is an opportunity for this council to look at that and say we
35 don't -- We don't understand enough, and we need more time, or
36 this is really well understood, and here's our comments, and so we
37 have that first request for competitive interest opportunity.
38 Following that, if a lease was issued, we would then -- If it was
39 not in the call area, we would walk through the NEPA process, and
40 we would either start off with an EA, or, depending on if we could
41 foresee significant impacts, we would move to proposing an EIS, to
42 reduce the potential for having to do an EA and two years later
43 start an EIS, and then the NEPA process would start with scoping,
44 and then with a draft review and a final additional comment period.

45
46 After that, that is still just site assessment, and so this -- It
47 looks similar to the leasing that you've seen, and it is just not
48 laid out like we've been communicating the competitive leasing

1 process, but it is similar, and I would say the difference is the
2 request comes in unsolicited, and that's the difference. Like
3 it's not out there for everybody to know when it's happening, and
4 that's the difference. It comes in, and we're not even expecting
5 it, per se, and so we do hear that that is potentially, you know
6 -- It's an unknown to people, when is it going to come in, and we
7 don't even know, and so it's -- But we do commit that we will move
8 through the process and provide these opportunities for engagement
9 and appropriate siting, as we've learned from, you know, all the
10 work with NCCOS so far. I am not sure if that answered it all,
11 but I'm certainly available for follow-up.

12

13 **DR. WALTER:** Thanks.

14

15 **CHAIRMAN ANSON:** Dr. Simmons.

16

17 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Thank you so
18 much for the presentation, and we appreciate all the meetings that
19 you and your staff helped us with following the April council
20 meeting and our letter to try to better understand this process.

21

22 One of the big things we have on the horizon, and I think we're
23 probably going to put this in front of the council in August, is
24 the first company's communications plan, which is RWE's fisheries
25 communication plan. That is outlined in their lease, and my
26 understanding is that that would go before the council here soon,
27 and they have provided a draft to us to take a look at, and the
28 staff we would need to be involved in that.

29

30 The other consideration with that, as we learn this process, is,
31 if another company comes along, they use that same communications
32 plan, is my understanding, and so this is really important, that
33 we lay out a good, solid foundation at the beginning for the
34 communications plan that other companies would kind of add on, or
35 come into that as well, as they get those other leases, and so I
36 just wanted to bring that up and make you all aware.

37

38 **MS. LYNCKER:** Thank you, and it's a great point. Right now, we
39 have one company in the Gulf, and so a lot of that falls on the
40 shoulders of one company, like versus the Northeast, where there's
41 multiple companies kind of developing this communication strategy,
42 and so it doesn't mean that we would put in this one -- Not we,
43 BOEM, but what is put in this one, in BOEM reviews, is the final
44 say, and it's just -- I mean, I would definitely, you know, be
45 thoughtful, but we can always do better as we learn more.

46

47 **CHAIRMAN ANSON:** Any other questions? I'm not seeing any. Ms.
48 Lyncker, thank you very much for being here, and we appreciate,

1 again, the update, and certainly your time to come here in-person.
2 Thank you.

3
4 **MS. LYNCKER:** Thank you.

5
6 **CHAIRMAN ANSON:** Next, that will take us to Texas Law Enforcement
7 Efforts, Tab A, Number 8, and Assistant Commander Casterline.
8 Welcome, sir.

9
10 **TEXAS LAW ENFORCEMENT EFFORTS**

11
12 **ASSISTANT COMMANDER LES CASTERLINE:** Mr. Chairman and council
13 members, good morning, and thank you for the opportunity to speak
14 to you today about the efforts that are going on with enforcement
15 with our officers up and down the coast. We definitely appreciate
16 the opportunity to speak to you here today.

17
18 In kind of putting this presentation together, and I have given
19 quite a few of these over the years myself, and I know we have,
20 through the years, had some different council members get on the
21 council, and so, this time, I was going to add a few different
22 points to this, just to kind of give an idea and some background
23 on what each of these little components might be, and please, at
24 the end, if you all have any questions, please ask about it.

25
26 First of all, my name, for the record, is Les Casterline, and I'm
27 the Assistant Commander of Fisheries Enforcement for the Texas
28 Parks and Wildlife Law Enforcement Division, stationed out of
29 Austin, Texas. Also in our shop, and some of you all may have had
30 a chance to meet Lieutenant Carmen Rickel, and she's our Lieutenant
31 of Fisheries Enforcement in our fisheries shop up at headquarters.

32
33 What we're here today to speak to you about is our enforcement
34 efforts through our joint enforcement agreement with NOAA's Office
35 of Law Enforcement. This is a long-standing agreement that has
36 stood between our agencies, as well as other state agencies, with
37 NOAA for years.

38
39 Just to kind of give you some background on this agreement, for
40 those of you all that aren't as familiar with the process, we have
41 a five-year agreement, a cooperative enforcement agreement, which
42 grants the state agencies and their officers federal authority, a
43 deputization, to enforce federal regulations on fisheries, not
44 only within the state boundaries of their individual states, but
45 it also gives us the authority to go out and enforce this out to
46 200 nautical miles, out in the Exclusive Economic Zone.

47
48 That follows up with each year we all renew a -- What you all have

1 come to talk about as one component of the joint enforcement
2 agreement, where there is also a funding component yearly that
3 allows the states to participate in enforcement of the regulations
4 they've been given that authority for.

5
6 Here in Texas, we have priorities consisting of -- We have our
7 general enforcement, and so you'll have game wardens assisting
8 with different species, such as coastal migratory pelagics and our
9 highly migratory species. For the current year, just to give you
10 an idea, we utilized two different types of platforms, a mid-range
11 vessel, which is usually like a twin engine, twenty-nine or thirty-
12 foot vessel, and, for this year, we had 108 hours, patrol hours,
13 for this priority in the mid-range. We also have two long-range
14 vessels, a sixty-five-footer and an eighty-footer, that
15 participate and had forty hours allotted to their patrols for this
16 general enforcement section of our agreement.

17
18 As you can see, we've got a couple of pictures there that you can
19 see, and I would say, as far as highly migratory species
20 specifically, it continues to be our issue with south Texas, with
21 the vessels coming out of Mexico that are targeting sharks and red
22 snapper, and so that definitely affects our enforcement on our
23 general enforcement program. I will also speak about that a little
24 bit later.

25
26 Another one of our pretty high-level priorities is TED enforcement.
27 That's always a very high-level priority for us in the State of
28 Texas, as well as our partners with NOAA and the Coast Guard, that
29 we work well with through our fisheries enforcement, and, this
30 year, we utilized three different platform types.

31
32 We have our nearshore vessels, that we use inside the bays, and so
33 our smaller bay boats, and we had seventy-two hours of vessel
34 patrols. Our mid-range vessels, we had 144 hours of vessel
35 patrols, and we had 144 hours of long-range vessel patrols offshore
36 as well, and so kind of a mix of the different areas where we incur
37 shrimping vessels, whether it's the bay, whether it's closer
38 inshore or offshore, or further offshore into the Gulf of Mexico
39 on the EEZ.

40
41 We spread that around, so that we have different platforms for
42 each of those different areas, and, as you can see in the pictures,
43 and that's kind of a smaller vessel, and some of these vessels get
44 up to around a hundred foot in length, and so we're kind of
45 adjusting our patrols to where we're addressing all of those.

46
47 Then we move on to reef fish, and, as you all are well aware, we're
48 involved in the enforcement of reef fish enforcement in the State

1 of Texas and our other Gulf states. This priority is broke up
2 into mid-range patrols and long-range patrols. Mid-range
3 consisted of 108 hours this year, and then forty hours for our
4 long-range patrols.

5
6 Each of these patrols, and any of these priorities, just so you
7 know, they're going to stretch from the Texas-Mexico border to the
8 Louisiana border. We have fishermen, in each of these priorities
9 that you're going to see today, that utilize the waters up and
10 down the coast, and so we spread those hours out, and we try to
11 have consistent enforcement up and down the coast for all
12 priorities.

13
14 Also, another priority that we have will be the IFQ enforcement,
15 and so, especially if you get up into the upper Texas coast, around
16 the Galveston area, you're going to find that's where the majority
17 of the landings in Texas will be for our IFQ vessels, whether
18 you're talking about, you know, red snapper, groupers, or tilefish.
19 The majority of those landings are going to occur on the upper
20 Texas coast. You may actually find those vessels fishing up and
21 down the entire coast, but most of them are homeported out of the
22 Galveston area, or at least up in the upper Texas coast. I believe
23 we have one or two vessels in south Texas, and that's currently
24 all that we have in that area.

25
26 This is a dockside patrol, and so basically what will happen is we
27 actually get -- We had 114 hours for this current year. We will
28 get notifications from the IFQ system, and they will go out to our
29 game wardens. The game wardens that are on duty in the area will
30 actually show up and inspect the offload, to make sure that
31 everything is in compliance, and they've done a great -- They
32 always do a great job with this.

33
34 I actually had a compliment paid to our officers by one of our
35 commercial fishermen yesterday, their professionalism in their
36 work over there, and that they were seeing them quite often at
37 their off-loadings, and so that's a good thing to hear. That's
38 what this funding is for, and that's what we try to accomplish by
39 utilizing this funding given to us by the federal government.

40
41 One of our newer priorities would be our sanctuary enforcement.
42 Of course, this is pretty big feat for us, and we only have one
43 vessel that really -- Well, two vessels that have the capabilities
44 to hit all of the actual banks within the Flower Garden Banks, our
45 eighty-foot Captain Murchison, which is out of Corpus Christi, and
46 our sixty-five-foot Captain Williams, that is out of the Galveston
47 area. We utilize those two platforms to go offshore, to have
48 multiday patrols, to try to enforce the regulations that apply

1 within the Flower Garden Banks itself.

2
3 If you can see in the picture, and that was a pretty neat picture
4 they got, and they actually, at the time they were out there in
5 this photo, showed up, and the NOAA staff was actually out there
6 doing their surveys, their biological work out there at the Flower
7 Garden Banks, and it was a pretty nice opportunity to get a joint
8 picture kind of showing the unified effort and all the efforts
9 that we have in the Gulf of Mexico area.

10
11 Then this is also one of our newer enforcement efforts. You know,
12 a lot of people hear the term "IUU" in recent years, the illegal,
13 unreported, and unregulated fishing, and these are also dockside
14 patrols. It's one that we really put a lot of effort in in Texas,
15 and it's -- When we started this priority, working jointly with
16 our partners at NOAA, we really were finding a lot of issues on
17 imports that were coming in.

18
19 It gained some attention at our agency level, and we really put a
20 lot of effort, as well as funding from the state, paired with the
21 federal dollars, to extend these efforts, and so, while we had 273
22 hours' worth of dockside funding from NOAA, I would venture to say
23 that, dollar-wise, we actually spent well more than that, out of
24 state funds, to extend the efforts.

25
26 What we've done in the past few years is we've started along the
27 lower Texas border, down in Brownsville, and we've kind of worked
28 that area, and we have worked some airports, like up in the Houston
29 area here, but we've also expanded to other areas that normally
30 don't have JEA enforcement, because you don't really see them as
31 being a place where you would be dealing with fisheries issues,
32 and so, this past year, we worked with our partners at NOAA, as
33 well as U.S. Fish and Wildlife, U.S. Customs, the FDA, and other
34 agencies, and we actually worked up in the El Paso area, which is
35 pretty far from the coast, but, if you think about it, we're
36 talking about imports.

37
38 They're able to come through multiple ports of entry within the
39 state, and so you have to kind of work outside of the box, look
40 outside of the box, and think outside of the box, and look at where
41 are the other locations that we wouldn't normally kind of view as
42 being a location that that product would come through.

43
44 We still see, in some of these operations, some issues that we
45 have found, are some of illegally-imported oysters. As you can
46 see the little bags right there on the left in that ice chest, and
47 those are oysters that don't meet the health code for the State of
48 Texas or the United States. They are not properly labeled, and

1 they were not handled correctly in Mexico, and those were being
2 brought across at the port of entry and seized.

3
4 On the flip side, we ran into an instance in El Paso that was more
5 of a fisheries issue for us, more of a state fisheries issue, but
6 we actually seized a pallet of half-shell oysters that were Pacific
7 oysters, and those type of oysters in Texas are actually -- Since
8 they're not native, they're prohibited from being brought into the
9 State of Texas, other than in shucked form, and so we actually
10 seized a pallet of oysters that could have posed some issues for
11 us in the environment, if something had made it to the coast and
12 possibly been introduced to the system there.

13
14 I will kind of round out my presentation with an issue that's
15 really important to us in here in Texas, and that kind of plays
16 off the IUU enforcement that we do with NOAA, but it's actually
17 the IUU fishing that occurs along the Texas-Mexico border.

18
19 If any of you all haven't heard this discussed, and we have, of
20 course, a long border along Texas and Mexico, and we deal with
21 illegal fishing, whether it's on the Rio Grande River, our border
22 lakes, and especially in the Gulf of Mexico. That's the issue
23 that -- It's an issue for us, and it's an issue for our partners
24 at the Coast Guard, our partners at NOAA, and it's one that we're
25 pretty passionate about maintaining our presence out there and
26 working towards addressing that issue.

27
28 There's not currently a NOAA priority that provides funding for
29 these offshore patrols. The cooperative enforcement agreement
30 does provide our authority to go out there and patrol it, but,
31 currently, you know, that occurs on normal patrols that we're doing
32 for other priorities. If we encounter a lancha offshore, we
33 address that, and we address the gear, or, in some circumstances,
34 that occur quite often, we actually put state dollars towards it,
35 because we feel that it's so important for our state, for our
36 constituents, our fishermen, and our resources, to make sure that
37 we're putting that type of effort towards this type of illegal
38 fishing and preventing it.

39
40 You know, just to kind of give you an idea of what we kind of look
41 at, I mean, I kind of looked at some numbers, and, a few years
42 back, the Coast Guard had run some studies, and, back then, I
43 believe the numbers were close to about three-quarters of a million
44 pounds that were projected of being taken each year for red
45 snapper, when they had done a study. If you just kind of look at
46 that in reality, compared to just what we get for our recreational
47 anglers, for that private angler component of around 286,000
48 pounds, that's nearly triple what the poundage is that is being

1 allotted to our recreational fishermen here to go out and there
2 enjoy the outdoors and have an opportunity at that resource.

3
4 Not only that, but it's occurring in basically the lower fifty
5 miles of our 367-mile coastline, and so not only is it an abundance
6 of resources being harvested, but the concentration is in such a
7 small space, and that is a huge amount of pressure on that space
8 there, particularly -- Which, you know, poses a lot of issues for
9 our resource and for any kind of efforts that we do, not only a
10 state, but as a whole of what you all are doing here to try to
11 rebound a stock, you know, and it's definitely a negative for that
12 area, but I think it's a negative for the whole system that we
13 have in place.

14
15 A positive thing, another positive thing, on that that we have
16 coming, and I think I mentioned it the last meeting, but we did
17 get a project, a NRDA project, approved that would include \$2.22
18 million that would go towards equipment, which could be one to two
19 long-range vessels.

20
21 After those vessels would be acquired, it would also provide
22 funding towards a five-year patrol plan to patrol for this illegal
23 gear, and, of course, if, during those patrols, we encounter a
24 lancha, we would utilize our authority, and we would work with the
25 U.S. Coast Guard, as we do on a regular basis, to address the
26 lancha issue in federal waters, and then we also work with them
27 when they would encounter one in state waters, and that's a long-
28 standing partnership that we've had with the Coast Guard.

29
30 It's a great one, and we work with them all the time with this,
31 and also with our partners over at NOAA. Everybody is pretty
32 concentrated on trying to address this issue, but that is something
33 that we definitely still put a lot of effort to. A lot of kudos
34 to our officers, and to our partners, for the efforts they're
35 doing. I mean, it's work that is there every day, and it doesn't
36 seem to be slowing down, or going away, and they still keep going
37 and looking for the gear and looking for the fishermen. That's
38 the end of my presentation. If you all have any questions, I would
39 be happy to answer any of them.

40
41 **CHAIRMAN ANSON:** Thank you. I think we have at least one. J.D.

42
43 **MR. DUGAS:** Thank you, Les. On Slide 7, you mentioned the Flower
44 Garden Banks, and, tomorrow, we're scheduled to have a presentation
45 about wahoo landings in the Flower Garden Banks, and I'm wondering
46 if your agents are seeing a lot of landings coming from there.

47
48 **ASSISTANT COMMANDER CASTERLINE:** You're talking about wahoo

1 landings?

2

3 **MR. DUGAS:** Yes, sir.

4

5 **ASSISTANT COMMANDER CASTERLINE:** I don't have any data on that
6 right now. If you like, I could kind of poll our folks and ask,
7 you know, where, or how many they're seeing, and provide that back
8 to you, if that's something that would interest you. I could
9 either get it directly to you, or I could provide it to staff, and
10 they could provide it to the rest of the council as well. Whichever
11 you please.

12

13 **MR. DUGAS:** That would be great. I would like to see it. I don't
14 want to speak for everyone else, but I would.

15

16 **CHAIRMAN ANSON:** Any other questions? Mr. Geeslin.

17

18 **MR. GEESLIN:** Les, I just wanted to applaud you and Lieutenant
19 Rickel in the audience, and I appreciate the presentation. I think
20 it does highlight, you know, the diverse work you all are doing,
21 not only to, you know, protect our marine resources, but,
22 admittedly, we've got a border war going on, protecting our safety
23 and security of our nation, putting yourselves out there in harm's
24 way, and, you know, there's a lot going on down there, all the way
25 to the Rio Grande, and our folks are going out there on these
26 assignments, and so I just wanted to tip my cap to you and our
27 Texas game wardens and our partners at NOAA OLE and the Coast Guard
28 for, you know, engaging in this, and it seems like an ongoing war
29 that we've got going on down there.

30

31 **ASSISTANT COMMANDER CASTERLINE:** Thank you, sir. I will pass that
32 on to our officers there. They're definitely doing a great job
33 out there in the field, and they're moving forward, and keeping at
34 it, and doing a great job while they're doing it.

35

36 **CHAIRMAN ANSON:** Dr. Simmons.

37

38 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I just
39 wanted to point out there is some landings information by state
40 for wahoo in Tab A, Number 10, and I don't know that you need to
41 do any more work right now, until maybe the council makes a
42 decision on what they want to do, and that would be my suggestion,
43 since there is some preliminary information in Tab A-10, but that's
44 just a thought.

45

46 **ASSISTANT COMMANDER CASTERLINE:** Thank you.

47

48 **CHAIRMAN ANSON:** All right. Assistant Commander Casterline, thank

1 you very much for the presentation, and I will echo what Mr.
2 Geeslin said. Thank you to you, and to your fellow officers, for
3 all the work that you do, and the federal officers as well, and we
4 appreciate all the work.

5
6 **ASSISTANT COMMANDER CASTERLINE:** Thank you, Chairman. You all
7 have a good day. I appreciate it.

8
9 **CHAIRMAN ANSON:** All right, and so we have about nine minutes
10 before our scheduled lunch. I've heard that we might be able to
11 dispense with one of the items here potentially with the remaining
12 nine minutes, and that would be a liaison report from the
13 commission. Dave, is that enough time for you? Go ahead, please.

14
15 **GULF STATES MARINE FISHERIES COMMISSION LIAISON REPORT**

16
17 **MR. DONALDSON:** Thank you, Mr. Chair. I just wanted to update the
18 committee on the IRA funding activities that we're conducting in
19 conjunction with NOAA Fisheries and the states. As I mentioned at
20 the last meeting, we're conducting two workshops, an effort
21 validation workshop and a discards workshop, and we had the effort
22 validation workshop earlier this month in New Orleans. We
23 discussed a variety of different alternative methods for
24 estimating effort, and the best methods are still to be determined,
25 and will probably be a suite of options, and may vary by state,
26 and then the recreational discards workshop is scheduled for the
27 end of July, the first of August, and that will be in New Orleans
28 as well.

29
30 Once both of these workshops have been completed, we'll develop
31 RFPs to solicit proposals to address both effort and the discards
32 issue. Proposals will test a variety of methodologies and examine
33 their effectiveness. The details of who and what still need to be
34 worked out, but that's our plan moving forward.

35
36 Then I just want to kind of update you all on the recreational
37 fishing effort pilot survey that's being conducted in Mississippi
38 and Alabama, utilizing the LA Creel effort survey. Work continues,
39 and is going well.

40
41 The states have -- The states met earlier this summer, at our
42 office, and developed the programming to produce the estimates,
43 and, while the states haven't conducted the actual production of
44 the estimates, there are plans for that to happen here in the near
45 future, and, once those estimates are developed, an analysis will
46 be conducted to compare and contrast the various effort estimates.
47 As I mentioned in my last report, this provides a unique
48 opportunity to look at the difference between the state and federal

1 recreational surveys.

2

3 We also -- I will mention that we met -- The state directors and
4 myself and Carrie and NOAA Fisheries folks met for lunch yesterday,
5 just to kind of get together and talk about the recreational issues
6 in the Gulf, and one of the things that came out of that meeting
7 is to kind of develop a visioning document that will kind of lay
8 out the near-term and short-term and long-term vision of where
9 recreational fishing is going within each of the states, kind of
10 a roadmap, and hopefully we'll have that in the near future to
11 share with the group, and so that is my last slide, and I will
12 answer any questions, if there are any.

13

14 **CHAIRMAN ANSON:** Thank you, Mr. Donaldson. Any questions? Captain
15 Walker.

16

17 **MR. WALKER:** I think we've spoken about this before, but the reason
18 that Florida is not included in that is just because the sheer
19 size and different factors of access along the coast and stuff
20 like that, and is that correct?

21

22 **MR. DONALDSON:** Yes, and, I mean, C.J. has been involved in
23 discussions. He participated in the meeting, and they're
24 participating in these workshops, and so they're not being
25 excluded, but, for this specific effort survey, it was -- The LA
26 Creel method was easily transferable to Mississippi and Alabama,
27 without any major changes, which is important, because we didn't
28 want to go through the certification process. If we did it in
29 Florida, there would be -- There would have to be some major
30 tweaks, and so yes.

31

32 **CHAIRMAN ANSON:** Mr. Strelcheck.

33

34 **MR. STRELCHECK:** I just wanted to make a few more points, and not
35 really questions for Dave, and so, with regard to Alabama and
36 Mississippi, I certainly commend the efforts there. Based on
37 conversations that have happened throughout this week, we
38 recognize the need to feel more coordinated, specifically with
39 Mississippi and Alabama, in terms of the transition plans, the
40 certification of those surveys, and so we'll be ramping up some
41 coordination there in the near-term.

42

43 The other thing I will just mention, and Dave kind of quickly
44 glossed over the effort workshop, but it was really, to me, a very
45 excellent workshop. There was great participation by all the state
46 agencies. We are not going to be able to find that gold standard
47 I think that we were hoping for, that is going to work for everyone
48 at this point, but what was clear is that there's going to

1 eventually be a suite of different options that we can explore,
2 through an RFP, from camera systems at inlets and, you know, choke
3 points, to possibly doing some exploratory work with how satellite
4 imagery could be used, and then there was really, to me, a very
5 intriguing presentation with regard to even cellphone information.
6

7 Although it may not be able to quantify fishing effort, it could
8 give us a lot of information around the kind of dynamics of the
9 fisheries, where people are operating out of, the frequency of
10 visits to boat ramps and other areas, and give us a lot of
11 information with regard to how that could be correlated with
12 weather conditions and other factors, and so more to come on that,
13 but I feel like there was a lot of really good pieces of information
14 that emerged from the effort workshop.
15

16 **CHAIRMAN ANSON:** Any other questions for Mr. Donaldson? I am not
17 seeing any, and so that will take us to our scheduled lunch break,
18 and we will return for public comment at 1:30.
19

20 (Whereupon, the meeting recessed for lunch on June 26, 2024.)
21

22 - - -
23

24 June 26, 2024
25

26 WEDNESDAY AFTERNOON SESSION
27

28 - - -
29

30 The Full Council of the Gulf of Mexico Fishery Management Council
31 reconvened at The Omni Hotel in Houston, Texas on Wednesday
32 afternoon, June 26, 2024, and was called to order by Chairman Kevin
33 Anson.
34

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

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

46 Oral or written communications provided to the council, its
47 members, or its staff that relate to matters within the council's
48 purview are public in nature. Please give any written comments to

1 the staff, as all written comments will be posted on the council's
2 website for viewing by council members and the public and will be
3 maintained by the council as part of the permanent record.

4
5 Knowingly and willfully submitting false information to the
6 council is a violation of federal law. We will welcome public
7 comment from in-person and virtual attendees. Anyone joining us
8 virtually that wishes to speak during public comment should have
9 already registered online. Virtual participants that are
10 registered to comment should ensure that they are registered for
11 the webinar under the same name they used to register to speak.
12 In-person attendees wishing to speak during public comment should
13 sign-in at the registration kiosk located in the back of the
14 meeting room. We accept only one registration per person.

15
16 Each speaker is allowed three minutes for their public testimony.
17 Please note the timer lights on the podium or on the webinar. They
18 will be green for the first two minutes and will blink yellow for
19 the final minute of testimony. At three minutes, the red light
20 will appear, and a buzzer may be enacted. Time allowed to
21 dignitaries providing testimony is extended at the discretion of
22 the Chair.

23
24 If you have a cellphone or similar device, we ask that you keep
25 them on silent or vibrating mode during the meeting. Also, in
26 order for all to be able to hear the proceedings, we ask that you
27 have any private conversations outside the meeting room. Please
28 note that public comment may end before the published agenda time
29 if all registered in-person and virtual participants have
30 completed their comments.

31
32 Before we get started in our public testimony portion of the
33 meeting, I just wanted to take a few moments, and this particular
34 meeting is a special one to the council, and it's the 300th meeting,
35 as was mentioned at the beginning of the Full Council session
36 today, and so we do have -- The hotel provided us a cake, and,
37 council members, if you wouldn't mind going up, if you're
38 interested in a piece of cake, to get a piece now, and then the
39 rest of the cake will be brought out to the audience, and you're
40 welcome to have the cake and to join the special occasion that we
41 have.

42
43 Just to give some context as to what that first meeting was like,
44 I guess, it was held October 12 and 13, 1976, in Kenner, Louisiana.
45 The temporary chairman was William Stevenson, the Regional
46 Director of the Southeast Region for National Marine Fisheries
47 Service, and some of the agenda items were the election of the
48 council chairman and vice chairman, and, in fact, it's on the

1 screen, and so you can see the topics.

2
3 Most of it had to do with administration, obviously, setting up
4 the council AP, administrative issues, but they did have, near the
5 bottom of the agenda, was a review of billfish and shark EIS and
6 preliminary management plan, and so they were dealing with sharks
7 back then too, but anyway, again, council members, if you would
8 like a piece of cake, if you can go do that now, so that we can
9 take the remainder of the cake to the audience. Otherwise, we're
10 going to go ahead and start public testimony.

11
12 What has been done in prior public testimonies is we have folks
13 that are in the audience, and we have folks that have signed-up
14 online, and so I will rotate between the two lists. We'll start
15 with those that are in the audience here in the meeting room, and
16 then, after that person has finished, then we'll go to the virtual
17 participants, until we conclude with that list. First up then
18 would be Lawrence Marino, followed by Kelia Paul online.

19
20 **PUBLIC COMMENT**

21
22 **MR. LAWRENCE MARINO:** Good afternoon. My name is Larry Marino,
23 and I'm here on behalf of Louisiana Attorney General Liz Murrill.
24 The purpose and need statements for Amendments 59 and 60 say it a
25 little more nicely, but they're about reducing sharecropping. That
26 concern isn't limited to pure speculators though who don't fish at
27 all. It includes anybody who leases their shares out for the
28 lion's share of the proceeds, instead of fishing them.

29
30 Certainly some actual fishermen lease out some or all of their
31 shares in any given year, because they're ill, or their boat is
32 broken, or any other number of reasons, but generally there is no
33 justification for giving the right to harvest the nation's fish to
34 anyone who uses that right only to make money off of someone else
35 who does.

36
37 Amendment 59 tries to address requirements for shareholders to
38 retain shares, but the current approach to the participation
39 requirement in Action 2 treats participation as a binary thing.
40 Fishermen either are or aren't active, depending on whether they
41 fish a threshold percentage of their shares. They would lose all
42 of their shares if they don't and none if they do.

43
44 Contrary to some comments yesterday, 25 percent is a small
45 threshold, not a large one, and you would be authorizing a 75
46 percent sharecropper, which is contrary to the purpose. Instead
47 of a threshold, active participation should be a proportional
48 analysis, where shareholders lose the shares they don't fish over

1 a grace amount. Instead of a 25 percent threshold to keep all
2 shares, 25 should be that grace amount that they can keep, even if
3 they don't fish them.

4
5 It's reasonable to allow leeway, such as by averaging over two or
6 three years, and to have a hardship waiver, which some folks have
7 been calling an appeal, because the point is to ensure that the
8 fish go to actual fishermen and not just to catch somebody out,
9 and reclamation should be by type of share, and not by entire
10 account, because fishing one species doesn't justify sharecropping
11 another one, and, also, the active participation requirement needs
12 to be added to the divestiture measures in Alternative 3 of Action
13 5, in order for it to take effect.

14
15 Amendment 60, regarding redistribution of the reclaimed shares,
16 another action is needed for a quota bank to hold reclaimed shares
17 and distribute allocation annually, rather than a one-time
18 redistribution of the shares themselves. Don't repeat the sins of
19 the past and just give it all away again. That's what got us into
20 this mess in the first place, and, even if new entrants are the
21 purpose addressed by redistribution at the outset, creating a quota
22 bank now would create a mechanism allowing the flexibility in the
23 future to address other purposes, if the need arises. Also,
24 alternatives need to be added to the existing action to provide
25 for distributing allocation instead of shares.

26
27 Now, this quota bank fits nicely with Action 3 regarding set-
28 asides for quota increases, but those alternatives listed there
29 are too small. They're restricted to increasing over the 2024
30 quotas, and we're hearing yesterday that they want to make it even
31 smaller. The idea of limiting set-asides to quota increases is
32 itself already a compromise, allowing the effective perpetual
33 ownership of the fish to continue, and merely limiting that
34 effective ownership to some threshold.

35
36 The quota in effect when the IFQ quota was instituted, or at least
37 when public participation began, would be more appropriate, since
38 that's how many fish they could harvest when the government gave
39 them that right or when they were allowed to buy that right from
40 whoever the government gave it to. Thank you.

41
42 **CHAIRMAN ANSON:** Thank you, Mr. Marino. Next, we have Kelia Paul,
43 followed by Bob Zales. Kelia, we can't hear you, if you're
44 talking. All right. We'll come back to Kelia, and we'll go next
45 to Bob Zales. Bob.

46
47 **MR. BOB ZALES, II:** Bob Zales, II, Executive Director of
48 Southeastern Fisheries Association. First off, I want to talk a

1 little bit about Amendment 53. I'm also a fishery management
2 consultant for SOFA, who is part of this lawsuit. What we would
3 like to see is, in this process that the court has sent the thing
4 back to the Fisheries Service to explain the differences between
5 what they did with red snapper versus red grouper, we would like
6 to see that process be held, and open, to where stakeholders can
7 see what is going on, so that we just don't see the final answer.
8 We would like to know how the answer was derived.

9
10 IFQs, the whole -- I don't want to offend anybody about what I'm
11 fixing to say, because I'm not sure that everybody around this
12 table fully understands the 59 and 60 are not plans to manage fish,
13 and they manage people, and these people are fishers who typically
14 come from historical multigenerational, small families, and they
15 all have businesses to operate, and they have futures to look to,
16 and they would just like to see some substantial movement in this
17 process, so that they can begin to make plans for what's going to
18 happen in the future.

19
20 They're all on pins and needles, whether they own quote, whether
21 they don't own quota, and they want out what the end result is
22 going to be, and it appears this thing is continually kicked down
23 the road. We would like for you all to consider the real-world
24 impact of what these plans will do.

25
26 Data is going to be my final topic, and you all know our position,
27 pretty much, on recreational data, and we fully support doing some
28 type of vessel permitting for the recreational sector, to identify
29 so we get a better handle on the effort that's out there. We don't
30 really care whether it's a state thing, or federal, and, however
31 it gets done, we would like to see the process be done.

32
33 It's clear, from the Fisheries Service on data from different
34 states, and you can look at the final rule for gag grouper, and
35 there is a paragraph in there that describes perfectly what the
36 discards and the discard mortality from the unaccountable
37 recreational fishery is doing to stock assessments.

38
39 The stock assessment is up here, and you pull those wild numbers
40 down, and the stock assessment comes down. We all lose fish,
41 recreational, charter, commercial. You've got to get a handle on
42 that effort. Otherwise, your fifteen-day gag grouper season is
43 going to end up to a one-day season, like red snapper in the South
44 Atlantic, and so, Andy, I think you all fully understand this.
45 Somehow, you all need to get together and figure this out. Any
46 questions?

47
48 **CHAIRMAN ANSON:** We have a question from Ms. Boggs.

1
2 **MS. BOGGS:** Bob, since you ran out of time, could you give us a
3 short answer about what you're seeing with the Spanish and the
4 king mackerel fishery?
5
6 **MR. ZALES:** Of what?
7
8 **MS. BOGGS:** The Spanish and king mackerel fishery.
9
10 **MR. ZALES:** Both of them -- I was today at lunch with some people,
11 and apparently some kingfish are being spotted offshore of
12 Louisiana, and so that fishery, I think, is not in trouble, and
13 it's just those fish are somewhere, but we just don't know where
14 they are. I don't know if it's the bait situation, because bait
15 has been an issue in the Panhandle, where I'm from, and Spanish
16 mackerel -- I haven't seen a problem there.
17
18 I don't really have a problem with taking bag limits down from
19 fifteen to ten. I would highly suggest that you do kingfish to
20 two fish, rather than three, and nobody wanted three when it was
21 done, but I'm not sure that you need to really do anything to
22 reduce any of the quotas in either one of those fisheries. Let's
23 let it ride out, and see what happens, because I think, in both
24 cases, the fish are doing pretty well.
25
26 **MS. BOGGS:** Thank you.
27
28 **CHAIRMAN ANSON:** Thank you, Bob.
29
30 **MR. ZALES:** Thank you.
31
32 **CHAIRMAN ANSON:** We'll go back to Kelia Paul. Kelia, are you
33 there?
34
35 **MS. KELIA PAUL:** Yes. Sorry about that. Can you all hear me now?
36
37 **CHAIRMAN ANSON:** We can. Go ahead.
38
39 **MS. PAUL:** Good afternoon, council. Thank you for the opportunity
40 to speak today. I apologize that I'm not there in-person, but
41 this season didn't allow me to travel. My name is Kelia Paul, and
42 I own two dually-permitted vessels in Panama City Beach, and I'm
43 the President of the Panama City Boatmen's Association. Today, my
44 comments will reflect the will of the association.
45
46 For SEFHIER, we encourage the continued work around the program,
47 to get it set up as soon as possible. We want the data collection
48 restarted, so that we can give the information the council needs

1 to make accurate management decisions. That being said, please do
2 so in a way that does not leave us vulnerable for all the hard
3 work to come crashing down, as it did with the first iteration.

4
5 Validation is paramount to its success, and we fully support it.
6 However, if the only option is dockside intercepts, or what was
7 basically said during the presentation were all different
8 variations of VMS or GPS tracking, and we may need to go back to
9 the AP, and the IPT, and come up with -- Let me be clear that a
10 lot of our vessels are dually-permitted and have VMS, and some
11 don't, but what was made clear by what happened last time is
12 there's a vast majority that don't want VMS, and this could crash
13 the program again, and that is the last thing we want.

14
15 For the economic information, at the last meeting, I stood up and
16 said that we would like to see the survey sampling, like the
17 commercial sector has, which is by permit and vessel. We were
18 disappointed to only see examples at the trip level, which is far
19 less desirable than a percentage of vessels reporting for the
20 entire year. I do want to thank Captain Walker for his comments,
21 and I fully agree that we seem to be repeating history here, adding
22 things that were explicitly spoke against and throwing things in
23 that will make the program so much harder to succeed. Please heed
24 the comments, and let's get this thing off the ground correctly
25 and where it will continue to stand.

26
27 For snapper, red snapper for the charter-for-hire, we support
28 changing the start date, but we do not support a split season. We
29 understand that, due to the wave data, that the second part of the
30 season would not be until November, and we do not have any use for
31 those dates. For us, May is better, and the weather is better,
32 and tourism, and, after the second week of August -- Which is why
33 we support a mid-May to mid-August. If we do not have that option,
34 we would rather go with Mr. Strelcheck's idea of leaving June 1 as
35 a start date and adding onto May, once we have exceeded those
36 August days. We want a season to be a continuous season,
37 regardless.

38
39 We also support the buffer reduction from 9 percent to 5 percent,
40 and we thank the council for recognizing our continued efforts to
41 maintain our catch levels.

42
43 For lane snapper, we support the increase in size limit to mitigate
44 the overages we are experiencing currently, to keep the season
45 open. As was stated yesterday, it is an important fishery to have
46 in the shoulder season. We do support the twenty-fathom closure
47 removal. It's unenforceable and ineffective.

1 For kings, I have seen some kings caught on our dock this year.
2 They're mostly on the smaller size, but there have been one or two
3 large ones. We do agree that there's something that needs to be
4 done, and are also struggling with the steps to take. While we
5 appreciate the issue is most likely environmental, that doesn't
6 mean that this council can't continue to take action and mitigate
7 what we can. We spoke against the three-fish bag limit when it
8 was passed, and, at a minimum, we want the limit moved back to
9 two, and I'm out of time.

10
11 **CHAIRMAN ANSON:** Thank you, Kelia. Any questions? I am not seeing
12 any. Thank you. All right. Next, we have Ken Haddad, followed
13 by Mike Sullivan online.

14
15 **MR. KEN HADDAD:** Thank you, Mr. Chair. My name is Ken Haddad,
16 American Sportfishing Association out of Llyod, Florida, and a
17 reminder that we're the trade organization for the sportfishing
18 industry. I first want to thank Mr. Gill, Ms. Boggs, and who is
19 that last one? Diaz, who didn't show up, and so we're -- Dale, if
20 you're on there, we miss you. We want to thank you for your
21 service. You know, you're usually underappreciated by us, but we
22 do appreciate you greatly. I just wanted to reinforce that for
23 you.

24
25 The twenty fathoms, we support the direction of the council
26 committee. If there's an opportunity to increase access, without
27 any serious impacts, that makes sense, and we do feel that the
28 action should be monitored for any unintended consequences, if
29 that's possible to do.

30
31 Spanish mackerel, we agree with the current council committee
32 direction, and we feel that, without a clear, science-based
33 management need, then any action should be approached cautiously.

34
35 For king mackerel, as you progress with this, just remember that
36 the recreational community primarily fishes based on, and the
37 private particularly, on encounter and abundance, and, in some
38 ways, this might be considered self-regulating, and you can see it
39 in the recreational data, and, in addition, part of the fishery is
40 catch-and-release, and so we don't fish these like we would a reef
41 fish, and, as the innovative thinking is taking place for
42 management, possible management, measures, please keep that in
43 your minds. Thank you, Mr. Chair.

44
45 **CHAIRMAN ANSON:** Thank you. Any questions? Thank you again. All
46 right. Next, we have Mike Sullivan, followed by Mike Colby.

47
48 **MR. MIKE SULLIVAN:** Mike Sullivan, and thank you again, council,

1 for allowing us to do this virtually. We're out fishing right
2 now. Mike Sullivan, Panama City. I own multiple inspected charter
3 vessels, multiple dual-permitted vessels. I'm an IFQ holder, and
4 I'm in a little bit of everything, just so we can stay afloat.

5
6 I will start with red snapper. I would love to see the start date
7 pushed back into May, as has been suggested. I mean, even if it's
8 a week, eight days, ten days, and anything is better. Obviously,
9 nowadays, we have more and more hurricanes. The further we get
10 into September, and just the weather gets, you know, way more
11 unpredictable. I'm definitely against the split season. I like
12 the way it's going now.

13
14 We have done very good since we've become sector separation, and,
15 you know, we haven't gone over our 9 percent buffer, and many years
16 have been, you know, way under, and I would love to see it reduced
17 back to 5 percent.

18
19 I will go to amberjack. We would love -- I know we're supposed to
20 find out in the next couple of weeks, but I would love for us to
21 be able to, you know, get a continuous season, like knowing we're
22 going to open and close. You know, sure, I appreciated the May
23 days, but it's really hard to run a business when we find out a
24 week or two before, and, I mean, it looks like it may open in
25 August this year, and that's another -- You know, it's just tough,
26 and then, if we've overfished, you know, the next thing you know,
27 we don't get anything in September, and we've already booked
28 amberjack trips, and it just makes it a little, you know, harder
29 for us to run a business, especially in this tough economic time
30 we're going through.

31
32 Lane snapper, definitely move it to twelve inches. You know, we
33 want to try to keep open what we can, and we don't like anything
34 closed. I'm going to go to Spanish mackerel. Ten fish per person
35 is plenty fine. You know, again, I do not want anything to go
36 overfished, to where we start having closed seasons, and the same
37 with king mackerel. I don't know why we went to three fish. Two
38 was plenty.

39
40 The SEFHIER, yes, we need to be validated. Yes, we need to have
41 some sort of reporting system. Yes. We don't need to bog it all
42 down, like it was, to where it fails again. You know, I know you
43 want to know our economic data, and I don't understand why we can't
44 do like -- I'm in the commercial sector, and, at the end of the
45 year, I get the form, and it's pretty much like a tax audit that
46 I fill out, and like that's the important stuff. What we charge
47 each trip, I mean, that's just bogging down numbers, and it causes
48 more resistance, and it causes more lawsuits, and it causes for

1 the whole program to fail, as it did last time, which is terrible,
2 because a lot of data was there that was just thrown out the
3 window.

4
5 Whenever they do it, obviously, you know, try to make it as
6 painless as possible. I mean, to the apps, you know, if there has
7 to be some sort of tracking or whatever, make it to where, you
8 know, it's easy.

9
10 Then the last thing is I want to stand with the IFQ. I know, every
11 meeting here lately, there's a huge push to do away with it, or
12 take away with it, and I'm a guy who came into the business --
13 Again, I'm in the charter and commercial, and so I own quota. If
14 the charter fishing is good, I don't have to go commercial fishing.
15 If the charter fishing is bad, I've got to go commercial fishing.
16 You know, I have everything to where I can stay in business, you
17 know, year-round, but, you know, if the chartering is good, I'm
18 going to get penalized, and you're going to take away something
19 you forced me to have to buy, and, again, I don't understand that.

20
21 When I got into the business, I didn't get any quota, and I had to
22 purchase what I had, and now there's a push where, oh, you ran
23 good in the charter, and you didn't commercial fish, and we want
24 to take it, and, you know, I don't understand that.

25
26 **CHAIRMAN ANSON:** Mike, you have to wrap it up.

27
28 **MR. SULLIVAN:** Okay. That's fine. I appreciate the opportunity
29 to speak, and thank you all very much.

30
31 **CHAIRMAN ANSON:** All right. Thank you. Any questions for Captain
32 Sullivan? I'm not seeing any. Thank you again, Mike. All right.
33 Next, we have Mike Colby, followed by Brian Lewis.

34
35 **MR. MIKE COLBY:** Thank you, council, and Ms. Boggs and Mr. Gill,
36 for all of your service to us. Mike Colby, and I'm a headboat
37 charter operator from Clearwater, Florida, president of the
38 Clearwater Marine Association.

39
40 The observations that I have, from Monday's discussion, I found
41 kind of interesting, the talk about other chartered activities, in
42 terms of reporting for federally-permitted charter boats. Now, I
43 know that's a scoping document, and there's a lot of discussion
44 that can take place on that, but considering that some of the units
45 that we'll have for validation will have geofencing, I'm not sure
46 where we go with other chartered activity, especially those that
47 may occur inside the geofence, but I'm sure that's going to be
48 open for discussion, you know, at later council meetings.

1
2 It's also interesting that -- In January, I had mentioned to this
3 council that Woods Hole had produced a geofence application for
4 their Nemo unit, which is a cellular device, and, in my discussions
5 with them after that, they now have produced, or will produce, an
6 app that can go on the fisherman's phone, and so they're trying to
7 produce this one-stop shopping for the fishermen. They can put
8 their app on your phone, do their catch report, and have it
9 directly sent, through the Nemo device, in a secure link, to the
10 Fisheries Service, and so they're kind of pushing this envelope
11 for that kind of device, in terms of how they validate effort.

12
13 What else is interesting, to me, is the discussion on the economic
14 reporting, and we've kind of gone into this random sampling, which
15 kind of opens up maybe not quite so peripheral discussions on
16 sample size, what species it might affect, or not affect, and do
17 we go 5, 10, 20, 30, 50 percent, and I don't know where this
18 council is headed with all of that.

19
20 I think you will find the soft place to land for it, and I'm
21 particularly in favor of economic reporting across-the-board.
22 I've worked with other industries with the Department of Interior,
23 where those industries have had to produce some information on the
24 value of their industry, and not necessarily the value of a single
25 person, but the value of the industry.

26
27 As a wildlife biologist, I did fieldwork for U.S. Fish and Wildlife
28 Service, and we dealt with people all over the country on disaster
29 assistance, mitigation issues, risk assessment, everything, and
30 conservation land banks, where the land owner had to produce some
31 information, and not all, and, I mean, there were a lot of price
32 supports that came out of the farm bill, but we're not talking
33 about price supports here, but they had to have some kind of idea
34 of what the value of their industry was. I think the same applies
35 here for fishermen, and the Department of Commerce, and so I hope
36 we'll get a good soft place to land. Thank you.

37
38 **CHAIRMAN ANSON:** Thank you, Mike. Mike, we have a question from
39 Ms. Boggs.

40
41 **MS. BOGGS:** Thank you for being here today, Captain Colby. I know
42 that you spent most of your testimony on the data collection, which
43 I really appreciate that, but do you have anything that you can
44 tell us about what you all are seeing with the Spanish and the
45 king mackerel down in Clearwater Beach?

46
47 **MR. COLBY:** Well, on Spanish mackerel, it's kind of a ground-zero.
48 The guys in our association, and there's eighteen or so federally-

1 permitted boats in our one group, and none of us are keeping
2 fifteen mackerel per person. I mean, I'm down to five already,
3 and they think pragmatically about this. Nobody wants to clean
4 ninety mackerel at the dock, and, I mean, so we cut it off at
5 thirty or forty for a group of six, and so we're already kind of
6 into that harvest mode.

7
8 King mackerel, I will tell you, and, this spring, 2024, my boat,
9 under my direction, and my other captain, we caught not as many
10 kingfish as we have in the past, but they were nice fish. We
11 didn't keep a fish under fifteen pounds. What was really
12 interesting, and this brings to a point that one of our council
13 members made, is we're seeing an uptick in recruitment in some
14 areas, and, every single short king mackerel trip I took, we would
15 catch five to eight undersized kingfish.

16
17 I don't mean twenty-three-inch, and I mean fourteen-inch. I have
18 never seen that many -- I mean, that's, what, twenty trips, and
19 that's a hundred fish or so, and I have never seen that many little
20 tiny king mackerel. Now, that's the future of the fishery right
21 there, but it does show there's some interesting recruitment I
22 think going on with king mackerel. Thank you.

23
24 **CHAIRMAN ANSON:** Thank you. All right. Next, we have Captain
25 Brian Lewis, followed by Ronald Chicola.

26
27 **MR. BRIAN LEWIS:** Good afternoon. Thank you, Mr. Chair. My name
28 is Brian Lewis, commercial fisherman, owner/operator, IFQ
29 stakeholder, and we're located in Clearwater Beach. I wanted to
30 bring some things to light here. One, we primarily fish for
31 grouper, and we catch red snapper as usually bycatch. I'm a little
32 concerned here, right?

33
34 So we started out the season with a hundred pounds of gag
35 allocation, which we already harvested in one trip, and we are
36 throwing back, on average, 300 to 600 pounds of gag grouper, and
37 so a little bit of knowledge there, and I don't know if our shortage
38 of gags is so much that we really think it is here.

39
40 The other thing is that I'm concerned about the red grouper. We
41 were averaging, usually, on a ten-day trip, 2,500 pounds of red
42 grouper a trip, and now we're 600 to 800 pounds of red grouper a
43 trip, and so I'm kind of concerned about that, considering that
44 red grouper is 80 percent of our catch, and so we need to pay
45 attention.

46
47 The recreational red grouper fishery was just opened for six
48 months, right, and where are we at with the numbers here? We don't

1 even really even truly know how much red grouper was actually
2 landed by the recreational fishery, right, and so you can go to
3 the IFQ page, right, and you can pull up, and you can see our
4 landings, right, and we need some transparency here, and we need
5 some kind of vessel permit, harvest tags, whatever it takes.

6
7 Hopefully this recreational initiative that's about to be coming
8 up here sheds some light on the real issues here, and we come up
9 with some solutions, so that we don't keep losing our quota from
10 the commercial sector and it being shifted over to the recreational
11 sector.

12
13 Amendment 53, we lost a whole crapload of red grouper from our
14 fishery, and it drove the cost of lease price way up, and that's
15 another problem, right? Amberjack is closing at the end of the
16 month, right, and so we're not going to be able to catch them.
17 I'm throwing gags back, and pretty soon we won't have anything
18 left, and that's concerning to us.

19
20 Regarding this IFQ amendment that we're trying to make changes
21 with, how about this? We had a referendum for the IFQ program to
22 begin with, and maybe we should have a referendum again to decide
23 what is the real solution on this IFQ shift, and how about a quota
24 bank? There's a great idea that I heard Mr. Marino speak of, and
25 I echo what Bob Zales said too, and so, in closing, I want to thank
26 Susan Boggs, Bob Gill, and Dale Diaz for their service, and you
27 all tried your best, and I appreciate the opportunity to speak.
28 Thank you.

29
30 **CHAIRMAN ANSON:** Thank you. Any questions? I'm not seeing any.
31 Thanks again. Ronald Chicola followed by Steven Vaughan.

32
33 **MR. RONALD CHICOLA:** Good afternoon, council. I'm just gotten up
34 here, and I'm not going to cry today, but I just came up here to
35 congratulate all the new people on the council, and maybe you all
36 will get this ball rolling, and get in gear a little bit, and start
37 doing things a little faster. I know Captain Walker is a great
38 guy, and he's passionate about his fishing, and he knows a lot,
39 and he can teach you all a few things, and he's not very political.

40
41 Another thing is you all have done a great job on the sharks, and
42 we are number-one in the country for shark attacks, and so I see
43 Ms. Boggs, and she's been here a long time, and Mr. Bob has been
44 here a long time, and congratulations on your time. You all have
45 a good day.

46
47 **CHAIRMAN ANSON:** Thank you. Any questions? All right. Next, we
48 have Steven Vaughan.

1
2 **MS. BERNADINE ROY:** I apologize, but he's not online.
3
4 **CHAIRMAN ANSON:** He's not online. All right. Then we will go to
5 Benjamin Quarles.
6
7 **MS. ROY:** He's also not on.
8
9 **CHAIRMAN ANSON:** All right. One more online. Adam Major. Adam,
10 are you online?
11
12 **MS. ROY:** Also not online.
13
14 **CHAIRMAN ANSON:** Then we'll go in-house. Scott Daggett.
15
16 **MR. SCOTT DAGGETT:** Good afternoon. My name is Scott Daggett, and
17 I'm an owner/operator out of Madeira Beach, and just a comment on
18 the IFQ system. You've pretty much got the floorplan for messing
19 it up. I've been around since the qualifying years, and I was
20 there when it started. When it started off, pretty much -- I can't
21 speak for the west side of the Gulf, and I'm from Florida, and I
22 can only speak for the east coast, and we all pretty much had what
23 fish we caught, and it worked out pretty well.
24
25 Then, you know, the quota obviously got reduced, and reduced, and
26 that opened up the leasing market, but there's nobody on our side
27 of the Gulf, and I don't know about the western Gulf, and that's
28 a whole different ball of wax, but, on our side of the Gulf, nobody
29 is whole, and so you have to have leasing. That's the one thing
30 that I do know, because none of us have enough fish to make it.
31 You can't run a business.
32
33 Like I've bought 10,000, and I owned another 15,000, and 25,000 -
34 - On the worst trips, that's probably three for me. You know, we
35 average anywhere from 7,000 to 10,000 a trip. We work hard, but
36 we get it done, and, in closing here, you see the mistakes. I
37 mean, when you guys had the graphs up yesterday, and you see the
38 folks that land the fish, that's where the fish should be going,
39 to the people who land it.
40
41 You've got -- I think it was 274, and give me a second. It was
42 662 accounts with shares, and 388 land them, and so there's your
43 problem right there. You've got to get it back to the fishermen.
44 I mean, this whole program -- From what I understand, when they
45 ran it across to me back in the day, it was, oh, to get the
46 fishermen so you would have control over your own business, and,
47 right now, I've got to fish for a fish house, because I don't have
48 the leases.

1
2 I don't have the money to put up the leases, and I don't have the
3 contacts, and so now we're beholden to fish houses that have the
4 shares, and, you know, it's the only way to do business now.
5 Nobody is whole on our side of the Gulf. Nobody gets to say, oh,
6 I'm just going to fish my shares, and that's it. You can't afford
7 to own a boat that way, and that's about all I've got.

8
9 **CHAIRMAN ANSON:** Captain Walker.

10
11 **MR. WALKER:** Thanks, Scott.

12
13 **MR. DAGGETT:** Yes, sir.

14
15 **MR. WALKER:** I'm curious your opinion on what we discussed about
16 requiring a permit to own shares.

17
18 **MR. DAGGETT:** I think you should have to have a permit, and I think
19 you should have a boat and a VMS. Okay. Think, and you don't
20 have no VMS, and you have no boat, and you don't have to pay the
21 3 percent. Even on leases, I've got to pay the 3 percent, and now
22 how does that work out?

23
24 If you talk to anybody outside this business, and tell them what
25 you do, they look at your sideways, like you're crazy, and they've
26 never heard of such a thing, but I also think you should have to
27 at least catch 50 percent of it, and that would get the people who
28 don't want to be in it out of it, you know, and I really do think
29 that's the sticking point. Just make people land their fish. Make
30 them have the expense. Make them do the VMS, and do your permits.
31 You know, I carry insurance on my boat, and a thousand dollars a
32 month, you know, and, I mean, it's an expensive business to be in,
33 without somebody taking a third of your profit, or sometimes 75
34 percent, or 60 percent, you know, and so that's all. Thank you.

35
36 **MR. WALKER:** That's very helpful. Thank you.

37
38 **CHAIRMAN ANSON:** Thank you. Next, we have Jason Cox.

39
40 **MS. ROY:** Mr. Cox, you will have to enter your audio PIN. We can
41 move on to Sonja, if you would like.

42
43 **CHAIRMAN ANSON:** All right. Yes, we'll then go in-house to Randy
44 Lauser.

45
46 **MR. RANDY LAUSER:** Good afternoon, council. Randy Lauser,
47 owner/operator. Whenever the IFQ system, the red grouper IFQ
48 system, first went into effect, it was great. You know, everybody

1 qualified pretty good for it, and we all had enough fish to where
2 we could all make a living with it, and then it just started
3 getting taken and taken and taken, and that's why I'm fishing for
4 Charlie Renier now, because, after Amendment 53 went into effect
5 -- We told the council what was going to happen.

6
7 The prices of quota went sky high, and you can't find it. If you
8 don't know anybody, you're not getting it, and it's just tough,
9 and, last year, we went out, at the end of the year, and you could
10 find it for a quarter a pound, just everybody sharecropping,
11 holding onto it, and it should be brought back to the fishermen
12 who are catching the fish, and it should -- The fishermen should
13 be in control of the fish.

14
15 After it went public, it just ruined the whole IFQ system for the
16 red groupers, and I can't talk about the snapper guys, and it's a
17 totally different fishery, and so I think we should try to get it
18 back to the fishermen who are catching the fish. You should have
19 to have a fish house, or a fishing boat, and you should have to
20 land your shares, have share landings, vessel permits and all that,
21 like it used to be back in the day, when we qualified for the IFQ
22 shares. Thank you very much.

23
24 **CHAIRMAN ANSON:** We have a couple of hands up. Ms. Boggs.

25
26 **MS. BOGGS:** Thank you for being here today, Randy. I think I
27 misunderstood. You said, after Amendment 53 went into effect, the
28 price of red grouper skyrocketed.

29
30 **MR. LAUSER:** The lease price skyrocketed.

31
32 **MS. BOGGS:** The lease price, but then you were only able to sell
33 it for a quarter? Something about the quarter I didn't understand.

34
35 **MR. LAUSER:** Well, we told you all, when Amendment 53 -- When you
36 all took that much red grouper from us, when we lost all that fish,
37 it like devastated us, and then everybody who owned shares -- I
38 was getting it for thirty-cents a pound the year before that, and
39 then now, if you're lucky, you can find it for two-bucks, if you're
40 lucky.

41
42 **CHAIRMAN ANSON:** Captain Walker.

43
44 **MR. WALKER:** Thank you, Randy. I will ask you -- I think I already
45 know the answer to my first question, but I would say your views
46 on requiring a permit to hold shares.

47
48 **MR. LAUSER:** It sound be back the way it was when it first started,

1 you know, the qualifying years. A vessel, a permit, and you should
2 have to show landings, and you should have to land 50 percent of
3 your fish.

4
5 **MR. WALKER:** Okay, and that my next question, is, if you were
6 required to prove some percentage, or catch some percentage, of
7 shares that you're issued, or allocation you're issued, at the
8 first of the year -- You know, I thought about that, and there's
9 a lot of different ways you could look at the percentage that
10 proves you participated in the fishery, and, now, if you hold --
11 You could have an off year, and 75 percent is on our list, and you
12 could fish full-time and maybe not --

13
14 **MR. LAUSER:** I would shoot for 75, to be honest with you. I mean,
15 you should have to catch your own fish. If you do break down,
16 you've got that little bit of leeway, where you can lease it to
17 somebody, if needed. Like, this year, my boat has been broke down
18 for three-and-a-half months, all computerized, and I haven't
19 fished for three-and-a-half months, and so that's a lot of fish
20 that I have missed out on, and so you should be able to have some
21 percentage where, if you have that problem, where you could lease
22 that part of that fish.

23
24 **MR. WALKER:** Right, and, also, if you hold multiple species, and
25 you have one in your account that you don't fish for that often,
26 and it's just in case you catch one -- You know, some of the ways
27 we're doing this here, you might inadvertently lose that, because
28 you didn't catch it, and this whole idea is to move it where people
29 do catch it.

30
31 **MR. LAUSER:** Absolutely.

32
33 **MR. WALKER:** We've got to be careful with that, I think, and so
34 that's why I was interested in seeing what percentage you would
35 support to prove that you're a -- You know, that you have to catch
36 to show that you catch your own shares.

37
38 **MR. LAUSER:** Right. Thank you.

39
40 **CHAIRMAN ANSON:** Thank you. Sonja Fordham.

41
42 **MS. SONJA FORDHAM:** Good afternoon.

43
44 **CHAIRMAN ANSON:** Good afternoon.

45
46 **MS. FORDHAM:** Thank you, Chair. My name is Sonja Fordham, and I
47 represent a conservation NGO called Shark Advocates International,
48 and I am also a member of the National Marine Fisheries Service

1 recovery team for the smalltooth sawfish. I appreciate this
2 opportunity to once again address the council regarding the
3 protection of this critically-endangered species.

4
5 As you're likely aware, sawfish, more than any other Gulf of Mexico
6 marine species, are becoming disoriented and dying at a truly
7 alarming rate from an unknown affliction continuing off of western
8 Florida, and, for your information, if you missed it, the latest
9 turn in this emergency is detailed in an article in yesterday's
10 *Tampa Bay Times*. At last count, more than fifty sawfish deaths
11 have been documented as part of this strange mortality event.

12
13 Those deaths, in addition to the ones that have gone unreported,
14 clearly pose a serious threat to such a small and vulnerable
15 population, and so, in light of this crisis, I wanted to take the
16 opportunity to reiterate the sawfish conservation community's
17 request that the National Marine Fisheries Service, the Florida
18 Fish and Wildlife Commission, and the council as a whole, elevate
19 the priority of ensuring this survival of smalltooth sawfish and
20 take immediate action to better safeguard the sawfish that remain.

21
22 Among the clearest, and most important, steps are significantly
23 increasing the observer coverage for shrimp fisheries operating
24 off of west Florida and closing areas of high bycatch to this gear.
25 These recommendations, and the underlying analysis, have been
26 detailed by Gulf of Mexico-based sawfish experts in a peer-reviewed
27 article published in the journal *Aquatic Conservation* in 2022 and
28 reviewed previously for the council members.

29
30 My colleagues and I, as I mentioned in January, are also eager for
31 the release of the new shrimp fishery biological opinion that we
32 hope will spark a more realistic and cautious approach to sawfish
33 protection, including significantly lower levels of allowable
34 take. We ask that the National Marine Fisheries Service consider
35 improving sawfish protections by emergency action.

36
37 To close, I will just stress the urgency of these measures, as we
38 all work to understand and abate this devastating new threat to
39 one of America's most endangered marine species. Thank you for
40 your time and consideration.

41
42 **CHAIRMAN ANSON:** Thank you. We have a question for you from
43 Captain Walker.

44
45 **MR. WALKER:** You said that, in the actions you would like to see
46 -- The first one was to significantly increase observers on shark
47 fishing boats, and I was curious how that is a -- Did you mean
48 shark or shrimp boats, ma'am?

1
2 **MS. FORDHAM:** Knowing me, I might have said "shark", but I meant
3 shrimp.
4
5 **MR. WALKER:** Okay. If you said shrimp, I understand. I was going
6 to ask how that would be such a benefit on a shark boat.
7
8 **MS. FORDHAM:** The shrimp fishery is currently 1 to 2 percent
9 observer coverage, and my community feels this is wholly
10 inadequate.
11
12 **MR. WALKER:** Very good. Thank you.
13
14 **CHAIRMAN ANSON:** All right. Thank you, Ms. Fordham.
15
16 **MS. FORDHAM:** Thank you.
17
18 **CHAIRMAN ANSON:** Next, we have David Johnson, followed by B.J.
19 Burkett.
20
21 **MR. DAVID JOHNSON:** Good afternoon, council. I'm David Johnson,
22 and I'm owner/operator out of Madeira Beach, Florida, and, like my
23 friends before me, I'm here about the IFQ program. I don't own
24 one pound of IFQ, and I have to lease everything that I catch, all
25 year long. I've been an owner for four years now, and it's tough
26 to make enough profit to buy IFQ when you have to lease snapper at
27 two-thirds of the ex-vessel price.
28
29 I believe -- You know, I came here to see the progress made on
30 this amendment, and I'm excited about it, and I think that, in all
31 the actions, the last choice in every one of them is the only thing
32 that would possibly work, and, you know, you have to have a permit,
33 and you have to have a vessel, and you have to land your fish.
34 There is no getting around that. It's hard to go out and try to
35 get ahead when you're having to pay somebody else for the right to
36 go harvest a natural resource.
37
38 I do believe that something should be done with the snapper quota
39 in the eastern Gulf. In the qualifying years, we were allowed to
40 keep 200 pounds a trip, if you landed between the first and tenth
41 of the month. We didn't qualify for snapper, you know, and
42 something needs to be done about that. That's about I have to
43 say.
44
45 **CHAIRMAN ANSON:** Thank you. We have a question for you from Ms.
46 Boggs.
47
48 **MS. BOGGS:** Thank you for being here today, Mr. Johnson, and so,

1 just out of curiosity, with the snapper, is it because you're
2 seeing way more snapper in your area than you have?

3

4 **MR. JOHNSON:** Way more snapper.

5

6 **CHAIRMAN ANSON:** Thank you, sir. All right. Next is B.J. Burkett,
7 followed by Charlie Renier.

8

9 **MR. B.J. BURKETT:** My name is B.J. Burkett, from Panama City Beach,
10 Florida. I have three charter boats and a commercial fishing boat,
11 and I'm dually-permitted on a couple of the charter boats. I'm an
12 IFQ holder, and I have been since the beginning.

13

14 I'm going to start out, real quick, on the topics that you have
15 talked about, and, the SEFHIER, we need the program, but, I mean,
16 I agree with Ms. Kelia Paul earlier. Don't screw it up this time.
17 The VMS and all that, it's not going to work again, and so quit
18 trying to come up with a pinger or something like that, and it's
19 just going to fail. I mean, you're going to have to beef up the
20 dockside sampling or something to make that work.

21

22 The red snapper season, we are not for a split season if it's going
23 to take you two or three months to get the data, and we're not
24 going to get them until November. We would rather stay through a
25 straight season, starting on June 1. I did kind of like
26 Strelcheck's idea on, if there is any remainder, give them to us
27 the following year in May, and you all really don't need to be
28 giving us any more snapper at all right now, and I'm not going to
29 say there's a decline, but it is definitely not a growing fishery
30 right now, and so you all need to pay real close attention to this,
31 or you're going to have your greatest achievement fail, and so pay
32 real close attention to the red snapper over the next couple of
33 years.

34

35 The lane snapper, twelve inches is what size I would go with.
36 Spanish mackerel, we can definitely go down from fifteen, but let's
37 not go drastic, and I've said it before, and let's start with ten,
38 before we go any further.

39

40 I do need to mention dolphins and sharks. They're still a problem,
41 and I haven't heard no mention of that, and you all just kind of
42 stay blind to it, but the sharks and dolphin is what is collapsing
43 all these fisheries.

44

45 The IFQ, I mean, you all built this to what it is. For the red
46 snapper, you can't change it now. You've done and got us all in
47 debt up to our eyeballs, and so you're going to have to roll with
48 it at this point.

1
2 Last, but not least, I do want to spend the rest of my time talking
3 about gag, and so the fifteen-day season in September -- I mean,
4 it's not a busy time of year for us, and we're not going to be
5 able to catch many of them, and god knows how many we've caught
6 all summer, and have been throwing them back, and the main part
7 about the gags that I want to talk about is the commercial side.
8 You all have -- My commercial boat, a four-man crew, a captain and
9 three mates, and I'm blessed to have had a great crew for several
10 years now, and a lot of commercial boats don't have that, but,
11 since you all have reduced the gags so far, and you went so drastic
12 so fast, and I've lost all three crew members. They've had to go
13 find other work.

14
15 I barely still have my captain, and he's hanging on by a thread,
16 and that's only because I'm letting him run one of my charter
17 boats, that I normally run, and so I'm losing money by having to
18 pay another captain to run a boat, and we've pretty much shut down
19 commercial fishing, because you took all of what the man has caught
20 his whole life, what --

21
22 He's got thirty years of experience catching gags, and you don't
23 just drop your hat and move over and catch other species, with no
24 experience, and so you all pretty much put three guys out of
25 business, and you're about to lose another one, and so I hope you
26 all sleep real good on that, but it's sad, when you all won't
27 listen to the fishermen, and you all always follow the Science
28 Center, and they are all over the place. All we ask is that you
29 all come see what we're seeing. We're throwing back a hundred
30 gags a trip, commercial fishing, but I'm out of time. Thank you.

31
32 **CHAIRMAN ANSON:** Right before you were talking about SEFHIER, do
33 you recall what that was?

34
35 **MR. BURKETT:** Can you say that again, sir?

36
37 **CHAIRMAN ANSON:** We lost you for a few seconds before SEFHIER,
38 your comments on SEFHIER, and do you recall what you talked about?

39
40 **MR. BURKETT:** For SEFHIER, I would not recommend any -- I mean,
41 the program is needed, so we can have data, but, if you all try to
42 do any kind of VMS, or pinger system, anything like that, it's
43 going to put it right back to where it's at now, with all the lost
44 data, and so you need to either maybe beef-up the dockside
45 sampling, or send it back to review, to come up with better ideas,
46 but, pingers and VMS, you're going to get it kicked out in court
47 again, and we've wasted another two or three years, and so the
48 data collection is definitely needed, but you all are going to

1 have to quit beating that dead horse. It's not going to work with
2 the VMS.

3
4 **CHAIRMAN ANSON:** All right. Thank you. I am not seeing any
5 questions. Have a good day, sir. All right. Next, we have
6 Charlie Renier, followed by Jason Cox online.

7
8 **MR. CHARLIE RENIER:** Good afternoon. My name is Charlie Renier.
9 I was born and raised in the seafood industry in the Keys. I've
10 done it all. I've mackerel fished, I've king fished, and I've
11 lobstered, and I have crabbed. I've longlined, bandit fished, and
12 I've fished all over the entire state of Florida.

13
14 We need management. We needed management, and you all stepped in,
15 and we've been abiding by everything you all have done. Through
16 the years, the fishery -- The fishermen have gotten older. Five
17 years ago, I looked at the average age of my captains at my fish
18 house, twenty longline boats, and the average age was fifty-five
19 years old. Those guys are ready to retire and get out.

20
21 The young guys couldn't afford to get into business, because it
22 takes a lot of money to buy a boat, buy permits, buy quota, buy
23 everything. All three of them men that you talked to right there,
24 they all bought boats from an older guy that retired, and they
25 paid for the boats, and they paid for the permits, and the older
26 guys that retired are sitting home on the couch and leasing them
27 their quota, and they're making more money now than these guys are
28 making fishing.

29
30 These guys are busting their butt, and we go through it day after
31 day. I lease a lot of quota, and I buy a lot of quota, and I sell
32 a lot of fish. I handle a lot of fish.

33
34 When you all started this, you all were talking about getting the
35 fish to the fishermen that catch it. Now I hear you talking about
36 giving it to everybody that has got shares. If you want to give
37 it to the fishermen that catch it, look at the permits that don't
38 own any quota, or own very little, but lease tons. These guys all
39 lease 60,000 or 70,000 pounds a year, snapper quota and grouper
40 quota, and we never had any snapper in Madeira Beach.

41
42 You all did that whole count, and, like Scott said, we were allowed
43 the first ten days of the month, which, if you longlined, and you
44 were out fourteen days, you couldn't even sell them, and so nobody
45 kept them, and we got zero. Five years ago, I started leasing
46 snapper quota, that I go lease from the Panhandle, Louisiana, and
47 Texas, that those guys should be fishing. I lease it and take it
48 back for these guys to catch.

1
2 We probably catch a million pounds or more in the eastern Gulf,
3 and so please, when you all do your new counts, think about us,
4 that there was no fish there, and we never got counted, and them
5 fish need to be counted, and the fishermen that are catching them
6 now need to get them. That definitely needs to happen.

7
8 The whole gag debacle, I've stood up here and I've told you all
9 exactly what happened. I've told you time and time again. The
10 girls came to the fish house, and they measured the fish, and they
11 never picked up a thirty-pound fish. If I would have known that
12 was going to happen, I would have put a guy out there, so they
13 weighed them.

14
15 Last year, the girls came down and weighed some of the fish, and
16 they were coming up with 8 to 12 percent males, which you all say
17 there's 2 percent. We know the numbers are messed up, but you all
18 still took 800,000 pounds from us. That's a lot of fish that we
19 catch, and that really hurts, and you have got bad science, and
20 you all keep saying best available science.

21
22 Well, bad science is not best available. That's terrible. I mean,
23 you all have been doing this for twenty years, and you've got all
24 of our paperwork, and you see it all. If you want to do a study
25 on gags, you bring your scientists to my fish house, and I'll put
26 one on every boat, and they can go out there and catch gags, and
27 we'll show you what's out there. It's unbelievable.

28
29 I heard a guy earlier talk about no red grouper, and we've had one
30 of the best five months of red grouper that we've seen. It's been
31 incredible. I mean, I've had my guys on limits, that we've caught
32 so many red grouper.

33
34 **CHAIRMAN ANSON:** Mr. Renier, you have to wrap it up.

35
36 **MR. RENIER:** Absolutely amazing, isn't it? I would love to explain
37 a lot of stuff to you, but I've got no time, and, on kingfish, I
38 can tell you exactly what's going on with all that, because I know.

39
40 **CHAIRMAN ANSON:** All right. You're a popular guy today. We'll
41 start here with Ms. Boggs.

42
43 **MS. BOGGS:** I will handle king and Spanish.

44
45 **MR. RENIER:** What do you want to know?

46
47 **MS. BOGGS:** I want to know about king and Spanish mackerel.

48

1 **MR. RENIER:** Okay, and so, growing up in the Keys, there is two
2 bunches of king mackerel. You guys know it, and you all are the
3 ones that told us. There's an Atlantic stock and a Gulf stock.
4 They come down, and they mix off of Key West. They all mix, and
5 have their eggs, and the Atlantic stock goes back up the Atlantic,
6 and the Gulf stock goes back around.

7
8 Some years, if the water is too warm, they go out in 800 or 900
9 feet of water, and we see miles of them out there, a hundred feet
10 thick, and we think -- All the charter boats and everybody are
11 saying there's no kingfish, but they're way offshore. We have
12 seen them in the Gulf at different times, way out in the middle of
13 the Gulf, doing the same thing. Different water temperatures,
14 different bait, whatever it is. Those fish, they don't -- They're
15 not gone, but they're just in different places. We've got
16 airplanes that look at them, and, I mean, we catch them, and they
17 move around.

18
19 We don't catch Spanish mackerel anymore, because, when they come
20 across, they don't come into state waters anymore, and 99 percent
21 of Spanish mackerel was caught with gillnets. We can't fish in
22 state waters, and that's a whole entire industry that is gone
23 forever, because we can't catch them fish. We could feed millions
24 of people off of them fish, but we're not allowed to catch them.

25
26 They made exceptions, and you all made exceptions for people to
27 catch bait with nets, a mile off the beach, and think about the
28 gillnets. That would put a whole new industry back down there.

29
30 I know you all don't have anything to do with the sharks, but let
31 me tell you that we caught millions of pounds of sharks years ago,
32 and sandbars is our biggest sharks. It eats all of our snappers,
33 and our groupers, and they're terrible. Years ago, when we caught
34 sandbar sharks, the cores averaged fifty pounds. The sharks these
35 boys are telling me that they're turning loose now are 250 pounds.
36 That's a 125-pound core. That's twice as big as we have ever seen
37 them in our industry, because there's nothing to kill them.
38 They're just eating machines.

39
40 If you all can do anything to help that, and we could put four or
41 five boats shark fishing. If we get snappers back, and if we get
42 some quota for snappers down there, that takes a little bit off of
43 the grouper side of it, and you know what I mean? There's a lot
44 of stuff that you all could do to help, and I think now it sounds
45 like you all are trying to do that. A lot of fish dealers --

46
47 **CHAIRMAN ANSON:** Mr. Renier, we've kind of gotten off topic.
48

1 **MR. RENIER:** Okay. I'm sorry.
2
3 **CHAIRMAN ANSON:** Dr. Frazer.
4
5 **DR. FRAZER:** Charlie answered my question.
6
7 **CHAIRMAN ANSON:** All right. Dr. Sweetman.
8
9 **DR. SWEETMAN:** Thanks for the testimony, Charlie, and so you kind
10 of got cut off there as you were talking about red grouper, and
11 we've got an assessment going on right now, and so I'm curious
12 what your guys have been seeing out on the water.
13
14 **MR. RENIER:** As far as red grouper, let me tell you that I have -
15 - Usually I like to carry over 20,000 pounds of red grouper every
16 week in my holding room. My holding room holds about 80,000 or
17 90,000 pounds. For seven weeks, and I'm talking about up until a
18 week ago -- For seven weeks, my holding room was full, the entire
19 seven weeks, of red grouper, because these guys caught so many red
20 grouper. I mean, they were biting off the hook.
21
22 I had boats that never caught 10,000 pounds of red grouper in their
23 life, and all they catch is 5,000, and they were bringing in 10,000
24 a trip, and we're like, holy crap, and where are they coming from,
25 and, I mean, monster fish, medium fish, little fish, all kinds of
26 fish, and it's unbelievable.
27
28 The other thing you've got to remember is they all move with water
29 temperature, and we're having some hot water. We fish further
30 offshore than most of these guys, and that's just like the gags.
31 One of my boats caught gag in 650 feet, and I've never heard of
32 that. I mean, to me, that's incredible, and so now, you know,
33 you've got fish moving around in different places, and you've got
34 dirtier water, and you've got warmer water, and so they're doing
35 their thing.
36
37 The one thing that I wanted to say there was a lot of us fish
38 buyers, like me, and there's plenty of other fish houses, and we
39 have to -- When quota comes up for sale, we buy it, because I've
40 got about I think twenty-six to thirty longline boats, and not one
41 boat, including mine, have enough quota to fish all year.
42
43 I lease a million to two-million pounds of quota a year from other
44 people. We have to have the leasing. We've got to have it, and
45 so that's why you guys have got a fine thing to juggle about, you
46 know, what people can catch, and what they can't, because we still
47 need the leasing to survive, because, otherwise, you know, we're
48 not going to be able to survive, and I'm always here. Anytime

1 somebody has got a question, and I want to help.

2

3 I mean, I want -- My daughter is now running my business. I've
4 been in it, and my dad was it, my whole entire life, and I'm fifty-
5 eight years old. I want my daughter to be in it until she's fifty-
6 eight, and so please help us out, and let's keep this industry
7 alive.

8

9 **CHAIRMAN ANSON:** Charlie, I think we have maybe one more question.
10 Captain Walker, did you have a question?

11

12 **MR. WALKER:** I have a couple, and so you touched on something that
13 I was thinking of here, and, if you require a guy to have a permit,
14 and fish a large percentage of his quota, it may dry -- If he
15 decides to just go ahead and catch it, instead of cashing out, it
16 may dry up some of the allocation market, would it not?

17

18 **MR. RENIER:** Well, let me tell you, and I thought about that, and,
19 actually, we all talked about that today. You've got somebody
20 that retired out of the industry, and he's home on the couch, and
21 he's seventy years old. He's got to go buy a boat, a permit, and
22 he's got the quota. Then he's got to find a captain and crew.
23 There are no captains and crews.

24

25 Let me tell you. We've got some damn good captains and crews,
26 because these guys catch fish, and they're drug free. I would
27 hate to think that I had to go buy a boat and go try to catch the
28 quota, but, as far as the percentage, I think that percentage needs
29 to be 50/50, because, that way, it could still be leased, and keep
30 everybody going, and, you know, one of the reasons this all came
31 up -- You all remember five or six years ago, and Casey Streeter
32 was here, and he bought five boats, a fish house, and a retail
33 store, and he couldn't buy any quota. He didn't have any, and
34 that's what started this whole ball rolling, and so let's take
35 care of the guys that are in it, and keep them rolling. Thanks.

36

37 **MR. WALKER:** Thank you.

38

39 **CHAIRMAN ANSON:** Thank you. All right. Is Jason Cox on the line?

40

41 **MR. JASON COX:** Jason Cox, and I'm a commercial fisherman. I'm
42 calling in regard to the commercial king mackerel.

43

44 **CHAIRMAN ANSON:** Jason, we'll have to come back to you. We're
45 having some technical difficulties. Anthony Colletti.

46

47 **MR. ANTHONY COLLETTI:** Good afternoon. Anthony Colletti,
48 owner/operator and commercial fisherman. I'm going to be repeating

1 a lot of what I said at the last meeting in Alabama in reference
2 to the king mackerel. The stocks are healthy, and your science
3 shows it.

4
5 I am recommending, and suggesting strongly, no action be taken, as
6 far as reducing quotas. I had several 3,000-pound limits in the
7 western Gulf, and the fish have changed their migration pattern.
8 They are not where they have been historically caught. There is
9 several other guys in the room here, that are going to be speaking
10 after me, that we fish right alongside each other, and I don't
11 know how to keep pushing -- You know, the stock is healthy. We've
12 seen big fish, small fish, and they're much farther offshore, where
13 a lot of boats aren't going to see them, and they just simply don't
14 have the range that the bigger boats have.

15
16 We went from a fleet of forty-two boats, that were meeting the
17 quotas, year after year after year historically, to twelve or
18 thirteen boats that are left now, and, in the mix of all this,
19 we've had hurricanes that have wiped out working waterfronts, all
20 around the Gulf coast, and I fish from Leesville, Louisiana down
21 to Goodland, Florida, and, you know, with the southern zone
22 especially, you're a few days off of meeting that quota. When
23 20,000 or 30,000 pounds a day are getting caught, because there is
24 plenty of participation down there, we need a few more days of
25 good weather, and you're not far out of reach. I strongly suggest
26 that no action be taken on the king mackerel.

27
28 As far as the amberjacks go, I'm beside myself, and we went from
29 2,000 pounds a trip to 1,500 pounds a trip to 1,000 pounds a trip,
30 and that was supposed to be rebuilding the stock. I personally
31 took a day, not this trip that I just came off of last night, but
32 the trip before, and went and targeted amberjacks, and it was the
33 same results as normal.

34
35 Go drop a live bait, and fifty-pound healthy fish. I stayed
36 inshore, and there were smaller fish, and plenty of them. Go a
37 little bit further offshore, and I had -- It took me longer to
38 catch my bait than it did to catch my seven amberjacks that I'm
39 now allowed. It actually cost me money to go catch them, because
40 I could have went and caught a thousand pounds, or 1,500 pounds,
41 of snapper, but I wanted to be accurate with the information that
42 I brought here today.

43
44 There is a lot of habitat that's been removed over the oil rigs,
45 and I'm not sure if there's something going on with the water
46 quality, with the dead zone coming out of the Mississippi River,
47 but there is a lot of change, and a lot of people are not willing
48 to put in the effort and go on an excursion to look for fish. They

1 want to go to the historical sites where they've been caught, and
2 it's just not the case. You know, they turn the key, and hit the
3 button to go, and I go until I find what I'm looking for, and
4 that's the results you'll have when you put in the effort. You'll
5 have good results.

6
7 The sharks are a major issue. At times, we're trying to catch our
8 3,000 pounds of kingfish, and they're probably pulling 4,500 pounds
9 to get them past the sharks, and they're out of control everywhere,
10 and everybody knows that.

11
12 **CHAIRMAN ANSON:** Thank you, Anthony. Captain Walker.

13
14 **MR. WALKER:** Thank you, Mr. Colletti, and so do you fish in multiple
15 zones or just the western zone?

16
17 **MR. COLLETTI:** Yes, and, historically, I fish -- I have fished
18 from the east coast of Florida, where a lot of legendary king
19 fishermen come from, and, for years and years, I fished in the
20 southern zone in the wintertime, because the weather is better,
21 and then I would move up the coast, as the weather would break
22 through the spring and summer, and I would fish the western zone.

23
24 Since the hurricanes have hit, I've been staying over in the
25 western zone, trying rebuild docks and get a working waterfront
26 back up and going and help out, and I had a lot of damage to my
27 boat, and I did not make it back to the southern zone the past few
28 years, but I will be back that way this year, because there was
29 plenty of fish to be had.

30
31 As far as the net boats go, and I know you were looking at how
32 their catch history was usually very rapid and quick, and they get
33 it done overnight, and they took a different approach this year as
34 well. They went with smaller trip limits, and they had better
35 quality of fish, to get more money out of their fish, and so it
36 wasn't that the fish weren't there, but they were being smart about
37 it and trying to get more money out of their fish.

38
39 We can't control the weather, and/or participation, and, with that
40 all being said, you know, when you take too much opportunity off
41 the table, and you go cutting quotas, you put pressure on another
42 fishery that might not be able to handle the pressure.

43
44 The stone crabbers down in south Florida, if they've having a bad
45 year crabbing, they jump over and catch a few kingfish to make up
46 for it. If you take that opportunity away, where are they going
47 to go? The same thing with the shrimpers in Louisiana. We have
48 a good group of guys that, when the shrimp season is not very well,

1 they jump in and go catch a few kingfish.

2

3 If you start cutting quotas, they're not going to have any fish to
4 catch. That's not the right thing to do, just because the numbers
5 aren't met in black-and-white paper, and, you know, there's a lot
6 of different variables that are affecting the whole industry, and
7 it's not just the numbers on paper.

8

9 **MR. WALKER:** So those variables -- That was my next question, and
10 so tell me about this fish that you found out real deep. How deep?

11

12 **MR. COLLETTI:** Anywhere from 170 to 270 foot, and I've seen them
13 out in 400 feet of water, in places I have never seen them before,
14 and I never expected to see them. I woke up on a certain morning,
15 and there was fish jumping all around the boat, and you couldn't
16 help but throw the lines in, and I work single-handed, and I had
17 a limit in five-and-a-half hours, by myself, 3,000 pounds, and
18 there's other guys in the room that -- You know, we work right
19 alongside each other.

20

21 Another point I want to make with all of this is, with all the oil
22 rigs being removed, now you're limited to spots where you're going
23 to catch these fish, because they have to have somewhere where the
24 bait is going to hold, okay, and so, if you did have twenty or
25 thirty boats in the fleet, not everybody is going to get a turn on
26 that spot at that time, and, when the weather is, you know, ticking
27 on you, you won't have the time to catch them, at times, and so
28 there's a lot of different reasons that, you know, we're getting
29 held back at times, and mainly the weather and the working
30 waterfronts.

31

32 There is no working waterfront west of Dulac, almost to the Texas
33 coast, and, I mean, it takes me a day to get out there, a day to
34 catch the fish, and a day to get back, and so there was a few trips
35 this year that you didn't have three days. You travel out there
36 in the rough, and you get your calm day to catch your fish, and
37 then you get beat going all the way back, but they were there, and
38 they were thick, and we had a good flurry of fishing at the end of
39 July and August last year, too.

40

41 **CHAIRMAN ANSON:** We have some more questions for you. Dr. Frazer.

42

43 **DR. FRAZER:** Thanks for being here, Anthony, and so a couple of
44 questions. Early on, when you were giving your testimony, you
45 indicated that the number of people fishing for mackerel, or the
46 number of boats, had decreased, right?

47

48 **MR. COLLETTI:** Right.

1
2 **DR. FRAZER:** You know, again, thinking about that, and some of the
3 oil rigs have been moved, and you spend a lot of time looking for
4 those fish, and are you looking for those fish as an individual or
5 as a team of boats?
6

7 **MR. COLLETTI:** It used to be a team of boats, and now there is
8 twelve of us, and that's -- There is only four or five of us left
9 in Leesville, and the rest of the fleet is over in Venice, and so
10 have a couple hundred miles of coastline with twelve boats, and we
11 used to have thirty or forty boats, and we used to shut the quota
12 down in the beginning of September, and then we would move to the
13 northern zone, and then you would move right around the coast,
14 but, with the lack of participation, it's a lot harder to find the
15 fish, and, when you don't have the oil rigs that used to hold the
16 fish there for the habitat, it's almost impossible to just point
17 your boat in a direction and say, okay, they're going to be sitting
18 over here.
19

20 It's very hard to locate them, at times, where, before, you would
21 have a friend that was forty miles down the way, and, hey, how did
22 you go today, and, okay, good deal, and I will be there, and then
23 we would kind of keep it rolling throughout the season. You know,
24 you stay on the massive pile of fish, and that's not the case
25 anymore. We're almost working alone.
26

27 **DR. FRAZER:** That's great. Thanks.
28

29 **CHAIRMAN ANSON:** All right. Thank you.
30

31 **MR. COLLETTI:** Thank you for your time.
32

33 **CHAIRMAN ANSON:** Next, we have Rachal Hisler, followed by Jason
34 Cox.
35

36 **MS. RACHAL HISLER:** Good afternoon. I'm Rachel Hisler, and I am
37 from Double Bayou, which is just down the road from here in
38 Houston, and so we're happy to have you here in Texas. Today, I
39 want to talk about how we can really help new entrants into the
40 fishery, and I know that, earlier, Ms. Boggs pointed out that we
41 don't have a clear definition of who a new entrant is, but I would
42 certainly say that people who have been fishing, making landings,
43 have a vessel, have a permit, but do not own quota, would qualify
44 as a new entrant, and that would include someone like myself and
45 my husband, who are currently participating in the fishery.
46

47 We have a vessel, we have a permit, but we don't own any shares,
48 and so we lease all of our allocation, and so I do support the

1 proposal to redistribute the fish shares that have been recovered
2 from inactive IFQ accounts to new entrants, and I just want to
3 point out that, even though those allotments may be small in size,
4 every pound of fish that you can clear completely to you, to pay
5 your crew, to cover expenses, everything that you can get for that
6 is going to help you, and be beneficial, and so, even though it
7 may seem like a small amount, it can help people like myself, who
8 are leasing all of their quota, to have at least some shares to
9 start out with that will be clear.

10
11 The one thing that I will say that I would like to see are some
12 guardrails imposed on those shares, to ensure that the recipients
13 will harvest these fish themselves and will not sell the shares,
14 and one idea I have is that those shares could be -- Once that
15 fisherman exists the fishery, those shares could be returned to
16 the program, to be then redistributed to other new entrants who
17 are coming into the program.

18
19 As for the permit pool idea that was discussed yesterday, I do not
20 believe that there is a real need for that type of program. There
21 are approximately 300 latent commercial reef fish permits that are
22 ostensibly available for purchase. If someone wants to buy a
23 permit, they can find one for sale.

24
25 The real problem that I see for many new entrants is raising
26 capital. NOAA currently administers the Fisheries Finance
27 Program, and I find that the terms, and the rate, can be very
28 agreeable, but the barrier for the applicants is the overburdensome
29 nature of the loan requirements. By requiring a 20 percent down
30 payment, the size of the loan can be severely limited, and
31 overcapitalizing the loan, in addition to the 20 percent down
32 payment, that some projects may require additional collateral, as
33 determined by the FFP, and so that could -- That is going to
34 require an applicant to provide 150 percent collateral for the
35 loan amount, and that is simply overburdening and unacceptable.

36
37 At the current market value of fifty-dollars per pound for red
38 snapper quota, a \$100,000 down payment will only purchase
39 approximately 10,000 pounds, and, while that is a start, that is
40 certainly not enough quota to provide an income for an
41 owner/operator, and so, if we're being real about making a way for
42 new entrants into this fishery, I believe we have to make that
43 program more meaningful, and accessible, to new entrants to the
44 program, to be able to raise capital in order to enter the fishery.

45
46 **CHAIRMAN ANSON:** Thank you. Any questions? Thank you.

47
48 **MS. HISLER:** Thank you.

1
2 **CHAIRMAN ANSON:** All right, and so we have Jason Cox on the line,
3 followed by Dylan Hubbard.

4
5 **MR. COX:** My name is Jason Cox, and I'm a commercial fisherman,
6 and I participate in the commercial kingfish industry. I just
7 wanted to make a couple of points. As far as the reduction in the
8 amount of quota that has been landed over the couple of years, it
9 seems like more of an anomaly than a trend, and so our fleet
10 traditionally fishes out there, and it's down to probably about 25
11 percent of what it is traditionally, and it makes it a lot harder
12 to find fish and to stay on fish.

13
14 The habitat is being taken away, and the oil rigs are being
15 removed, and sharks are also a huge problem. Any time -- We had
16 numerous times fishing last year where, as soon as you start
17 catching fish, the sharks just take everything, and you have to
18 leave, and so, even when we find fish, we have to move on from
19 them.

20
21 Another thing that is a point of note is that the infrastructure
22 was heavily damaged a couple of years ago, as far as fish houses,
23 and so a lot of fishermen just aren't coming back, and that's for
24 multiple reasons. I guess that's all I have to say about that.

25
26 **CHAIRMAN ANSON:** All right. Thank you. I'm not seeing any
27 questions. Thank you, Jason. Next up, we have Captain Hubbard,
28 followed by Ronnie Moon.

29
30 **MR. DYLAN HUBBARD:** Thank you for the opportunity to speak. The
31 following comments are supported by the Florida Guides
32 Association, Destin Charter Boat Association, and the Charter
33 Fishing Association as well.

34
35 As far as amberjack goes, we really, really want to see it open up
36 in September and October. That August 1 opening would be an
37 extreme hardship to the fleet, as so many are planning on, and
38 have already booked, the months of September and October.

39
40 Gag grouper, this fifteen-day season announcement, it's good to
41 have a finalized season finally, and we're frustrated at the
42 length, obviously, but we're very interested in seeing updated
43 science. The big, glaring issue that I have, and the fleet has, is
44 we're working on an assessment with a terminal year of data of
45 2019, and that's five years ago, and we're being constrained to a
46 fifteen-day season based on that.

47
48 Red snapper, I would like to move forward with reducing the buffer

1 and leave the federal for-hire season start date at June 1. Andy's
2 idea in committee was my preferred, and of our associations' as
3 well, and just continue to make the season longer. If we start
4 bumping up against the end of August, start adding them on the
5 frontend and moving it back into May.

6
7 SEFHIER, we need to move forward as soon as possible, while keeping
8 validation at an acceptable level, to ensure this data is usable
9 in a stock assessment. In my understanding, VMS was possibly an
10 infringement, right, and, the way that that ruling -- We could
11 still use VMS as a tool, and we could still use the geofence
12 option, and there was a lot of VMS dealers, like Nemo, and that
13 Nemo unit can be used with geofencing pretty easily, and there's
14 a lot of tools left in the toolbox, and I just don't want to see
15 the baby thrown out with the bathwater, and we're seemingly hitting
16 our heads up against the same problems that we've already
17 addressed, and so I would like to see SEFHIER move more quickly
18 and get back on the water as soon as possible.

19
20 As far as wahoo is concerned, we're going to hear a presentation
21 tomorrow about the sanctuary issue, and I personally would support
22 a bag limit of two fish per person. I wouldn't support any vessel
23 limits for wahoo, but a fractional limit would be better for multi-
24 passenger vessels.

25
26 As far as red grouper are concerned, hopefully we can see those
27 Wave 3 numbers at the August meeting, and hopefully fingers crossed
28 for a fall opening there, but the twenty-fathom closure -- If we
29 remove that, that would definitely help out on the charter fleet,
30 the recreational fishermen, and just alleviate some burden that we
31 face in an already depressed fishery with a shortened season.

32
33 Then, yellowtail and lane snapper, definitely -- They're both
34 healthy fisheries that are expanding, and I would encourage the
35 council to do whatever we can to try to curb issues with that. I
36 think the problems we're seeing with lanes -- We're going to see
37 those with yellowtail snapper next, and I've been talking about
38 lanes here for many, many years, and now we're facing these
39 problems, and so I would love to see us take some action on
40 yellowtail as well. Thank you.

41
42 **CHAIRMAN ANSON:** We have a couple of hands up. Ms. Boggs.

43
44 **MS. BOGGS:** You mentioned that all the organizations would like to
45 see a reduction in the buffer. We're looking at reducing it to 5
46 percent, and just removing it to zero, and what is the preferred
47 for your organization?

48

1 **MR. HUBBARD:** I mean, personally, I think -- I really appreciate
2 Dale bringing that up, and we will miss Dale, and you, Susan, and
3 Bob as well, and we appreciate all your service, but I appreciate
4 Dale bringing that up. I don't think it's going to do a whole lot
5 to improve our access, but I think it's a good sign, and a good
6 move, and, obviously, that buffer is less needed. The predictions
7 have been going really well, and so I would say move it to 5
8 percent for now, and use that ABC Control Rule. Moving it to zero
9 percent would help out more, but I think 5 percent is a little
10 safer.

11
12 **CHAIRMAN ANSON:** Dr. Frazer.

13
14 **DR. FRAZER:** Thanks, Dylan, and I was just confused on one of the
15 things that you said, and I know we haven't seen the wahoo
16 presentation yet, but you said that you weren't in favor of a
17 vessel limit, but you would support a fractional bag limit, and
18 that just seems to be inconsistent to me.

19
20 **MR. HUBBARD:** So what I probably didn't do a good job
21 communicating, a lot of times, in fisheries management in general,
22 we think about these six-pack boats, and there's six people on the
23 boat, and that seems to be some sort of default number that people
24 look at when we start talking about vessel limits.

25
26 Individual bag limits are easy, because it doesn't matter what
27 boat you're on, but a lot of bigger, multi-passenger boats are out
28 there, right, and so, if you put a vessel limit of ten fish, or
29 something like that, on a six-pack boat, that's a lot of fish. On
30 a multi-passenger fourteen or sixteen-person charter boat, or, god
31 forbid, a partyboat with fifty people, then ten fish becomes a lot
32 smaller, and so a fractional bag limit, and like, if you're
33 shooting for ten fish in a six-pack boat, then make that like
34 whatever that math works out to.

35
36 **DR. FRAZER:** All right. Thanks.

37
38 **CHAIRMAN ANSON:** General Spraggins, followed by Mr. Gill.

39
40 **GENERAL JOE SPRAGGINS:** Yes, sir, and I'm just curious. You know,
41 you mentioned the fact that you would like to keep the charter-
42 for-hire start date of 1 June, and how does that not affect -- I
43 mean, I look at it as a situation to where, if we opened the state
44 fishing, as far as recreational, why wouldn't we open -- You know,
45 have the capability of opening the charters at the same time? Why
46 would that hurt you? I don't understand your point of what you're
47 trying to -- Maybe you have a better idea than I do.

48

1 **MR. HUBBARD:** For me personally, that same conversation happened
2 at the AP table, at the Reef Fish AP, and my comment to that was
3 each state is different. In Florida, we open up on June 1 for
4 private rec and for federal for-hire, and, in other states, it's
5 different, and I realize that Texas is open all year, and Louisiana
6 is like April 15, and I don't know what you guys do in Mississippi,
7 but I believe it's like Memorial Day weekend, right, and so I think
8 it would be impossible to make everybody happy, because each state
9 has a different opening date, and so you couldn't match the federal
10 for-hire fleet to each state's opening date, because we only have
11 one.

12
13 My reasoning for keeping it June 1 is that's what it has always
14 been, and this council table talked about messing with the season,
15 and it was difficult, and everybody commented about how it's hard
16 to get more than two people to agree, and that's where it's at. I
17 mean, the fleet -- There is a lot of disagreement, and, even with
18 my neighbors ten miles north and ten miles south, we can't agree
19 on when the appropriate red snapper season will be, and so I don't
20 think there's really a good answer, other than leave it alone, and
21 I think Andy's idea was widely accepted.

22
23 You've heard, I think, three public comments before mine that
24 supported Andy's idea in committee as well, and so I think that's
25 what we stick with, and that that allows us to remove the buffer,
26 because the conversation around changing the season was, oh, we
27 can't change the season while reducing the buffer, because changing
28 the season adds uncertainty.

29
30 Well, you could reduce the buffer, and go with Andy's plan of
31 adjusting the season, because, essentially, it's not adding any
32 uncertainty, until we start adding days beforehand, and that won't
33 be right away.

34
35 **GENERAL SPRAGGINS:** What do you think about the possibility of
36 states controlling that?

37
38 **MR. HUBBARD:** I would not support it. My federal permit is my
39 biggest cost, and, if it moved to state management, it would negate
40 that federal permit that I have invested a lot of money in, and
41 I'm happy where we're at right now.

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

44
45 **MR. GILL:** Thank you, Mr. Chairman. Thank you, Dylan, for your
46 comments. So I take it, from your wahoo comment, that you support
47 wahoo management by the council, and so my question is related to
48 whether you want it or you're willing to acquiesce to it.

1
2 **MR. HUBBARD:** I personally feel there should be some sort of limit
3 there. The fact that wahoo aren't managed at all in the Gulf, and
4 you look to the South Atlantic, and they have that Wahoo Dolphin
5 FMP, and that's looking pretty good right now. Some of the things
6 that have happened around the banks, the Flower Garden Banks
7 specifically, and in some of our sanctuaries, is, in my opinion,
8 a little out of hand, and so I think there needs to be some sort
9 of control. I don't want to see it go to draconian measures, but
10 I definitely think that being wise with our resource would be a
11 good idea, and I think it's being misused right now.

12
13 **MR. GILL:** Thank you, sir.

14
15 **CHAIRMAN ANSON:** Dr. Banks.

16
17 **DR. BANKS:** Hi, Dylan. Thanks. I have just a quick question. We
18 keep hearing mixed reviews on VMS and VMS-type validation methods,
19 and what are your -- Maybe you can't speak to your organizations,
20 but, if VMS is off the table, and this is a hypothetical, and I'm
21 not saying it is, and we're not saying it is at the moment, but,
22 if it is off the table, where would you stand on a validation
23 method?

24
25 **MR. HUBBARD:** Me personally, and not speaking for any organization,
26 but, for me personally, I don't think VMS is off the table, and I
27 don't mind it being on the table, but, if it was off the table
28 completely, and that's not an option, I think the trucking industry
29 has a lot of options out there, with an RFID tag, and one of the
30 things that I thought of is you already made a rule that made us
31 permanently affix something to our vessel.

32
33 Make us permanently some RFID tag to vessel, and to our port of
34 departure, right, and so, when we pass that, it reads that tag,
35 and it makes that a trip occurred. That validation, that VMS, was
36 only there to validate the trip occurred or did not occur, and so
37 that's very easy to do with an RFID tag. It's 2024.

38
39 **DR. BANKS:** Just a clarification. The port, or are you suggesting
40 the end of the jetties, or your slip, or what port?

41
42 **MR. HUBBARD:** For me, it's a dock, right, and so it's easy to screw
43 something into the boat and screw something into the dock. Every
44 time I back out of that dock, you know that a trip occurred. Other
45 places, and like people -- You've got to think -- I personally try
46 to think about other operators, like the guy who maybe trailers
47 his boat to a ramp, and so, in that case, there might need to be
48 something at the bridge, or something like that, but I think

1 there's ways that we could do it, and I just personally am not
2 super familiar with the trucking industry, but I think there's
3 ways that we could make that happen.

4
5 Maybe, if they trailer their boat, they have something screwed to
6 their trailer, and something screwed to the boat, and so, every
7 time the boat leaves the trailer, a trip occurs, or something like
8 that, and I think there's ways around it. Thank you.

9
10 **CHAIRMAN ANSON:** All right. Thank you, Captain Hubbard. I called
11 earlier on Ronnie Moon, and he'll be followed by Neal Adams online.

12
13 **MR. RONNIE MOON:** Hello. My name is Ronnie Moon. I'm from the
14 Port Arthur, Texas area, and I've lived here all my life. I've
15 been in the swamps, and I've been around the water, and I'm glad
16 to have the opportunity to speak to you today.

17
18 Fisheries is a big problem, and I thought inland fisheries had
19 problems, but, after listening to what I listened to today, fish
20 have got problems. I'm going to bring you closer to home, because
21 I have spent all my life mostly inland, and I've been offshore,
22 and I've done all the offshore fishing. I got into commercial
23 fishing, and then I got into aquaculture.

24
25 Aquaculture is so far behind in the United States that it's not
26 realistic. We are so far behind other countries raising seafood
27 of all types, shrimp, everything, and, if we don't catch up, we're
28 going to still import 80 to 90 percent of our seafood, like we are
29 now, but I would like to mention that I sent a letter to the board,
30 and I've been told it's probably in one of your sections in there,
31 in the computer, and I want to talk to you about how we're
32 destroying our inland fisheries, systematically, and it's been
33 going on since the 1970s.

34
35 We first started building what they call saltwater barriers, and
36 why would you want to turn saltwater, that has been saltwater for
37 as long as I can remember, fresh? Think about it.

38
39 I leased an area on Pleasure Island that was 2,000 acres, PA
40 Containment Area Number 1, and that's Placement Area Number 1, and
41 I researched with Texas A&M and Lamar University for a solid --
42 You wouldn't believe what I had to go through to get that lease,
43 and they said, you can't get that, and you can't do that, and
44 that's state waters. That's government water, and, well, I did
45 it.

46
47 I had to go through the Attorney General of Texas, and I got it
48 approved, and we starting experimenting with a shrimp farm in a

1 1,500 to 2,000 acre dredge material containment area. It worked.
2 It's the best nursery area left on the southeast Texas coast, but
3 they're going to destroy it. They're going to fill it full of
4 silt.

5
6 I watched the south levee on Pleasure Island, Compartment Number
7 8, and me and my brother were out there, and I guess we've been
8 out for fifty years now, but we watched them destroy Compartment
9 Number 8 to come in -- All your marine life gets into these
10 compartments by storms, by entrance, whether the effluent ditches
11 releases the water, and it gets in there, and it grows, and it has
12 to get into an estuary somewhere, or we're not going to have any
13 more marine life, and that's all there is to it.

14
15 I know the shrimp cycle, which almost is just like the rest of our
16 marine life. If they can't get in there, we've lost, and we're
17 closing all those compartments off and more.

18
19 The south levee, what they do is they come in and maintenance
20 dredge, every three to five years, and now they want to deepen the
21 channel eight foot, and so they've got to have some place to put
22 all that silt. I don't know why they don't barge it out like they
23 do in some of the other channels, but the marine life gets in
24 there, and they dredge in there and kill all of it, and you watch
25 it float.

26
27 In 2008, it was a pretty big area, and, okay, they leave. Three
28 to five years later, all this marine life has already gotten back
29 into the area, trying to do its normal survival, and they dredge
30 on it again and kill everything in there. We saw it happen three
31 to four times.

32
33 **CHAIRMAN ANSON:** Mr. Moon, can you wrap up your comments, please?

34
35 **MR. MOON:** Who is that?

36
37 **CHAIRMAN ANSON:** You're going to have to wrap up your comments.

38
39 **MR. MOON:** Okay. We're having the same problem with the Parks and
40 Wildlife. Three minutes, and I don't have three minutes to tell
41 you what we're doing to our environment, but we're closing off our
42 inlets, down here across the canal that feeds the marshes, and we
43 just closed off the biggest one, Rollover Pass, down there in
44 Rollover, and it fed the Galveston Bay system, and it fed the
45 intercoastal, all the way to Port Arthur, where I'm from, with
46 marine life. We blocked it off.

47
48 That was three years ago, and already they've had a death in

1 Galveston Bay from oysters, and you might have seen it on the news
2 last week, and they're shutting down the oyster system, because
3 it's not getting the nutrients, and the flow of saltwater, like I
4 should, and so please --

5
6 **CHAIRMAN ANSON:** You're going to have to wrap it up. You're more
7 than welcome to submit your comments, and you can provide them --
8 I think you made a comment that you had provided some comments,
9 but you're welcome to submit any additional comments you have.

10
11 **MR. MOON:** Okay. Well, my letter has been submitted into the other
12 thing.

13
14 **CHAIRMAN ANSON:** Great. Thank you.

15
16 **MR. MOON:** Thank you.

17
18 **CHAIRMAN ANSON:** Next, we have Neal Adams online, followed by Jason
19 Delacruz.

20
21 **MR. NEAL ADAMS:** My name is Neal Adams, and I am a commercial king
22 fisherman. I fish from the north of Key West all the way to a
23 little west of Port Fourchon, Louisiana, and so I fish all the
24 three zones in the Gulf, but I wanted to look at a couple of
25 things.

26
27 You make a statement that it's highly likely that the decline in
28 king mackerel is related to changes in abundance, and I think
29 you're looking at this through a narrow lens, and what I heard
30 earlier is that they're not looking at the CPUE when they're
31 looking at these figures, and they're only looking at landings,
32 and so what I would like to say is, since 2020, we've had a lot of
33 changes in the fishery and the participants.

34
35 There are several of these guys, that participated in the past,
36 that are all aging, and they're all approaching their early
37 seventies, or late sixties, that most of the fishermen that
38 participate in that western Gulf are traveling fishermen, that
39 come from Florida and other areas to fish in the summertime and
40 fall, and a lot of these guys have hit the age that they're having
41 more time with their family.

42
43 When you start to look at these quotas, and what these men produced
44 on an annual basis for that quota, you're looking at 3 to 5 percent
45 per man, and two of the major ports that I fish out of, we're down
46 fifteen to twenty boats. You know, to echo the same sentiment as
47 Anthony, you're looking at ten to fifteen fishermen that are
48 actually catching the lion's share of what quota has been caught

1 the last few years.

2

3 In my simple math, if you take fifteen of these guys out of that
4 equation, at 30,000 pounds of quota, or what they would catch
5 possibly annually for that season, you're looking at 450,000
6 pounds, and that's more than what we caught last year, and so I
7 think looking at the effort that's being forth to catch these fish
8 is something very important, and I think you're going to find the
9 CPUE is going to be very similar as it was in years in the past,
10 but I think we should use all the available science we have to try
11 to figure that out.

12

13 The other thing is that's just the -- The western zone, the
14 southern zone, and even the northwest zone, you're seeing some of
15 these older guys, that used to participate, that are participating
16 less and less, and these are the guys that have been doing it their
17 whole life, that are extremely successful with what they do, and
18 you're talking about huge numbers allocated to just a handful of
19 individuals that aren't participating.

20

21 Also, to echo like Anthony's sentiment, there was -- I've caught
22 kingfish in as deep as 1,500 feet, and I have seen -- I've got
23 charter tuna fishermen, out of Venice, Louisiana, that have told
24 me they've found these kingfish in 5,500 foot of water on these
25 floating submerged oil rigs. Sometimes they're there for a day,
26 and sometimes they're there for a week, and then, all of a sudden,
27 they disappear, and so where do these fish go?

28

29 We don't know, and the 2020 year, and some of the subsequent years,
30 we were hit with several hurricanes, that I don't know what has
31 happened, as far as why the fish go into different areas, but it's
32 been a dead zone forever, and I've managed to catch limits after
33 limits after limits, fishing in this quote, unquote, dead zone,
34 but, once those hurricanes stirred up that bottom, I don't know
35 what has changed.

36

37 In short, I don't think reducing the quota in any of these zones
38 would be necessary at this time, and I think a serious look should
39 be done at the CPUE, and I guess that's all I need to say.

40

41 **CHAIRMAN ANSON:** Thank you for your comments. Next, we have Jason
42 Delacruz.

43

44 **MR. JASON DELACRUZ:** First, I want to thank Dale. He was always
45 a really good council member, and he always went out of his way to
46 ask questions, when he didn't understand something, and I really
47 appreciate that. That's important to me, and at least I know you
48 were trying to listen to us.

1
2 Bob, I've got to thank you, buddy. You're like a lifer. Nine
3 years, and so I'm sorry to say thank you for your service again,
4 and I wish it was another cycle, but it is what it is. Susan,
5 thank you very much. You are always there, and you two always did
6 a great job giving the perspective from the guy who actually has
7 to earn a living on the water, and that means a lot, and there's
8 not many people that sit at this table that actually do represent
9 us, and that's super important, and so I really appreciate you
10 guys being here.

11
12 The twenty-fathom rule for the recreational fishery, when I owned
13 my dock, I got so much crap from charter boat guys about that, and
14 there's this weird thing that happened with that, and I remember
15 being in the room when that rule was made, and it was a discard
16 gag issue, because we were working on red grouper numbers, and we
17 were trying to keep it open, and we had to close gag, because gag
18 was an issue, and they said, well, what are we going to do about
19 the discards of gags if we open red grouper back up, and they said,
20 well, you know, inside of twenty fathoms, the discard numbers
21 aren't bad.

22
23 I remember being in the room and hearing that, very distinctively,
24 and they said, well, then let's close it inside of twenty fathoms,
25 and that was the rationale we gave in this room. Well then,
26 apparently somewhere in the last few years, somewhere when that
27 got talked about, that turned into this spawning closure, and so
28 there's been this resistance from some of the guys in the charter
29 industry, and they're mad at the commercial guys, because we fish
30 during that time, but one of the things that I have learned, being
31 in this room as often as we have, is that that spawning closure is
32 a moving target. We don't always hit it where we need to. Fish
33 do what they want, when they want, when they feel like it.

34
35 For us as guys that moved into an allocated fishery, it made sense
36 to take off the reins and let us manage ourselves, and that was
37 the whole point of the allocated fishery, and so, from the
38 standpoint of that, I think the closure probably needs to go ahead
39 and go away.

40
41 Those guys didn't really ask for it, and it didn't really solve a
42 problem, and the truth of it is that you have a million
43 recreational boats that do what they want, when they want, because
44 they go back to their house, and there is no point in penalizing
45 the charter boat guys, who actually have something to lose, and so
46 just let it go away. It's not really effective and doing anything.
47 It's kind of a bunch of hooey anyway.

48

1 Real quick, and my light is flashing, but, as we move forward and
2 talk about the stuff in the IFQ, I really hope that we just think
3 a lot about the things that we're doing. I mean, I don't have any
4 issues with any participation levels. I catch all my own fish,
5 and it's no big deal, but, man, depending on what number you pick,
6 it's going to change the fishery real fast, in a hurry, and it
7 wouldn't necessarily be a bad thing, but it's just going to be a
8 difficult thing, and I hope you guys really think about that,
9 because you're going to have a whole slew of different people here,
10 for several reasons.

11
12 First, they're going to be mad at you because now they can't get
13 quota, and then, second, you're going to have a whole group of
14 guys, when you give away those fish, that are going to sign-up and
15 go I want fish too, and so you better be ready for that line,
16 because, whenever you start giving stuff away, people get in line,
17 and so, anyway, thank you.

18
19 **CHAIRMAN ANSON:** Jason, we have a question for you. Captain
20 Walker.

21
22 **MR. WALKER:** So, if you had to pick a percentage to demonstrate
23 that you participate in catching your own quota every year, and not
24 you, but if you were me, what would your suggestion be?

25
26 **MR. DELACRUZ:** From what we have on the table, the 25, obviously,
27 is going to do the least amount of damage. I get it when people
28 say that it needs to be more, and I'm not going to lie to you, and
29 there is a part of me that really is agitating with having to give
30 us much money -- I mean, I'm exactly in the same position as
31 Charlie. I give millions of dollars away, at the first of the
32 year, to be able to get access for the guys that fish for me.

33
34 We're a little different than him, and we don't have as many boats,
35 but we have sixty different vessels that fish for us, and so it's
36 really important, and a lot of them have already come to this
37 podium to get access, and so I'm a little worried about the
38 transition. I have always felt like there needed to be a way that
39 we kind of work our way through this, because there are guys that
40 truly are retired fishermen, that count on this to make their
41 living, and it does seem a little unfair, to me, to take it from
42 them, but, in the same token, you're not handing them their hat,
43 and they're going to sell it, and so it's just what happens to the
44 market in the meantime.

45
46 There is guys like me that have invested a ton of money in this,
47 and, you know, whatever it is, and everybody says, oh, it's a stock
48 market, and too bad, but it does seem somewhat patently unfair

1 that there are guys that come to this podium that refuse to be
2 part of the program, that now bitch, and now they're going to get
3 free fish, and people that invested, and do they're supposed to,
4 and try to keep the number lower, and maybe move it up later, if
5 that's what we have to do, but it's going to cause a ripple.

6
7 It's going to change all the fish houses. It's going to be a
8 different monster, and it may not be bad at the beginning, or it
9 may be very bad at the beginning, but much better later, and who
10 knows?

11
12 **CHAIRMAN ANSON:** Next is -- One more question, Jason. Mr.
13 Strelcheck.

14
15 **MR. STRELCHECK:** Two questions. We've heard kind of mixed response
16 today about red grouper, and so I'm curious about, you know, what
17 your boats are doing with regard to red grouper, and are you seeing
18 good catches, weak catches, average catches right now?

19
20 **MR. DELACRUZ:** We're crushing them.

21
22 **MR. STRELCHECK:** You're crushing them.

23
24 **MR. DELACRUZ:** Yes, and we had so much fish, right up to the
25 closure, and it was kind of a mistake. It was like we had really
26 gone through a lot of fish, and kept them moving, and we're lucky
27 that we didn't get in any bad spots, but we have seen a significant
28 amount of fish, and we could really use that stuff back.

29
30 **MR. STRELCHECK:** Similar with regard to gag, and obviously the
31 quota is low. What are you boats doing with regard to both keeping
32 gag and discarding gag?

33
34 **MR. DELACRUZ:** Well, we see them, and so I'm fortunate that my
35 personal boats have access to more, because I've always -- I really
36 love gag, and so that's one that I would pursue, when I had an
37 opportunity to buy, but my boats are better than most, and they
38 get to keep 100 pounds a trip, and so you've got four longline
39 boats under my personal stuff, and, you know, I feel guilty when
40 I go out and get a hundred pounds of gag spearfishing, because I
41 feel like I'm taking the hundred pounds from my guys, but, you
42 know, I go when I can, and that's my only sanity, and so, I mean,
43 they're getting more than most, and you know what I own, and I've
44 got a lot of gag, and I've still only got a hundred pounds.

45
46 I mean, that's the part that really scares me, when we talk about
47 increasing, and giving the increases to the new entrants, and I'm
48 like, man, I haven't got enough now, and you're going to give them

1 to somebody else, and, you know, I thought we were in a capacity-
2 reduction program, and not a capacity-increasing program, but
3 anyway.

4
5 **CHAIRMAN ANSON:** Thanks again. Tricia Kimball.

6
7 **MS. TRICIA KIMBALL:** I'm Tricia Kimball, the wife of a third-
8 generation commercial shrimper, and he is going to be the end of
9 his line as a shrimper. The shrimpers are rapidly becoming
10 extinct, because of imported shrimp being dumped onto the U.S.
11 domestic market, in addition to other pressures upon the industry.

12
13 When I was reading through the minutes from the April 2024 Gulf of
14 Mexico Fishery Management Council, a couple of things caught my
15 eye, one of which was talking about the LNG and green hydrogen,
16 and I'm quoting directly from Mr. Diaz. It said that larvae get
17 into these systems and don't make it, and I can't remember the
18 numbers, but the numbers were a huge amount of larvae that was
19 impacted by this, and I think this may have the potential for
20 something like that, but we haven't asked the questions.

21
22 We have never even heard anything about green hydrogen before, and
23 I had never heard of it until I read these comments, and they're
24 kind of terrifying, to be perfectly honest, because, when you're
25 talking about larvae, you're talking about all sorts of different
26 invertebrates, shrimp, crab, oyster, all sort of little critters,
27 and, up along the coast, that's where your estuaries are, your
28 nurseries.

29
30 That is what is going to get bigger, and then hopefully go into
31 the Gulf. If you allow those to be destroyed, with this open-loop
32 system, that's going to potentially destroy our fisheries in our
33 area, and so that's very disturbing.

34
35 Of the coast of Port Arthur and Galveston, we have areas of very
36 important fisheries to the economy of Texas and Louisiana and the
37 adjacent coastal communities, and we're just wondering what will
38 be the impacts for these delicate, important areas. You're
39 planning on putting wind turbines in these areas that historically
40 have been used for shrimping, and what about the damage to the
41 fishermen's living, because they're not going to be able to go
42 into those areas anymore and fish?

43
44 Also, I read, in the minutes, talking about the Magnuson-Steven
45 Act, that there's a high probability of our very personal
46 information that fishermen are forced to submit to NOAA and sister
47 agencies every year, to be released to the public without our
48 permission, and that is very disturbing, and highly suspect, and

1 our information should be protected without discussion.

2
3 Back to the wind turbines, and you've got underwater cables that
4 are under the ocean floor, and that's going to be a problem when
5 shrimpers are dragging their nets, as they're trawling in the
6 waters, in areas that they have historically fished, and you're
7 asking them to limit further where they can fish, when the industry
8 is already under so much pressure to begin with.

9
10 We're also concerned about the impacts of the electrical current
11 on marine life that are in the areas. Oftentimes, storms can
12 uncover these buried cables, and they can then be a hazard to
13 shrimpers and fishermen, and, basically, we're wondering would you
14 then deny us access to our fishing grounds that have historically
15 been used for shrimping? Thank you very much for your time and
16 for hearing all of our concerns.

17
18 **CHAIRMAN ANSON:** Thank you for being here, Ms. Kimball. Just to
19 kind of let you know, so we have been discussing, you know, wind
20 energy here at the council, and the BOEM representatives, the
21 Bureau of Ocean Energy Management representatives, have been
22 coming to the council for some time now, for a year or a year-and-
23 a-half, and providing us updates, and you can certainly go online
24 and look at the previous council materials, on the presentations
25 that they have provided.

26
27 We had a presentation today, earlier today, on green energy, and
28 it was kind of the first stab, if you will, at BOEM providing us
29 information about green energy, and so you can look at that
30 presentation, and there was a discussion earlier today about NOAA's
31 Southeast Fisheries Science Center staff are going to be working
32 with the BOEM folks and producing layers, GIS layers, relative to
33 green energy production in the Gulf of Mexico, and it will be a
34 similar process to what's been used to this point on identifying
35 areas that would be most conducive, and least disruptive, is
36 another way of looking at it, to existing industry and uses in the
37 Gulf of Mexico.

38
39 That is what they had used to help identify these large areas set
40 aside for wind energy, and they're talking about a similar process
41 to review existing uses, existing industries, on development, or
42 installation, of any future green energy projects, and so you could
43 certainly, if you want, talk to one of the staff members, or
44 myself, here after public testimony, but we are engaged in the
45 process, and we certainly are very concerned ourselves about, you
46 know, the impacts to the stakeholders that we have here, but we
47 appreciate you coming today. Is there any questions for Ms.
48 Kimball? Ms. Boggs.

1
2 **MS. BOGGS:** I was just -- I have a comment. I just wanted to thank
3 you for coming. It's nice to see a new face in the crowd, and get
4 another perspective on the shrimpers, because we don't have a lot
5 of shrimp industry folks that come to the podium and give us public
6 comment, and so thank you for being here.

7
8 **MS. KIMBALL:** Unfortunately, a lot of us don't even know that these
9 meetings take place. We just happened to know from our marine
10 agent from Sea Grant that it was taking place, and they asked us
11 to come. I don't know how we can inform the industry, and my
12 husband is the president of the Port Arthur Area Shrimpers
13 Association, and we're trying to keep them abreast, as we find out
14 information, but the information has to filter down to us, also.
15 Otherwise, you know, we have no idea what's going on, what's coming
16 down the pike.

17
18 **CHAIRMAN ANSON:** Ms. Kimball, if you go to the council's website,
19 you can register online. Emily will talk to you about it, and
20 she'll get you in the queue for all of the announcements, the
21 newsletters and such, that come from the council. There's an email
22 list for that. We did have another question over here. Dr.
23 Walter.

24
25 **DR. WALTER:** Ms. Kimball, thanks, and it's nice to see you after
26 the Baton Rouge meeting where we first met, and so I will second
27 the engagement with the shrimp industry, and how the -- We're
28 hearing about the problems the shrimp industry is facing, and
29 that's one of the reasons that we're embarking on our Shrimp
30 Futures Project and engaging, to try to identify what are the
31 things that could really help the fishery to achieve a better
32 future, and so that's part of the National Seafood Strategy, and
33 that's one of the regional focus projects.

34
35 We'll be continuing to engage in that, and probably reaching out
36 get further feedback, as follow-ons from that Baton Rouge meeting,
37 and so we hope that you will stay engaged yourselves, as well as
38 your industry that you're representing, and so thank you.

39
40 **MS. KIMBALL:** There is also the graying of the fleet, which is a
41 big problem. A lot of the captains are my husband's age, in their
42 fifties and sixties, and there is nobody to take their place,
43 because the young people do not see it as a viable occupation
44 anymore. The price of the shrimp has just plummeted, to next to
45 nothing, and, a lot of times, the captains come in, and they have
46 literally made no money. They have lost money while they were
47 out, because the price of the shrimp dropped while they were out
48 on the shrimp boat, and that's just not right, but that's a

1 different subject entirely, but thank you very much for your time.

2

3 **CHAIRMAN ANSON:** Thank you for being here and for providing your
4 comments. Thank you. Next, we have Kyle Kimball, followed by
5 David Krebs.

6

7 **MR. KYLE KIMBALL:** Thank you all for hearing from us and
8 everything. I appreciate all of you all's time. Of course, I'm
9 married to her, as you know, or could tell, and, anyhow, I'm --
10 Like I said, my name is Kyle Kimball, and I'm going to kind of
11 read a little bit here, and I'm a little bit nervous too, but the
12 Port Arthur Area Shrimper's Association president. I've been there
13 for, I don't know, twenty or twenty-five years, and we have 266
14 members that I'm here representing, and I also have my own boat
15 and fish, and so what we're going through, they're going through,
16 I feel it, and it's not like I'm just representing people and get
17 to walk off, because I'm going through the same thing.

18

19 We're having issues, of course, with the sharks. Everybody talks
20 about them. They're getting so abundant, and a lot of people don't
21 know how abundant, but they're really out there aggressively.
22 They're attacking the nets and this of this nature, when they come
23 to the top. We have fish in there, and you get little small trash
24 fish that come out, and they aggressively attack that, and they
25 just go in a frenzy, and, unless you actually see it when you're
26 out there, it's kind of hard to believe.

27

28 Anyhow, we're concerned with the imports of the shrimp, and that's
29 not talked about much, but they've imported so much that it has
30 dropped our prices and everything way down low, but the problem is
31 they have a bunch of antibiotics on them, that they're using to
32 try and allow these shrimp to come into the U.S., under, you know,
33 being secure and safe. The problem with that is they're only
34 testing like maybe one-thousandths of a percent of the -- It's
35 very, very minimal.

36

37 They will come in, and they will test a container, and most of
38 these containers fail the testing, and so what they do is they
39 ship them out, and they come into another port, with another set
40 of containers, and they only check maybe one or two out of, like
41 I said, a thousand, and so they always work their way back in, but
42 all the other ones are considered to be okay, since they haven't
43 been inspected. We need more inspections, and we need more -- You
44 know, something to be done with this to allow people to know what
45 they're getting, and good food, because it's kind of bad, but,
46 anyhow, I appreciate everything and you all taking time.

47

48 **CHAIRMAN ANSON:** Thank you for your comments, and thank you for

1 your testimony. General Spraggins.

2
3 **GENERAL SPRAGGINS:** Thank you very much, and I agree with you 100
4 percent on the shrimp industry. You know, we're hurting, and every
5 one of our shrimpers out there are hurting extremely bad. When
6 you're getting seventy-cents a pound, when you get to the dock,
7 and you're out there paying \$5.00 a gallon for diesel, it's kind
8 of tough to make a business, and I think that we need to have
9 something in this that we need to do to be able to put more
10 restrictions on people that are bringing anything in here from
11 another country, so that we can have it to where we can at least
12 get it back to some form of semblance of normal, because it's
13 killing us. It's killing you, and it's killing everybody.

14
15 **MR. KIMBALL:** Yes, sir. As it comes in -- Thank you for that. As
16 it comes in, people have no idea on the radio talk. They know,
17 when the shrimp are coming in, what's there, and they will drop
18 prices fifty-cents on top of what's there. My friend up in
19 Louisiana was getting thirty-five-cents, and my brother just got
20 seventy, and I got sixty, here a while back, a pound for shrimp,
21 and that's just -- I can tell you that a lot of people don't know
22 shrimp are running that low to the producer.

23
24 We've got expensive -- I am, in particular, pulling a very
25 expensive webbing, and it's in the neighborhood of -- It costs me
26 right at \$10,000 worth of equipment on the back deck, okay, and
27 we're fighting, on top of all that, the imports, and, like you
28 said, the fuel, and everything else, is just making it to where
29 nobody wants to go back into that industry, and it's actually a
30 good industry. I love it. It's good, hard work, but that's just,
31 you know, how things go.

32
33 **GENERAL SPRAGGINS:** We see it in Mississippi, that we're -- Ten
34 years ago, or fifteen years ago, we had 800-plus boats out on the
35 first day. This year, it was forty-seven. That tells you where
36 the industry is at, and that tells you what is happening, because
37 no one wants to be in it anymore, because they can't make enough
38 money to make it worthwhile, and number two is we have a hard time
39 getting the younger generations to look at it, because it's a whole
40 lot easier to make \$100,000 a year sitting in an office than it is
41 out there working hard every day, and so we thank you all for
42 everything that you do, and I hope that we can find a way to help
43 you.

44
45 **MR. KIMBALL:** Yes, sir. One more comment on that. Talking about
46 the fishing fleet going down, in 2001, there was a little under
47 17,000 licenses. The licenses, in 2021, went below 5,000, and
48 we're talking federal permits, which is offshore fishing, and, in

1 2023, there was like 1,164, or 1,167, and so we're under a thousand
2 licenses right now, and that's for the whole Gulf. That's not
3 just Texas. Now, that don't include your little small boats that
4 are in your little areas, but we're talking -- Which is a lot of
5 the bringing in, your big commercial fishermen.
6

7 **CHAIRMAN ANSON:** Dr. Sweetman.
8

9 **DR. SWEETMAN:** Thank you, Mr. Chair. I just wanted to provide a
10 comment for you, and so I hear what you're saying relative to the
11 FDA testing of imported shrimp and everything along those lines,
12 as it relates to the lack thereof of testing, for antibiotics and
13 everything like that, and I just want to let you know that there
14 is actually kind of a bill moving through the House right now that
15 is looking to address exactly what you're talking about there, to
16 potentially increase the amount of funding that the FDA would have
17 to increase the amount of sampling that they would do, because it
18 is abysmal right now, and I agree with you.
19

20 **MR. KIMBALL:** Yes, sir. We realize that we can't supply all the
21 shrimp, and there's getting less and less fleet, but the main thing
22 that needs to be done is this has to be safe. They have to reject
23 these imports, and, when they reject them, they need to destroy
24 them, and not just put them back on another ship, or another truck,
25 and ship them to another port, and allow them in with another load,
26 in case they don't get caught, and that's what this is. It's
27 getting -- It's a public health hazard, and another thing is you're
28 not allowed to use them, in the State of Texas or Louisiana, to
29 fish with. It's contaminating the fish, and they don't know what's
30 going on with the ecosystem, and the Parks and Wildlife Department,
31 in both areas, and, if you get caught with them, you get fined.
32

33 **DR. SWEETMAN:** Yes, and certainly I agree with you there. What I
34 was just going to say there, relative to that, it's certainly it's
35 moving forward there, but this is -- The inspection process is not
36 part of the Gulf Council's purview, or authority, along those
37 lines. I just wanted to highlight that for you.
38

39 **MR. KIMBALL:** Right, and I realize that, but maybe a little word
40 here or there will get somebody that's listening, and paying
41 attention, and we're just trying to get what's out there and trying
42 to make it. Anything else?
43

44 **CHAIRMAN ANSON:** I don't see any other questions.
45

46 **MR. KIMBALL:** Thank you all for your time. Thank you, sir.
47

48 **CHAIRMAN ANSON:** Thank you for coming. We appreciate it. All

1 right. David Krebs, followed by Jesse Heiser.

2
3 **MR. DAVID KREBS:** Good afternoon, council. I will start with
4 saying thank you to Ms. Boggs and Mr. Gill and Mr. Diaz for the
5 service that they've put in. I'm going to save my kingfish and
6 Spanish comments for the end, if there's time, or if there's any
7 questions, but I want to talk about the IFQ, talk about the history
8 of the fishery.

9
10 I just saw Andy and Peter Hood and Phil Steele's -- What is it
11 called, "The History of Red Snapper Management in the Gulf
12 Council", and has everybody read that? It was done in 2007, and
13 it's pretty phenomenal, because it's a different path. It was a
14 different path than grouper. The history of red snapper, which I
15 lived, and there's fewer and fewer of us that have lived it, from
16 the 1970s, through the 1980s, up to the IFQ, was we had a fishery
17 that collapsed, totally collapse, in the late 1980s, so much that
18 the government shut it down in 1990 and said, hey, let's take a
19 break.

20
21 We reopened back up in 1991, and it's all documented here, under
22 a pure derby for the commercial side, that lasted -- I don't know
23 the days it was, fifty-something, or sixty-something, and it wasn't
24 much. They did that for three years, and then that led us into
25 the first LAPP, limited access program, which was Class 1 and Class
26 2 licenses.

27
28 Those boats that demonstrated landings of 5,000 pounds in two of
29 the three years, 1990, 1991, and 1992, could get to qualify for
30 these licenses. With a 5,000-pound qualifier, it let 137 boats
31 into the fishery, 137. That's it for the entire Gulf, and they
32 caught 5,000 pounds two out of three years, and that's what this
33 fishery looked like.

34
35 Even with that 137 boats, the derby started -- It started out with
36 two weeks. What do we do with all these fish in two weeks? There
37 was nowhere to go, and so they said, well, let's change it to ten
38 days, and so we went to ten days. We battled, and we battled, and
39 we finally get to the end, and we come up with, well, we need to
40 go to an IFQ, and that's going to change -- With the weather and
41 these problems.

42
43 The fishery was never intended to be an investor fishery, and it
44 was never intended to be a leasing fishery, outside of covering
45 bycatch for the grouper industry and other people, and I would
46 strongly ask that this council, Ms. Simmons or Mr. Strelcheck, put
47 you guys in a room with the stakeholders that were on the IFQ
48 development, and what we were promised, and what we were told, and

1 it will shed some light, and maybe save us some court time.

2

3 I know you guys -- Not intentionally, but we seem to get drug into
4 court an awful lot, as an industry, and all we're trying to do is
5 make a living, and so it would all be nice if we could all sit
6 down and talk about it. I was against the IFQ, and Captain Guindon
7 was against the IFQ. A lot of fishermen were against it, but there
8 was concessions made that said this is why you should be for it,
9 and now it's getting destabilized, and, also, the biggest problem
10 is this ACL will not stay at seventeen-million.

11

12 As you start adding this fish, and trying to spread it out, and
13 redistribute it, and the quota gets cut back to the historic nine-
14 million, or eight-million, or god knows what it's going to do, and
15 then who has what, and what happens to the infrastructure? Fish
16 houses don't run on 100,000 pounds of fish. They can't make it,
17 and we're going to lose our infrastructure, and so I would really
18 like you all to consider having a group meeting.

19

20 The APs -- People get frustrated, because old-timers, that have
21 history, tend to lead the way in an AP, because we've been there
22 and done that, and we've fought for the size limits, where we
23 weren't discarding fish, and we were the guys that tried to make
24 a difference, and now we're trying to share that. It's not
25 popular, but it's the truth, and it would be interesting to see if
26 we could all sit down and make this a better place. I'm over time,
27 and I appreciate it.

28

29 **CHAIRMAN ANSON:** Okay. We have some questions for you, Mr. Krebs.
30 Ms. Boggs.

31

32 **MS. BOGGS:** Thank you for that. I always enjoy talking to you,
33 and listening to you speak, because you are a wealth of
34 information, and I do appreciate that, but what I would like to
35 ask you about is what you are seeing in the king mackerel fishery
36 these days.

37

38 **MR. KREBS:** So I want to thank the guys that drive all the way
39 over from Leesville, and some from the east coast of Florida, and
40 on the telephone, because they're sharing exactly what I've been
41 saying, that participation is down. The fish, historically -- The
42 first king mackerel that I ever saw purchased was out of Grand
43 Isle in the 1980s. The fishery was developed by Mark Arnold, Kenny
44 Griffith, all east-coast fishermen, and they were -- I mean,
45 there's these old-timers that -- They showed up to get this
46 fishery, because they came from the east coast, and somebody said,
47 hey, there's got to be king mackerel in the Gulf, and sure enough
48 there were.

1
2 In the 1980s, that's where the mackerel fishery was. In the 1990s,
3 it was in Cameron. It had shifted all the way from Leesville,
4 Grand Isle, to Cameron, and, I mean, that's, what, 150 miles or
5 something to the west, and the fishery fished there for almost
6 eight years, seven or eight years. Trip limits, I mean, we were
7 filling the quota over there.

8
9 Then it came back, in the 1990s, back to Grand Isle, and, during
10 all this time, these same fishermen were the high-liners. They
11 were the ones that you heard me talking about the fifteen people
12 that found the fish, that could catch -- Donnie Waters, and Wayne
13 Werner, and, I mean, we don't have Donnie or Wayne, and, I mean,
14 they were the guys. There was a competition. Captain Sappe is
15 going to get up here in a minute, and he was there. He started in
16 1992 in the western Gulf.

17
18 He can tell the stories, and we talked about it at lunch, because
19 there was this friendship, and rivalry, but they all lived together
20 on these thirty-five-foot boats, with mosquitoes in Louisiana
21 every summer, and, I mean, nobody that has a choice is going to do
22 that, unless you have a love for it, and you're looking forward to
23 fishing with your buddies, and so the fish that we've seen have
24 remained healthy.

25
26 There's a broad range of size, the fish doesn't look stressed, and
27 they're not skinny. You know, there's a lot of times that you see
28 a stressed fish, and he gets skinny, and there's a tremendous
29 amount of three to five-pound kingfish this year. We saw it about
30 six or eight years ago in Naples, that those fish went through,
31 and it could have been ten years ago, but we're seeing that again
32 this year.

33
34 I think the fishery looks really good, and, from what I'm hearing,
35 and you'll get more testimony on that, it's a 120-mile run back to
36 Ship Shoal off of Morgan City, from Leesville, and there is fish
37 offshore there, and I think Captain Colletti told you about
38 catching his limit in a day, but you have to have the weather, and
39 we have had the worst weather, since last November, that I've ever
40 seen, in the Gulf and on the east coast.

41
42 We lost the entire Spanish mackerel fishery, due to weather, and
43 we didn't lose it all, but we produced maybe 30 percent of our
44 historical -- But that's Atlantic stuff, and the same thing
45 happened to Safe Harbor Seafood in Bon Secour, Alabama, one of the
46 few places you can still gillnet Spanish mackerel. There were
47 plenty of Spanish, and no weather. The weather would break every
48 Friday for the weekend, and they're not allowed to gillnet on the

1 weekends, but the fish were there, and, when they could fish, they
2 caught fish, and that was just this -- That's a spring run of fish.

3
4 **CHAIRMAN ANSON:** Captain Walker.

5
6 **MR. WALKER:** Thank you, Mr. Krebs. I would like to hear your
7 thoughts on should you be required to have a permit to hold shares,
8 and also if you need to demonstrate participation in the fishery
9 of the shareholder.

10
11 **MR. KREBS:** So that's a good question, and, again, I was one of
12 the guys on the AP that said it's not an investor fishery. The
13 folks that were pushing it said, oh, this is a great opportunity,
14 but that's not the way the industry saw it. We saw it as heritage
15 and an opportunity to have something. I think it's a good thing
16 to have a permit. There's nothing wrong with being vested in the
17 fishery.

18
19 Percentage of landings, these are things that the AP was working
20 on, but it took us four years to get through initial allocation,
21 from 2000 to 2004, to ever agree on -- That was the only thing
22 about the IFQ that, when we really got down to the design process,
23 and it was, okay, who gets what, and that's why we went with a
24 fourteen-year qualifier. It started out that, hey, we want to use
25 the three derby years, 1990 to 1993, and that was so unfair, to so
26 many of the people, that we ran a ten-year best consecutive out of
27 fourteen, and it gave a reasonable average. Nobody got what they
28 wanted, but everybody got something.

29
30 You know, the design side of that specific IFQ I thought was the
31 fairest that it could have been, and how do you maintain that? I
32 don't think -- I think it's another thing that you've got to put
33 people in the room, and you just can't have an AP that says, hey,
34 is it meeting its goals and objectives, and the answer was, yes,
35 it met its goals and objectives, but it was never intended to be
36 a leased fishery, that you reintroduced a ton of center consoles
37 that want to go fishing, or the yachts that we want to get a permit
38 and so out and supplement their fuel, because they're on a
39 commercial trip.

40
41 That was never the intent, but it's what has happened, because,
42 even at \$2.50 a pound, a center console can run out there and make
43 a trip. Is it fair to everybody else that is trying to be vested
44 in the commercial industry? I mean, maybe if you said you've got
45 to be catching other fish already, have quota in the grouper
46 industry, before you lease a fish, and how do you change the
47 dynamic of a fishery that was made up of 137 dedicated boats, and
48 that's what Mr. Strelcheck's paper talks about, and the history,

1 was the dedicated red snapper fleet.

2
3 We don't have a dedicated anything anymore. I mean, as a -- We
4 still have that core group that still sits out there, but it has
5 now gotten -- When you look back at what was the original intent
6 to reduce the capacity -- We've multiplied the capacity by three,
7 because it's an available fish that had a value. All you had to
8 do was find somebody willing to lease it, and, if you throw enough
9 money at somebody, whether they want to lease it or not, they'll
10 be like, yeah.

11
12 I tell fishermen -- They say, well, I'm not making money because
13 I have to lease fish. No. There's no retention rules in the Gulf
14 of Mexico, and you don't have to lease anything. You only have to
15 lease it if you want to catch it and sell it, and, if they would
16 just stop leasing for a year, the lease prices would go down,
17 because, all of a sudden, it wouldn't be worth it to the investor
18 anymore, and it's just -- It's a crazy thing, but we, collectively,
19 need to understand it, and it's not just as easy as saying, hey,
20 I want to redistribute this, and take it from this guy and give it
21 to that guy. It's a lot deeper than that, and I appreciate you
22 all even listening to me.

23
24 **CHAIRMAN ANSON:** We have another question or two. Mr. Gill.

25
26 **MR. GILL:** Thank you, Mr. Chairman. Susan asked my question.

27
28 **CHAIRMAN ANSON:** Does anyone else have a question? I am not seeing
29 any. Thank you, Mr. Krebs. We appreciate it.

30
31 **MR. KREBS:** Thank you.

32
33 **CHAIRMAN ANSON:** Jesse Heiser, followed by Tony Sappe.

34
35 **MR. JESSE HEISER:** Jesse Heiser, commercial king fishermen, and I
36 fish all three zones. I've been doing it for twelve years. It's
37 all I've really ever done. It's mostly an independent fishery. I
38 mean, we're all owner/operators pretty much, 98 percent probably,
39 and a lot has changed in the last ten years, as far as our
40 participation, and the infrastructure that goes with that is a big
41 part.

42
43 Like even when you're -- I can't even take my boat home to the
44 east coast. I live on the east coast, and I gave up my slip, and
45 like there's no dockage left anywhere. That's a big part, and
46 you're seeing it more and more everywhere, and all the fisheries
47 are seeing it, and there's less and less. If one place disappears,
48 it's gone, and it's gone forever, just like if we were to stop

1 fishing. It's not coming back.

2
3 That's a big part, and the way we live, and not many people want
4 to do it. As the older guys get out, I think, just like every
5 other fishery, there's not many new guys getting into it, that
6 wants to work like we do, and live like that, and especially the
7 traveling fishermen as well, and it makes it real tough.

8
9 There's times in the year that I see -- We'll be fishing, and you
10 will see an amount of fish where you're like, wow, that's a lot of
11 fish, and we'll be talking about it, and, you know, like I think
12 -- You know, I think a lot of them are offshore. I think they
13 move.

14
15 For example, like Louisiana, and I don't know if you know, but
16 like, without the rigs there, all that inshore bottom -- There is
17 no bottom. It's mud, and so what's left is the offshore reefs, in
18 200, 300, 400 foot of water, that are surrounding by 700 or 800 or
19 a thousand foot of water, whatever, and then fish push around out
20 there, jumping from spot to spot.

21
22 Even if you find them out there, sometimes they don't bite. For
23 us, anything that stays low in the column, and they move up and
24 down, and they move up, and they bite, and we catch them. It makes
25 it a tough. It's a lot of area, for just a few amount of boats to
26 look over. I think that's most of the questions you keep asking,
27 is about the participation.

28
29 Sharks are terrible. Oh my god. Every time you do find them,
30 that seems to be one of the worst problems that we're dealing with,
31 and the porpoise. There's a lot of things that are keeping us
32 from catching them, and so that's all I've got.

33
34 **CHAIRMAN ANSON:** Questions? All right. Thank you. Tony Sappe,
35 followed by Scott Hickman.

36
37 **MR. TONY SAPPE:** I'm Tony Sappe, a king mackerel fisherman. I've
38 been coming over here since 1992, to Louisiana, in the summers,
39 and, in 1990, and in 1992, and in 1993, the season lasted forty-
40 five or fifty days, but it was a smaller quota, and it was
41 unlimited, but we were catching them out of Cameron, Louisiana,
42 and my friends that I knew from Grand Isle and the places -- That's
43 where we started the season, because there wasn't the fish, like
44 David was saying, off of Grand Isle at that time of the year
45 anymore.

46
47 The cutting these quotas in half, or whatever you all -- All those
48 alternatives is no good for a king mackerel fisherman. I mean,

1 sure, we haven't been catching the numbers the last four years.
2 The last year we caught them, the last four days of the season, I
3 caught 8,000 pounds, by myself, and they were jumping as far as we
4 could see them.

5
6 The next year we come, and we didn't see anything like that. You
7 know, I mean, where did all these fish go that were jumping as far
8 as we could see them, and we were catching our limits every day,
9 for four days, and then we met the quota, and it was closed, and
10 so about the traditional fishermen, the old guys -- You know, on
11 the east coast of Florida, the old guys, if they have snapper
12 grouper permits, they're allowed to catch seventy-five pounds of
13 red snapper, which, to me, is like a joke, but it's enough money
14 for them to go king fishing in the morning, and catch their
15 seventy-five pounds of red snapper, with their few kingfish, and
16 they're making good money.

17
18 I don't have a snapper grouper permit over there, or here, and if
19 you cut the quota, we'll never be able to recover from what we've
20 not made these last couple of years. I mean, if we catch fish for
21 a week, there's going to be more fishermen coming, and there is no
22 less permits out there. There is still plenty of boats that would
23 come if we find some fish.

24
25 I have never caught no kingfish in a thousand foot of water, and
26 I've never really went out there looking for them. I mean, we
27 have fished from 150 foot into forty foot of water, from here to
28 the Keys, up the east coast of Florida, and that's where we've
29 always caught our kingfish, but I don't know how many oil rigs
30 they took out of that, from Cameron to Grand Isle, but it's --
31 Every one of our good rigs were, when you went fishing, and you
32 would go out, and just go through the rigs, heading west, and you
33 knew, when you got to that next field, you were going to catch
34 fish on these rigs, and now we don't have that.

35
36 I mean, we don't have any of the live rigs that the fish were on,
37 and, like I said, one of my friends that worked with NOAA, and
38 with some sharks, Michael Newman, in Jupiter, Florida, and he told
39 me that he was diving in Texas, on a deepwater rig, and had seen
40 all kinds of kingfish, and I really didn't ask him how many foot
41 of water he was in, but, you know, like I said, that's a -- We're
42 going out, twelve boats now, when there was forty-two of them in
43 2020, or the last time we caught the quota, and, you know, there
44 was a lot of boats.

45
46 **CHAIRMAN ANSON:** Mr. Sappe, you need to wrap up your comments.

47
48 **MR. SAPPE:** I'm just saying we can't -- We don't deserve, or need,

1 any cuts in any quota. If we're not catching the fish, we're not
2 hurting them. Twelve boats are never going to catch that quota.

3
4 **CHAIRMAN ANSON:** All right. Thank you, sir. Any questions? We
5 have a question from Dr. Walter.

6
7 **DR. WALTER:** Captain Sappe, thank you for coming here, and I've
8 actually been listening intently to a lot of the conversations on
9 king mackerel, thinking about how we can try to get a better handle
10 on the population, and one of the things that we've struggled with
11 is getting a good index, and what I'm hearing is that there's maybe
12 some potential to take a closer look at the fishery data, and the
13 catch per unit effort data, and, to that, where we would actually
14 use probably fishermen's reports, like logbook reports, and what
15 do you think is the key information that we need to know about, in
16 terms of being able to get a good handle on what the abundance of
17 the population is from like using your data?

18
19 **MR. SAPPE:** Well, as for -- If twelve boats are catching 300,000
20 pounds -- I mean, if you put thirty more boats out there, I mean,
21 that would be the million pounds, no matter what, where we're
22 fishing.

23
24 Like we said, we used to -- We would travel, and boats would be
25 spread out for fifty miles, and, when people found them, we went
26 that way, and, I mean, yes, there was plenty of oil rigs that we
27 would catch fish on, you know, regularly, but all that has been
28 taken out, and those fish don't have that to go to, and so, I mean,
29 like I said, we're still always going -- I mean, I can't afford to
30 go out there and strike out, even though I might go inshore, in
31 all these places I've been fishing, and strike out, but to just go
32 out there into the abyss and look for a kingfish that is in 10,000
33 foot of water, by myself, or with even five or six boats -- I mean,
34 we're -- It's hard to find a ball of fish like that.

35
36 I mean, we don't have airplanes, like the netters, and we don't -
37 - You know, I wish somebody would go out there and fly and tell us
38 where they're at, but, I mean, like I said, I've been hearing
39 reports -- You know, I just got back, and I just got here to start
40 fishing, and I'm going to start fishing in two days, when we get
41 back to Leesville, and we're going to ice up and go fishing, but,
42 you know, a snapper boat we talked to, he said he feels that he
43 was marking some kingfish out there, and, like I said, these people
44 have been telling me about some deeper-water fish, and we're going
45 to have to start going out there and looking.

46
47 I mean, that's not where we've ever caught -- You know, we just
48 never caught them like that. I mean, when I was coming from Fort

1 Myers, years ago, driving back and forth with my boat, I caught
2 some barracuda in 10,000 foot, and so I don't know why you couldn't
3 catch a kingfish, but we never caught none out there, when we were
4 coming over straight across, but we're going to have to start
5 looking out there, from what we are hearing.
6

7 **CHAIRMAN ANSON:** All right. Any other questions? All right. Mr.
8 Sappe, thank you.
9

10 **MR. SAPPE:** I would like to say that now -- I'm going to be sixty
11 on August 8, and I'm the old-timer in the fleet.
12

13 **CHAIRMAN ANSON:** Congratulations. Scott Hickman, followed by Eric
14 Brazer.
15

16 **MR. SCOTT HICKMAN:** Hello. Hello, ladies and gentlemen of the
17 Gulf Council. My name is Captain Scott Hickman, from beautiful
18 Galveston, Texas. I'm a founding board member of the Charter
19 Fishermen's Association, a dual-permit holder, commercial reef,
20 king mackerel, and also a federal charter-for-hire. I've been in
21 the fishery for over forty years, as a deckhand and as a captain.
22

23 First off, I would like to thank Susan, Bob, and Dale for their
24 incredible service and amazing work you've done, all you've done,
25 for our fishery and the stakeholders. Don't be strangers.
26

27 I like the option for charter-for-hire to use the new LA Creel app
28 logbook with the new Starlink cellular technology for validation
29 and an algorithm that randomly selects captains for the economic
30 survey. The economic survey is very important.
31

32 The Galveston, Texas charter-for-hire wants at least a mid-August
33 run on a red snapper season and a fall season to start in October.
34 Please explore a wahoo regulation to manage and conserve this
35 incredible stock of fish, especially in the sanctuary areas off of
36 Texas and Louisiana. All the commercial IFQ proposals will cause
37 more consolidation, in my view, and not what is intended with the
38 current amendment. The unused, unclaimed shareholder accounts,
39 shares, should be put in a program for veterans that want to get
40 into the commercial fishery. We should be doing something for
41 those folks that have given so much for our country, like the folks
42 that serve on this council.
43

44 Move the rest of the charter-for-hire historical catch of reef
45 fish into sector allocation and continue to have the council staff
46 develop the fishery ecosystem plan, with water quality being the
47 most pressing issues. Platforms and shrimp boats are mostly gone
48 in the Gulf, as you've heard, and sharks have found new places to

1 hang out and eat now, and that is our reef fish complex, and that's
2 why you hear so many charter boats and commercial folks complaining
3 about all these sharks, and I don't think we've got any more
4 sharks. I just think they're living in new places.

5
6 The CFA supports offshore wind in the western Gulf of Mexico. Our
7 local fleet supports it, and we've been very much impressed with
8 the spatial planning on these projects, and we look forward to
9 having some platforms back off the Texas coast, and, on that, we
10 look forward to seeing everybody at happy hour.

11
12 **CHAIRMAN ANSON:** Thank you, Scott. Any questions for Captain
13 Hickman? I'm not seeing any. Thank you. Eric Brazer, followed
14 by Buddy Guindon.

15
16 **MR. ERIC BRAZER:** All right. Thank you very much, Mr. Chair. Eric
17 Brazer, Deputy Director of the Gulf of Mexico Reef Fish
18 Shareholders Alliance. Like the others who have come before me
19 have said, Bob, Susan, Dale, if you're out there, thank you guys
20 for your leadership, your service, and, like I said last night,
21 you guys have been an inspiration to those of us in the back of
22 the room, and so we appreciate that. You've driven this council
23 to be better, and to do better, and thank you again.

24
25 On Amendments 59 and 60, we're glad to see these conversations
26 moving forward, and we're looking forward to seeing the analysis
27 come out. As you guys are starting to see, this is getting pretty
28 complicated, and there's lot of layers to this onion. It was
29 really helpful to visualize these different business models in the
30 document, in the presentation, so we can start to tease out the
31 impacts of some of these actions on the different types of business
32 models in the Gulf.

33
34 We still think that you should have a clear vision on what you
35 want this fishery to look like in the future, as a way to keep you
36 on track as you inevitably get like sucked down into the weeds on
37 all these actions and alternatives. You need something to be able
38 to help you chart your course, and we ask that, as you make these
39 changes, don't just think about tomorrow. Think about five years
40 and ten years down the road.

41
42 We have a number of initial recommendations, and you can see those
43 in our letter. I want to highlight three things here. Number
44 one, these two documents, at this point, the presentations actually
45 are basically silent on how allocation banks, or fisheries trusts,
46 would exist in this post-59 and 60 world. You have prioritized
47 these in your goals and objectives, and we really hope that they
48 will be identified in the forthcoming action document. We just

1 want to make sure that you don't inadvertently shut the door on
2 these options as these documents move forward.

3
4 Number two, we have some initial concerns with redistribution of
5 future increases. It seems to add a whole new level of complexity
6 to the conversation, and it introduces a suite of fairness and
7 equity issues that would ultimately need to be addressed.

8
9 Number three, we just want to make sure you leave enough time to
10 do this, to have the analysis and the public hearings, and we're
11 glad to see that you're not going to rush through this to go to
12 final by January. That would have been an aggressive timeline, to
13 say the least.

14
15 The next few things, briefly, is, Amendment 53, we are disappointed
16 to hear that the council is not going to get a chance to review
17 and discuss this new economic analysis. You took final action on
18 Amendment 53 based on an economic analysis that the court found to
19 be insufficient. You, and us, frankly, the public, should have
20 the opportunity to participate in the process to fix this error.

21
22 Commercial electronic logbooks, we want to thank the Science Center
23 for giving us the opportunity to start to get this into the hands
24 of fishermen this fall, ahead of implementation, and that's going
25 to be super helpful for compliance and accuracy. Then the last
26 thing is ecosystem, and we support the committee's request for an
27 extension to the comment deadline to allow the Ecosystem Technical
28 Committee to comment on the draft roadmap, and so thank you for
29 the time.

30
31 **CHAIRMAN ANSON:** Thank you, Eric. Any questions? I am not seeing
32 any. Thank you. Buddy Guindon, followed by Shane Cantrell.

33
34 **MR. BUDDY GUINDON:** Buddy Guindon. I will be speaking on behalf
35 of Buddy Guindon today. I want to thank Dale, Susan Boggs, and
36 Bob Gill for their service to our country and this council. Susan,
37 you're a relentless studier, and you could have been partying,
38 like the rest of these people on the council, but you were up
39 studying, and your outreach to your constituents was second-to-
40 none, and thank you for your service.

41
42 Bob, you've spent a lifetime here, and I thank you for that.
43 You've always been a person looking to solve problems, and never
44 any bullshit. You were serious, and your country owes you a
45 gratitude that I can't supply to you, and so thank you for your
46 service. Roy, are you getting some of Joe's Mountain Dew? You've
47 been awake this whole damn time.

1 I would like to speak about the permit pool that you're trying to
2 put together. I hope that you reserve those permits until we get
3 down to a point of consolidation, and, with the reductions in all
4 the different species that are in the fishery, we certainly need
5 some more reduction, to make our businesses stay profitable, and
6 so, as you move forward with this, please really take into
7 consideration that can these people make a living when you give
8 them a permit.

9
10 I want to endorse Ed's twenty-fathom closure issue, and I support
11 him in that, and I think he's working on behalf of the industry,
12 and, when it's unenforceable, and, in my eyes, not needed, let's
13 not do it. There's no reason for it.

14
15 When it comes to king mackerel, it's very exciting. The last four
16 years, we haven't caught enough king mackerel to feed you people,
17 but we're seeing some little ones this year, and that's a really
18 good sign, and who knows why?

19
20 Maybe they're out way offshore, and I don't know anything about
21 that, and I'm not really a king mackerel fisherman, but I catch
22 them when I'm fishing, and I'm seeing some this year, and they're
23 little fish, and we're seeing a lot of bait, and so those are
24 things that you need to take into consideration before you cut
25 quotas on people that need to catch their fish when they show back
26 up, and apparently they are showing back up, as the juveniles are
27 there, and it's another fishery that maybe will save some
28 businesses that are going to struggle with the continuing drops in
29 quotas.

30
31 I want to make a prediction. In the next five years, our red
32 snapper quota is probably going to be 40 to 50 percent reduced,
33 and that's just anecdotal information I get off of my vessels'
34 catch per unit effort, young men that fish hard and work hard, and
35 they have a record of the same type of work, the same type of
36 crews, and, with my numbers on catch per unit effort daily, their
37 numbers are down 30 to 40 percent right now, and so, when the stock
38 assessments catch up, that's where we're going to be. Thanks for
39 your time and your service.

40
41 **CHAIRMAN ANSON:** Thank you, Buddy. All right. Next, I have Shane
42 Cantrell, followed by Adam Brick.

43
44 **MR. SHANE CANTRELL:** Hello. I'm Shane Cantrell. I fish out of
45 Galveston, Texas, and I'm a charter-for-hire owner/operator, and,
46 first, I would like to thank Mr. Bob, Ms. Susan, and Mr. Dale.
47 They've been here longer than I have, and I thank you all for what
48 you've done. You all have done more than you could ever know for

1 our fisheries. It takes an incredible amount of time and effort
2 to get this done, and you all have provided leadership for this
3 council for many years now.

4
5 On amberjack, the season in September does something that I didn't
6 think that I would have the opportunity to do, after working with
7 this council for many, many years, and we have the opportunity to
8 extend a fishing season that red snapper has June and July, and
9 into August, and now we have a keystone species for September and
10 into the fall. We have made huge progress in the management of
11 the charter fishery as a whole, and that has done wonders for the
12 fleet Gulf-wide.

13
14 For red snapper, we're simply to a place where process matters far
15 more than results, and my business has the ability to go fishing
16 for red snapper for multiple months in the summertime, but the
17 process for that told me, on May 15, what my season was, and it
18 started on June 1. That's really tough to manage a business, and,
19 if we're going to make a more efficient season for red snapper,
20 and start to do some innovative approaches to use that quota
21 efficiently for permit holders, we need to be able to understand
22 what that season is, and, for my business in October, it makes a
23 huge difference.

24
25 That allows a break in that season. Kids go back to school, and
26 I think many people can benefit from that, but a season in October
27 doesn't do me any good, if I don't know when it starts and ends,
28 to be able to market that.

29
30 The last thing I wanted to talk about is wahoo. Given
31 technological advances, and efficiencies in the recreational and
32 commercial fisheries, we have the ability to access areas, and
33 impact areas, that we haven't in the past, and we're doing so at
34 a rapid pace, and so you all are going to see a presentation
35 tomorrow from the Flower Garden Banks National Marine Sanctuary,
36 with a lot of information about that, but the key takeaway is we
37 have one species left that is a prized sportfish that undergoes a
38 significant amount of harvest, and we have an incredible amount of
39 access to this fishery, that we haven't had in the past. To think
40 that we have no management in the Gulf seems questionable at this
41 point in time. We have that opportunity, and we would like to see
42 a fishery management for wahoo beginning.

43
44 **CHAIRMAN ANSON:** All right. Any questions for Shane? Captain
45 Walker.

46
47 **MR. WALKER:** It's good to see you again, Shane.
48

1 **MR. CANTRELL:** Yes, sir.
2
3 **MR. WALKER:** It's been a while. So I would like to hear -- I
4 wasn't sure exactly what you were saying, but I would like to hear
5 your Texas charter boat opinion on what the red snapper season --
6 What you would like to see in the for-hire sector.
7
8 **MR. CANTRELL:** I know that this isn't the same for every fishery,
9 or every area, but, in Texas, our state-water season has been what
10 it is, and it has continued, and that's consistent. People
11 understand that, and the June 1 opening works really well for my
12 business, if I know -- It's more important for me to know when it
13 starts, and when it ends, then that exact date, but, at least for
14 now, and for the time being that we have had this June 1 opening,
15 and people are accustomed to it, and I don't think it benefits my
16 business specifically, for opening on Memorial Day weekend or
17 something like that, and it's more about knowing what that season
18 is and the ability to get that in front of potential customers and
19 book those fishing trips.
20
21 **MR. WALKER:** Thank you.
22
23 **CHAIRMAN ANSON:** Ms. Boggs.
24
25 **MS. BOGGS:** Shane, you did hear what Andy said yesterday about
26 amberjack season, did you not?
27
28 **MR. CANTRELL:** I did get a little bit of it.
29
30 **MS. BOGGS:** So, right now, it's going to open August 1, and I just
31 wanted to make sure you were clear on that.
32
33 **MR. CANTRELL:** Yes.
34
35 **CHAIRMAN ANSON:** Mr. Strelcheck.
36
37 **MR. STRELCHECK:** I want to be clear that I did not say that it was
38 going to open on August 1. I said there was potential that we're
39 going to open on August 1.
40
41 **MR. CANTRELL:** I appreciate understanding that more and more.
42
43 **CHAIRMAN ANSON:** All right. Thank you, Shane. It's good to see
44 you. All right. Adam Brick.
45
46 **MR. ADAM BRICK:** How's it going, guys? My name is Adam Brick, and
47 I'm the fish buyer for a company in Austin called Minamoto Foods.
48 We're a wholesaler. I am in the people business. I'm not in the

1 fish business. I represent people. Some of them are here, like
2 Captain Anthony, and Jason Delacruz, and some are close friends,
3 and some of who are absolute bedrocks of our business.

4
5 I sell a million dollars' worth of red snapper a year, and \$250,000
6 of that goes to our fishermen, and that's before expenses, and so
7 I have two things that I would like to talk about. Number one,
8 I'm probably the youngest person in the room. I'm young enough to
9 be stupid, but old enough to listen to people like Jason, or Mr.
10 Casterline, anytime -- Somebody that has been here longer than me,
11 and I listen.

12
13 I would say that I have kind of a radical idea on IFQ price and
14 the way that leasing goes, and it's crazy. The lease price cannot
15 exceed the ex-vessel price. Let the free market dictate what the
16 end price is. For example, if the lease price is \$3.00, and the
17 ex-vessel price is \$3.00, that's the only thing, to me, that make
18 any sense, as far as equity goes. Let the fisherman work. Let
19 him get the best price he can. Let him negotiate the best lease
20 price he can, but at least off the fishermen the opportunity to
21 make the same as an investor, as somebody who rightfully owns a
22 share, whatever it is.

23
24 I'm not for an abolition of the entire system, and I understand
25 there are so many different sides, and so many different ways of
26 looking at it, but, really, the only thing that makes sense to me,
27 that's fair and equitable, is to at least make a cap on the price
28 that it cannot exceed, because, right now, I will give \$480,000,
29 or more, to somebody who has never fished a day in their life, and
30 so, like I said, I understand both sides of it, but, really, the
31 only thing that makes sense to me, at this point, is some sort of
32 price cap and some sort of way to let the free market kind of
33 control a little bit more.

34
35 My other thing that I would like to talk about, and I know it's
36 not under your purview, and I know how HMS works and everything,
37 but we have a very valuable resource in the Gulf of Mexico, and
38 it's bluefin tuna. On the east coast, we have guys that basically
39 do whatever they want, however they want, and they catch bluefin
40 whenever they want, all the time.

41
42 All right, and there's a lot of new science about the Slope Sea,
43 a lot of new science about the actual population we have, and ICCAT
44 has been doing a fantastic job managing the stock, and, if there's
45 any way -- Especially you guys with NOAA, and if there's any way
46 to have a little bit more collaboration with our folks on the east
47 coast about some sort of experimental season, or some sort of
48 permitted process of selling bluefin in the Gulf of Mexico, I feel

1 like it would be great.

2
3 I personally have spent up to \$10,000 per fish, and I buy three to
4 four fish per week, and I support dozens of fishermen, all across
5 the country, and some guys, for example, were making \$3.00 a pound
6 when I met them, and now they're making \$15.00 to \$16.00 a pound,
7 and so these guys are going to catch these fish in the Gulf,
8 period, and we know this, especially off of Destin, and, to be
9 honest, the fish might as well go in the garbage can.

10
11 What are you going to do with a bluefin that you caught for three
12 hours on a PIN 130, when you're not a professional fisherman, when
13 you don't know how to swim the fish, you don't know how to ice the
14 fish, you don't know how to bleed the fish, and you don't know how
15 to ikejime, but, if people like me, who can become a federal
16 dealer, can teach these people how to treat these bluefin, and we
17 can use the heads for science, and we can send the heads off to
18 Dr. Walt at the University of Maine, or to Auburn, or to Texas,
19 and we can use these fish, which are so valuable for science, and
20 I think it's a great resource, and I think we're completely wasting
21 it, and I feel like it's worth tens of millions of dollars. That's
22 it.

23
24 **CHAIRMAN ANSON:** Any questions? Dr. Banks.

25
26 **DR. BANKS:** I'm not going to take up more of this time, but I do
27 recommend, before you leave today, seeing Dr. Walter right here,
28 as he is the bluefin scientist for ICCAT, and I will mention that,
29 if you do happen to catch a bluefin, please feel free to give us
30 a call. I would love to come sample the head.

31
32 **MR. BRICK:** Sure. I just want the opportunity to sell the fish
33 and get as much money for the fishermen as possible.

34
35 **DR. BANKS:** I think he can help you work through some of those
36 management issues there.

37
38 **DR. WALTER:** Thank you, and I'm glad to hear that, and I think the
39 ICCAT story is a pretty good story, about the rebounding of the
40 fish, and I think the word does need to get out that we should eat
41 more bluefin, and I think the domestic consumption of bluefin
42 should really be something we should have more opportunities for,
43 and see it more on the menu. Thanks.

44
45 **MR. BRICK:** I mean, there's just -- There is so little access to
46 these fish to begin with, and how many people are truly going to
47 go out to the shelf, in March and April, to catch these, and so,
48 if you want to go and catch that fish, you've got work really hard

1 for it, and it's not something that you can just go twenty miles
2 offshore and catch, and so I feel like it's going to be a very
3 limited thing, and it can all be done with tags, and it can be
4 done the exact same way it's done on the east coast, but done on
5 an experimental level. Thank you.

6

7 **CHAIRMAN ANSON:** Thank you. All right. Richard Fischer.

8

9 **MR. RICHARD FISCHER:** Good afternoon, Mr. Chairman and members of
10 the council. You like that beard, huh, Bob? I thought about
11 shaving today, but I just ran out of time, but I appreciate the
12 compliment.

13

14 Richard Fischer, representing the Louisiana Charter Boat
15 Association. Thank you all for the time here this afternoon. I
16 will begin my time here with electronic reporting. In the document
17 that we looked over the other day, as it pertains to the random
18 sample for economic data, we would prefer the Option d, which is
19 20 percent.

20

21 We would prefer a smaller percentage than that, and I heard 10
22 percent mentioned by Captain Walker, and we, as the Charter Boat
23 Association in Louisiana, we're currently commissioning an
24 economic study of our industry, and, if we got to 10 percent of
25 trips that happened, we would feel pretty good about the results,
26 and so we think 10 percent would be fine. If 20 percent is the
27 lowest that's available, we'll go ahead and support 20 percent.

28

29 Moving on now to red snapper, we would favor an earlier opening
30 for the season. In Louisiana, for our private recreational and
31 state charter boat season, we saw an April 15 opening, and I've
32 got to admit that I severely underestimated the unintended
33 consequences that would have for our federal fleet, because, in
34 the months of April and May, I heard that some of our guys were
35 struggling to fill up their calendars for June, for red snapper
36 trips, and that was unheard of in Louisiana, and, I mean, if you
37 think about it, if you're a customer in the months of April or
38 May, and I can either hop on a state charter boat this weekend, or
39 I can wait longer to pay more to catch fewer, and so it really
40 kind of was not really a fair and equitable situation for our
41 federally-permitted charter guys.

42

43 As I continually tell them, that's more of an argument, and not
44 less of an argument, for state management, which, of course, we
45 come up here and talk about every time we have the opportunity to,
46 and so, as it pertains to what's in that document, we would support
47 the earlier start in Louisiana.

48

1 November, if it were to reopen in November, that really wouldn't
2 do anything for us, because we're kind of May through October,
3 April through October, fishery, but, if there were a way to finagle
4 it, where it could reopen in October, that would be something that
5 we would support.

6
7 Since I have a few more minutes, or a few more seconds, and I know
8 I'm the only thing between you guys and happy hour, I did want to
9 mention something about this very fine hotel that we're staying in
10 here in Houston. We just saw a presentation on the first ever
11 agenda that the Gulf Council had in Kenner, and I actually live
12 about a mile away from Kenner, and so I'm very familiar with it,
13 and there are not too many hotels like this in Kenner.

14
15 It's, you know, two-hundred-and-fifty-bucks a night, and you've
16 got to pay for parking, and you've got to pay for breakfast, and
17 you've even got to pay for Wi-Fi in the rooms, and there's nothing
18 wrong with that, but I would just ask the council, and those who
19 make decisions on where we hold these meetings, to maybe ask
20 yourselves if that fosters the most fishermen participation. It's
21 4:30, and we're about done with public comments, and that's not
22 usual, and so I just kind of wanted to get that out there, and I
23 appreciate everybody, and thanks to our outgoing council members
24 as well. We've had some rigorous debates over the years, and I'm
25 going to miss those, and so thanks, everybody, and I'm happy to
26 answer any questions.

27
28 **CHAIRMAN ANSON:** Mr. Schieble.

29
30 **MR. SCHIEBLE:** Thank you, Richard, for coming over here at the
31 expensive hotel and for participating in the meeting. Can you
32 speak to any information or feedback that you're getting from your
33 captains regarding king mackerel in Louisiana?

34
35 **MR. FISCHER:** I can't say that I've received much, as it pertains
36 to king mackerel, and so I'm sorry, Chris, and I can't really
37 answer that. That's not a conversation piece that I've had
38 positive, negative, or indifferent.

39
40 **MR. SCHIEBLE:** I will hit you with another one then. We're going
41 to see a presentation on wahoo tomorrow, and it has some landing
42 estimates in there that they're using regarding an increase in
43 landings coming from Louisiana, and have you heard anything as far
44 as dockside increase in landings from your charter captains?

45
46 **MR. FISCHER:** That's another thing they're not talking about, or
47 at least not to me, and so it's not something that I'm hearing
48 quite a bit about. Those are two species that we don't hear much

1 about landings, and we don't see very many landings on social
2 media.

3

4 **MR. SCHIEBLE:** Thank you. I appreciate it.

5

6 **CHAIRMAN ANSON:** Dr. Simmons.

7

8 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I didn't
9 quite catch everything that you were referring to on the hotel,
10 and so let's get together offline, but, if you were in our group
11 rate, you should have got it for \$122 per night, plus taxes, and
12 let's talk offline, and so maybe you missed that window.

13

14 **MR. FISCHER:** I looked for the group rate, and that's not what I
15 saw last week, and maybe I waited too long.

16

17 **EXECUTIVE DIRECTOR SIMMONS:** Correct. You waited too long.

18

19 **MR. FISCHER:** Okay.

20

21 **CHAIRMAN ANSON:** All right. Any other questions for Mr. Fischer?
22 Seeing none, thank you.

23

24 **MR. FISCHER:** All right. You all have a great evening. Thanks,
25 everybody.

26

27 **CHAIRMAN ANSON:** All right. That wraps up our public testimony,
28 and so we are at 4:30. Let's go ahead and take a break, and then
29 we'll have a decision. Sepp, welcome. Just to let you know, you
30 might be holding up some bathroom breaks, but go ahead.

31

32 **MR. SEPP HAUKEBO:** Thank you, Chair and council for hearing us
33 today. My name is Sepp Haukebo. I'm a Texas resident, a private
34 angler for over thirty years, and I want to start by saying thank
35 you, Ms. Boggs, thank you, Mr. Diaz, and thank you, Mr. Gill, for
36 your service, and not just on the council, but also all the hours
37 that you all put in on APs, on steering committees, on all the
38 things that you work on. We all see how hard you work, and we
39 appreciate it.

40

41 I am here speaking on behalf of the Flower Garden Banks National
42 Marine Sanctuary Advisory Council. The advisory council is a group
43 of volunteers, sixteen appointed members, representing seats that
44 range from recreational fishing, commercial fishing, conservation,
45 oil and gas, research, diving, and education. We've heard a little
46 bit about wahoo today, and we'll hear a lot more about it tomorrow.
47 This is an issue that's dear to my heart, and, again, representing
48 that sanctuary advisory council with these comments.

1
2 I'm here to ask the council, and the council staff, to consider
3 developing a regional management plan for wahoo. If you look at
4 where we are in the twenty-first-century, and a lot us believe
5 that we need to ensure that we're managing important and
6 charismatic species like wahoo. When you talk to somebody, and
7 you mention that there's no management in the Gulf for wahoo
8 outside of Florida, a lot of folks' minds are blown.

9
10 We originally heard from this by a couple of charter captains that
11 fish wahoo tournaments, and have fished for over twenty years, and
12 they're concerned with the level of take.

13
14 I want to say that this isn't about completely restricting access.
15 This is about maintaining access for the current generation and
16 future generations, but we've seen some pictures of ten to twelve
17 boats on a single bank. Anybody that knows these banks knows how
18 small some of the sanctuary banks are, and we're seeing ten to
19 twelve boats maneuvering around a single bank, and seeing up to
20 forty or fifty wahoo per boat in pictures, and then ten to twenty
21 lost to sharks, and that's a heavy day, when you're fishing an
22 aggregation, and so the SAC supports continued access to this
23 fishery in the region, but, also, in the sanctuary, and, yes,
24 there's a lot of fishing that is allowed in the sanctuary, but we
25 want to see some form of management.

26
27 I know the council has a lot on their plate, and so this is a hard
28 thing to ask, but there's a lot of low-hanging fruit, in terms of
29 considering management. I will wrap up right now, Chair.
30 Considering management actions even in data-poor stocks, such as
31 wahoo.

32
33 Lastly, I want to echo what Richard Fischer said. It was a heck
34 of a long way to drive to get from the coast, and it's a pretty
35 swanky part of Houston, and so it would be great to think about
36 some options that are a little bit closer to where fishermen are
37 based, and, even if you don't get in at the group rate, you don't
38 have to stay at the Best Western down the road. Thank you, council.

39
40 **CHAIRMAN ANSON:** Thank you, Sepp. Any questions? All right.
41 Thank you. Go ahead and have your break, I guess, and come on
42 back, and let's try to do it in ten minutes.

43
44 (Whereupon, a brief recess was taken.)

45
46 **CHAIRMAN ANSON:** If council members can make their way back to
47 their seats, we're going to finish up with the Admin/Budget
48 Committee Report. If you can take your conversations outside,

1 we're going to go ahead and start with our first committee report.
2 That would be the Admin/Budget Report. General Spraggins.

3
4 **COMMITTEE REPORTS**
5 **ADMINISTRATIVE/BUDGET COMMITTEE REPORT**
6

7 **GENERAL SPRAGGINS:** Thank you, Mr. Chairman. With the Admin/Budget
8 Committee report, June 24, 2024, the committee adopted the agenda,
9 Tab G, Number 1, as written. The minutes, Tab G, Number 2, of the
10 January 2024 committee meeting were approved with amendment on
11 page 5, line 16, correcting "Bog" instead of "Bob", and so we can
12 call Bob "Bog" now, right?

13
14 Discussion of Proposed Modifications to the Statement of
15 Organization Practices and Procedures, the SOPPs, Tab G, Number 4,
16 in reviewing the proposed verbiage to update Section 2.5.3, council
17 and committee members inquired about the language differences
18 between meetings of SSCs and volunteers of the Southeast Data
19 Assessment and Review, the SEDAR, process. Staff clarified that
20 the proposed verbiage states a thirty-day advance notification
21 requirement for attendance changes of SEDAR participants, because
22 those meetings require significant external coordination.

23
24 The fourteen-day advance notice for confirmation of attendance at
25 SSC meetings allows the council to ensure that we remain in
26 compliance with the attrition requirements in contracted hotel
27 rooms and the opportunity to obtain better rates for travel and
28 lodging. Staff noted that the language includes a statement that
29 the council will work with members who encounter extenuating
30 circumstances, if you have extenuating circumstances. Overall,
31 the goal in this section is to provide clarification of the
32 preferred policies, as several committees are being repopulated at
33 this meeting.

34
35 NOAA General Counsel staff noted that the proposed language seemed
36 to be prescriptive, but acknowledged the intention that the council
37 is to balance the desire for in-person participation with the
38 ability to make exceptions in certain circumstances. A member
39 suggested softening the statements by altering "will" and "must"
40 to "should". Staff will confer with NOAA General Counsel staff
41 and bring the revised draft language for Sections 2.5.3 and 2.6.3
42 for review during the Full Council.

43
44 The three points to be addressed are recording the current practice
45 in the policies, confirming the idea that holding in-person
46 meetings is a priority for the council, and clarifying that there
47 is an optimal defined timeline for advanced notification needed
48 for meeting planning purposes. Please review the proposed updates

1 to Sections 2.5.3 and 2.6.3 for the council's discussion. If we
2 could, if we could bring those up, the proposed changes.

3
4 If you can look at it, and it's in the bold, which is what we're
5 looking at, which is kind of hard to see, but, basically, under
6 2.5.3, Administrative Provisions, there was a change, in the third
7 paragraph, to where it said, "for the SSC unless the member has
8 extenuating circumstances, in which case they should notify the
9 Executive Director". That was a change, if you can see that, and
10 then the other change was that "the SEDAR process should notify
11 the council staff lead for the SSC at least thirty days in advance
12 if they cannot attend unless the member has an extenuating
13 circumstance, in which case they should notify the Executive
14 Director." I will open that up, at this point, to Dr. Simmons, if
15 there's any questions on those changes.

16
17 **CHAIRMAN ANSON:** Any questions?

18
19 **GENERAL SPRAGGINS:** Yes, sir, Dakus.

20
21 **MR. GEESLIN:** Thank you, General. I support staff with this, and
22 I think this gets to kind of common courtesy, giving folks advance
23 notice. We just talked about the cost of hotels, and, in the event
24 that somebody doesn't cancel, the cost is borne by the council,
25 and so I'm fully supportive of this.

26
27 **GENERAL SPRAGGINS:** Okay.

28
29 **CHAIRMAN ANSON:** General, my only comment would be that, after
30 "Director", each instance, that you would add "as soon as
31 possible".

32
33 **GENERAL SPRAGGINS:** I'm sorry. Could you say that again?

34
35 **CHAIRMAN ANSON:** After "Director", in each instance, in both
36 instances where it's provided in the paragraph, to just say "as
37 soon as possible", just to reinforce that it needs to be done as
38 soon as they find out.

39
40 **GENERAL SPRAGGINS:** Okay. I have no problem with that. Could we
41 add that to that? Let's see if the staff can make that
42 modification.

43
44 **EXECUTIVE DIRECTOR SIMMONS:** Can you add "as soon as possible",
45 after "notify the Executive Director", each time, please?

46
47 **GENERAL SPRAGGINS:** Okay. Any other questions on that? If not,
48 we'll move on to the next one.

1
2 **CHAIRMAN ANSON:** General, we do have one other thing. Dr. Simmons.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** I think, if you just go down, just to
5 point out that we kind of mirrored the language in the first part,
6 on the advance notice, and so we could just add that in as well,
7 for the APs and the technical committees, if that's okay. If you
8 go down, Bernie. There we go, and so you can see if we just mirror
9 that same language there for the AP and the technical committees.
10
11 **GENERAL SPRAGGINS:** Right. I was thinking that we would add that
12 to the --
13
14 **EXECUTIVE DIRECTOR SIMMONS:** If there's no other changes, it would
15 be good to have a motion.
16
17 **GENERAL SPRAGGINS:** Okay, and so we have the two changes there in
18 2.5.3, and then, if we scroll down to 2.6.3, if we can scroll down
19 just a little bit, and you can see the changes there, and it's
20 basically saying the same thing, and it's stating that they will
21 -- Unless the member has extenuating circumstances, in which case
22 they should notify the Executive Director as soon as possible.
23 Yes, Mr. Gill.
24
25 **MR. GILL:** Thank you, Mr. Chairman. I believe we need a motion to
26 approve this, do we not?
27
28 **GENERAL SPRAGGINS:** Yes, we will.
29
30 **MR. GILL:** I would like to make a motion to approve the changes to
31 Sections 2.5.3 and 2.6.3.
32
33 **GENERAL SPRAGGINS:** Okay. Do we have a second? We have a second
34 by Tom. Is there any further discussion? **Does anyone object to**
35 **this motion? If not, then the motion carries.**
36
37 **CHAIRMAN ANSON:** Continue on, General Spraggins.
38
39 **GENERAL SPRAGGINS:** All right. The next section discussed was the
40 addition of language in Section 3.8, as requested by NOAA to comply
41 with federal regulations. **The committee recommends, and I so move,**
42 **that the Council accept the proposed changes to the SOPPs in**
43 **Section 3.8, Council Member Compensation, which states, in**
44 **accordance with 50 CFR 600.245(c), the Executive Director of the**
45 **council must submit to the Regional Office annually a report,**
46 **approved by the council chair, of council member compensation**
47 **authorized. This report shall identify, for each member, amount**
48 **paid, dates, and location and purpose of meetings attended. The**

1 motion carried with no opposition. I will send that to you sir,
2 Mr. Chairman.

3
4 **CHAIRMAN ANSON:** All right, and so we have a committee motion. Is
5 there any discussion on the motion? **Is there any opposition to**
6 **the motion? Seeing none, the motion carries.** General Spraggins.

7
8 **GENERAL SPRAGGINS:** All right. Next, discussion continued on
9 proposed changes to Section 4.8.1 under the Anti-Harassment
10 policy. A member asked if the policy is intended to prevent the
11 appointment of members who do not complete the training. Staff
12 stated that the only change proposed was to include technical
13 committee members for completeness.

14
15 It was stated by a member that the intention appears to be to
16 integrate the training during the onboarding of new committee
17 members. Staff confirmed that the current process is to ensure
18 that members complete training by the first time they attend a
19 meeting.

20
21 **The committee recommends, and I so move, that the council accept**
22 **the proposed addition to Training in Section 4.8.1 of the SOPPs.**
23 **Anti-Harassment Training should be completed at the time of**
24 **appointment or reappointment of council members, SSC members, and**
25 **AP members, and technical committee members. State directors, and**
26 **their designees, should complete anti-harassment training every**
27 **three years and at the time of appointment. The motion carried**
28 **with no opposition.** Mr. Chairman.

29
30 **CHAIRMAN ANSON:** We have a committee motion. Is there any
31 discussion on the motion? **Is there any opposition to the motion?**
32 **Seeing none, the motion carries.**

33
34 **GENERAL SPRAGGINS:** All right. Then the Status Update on Inflation
35 Reduction Act Funding for the Regional Fishery Management
36 Councils. Staff provided an informational update on the current
37 position of this proposal. Clarifications and responses to
38 specific questions on the phase two activities were submitted to
39 NOAA Fisheries in June of 2024. Dr. Verena Wang was hired to fill
40 the role of Ecosystem Analyst. She is currently serving as a
41 temporary fishery biologist until the council receives funding for
42 phase one of the project. Mr. Chairman, this concludes my report.

43
44 **CHAIRMAN ANSON:** Thank you, General Spraggins. I appreciate it,
45 and so that brings us to essentially the end of today's activities,
46 our time that we allotted for them, and so we'll go ahead and break
47 and come back tomorrow morning at 8:30, and we'll have the two
48 presentations, and the social, again, is 6:00 to 8:00 this evening,

1 at the café here just off the lobby, and so I hope to see everybody
2 there. Thank you.

3
4 (Whereupon, the meeting recessed on June 26, 2024.)

5
6 - - -

7
8 June 27, 2024

9
10 THURSDAY MORNING SESSION

11
12 - - -

13
14 The Full Council of the Gulf of Mexico Fishery Management Council
15 reconvened at The Omni Hotel in Houston, Texas on Thursday morning,
16 June 27, 2024, and was called to order by Chairman Kevin Anson.

17
18 **CHAIRMAN ANSON:** Okay, everyone. We're going to get started here.
19 We'll reconvene Full Council. Just to conclude -- We did receive
20 some written comments related to yesterday's public testimony, and
21 those are available for council members, and the public, to review
22 on the council's website. Emily is going to be forwarding the
23 link to that section on the website, if you would like to go and
24 read them, and so please do.

25
26 First up for this morning, we have the Flower Garden Banks
27 presentation on management considerations for wahoo, Tab A, Number
28 9, and Dr. Michelle Johnston with the Flower Garden Banks is here,
29 and she will be giving the presentation. Good morning.

30
31 **PRESENTATION AND DISCUSSION**

32 **FLOWER GARDEN BANKS PRESENTATION ON MANAGEMENT CONSIDERATIONS**
33 **FOR WAHOO**

34
35 **DR. MICHELLE JOHNSTON:** Good morning, everybody. Thank you so
36 much for having me. I am Michelle Johnston, and I am the
37 superintendent at Flower Garden Banks National Marine Sanctuary,
38 which is the only national marine sanctuary in the Gulf of Mexico
39 that protects 160 square miles of important coral reef habitat.

40
41 I am here today on behalf of the Flower Garden Banks Sanctuary
42 Advisory Council and our shared stakeholders, primarily from the
43 recreational fishing community, who have come to me expressing
44 their concern about the take of wahoo in the sanctuary and across
45 the broader Gulf of Mexico.

46
47 While my primary goal today is to inform you of the concerns raised
48 by our shared stakeholders, I'm also hoping to pique your interest

1 in taking action to manage wahoo under the authorities of the
2 Magnuson-Stevens Fishery Conservation Act.

3
4 First, just a little bit of background on national marine
5 sanctuaries. The Flower Garden Banks is one of sixteen national
6 marine sanctuaries that make up the national marine sanctuary
7 system, which is a network of underwater parks encompassing more
8 than 620,000 square miles of marine and Great Lakes habitat from
9 Washington State to Lake Huron, from the Florida Keys to American
10 Samoa, and our mission is to promote the use and enjoyment of these
11 special places, very similar to national parks, and, along those
12 lines, make sure that these uses, and their primary goals, provide
13 long-term conservation and protection of these nationally-
14 significant places.

15
16 Don't let the name "sanctuary" mislead you. Well-managed fishing
17 is not only allowed in sanctuaries, but it is promoted, as these
18 are places for recreational and enjoyment, and fishing currently
19 occurs across 98 percent of the sanctuary system.

20
21 Specifically, in our neck of the woods, the Flower Garden Banks
22 encompasses the healthiest coral reefs in the Gulf and Caribbean
23 region, and it was expanded from fifty-six square miles to 160
24 square miles in 2021, protecting additional critical habitat in
25 the Gulf of Mexico, and so this means the sanctuary is now made up
26 of seventeen reefs and banks, with nineteen separate boundaries,
27 and this place, in my personal opinion, is the treasure of the
28 Gulf of Mexico, and these additional protections, done in
29 collaboration with fishers, and the oil and gas industry, and
30 conservationists alike, is a place that every Gulf resident should
31 be extremely proud of.

32
33 The Flower Garden Banks supports a variety of wildlife, from sea
34 turtles to manta rays to threatened corals and pelagic fish
35 species, such as wahoo, which is why I'm here today. While these
36 fish are present year-round, throughout the Gulf and Caribbean,
37 wahoo seasonally have high abundance in the sanctuary from winter
38 to late spring. They tend to prefer the warm waters, between
39 sixty-eight to eighty-six degrees, and they aggregate around many
40 of the banks in the sanctuary, including East Bank, West Bank,
41 Geyer Bank, Sonnier Bank, and Bright Bank, which are pointed out
42 on the map.

43
44 Concerns from charter boat captains, and local fishers, have been
45 raised to us about the increasing popularity of wahoo tournaments
46 in winter months, coupled with increasing pressures from a changing
47 climate, and so evidence for this was recently published in the
48 Flower Garden Banks National Marine Sanctuary's Climate

1 Vulnerability Assessment, where wahoo were listed as a key species
2 of concern.

3
4 This table comes from our climate assessment that was published
5 last year, with over thirty subject matter experts and key experts,
6 who helped us evaluate the vulnerability of key species in the
7 sanctuary with regard to climate stresses, and the main takeaway
8 from this table is that wahoo are almost certain to be impacted by
9 rising ocean temperatures, which is depicted by the bright colors
10 there in the second column, putting increased stress on this
11 species, especially when combined with fishing pressure.

12
13 All of this kind of came together in February of last year, when
14 both charter boat captains and local fishers in the Gulf community
15 came to a Flower Garden Banks Sanctuary Advisory Council meeting,
16 addressing their concerns about the lack of wahoo management within
17 the boundaries of the sanctuary and the broader Gulf of Mexico,
18 and the fishers asked us for help, during public comment of our
19 meeting, and their concern about the potential for overfishing,
20 and their personal experience of catching smaller and smaller wahoo
21 over their lifetime garnered some attention at our meeting.

22
23 Therefore, the advisory council voted to form a working group to
24 explore and understand wahoo interaction and aggregation within
25 the sanctuary. The working group consisted of both sanctuary
26 staff, of advisory council members and local fishers, with their
27 main concern being that this is a highly-prized sportfish without
28 management in the Gulf, and I think it's important to mention that
29 both the South Atlantic and Caribbean regions already have
30 management plans for wahoo, where, for example, the Atlantic limit
31 is two wahoo per person per day.

32
33 The advisory council working group members started to do some
34 research, and look into wahoo data, and they found that the state
35 data doesn't necessarily reflect the true landings for wahoo. For
36 example, the reported landings in Texas, for most years, show close
37 to zero, but photos, and eyewitness accounts, result in much larger
38 landings, and, based on interviews with fishers in past years,
39 there would only be one to two vessels fishing for wahoo in the
40 sanctuary during wahoo season, and now, in recent years, up to
41 fifteen vessels for wahoo can be reported in the sanctuary at a
42 single bank in one day during good-weather days.

43
44 Ultimately, I think a picture is worth a thousand words, and the
45 wahoo in these photos are confirmed to be from the Flower Garden
46 Banks within a two-month period earlier this year, and these photos
47 are from one to two-day trips, resulting in many more wahoo than
48 the reported data on the previous slide.

1
2 For example, in the large photo, the fourteen people with 109 wahoo
3 in that photo equals about eight wahoo per person from a single
4 trip, and, while this is an extreme example, based on the photos
5 from the past two years alone, we can estimate approximately a
6 hundred wahoo caught in the sanctuary, by roughly five boats, in
7 just a single day.

8
9 The main conclusion from our wahoo working group is that the lack
10 of wahoo management in the Gulf may leave this species vulnerable,
11 when aggregations are targeted, and this may not be sustainable
12 for future wahoo stocks, with a changing climate. It should be
13 mentioned that an amazing acoustic telemetry project is currently
14 underway at the Flower Garden Banks, in partnership with Texas A&M
15 Galveston, Louisiana State University, and NOAA NCCOS, where
16 several wahoo are being studied, and have been tagged for tracking,
17 but we're still pretty data limited when it comes to wahoo.

18
19 After digesting all this information from our stakeholders, and
20 from our advisory council working group, it appears that there may
21 be a precedent for management of wahoo in the Gulf, and it's
22 important to note, again, that the Gulf region is the only region
23 without a management plan for wahoo, and both the Atlantic and the
24 Caribbean plans -- Those details will be gone over in the next
25 presentation.

26
27 I believe that the collective experience of the councils, and the
28 Fisheries Service, in managing wahoo in other areas of the country
29 has demonstrated a commitment for us to take a balanced approach
30 to the long-term sustainability of this iconic species. I also
31 believe that the council process, which is known and trusted by
32 Gulf fishers, is a strong tool to act on this issue, along with
33 the science and data provided by the National Marine Fisheries
34 Service and us at the Office of National Marine Sanctuaries, along
35 with our academic partners. Next slide.

36
37 I don't think that was the next one. Maybe it got deleted, but I
38 did have a slide at the end, but I will just talk through it, and
39 so if we can just go back. I did have a slide that kind of outlined
40 management for wahoo in two different ways, and so fishing in
41 national marine sanctuaries are managed in two ways.

42
43 The first is the overwhelming majority of the sanctuary system is
44 managed under existing fishery management actions implemented by
45 the councils and the National Marine Fisheries Service under the
46 Magnuson-Stevens Fishery Conservation Act, which you all know
47 this, and we have several instances in sanctuaries where the Office
48 of National Marine Sanctuaries has approached a council to propose

1 taking action on an issue where it makes sense for that to happen.

2
3 For example, on the west coast, with the krill ban, they were able
4 to work with the council, fishers, local stakeholders, and the
5 Monterey Bay National Marine Sanctuary, to come to a conclusion
6 that benefitted everyone, and so there are times, however, when
7 stakeholders come to us seeking action from NOAA on matters of
8 fishing, as fishing within national marine sanctuaries can be
9 regulated under our legislation, the National Marine Sanctuaries
10 Act, under Section 304(a)(5), and, while fishing regulations under
11 the sanctuaries act are not necessarily common, we do have a number
12 of national marine sanctuaries where this has taken place.

13
14 In all cases, any time we consider taking action under the
15 sanctuaries act, and propose new regulations, we come to the
16 council first, before doing anything new, and so Section 304(a)(5)
17 essentially provides the council the first right of refusal
18 regarding any new fishing regulations in a sanctuary, and, in these
19 cases, the council can choose to act, can defer to the Office of
20 National Marine Sanctuaries, or to do nothing, and so I think it's
21 really important, just to make clear, that I am not here today
22 under the 304(a)(5) process.

23
24 I am here principally to raise concerns from our shared
25 stakeholders, and bring wahoo to your attention, and to gauge your
26 interest in taking action on wahoo to meet your mission goals, as
27 well as ours, and, essentially, and this is the important part, we
28 have two pathways where we could act, where the council could
29 implement a Gulf-wide management plan for wahoo, under your
30 authorities, or NOAA could pursue regulations under the National
31 Marine Sanctuaries Act, which would be within sanctuary boundaries
32 only.

33
34 In summary, again, I'm here on behalf of our shared stakeholders,
35 who have concerns about increased fishing of wahoo as we move into
36 an uncertain future, with more threats and pressures on these
37 iconic fish, and so, instead of like what you see here in this
38 picture, what our shared stakeholders have communicated to us is
39 something more like what you see in the next picture on the next
40 slide, is a management plan for wahoo that supports fishing efforts
41 for future generations to enjoy, and so I think we're in this
42 together, to ensure that wahoo are sustained in a changing Gulf
43 ecosystem, and we want to work collaboratively, which is why I'm
44 here today, as we look out for wahoo and the concerns of our
45 stakeholders.

46
47 My last slide is, if you would like further information on the
48 304(a)(5) process, I can try my best to answer those questions

1 today, but I'm also happy to return to another council meeting,
2 along with other colleagues within the Office of National Marine
3 Sanctuaries, who do this type of policy all the time, and walk
4 through that with you, but we stand by ready to support any science
5 and data needs that you have, with the hope of working together on
6 this issue, and so thank you so much for your attention. I really
7 appreciate the opportunity to speak to you. Thanks so much.

8
9 **CHAIRMAN ANSON:** Thank you for the presentation, Dr. Johnston. We
10 have some questions. Captain Walker.

11
12 **MR. WALKER:** Thank you. Great presentation, and I'm intrigued
13 with the acoustic telemetry study you guys have going. Do you
14 guys have buoys out there on these sanctuaries?

15
16 **DR. JOHNSTON:** Do we have buoys? Yes. We have mooring buoys at
17 three of the banks, with plans to put in more deeper moorings.
18 That will hopefully be happening later this year, in the expanded
19 banks, but that's a lot more effect, that involves technical
20 diving, deeper than what we can dive at the sanctuary, but those
21 plans are in place.

22
23 **MR. WALKER:** The reason I ask is I wondered where your receivers
24 are for the telemetry tags. Are they on the buoys, or are they on
25 the bottom?

26
27 **DR. JOHNSTON:** The receivers are not on the buoys. Those have
28 been placed throughout all of the banks. If you have more
29 questions about that, the fine lady heading up that study is here,
30 and that's Marissa Nuttall. I know, right now, they have a handful
31 of wahoo tagged, satellite tags and acoustic tags, and Mike Dance,
32 from LSU, is leading up that portion of the study.

33
34 **MR. WALKER:** I think that's fascinating. Thank you.

35
36 **CHAIRMAN ANSON:** Dr. Sweetman.

37
38 **DR. SWEETMAN:** Thank you for the presentation. It was interesting,
39 and for bringing this to our attention, quite frankly. Just one
40 point from the presentation, and there are no size limits, even in
41 Florida, or the South Atlantic, and so I just wanted to kind of
42 point that out there. There are bag limits, but there is no size
43 limits, but my question for you is so I see that, you know, these
44 seem to be targeted during the wintertime, and that seems to be
45 consistent with what I see down in the Keys too, but I'm curious
46 of any other seasonality. Like are these targeted year-round over
47 there? I am particularly wondering relative to their spawning
48 season in the summer, and do you have any information along those

1 lines, or is it just people are targeting them over the wintertime?

2

3 **DR. JOHNSTON:** Again, we're pretty data-limited, but, from our
4 experience, they're targeted in the wintertime.

5

6 **CHAIRMAN ANSON:** Mr. Schieble.

7

8 **MR. SCHIEBLE:** Thank you, Mr. Chair, and thank you, Dr. Johnston,
9 for your presentation. It was very informative. I don't really
10 have a question, but I have a point of clarity, when it comes to
11 the landings data that's in the presentation, and I sent the table
12 to Bernie, if you could pull it up and put it on the screen, and
13 it's just the LA Creel landings data for wahoo, and I wanted to
14 kind of explain it a little bit better, because I think it
15 illustrates a little different picture than the generalized
16 landings.

17

18 In your presentation, the landings data you had is state-wide LA
19 Creel landings data, in that graph, and it's not specific to
20 regions of the state, where this table is, and so these are wahoo
21 landings by year, divided out by our different basins, our sampling
22 basins, and so CSA 3 equates to Coastal Study Area 3, which is the
23 Barataria Basin, and so you can see that the bulk of our wahoo
24 landings in Louisiana are coming from, most likely, Venice, Venice
25 or Grand Isle, and not so far to the west, which would be CSA 7,
26 and that would be the Cameron area, Lake Charles, and there
27 happened to only be five of them in one year that came from there
28 in our dockside sampling.

29

30 I just wanted people to realize, when they look at the data, it is
31 -- It's regional, and the landings, obviously, are coming from
32 different basins in our state, and not across the entire state,
33 and I highly suspect that anglers are probably not running from
34 Venice all the way to the Flower Gardens to land these fish, and
35 these are probably coming off the mouth of the river, and so I
36 just wanted to make that point of clarity, and, if you guys have
37 any other questions, or you need some data from Louisiana, please
38 send me an email, and we do email requests with LA Creel data.

39

40 **CHAIRMAN ANSON:** Dr. Banks.

41

42 **DR. BANKS:** Dakus can also speak to this, but the Flower Gardens
43 are actually a pretty far run from Texas, and it's --At least where
44 you're pulling the Dolphin Docks picture, that's an anomaly for
45 headboats there, and I'm not saying the picture is not a bad
46 picture, but I'm just saying he's the anomaly for the fishery in
47 Texas, and no other boats -- They would have to run up to Galveston,
48 refuel, and then run back out, headboat-wise. Some of the charter

1 six-packs could probably make it to the Flower Gardens pretty
2 regularly, with fuel bladders, but this boat here is the anomaly,
3 and none of the rest of our -- None of the headboats could do that.

4
5 **DR. JOHNSTON:** I did mention that that was an extreme example,
6 but, again, that did happen, and that really garnered a lot of
7 attention, when that picture surfaced.

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

10
11 **MR. GEESLIN:** Thanks, Mr. Chair, and thanks, Dr. Johnston, for
12 being here and highlighting the importance of wahoo. I certainly
13 don't disagree that those pictures can be alarming, but I think
14 you hit it in that last statement. We just don't know how frequent
15 those type of trips are occurring, right, and we just simply don't
16 know what we don't know.

17
18 A data-poor species, and I see our landings here, both in
19 commercial and rec landings, and it's very little to no intercepts
20 in given years, and the numbers -- The numbers I have here in our
21 intercepts -- We simply don't see those intercepts, the number of
22 wahoo, enough to have a reasonable confidence in the expansion of
23 those fish, just because we don't see them all that often, and I
24 see, to Chris's point in the Texas line there, in one year, you've
25 got 500, and I'm just kind of curious where those expanded numbers
26 came from.

27
28 **DR. JOHNSTON:** For the take? Is that what you're saying?

29
30 **MR. GEESLIN:** Yes. In that graph, if you will go back to the
31 graph, we've got a red line there, and, in one year, it looks like,
32 in 2019, and I do show some prior intercepts there in 2019, based
33 on our creel landings, but those numbers -- I've got, you know,
34 something substantially smaller, but, there in 2019, we've got
35 almost -- A little over 500 for number of fish, and I'm just
36 curious as to where those --

37
38 **DR. JOHNSTON:** This is the information that was available online
39 to us when we searched for the data, and so I feel like I can't
40 answer, and that's just what was available when we looked for data.

41
42 **MR. GEESLIN:** Understood, and, to Chris's offer, and I know you've
43 been in contact with Hannah, in our staff, and we're happy to, you
44 know, continue providing that data, and kind of, you know, qualify
45 what we feel are reasonable expansions, or not, based on those
46 creel intercepts and the frequency of those catches.

47
48 **CHAIRMAN ANSON:** Any other questions? Dr. Frazer.

1
2 **DR. FRAZER:** This question is for Chris, and I was not paying as
3 close attention as I was wanting to, but so, the numbers that you
4 showed, were those actually just the intercepted fish, or were
5 those extrapolated values?
6

7 **MR. SCHIEBLE:** Those are the actual dockside intercept numbers,
8 and so that's numbers of fish, and I think the X-axis on that graph
9 is also numbers of fish, but maybe they extrapolated it with
10 effort, and I don't know where that came from, and that's not our
11 graph.
12

13 **DR. FRAZER:** Thanks. I was just trying to figure out where the
14 inconsistency came from.
15

16 **CHAIRMAN ANSON:** All right. I'm not seeing any other hands. Thank
17 you, Dr. Johnston. We have one more from Dr. Walter.
18

19 **DR. WALTER:** Thanks for this, and I just wanted to point out that,
20 at least from the perspective of other regions, like the South
21 Atlantic, and particularly wahoo is a concern of the South Atlantic
22 Council, as well as dolphin is, and the South Atlantic Council has
23 a dolphin management strategy evaluation that they're embarking
24 upon.
25

26 It's something that I think maybe this council can pay attention
27 to, as that process might play out in the future, with regard to
28 how these really challenging species to provide quantitative stock
29 assessment advice might -- How we might be able to provide advice
30 for them, but I think it's definitely something that is -- It's
31 going to take a little while to be able to provide quantitative
32 advice on what sustainable catch levels are. Thanks.
33

34 **DR. JOHNSTON:** All right. Thank you.
35

36 **CHAIRMAN ANSON:** Thank you. Next, we have a presentation titled
37 "Overview of Regulatory Options for Management of Wahoo", Tab A,
38 Number 10, and that will be given by Dr. Jack McGovern. Jack,
39 welcome.
40

41 **OVERVIEW OF REGULATORY OPTIONS FOR MANAGEMENT OF WAHOO**

42

43 **DR. JACK MCGOVERN:** Thank you, Mr. Chairman. I have a brief
44 presentation that is a follow-on to what Dr. Johnston just
45 presented. This presentation has an overview of the life history,
46 a short overview of the life history, some information on
47 management of wahoo in the Atlantic and the U.S. Caribbean, and it
48 goes over management options for wahoo.

1
2 Wahoo is a member of the family Scombridae, and this is the same
3 family that includes king mackerel and Spanish mackerel. They're
4 found in tropical and subtropical waters throughout the world, and
5 they do enter temperate waters seasonally, and there is -- We've
6 found several genetic studies of wahoo, and it looks like there is
7 probably one genetic stock in the Atlantic, Gulf, and the
8 Caribbean.

9
10 The stock is unassessed, and my opinion is that probably an
11 assessment is difficult for wahoo. This is a species that is very
12 pelagic, and it moves great distances in a short period of time,
13 and tagging data indicates that it can move thousands of miles in
14 a short period of time, in months, and is probably caught by other
15 countries, and so it might be that it's hard to assess.

16
17 It's a very fast-growing species, and it attains sizes as great as
18 eight feet, and 158 pounds, and I think most of the Atlantic wahoo
19 are between three and five feet. It's a very short-lived species,
20 and it only lives for five or six years. It spawns at young ages,
21 at age-one, around three feet, for males and females, and it spawns
22 during the summertime, and it spawns multiple times during the
23 summertime.

24
25 It's mostly a solitary species, but, as Dr. Johnston indicated, it
26 does aggregate in productive feeding areas, and cues for
27 aggregations are physical structure of the bottom, water
28 temperature breaks, and bait.

29
30 These are landings of wahoo, in pounds whole weight, that were
31 assembled by Dr. Mike Larkin, and he's online, if you have
32 questions about the landings. The recreational landings are from
33 MRIP-FES, LA Creel, Texas Parks and Wildlife, and they also include
34 headboat landings, and it shows that most of the landings were
35 from the west coast of Florida. The landings are variable, and
36 Mike told me that the MRIP-FES data do have high PSEs, and the
37 commercial landings are small, and they're dominated by landings
38 from the west coast of Florida as well. The cells that are
39 highlighted in yellow are confidential data.

40
41 Wahoo is managed along the east coast of the United States right
42 now, from east Florida to New York, through the Dolphin Wahoo FMP.
43 This FMP was developed by the South Atlantic Council, the Mid-
44 Atlantic Council, and the New England Council, and it was approved
45 in 2003, and implemented in 2004, and it originally did include
46 the Gulf of Mexico and the U.S. Caribbean, but they were dropped
47 out of it for concerns that additional analysis would be needed
48 for bycatch at the time.

1
2 Currently, there are ACLs and AMs in place for wahoo. The FMP
3 considered a size limit for wahoo, but the council elected not to
4 approve one. There is a two-fish-per-person bag limit in place,
5 and a trip limit in place for wahoo, and these regulations have
6 been in place since 2004. A note there that the Florida is the
7 only Gulf state with a two-fish bag limit, and that's likely
8 because Florida adopted the regulations when the Dolphin Wahoo FMP
9 was implemented.

10
11 In the Caribbean, wahoo is new to management there. The Caribbean
12 Council recently went from four species-based FMPs to three island-
13 based FMPs for each of Puerto Rico, St. Croix, and St. Thomas/St.
14 John, and, when they did that, that added wahoo to each of those
15 FMPs and put ACLs and AMs in place. Recently, in April, the
16 council approved amendments to these three FMPs that would specify
17 minimum size limits for wahoo, and bag and vessel limits for wahoo,
18 and that's undergoing rulemaking now, and it was approved in April.

19
20 These are some options for management, and Dr. Johnston talked
21 about this some, and so some things that could be done is a new
22 FMP could be created for a Gulf stock of wahoo by the Gulf Council,
23 or the Gulf stock could be added to an existing FMP, or the South
24 Atlantic could amend their Dolphin Wahoo FMP to redefine the
25 geographic scope of wahoo, to include the Gulf. The sanctuary
26 could put in regulations within their sanctuary, and there could
27 be a combination too.

28
29 I think the FMP -- To do that, it's going to take time. It's going
30 to take, you know, two to three years to do that, with options
31 papers, scoping, public hearings, and that sort of thing, and so,
32 if the regulations can be put into place more quickly in the
33 sanctuary, and the sanctuary could put in regulations, and then
34 the council could follow-up with an FMP, and, also, the states
35 could put in regulations, but, if wahoo is added to an FMP, or
36 created an FMP, then we need to determine if wahoo is in need of
37 conservation and management, based on regulations at 600.305.

38
39 These are the list of factors, the non-exhaustive list of factors,
40 that need to be considered when determining if a species is in
41 need of conservation and management, and I won't go over all of
42 these, because the council recently did go through all these, when
43 considering whether wenchman was in need of conservation and
44 management.

45
46 The next slide is my last slide, and these are just options that
47 the council could consider for next steps. They could ask staff
48 to gather more information and report back to the council about

1 wahoo at a future meeting. They could direct staff to consider if
2 there is a Gulf stock in need of conservation and management. They
3 could write a letter to the South Atlantic Council to consider
4 redefining wahoo management to include the Gulf, or write a letter
5 to the sanctuary and ask them to pursue regulations under the
6 National Marine Sanctuary Act.

7
8 They could request the sanctuary to pursue regulations and also
9 consider management of wahoo under an FMP. They could write a
10 letter to the states, requesting they put in regulations for wahoo,
11 and also the last option could be just to thank the sanctuary for
12 the presentation and indicate that you do not wish to take action
13 at this time, and so that's my final slide, Mr. Chairman.

14
15 **CHAIRMAN ANSON:** Thank you. Mr. Gill.

16
17 **MR. GILL:** Thank you, Mr. Chairman. Thank you, Jack. That was
18 very helpful for me, because I know next to nothing about wahoo.
19 You mentioned that there is AMs in place in both the Atlantic and
20 the Caribbean, and I didn't see them on there, and could you --
21 One, what are they, and, two, are they the same for both?

22
23 **DR. MCGOVERN:** So the answer is, in the South Atlantic, it's an
24 in-season closure if the ACL is met, and I believe that's the same
25 for the recreational. I would have to go back and look at the
26 Caribbean, and determine what that is, and I don't recall that
27 offhand. Andy may remember. He says that he doesn't.

28
29 **CHAIRMAN ANSON:** I have Captain Walker.

30
31 **MR. WALKER:** How would you set an OFL on such a data-poor species?

32
33 **DR. MCGOVERN:** I'm having problems hearing you.

34
35 **MR. WALKER:** I'm sorry. How would you set an OFL, an ACL, on such
36 a data-poor species? I mean, looking at just the data we have
37 here on Gulf wahoo, and the Texas landings, for the year, are less
38 than there was on the deck of that one boat, and so I -- I have
39 heard a lot of support for, you know, a reasonable two-fish limit,
40 but most of the people I've spoken with are very concerned about
41 placing a cap, which you have to do, under an FMP, and so how would
42 you set such a limit?

43
44 **DR. MCGOVERN:** So there are a data-limited species that have ABCs
45 and OFLs, and they're set based on historical landings, and the
46 SSC would be involved in doing that, but we have lots of data-
47 limited species in the Gulf, and the South Atlantic and Caribbean,
48 that have those parameters.

1
2 **CHAIRMAN ANSON:** All right. I have Mr. Geeslin, followed by Ms.
3 Boggs.
4
5 **MR. GEESLIN:** Thank you, Mr. Chair. Jack, one, it's good to see
6 you up and behind the podium. We haven't had this pleasure in a
7 while. If we will go back to that landings slide, real quick, and
8 I've got a couple of questions there, and I believe it's Slide 3.
9 Bernie, if you could go back to Slide 3, please. There we go.
10
11 C.J., I believe you -- I heard you indicate that Florida does have
12 a bag limit, and that is two? Okay. Just looking at these
13 landings, and I do -- I'm not going to get into it now, but I do
14 have questions about how these recreational landings data were
15 extrapolated or not, and I won't get into that right now, and so
16 we've got a bag limit of two in Florida, and we're seeing some
17 pretty high landings in Alabama, and Louisiana, and it looks like
18 Louisiana and Texas definitely have some, you know, lower landings
19 than Florida, and we're talking about the Flower Garden Banks here
20 in Texas, with, you know, at the highest, we had 2019 landings of
21 15,000 pounds. All the other -- If I'm looking across the columns,
22 I'm seeing a lot higher landings in areas in different states where
23 the Flower Gardens don't extend.
24
25 **DR. MCGOVERN:** So what is the question?
26
27 **MR. GEESLIN:** Maybe just an observation, Jack.
28
29 **DR. MCGOVERN:** Okay.
30
31 **MR. GEESLIN:** Maybe just an observation that we're focused on the
32 Flower Gardens today, yet we're seeing landings, across the Gulf,
33 that pale in comparison to those Texas landings.
34
35 **DR. MCGOVERN:** Okay.
36
37 **CHAIRMAN ANSON:** Ms. Boggs.
38
39 **MS. BOGGS:** Thank you, Mr. Chair, and so, looking at the rec
40 landings too, in 2020, for Alabama, it seems extremely high, and
41 I think I've seen maybe five wahoo come to the dock in the last
42 ten years, I mean, and I used to fish a lot, and I will say this
43 was probably 2004, or 2005, when I was fishing more so on the
44 overnights, and we would catch six, eight, ten, twelve wahoo a
45 trip, and now, like I said, we're not seeing the wahoo coming to
46 the dock, and so, I mean, I don't know. I would like to throw a
47 motion out there, if I may, and tell me when you're ready.
48

1 To direct the council staff to consider if there is a Gulf stock
2 of wahoo in need of conservation and management. If I get a
3 second, I'll give a little explanation.
4
5 **CHAIRMAN ANSON:** We have a motion on the board. Is there a second
6 to the motion?
7
8 **DR. SWEETMAN:** I will second it for discussion.
9
10 **CHAIRMAN ANSON:** It's seconded for discussion.
11
12 **DR. SWEETMAN:** So the words "a Gulf stock" there, I think we need
13 to be a little cautious, just with setting those boundaries there,
14 because it's thought to be one genetic stock between the South
15 Atlantic, the Gulf, and the Caribbean, and so I just wanted to
16 point that out, Susan.
17
18 **MS. BOGGS:** Well, maybe we just say if there is a -- Consider if
19 there is a -- If there is wahoo in the Gulf of Mexico in need of
20 conservation and management?
21
22 **CHAIRMAN ANSON:** Susan, can you restate that.
23
24 **MS. BOGGS:** Yes, sir. If there is a wahoo in the Gulf of Mexico
25 -- If wahoo in the Gulf of Mexico is in need of management and --
26 Conservation and management. To consider if wahoo -- Take out
27 "there are". To consider if wahoo -- Take out "are" -- If wahoo
28 in the Gulf of Mexico are in need, and so take out "stock of
29 wahoo". There you go.
30
31 **CHAIRMAN ANSON:** Is that your motion, Susan?
32
33 **MS. BOGGS:** Yes, sir.
34
35 **CHAIRMAN ANSON:** C.J., do you still agree? Okay. All right. So
36 we have a motion on the board. I don't want to leave Jack standing
37 at the podium for much longer. You might have to come back, Jack.
38 Sorry about that. All right, and so we have a motion on the board.
39 Is there any discussion on the motion? Mr. Strelcheck.
40
41 **MR. STRELCHECK:** A few comments, and some are related to the motion
42 and some aren't. Just to be clear, staff will evaluate this, and
43 it's ultimately the council that needs to, obviously, make that
44 determination. With regard to the landings, there was a lot said
45 about the landings, and I pulled up the MRIP data query, and, for
46 those that can see my screen, it's all red, which means the PSEs
47 are above 50 percent, right, and so a lot of uncertainty in the
48 landings data.

1
2 It's absolutely no surprise that Texas landings are much lower.
3 They're usually an order of magnitude lower than the rest of the
4 Gulf, typically, with our other species, right, and so I don't
5 think that's a good metric as well to evaluate whether landings
6 are high or low, based on the state data.

7
8 I think we can all -- I would hope we would all agree that fishing
9 on an aggregation of fish is not something we really would want to
10 support, from a conservation and management perspective, and so
11 whether the council ultimately manages the wahoo, or the sanctuary
12 puts in regulations, to me, I think it's something that we really
13 want to think about going forward, in terms of protecting
14 aggregations of fish, and the mechanism for doing that is still to
15 be determined.

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

18
19 **MS. BOGGS:** So I understand, Andy, what you're saying, but I don't
20 think, right here, right now, we can sit here and go through these
21 ten conservation and management questions, and so that was kind of
22 to direct staff to kind of go through this, and bring it back to
23 us, like we did with tripletail and African pompano, but it's just
24 we've got to get started somewhere.

25
26 I have said, for many, many years, and not just wahoo, but -- I'm
27 not going to go there today, but dolphin, and dolphinfish, I mean,
28 also needs to be considered, because I've talked to several
29 tournaments in our area, and across the Gulf, and a lot of them
30 aren't even getting a weighable fish for their tournaments, and
31 that's been going on for many, many years, and I talked to one of
32 the tournament directors, and he said that absolutely we need to
33 look at some type of conservation and management efforts, and so
34 that's why I'm bringing the motion today. Thank you.

35
36 **CHAIRMAN ANSON:** Captain Walker and then Mr. Gill.

37
38 **MR. WALKER:** I will speak in favor of the motion, just because I
39 think we need to look at it a little deeper, to see if there is a
40 problem. Like I mentioned before, I have concerns about, you know,
41 the need to set a cap, and I think that leads to a concern that we
42 might end up having to close wahoo, if we put such a cap on it,
43 with such limited data, and so I support the motion.

44
45 Also, to Mr. Strelcheck's discussion on, you know, protecting fish
46 where they aggregate, I would say, as a fisherman, that's -- We
47 kind of look for places where there's a lot of fish, and so I'm
48 going to disagree that any place the fish get together that we

1 should protect them from the fishermen, and that's kind of our job
2 entirely. A reasonable bag limit, yes, but kicking the fishermen
3 out, just because there's a bunch of fish there, I don't support.
4

5 **CHAIRMAN ANSON:** Mr. Gill.
6

7 **MR. GILL:** Thank you, Mr. Chairman. I don't think that it needs
8 to be part of the motion, but I think it's implicit, or at least
9 it is to me, that this assumes that, as part of what comes back to
10 the council, it will be some, if you will, the first of what Jack
11 was saying, which is more information, and that would help define
12 the issue, the species, and the characteristics, et cetera, to
13 help with the evaluation of the conservation and management needs.
14

15 **CHAIRMAN ANSON:** I think that's the intent of the motion, is to do
16 that thing, is to gather the information for the council to kind
17 of make that determination. Mr. Strelcheck.
18

19 **MR. STRELCHECK:** Just back in response to Ed, so my comments aren't
20 misunderstood, right, and I'm not suggesting necessarily closed
21 areas to protect the spawning aggregations, but I'm just suggesting
22 that it is, to me, not a good thing to be pounding a stock of fish,
23 when they're aggregating, over and over, without some sort of
24 regulations to help limit that harvest.
25

26 **CHAIRMAN ANSON:** Dr. Frazer and then Mr. Schieble.
27

28 **DR. FRAZER:** I think I'm going to be in support of the motion.
29 I'm pretty sensitive to the fact that we've, you know, increasingly
30 posed a number of regulations on these fisheries, and, you know,
31 I don't want to unnecessarily do that again, right, but I also
32 recognize that, you know, there is lots of times, and we hear, in
33 public testimony, where people bring concerns to the council, and
34 we get criticized for not being responsive, and this is really a
35 first step in saying, okay, we acknowledge that there is a concern
36 here, and let's at least start the process of looking at it. I
37 think that's a better look for the council, moving forward.
38

39 **CHAIRMAN ANSON:** Mr. Schieble.
40

41 **MR. SCHIEBLE:** Thank you, Mr. Chair. I agree with Dr. Frazer, and
42 I also -- I agree with this motion, and I think it's just to look
43 at this, and get some more landings data, and get a better handle
44 on this. I mean, we kind of went through the same exercise with
45 wenchman, and, in the end, we found that it was a localized
46 depletion that was no longer in place, right, but this may lead to
47 where we have sanctuary regulations, as opposed to Gulf-wide, or
48 it may be where we end up with Gulf-wide, but we won't know unless

1 we do the exercise, right, and so, at this step, I support it.

2
3 **CHAIRMAN ANSON:** Dr. Froeschke.

4
5 **DR. JOHN FROESCHKE:** Just a question, so I understand for the --
6 In Jack's presentation, about the states putting in regulations,
7 and, since the Flower Gardens seems like it spans both Texas and
8 Louisiana, if one state put in a regulation, but not the other,
9 then it's possible that there would be different regulations
10 throughout the sanctuary, and is that correct?

11
12 **CHAIRMAN ANSON:** It will be a possession, and so it would --

13
14 **DR. FROESCHKE:** I guess we would just -- I was thinking about the
15 conversation where an ACL might be pretty difficult to determine,
16 because of the data, but the states could put in a bag limit, for
17 example, without an ACL, but, once they did, or one had a two and
18 a four, and you're kind of split, and it seems like it would
19 require cooperation.

20
21 **CHAIRMAN ANSON:** Mr. Broussard.

22
23 **MR. BROUSSARD:** C.J., could you say -- How did Florida come to the
24 two-fish limit?

25
26 **DR. SWEETMAN:** To that point, so it was -- Jack was right there,
27 and that was relative to when the South Atlantic FMP for dolphin
28 wahoo was being initiated there, considering that clearly, even in
29 the landings, you can see that, yes, we catch wahoo off the west
30 coast of Florida there, and so it was just an implementation for
31 what was going on in the South Atlantic, and we extended those
32 regulations throughout the entire state.

33
34 **CHAIRMAN ANSON:** Any other conversation, or discussion, related to
35 the motion? **Is there any opposition to the motion? Seeing none,**
36 **the motion carries.** All right. Is there any other questions
37 related to the presentation that Dr. McGovern had given? Is there
38 any other comments on the issue, or the topic, of wahoo?

39
40 All right. Seeing none, we'll move on then to our committee
41 reports. Yesterday, we completed the Administrative/Budget, and
42 so that will take us into our next committee report, and that's
43 Data Collection, Tab F, and Ms. Boggs.

44
45 **COMMITTEE REPORTS (CONTINUED)**
46 **DATA COLLECTION COMMITTEE REPORT**

47
48 **MS. BOGGS:** Thank you, Mr. Chair. The Data Collection Committee

1 met on June 24, 2024, and the committee adopted the agenda, Tab F,
2 Number 1, and approved the minutes, Tab F, Number 2, of the April
3 2024 meeting.

4
5 Discussion on For-Hire Data Collection Program, Tab F, Numbers
6 4(a) through (c), Discussion of the Draft Document, council staff
7 reviewed the latest version of the amendment, highlighting recent
8 additions to the introduction and management measures. The
9 committee requested staff select appropriate terminology and
10 retain that consistent wording when referencing the headboat and
11 charter components of the for-hire sector throughout the document,
12 including the purpose and need.

13
14 Specific to the need statement, the committee provided recommended
15 language to be incorporated in the next revision of the document.
16 **The committee recommends, and I so move, the need for this action**
17 **is to improve management and monitoring of the federally-permitted**
18 **for-hire and headboat component of the recreational sector of Gulf**
19 **reef fish and CMP fisheries to prevent overfishing while achieving,**
20 **on a continual basis, the optimal yield.**

21
22 **CHAIRMAN ANSON:** All right. We have a committee motion. Is there
23 any discussion on the motion? **Seeing none, is there any opposition**
24 **to the motion? Seeing none, the motion carries.**

25
26 **MS. BOGGS:** Mr. Chair, I would like to pause there, and I had
27 wanted to try to maybe, just to move the document along, pick
28 preferreds for those couple of actions, but, if we're going to be
29 amending the language -- Okay, and I was asking that more of a
30 question. Okay. So we'll move forward.

31
32 Council and Southeast Science Center (SEFSC) staff provided an
33 overview of Action 4, which considers methods for collecting
34 economic data within the program. In Action 4, options under
35 Alternative 3 were developed, discussed, and reviewed by a subset
36 of the Interdisciplinary Planning Team (IPT) with expertise in
37 survey design related to collection of fisheries economic data.
38 Staff reminded the committee that, as proportion of for-hire trips
39 sampled increases, the uncertainty about the estimates decreases.

40
41 A committee member inquired if a minimum percentage of sampled
42 trips could be identified and implemented. SEFSC staff answered
43 that minimum value was variable, depending on research objectives.
44 For example, since most for-hire vessels in the Gulf target red
45 snapper during the season, a relatively lower percentage of
46 sampling would be warranted. However, if the council was
47 interested in economic estimates on a less targeted species, such
48 as gray triggerfish, a relatively larger sample size would be

1 needed to generate those estimates with a comparable level of
2 confidence.

3
4 SEFSC staff stated that, for most purposes, a sampling of up to 20
5 percent would suffice for most management objectives, but
6 reiterated that more rarely-targeted species would likely suffer
7 from the less precise economic information. Southeast Regional
8 Office (SERO) staff cautioned against considering levels of
9 sampling within the document and stressed the importance of
10 flexibility to the SEFSC when developing survey approaches.

11
12 A committee member advised avoiding past pitfalls from the previous
13 for-hire data collection program. He continued that many program
14 participants expressed frustration with being asked financial
15 questions when they were not aware those data were going to be
16 collected when the original program was developed.

17
18 Several committee members expressed the desire to keep the program
19 simple for the participants, while also collecting the level of
20 data required to meet management needs, understanding that rarely-
21 targeted species may continue to be data-limited.

22
23 **CHAIRMAN ANSON:** Susan, hold on. Excuse me. Mr. Strelcheck.

24
25 **MR. STRELCHECK:** I just wanted to pause, and I don't know, Lisa,
26 if you could just maybe share a little bit, and I know that you
27 and Rich, on my team, kind of met and discussed kind of the next
28 steps for the document, but I just wanted to make sure there's
29 kind of clarity, in terms of how we're proceeding with future
30 council meetings and the actions and alternatives.

31
32 **DR. LISA HOLLENSHAD:** Sure thing, and so, yes, we've had a little
33 bit of discussion. What I was thinking, perhaps for the next
34 version of the document, is it seems like at least the skeletal
35 elements for some of the economic action had been laid out,
36 certainly, but those questions will be asked, which was omitted
37 from the first version, and so now it's in there, and so thinking
38 a little bit about perhaps another action that would speak to a
39 little bit of the effort validation is something that I think the
40 IPT could sit down and come up with and bring something at a future
41 meeting.

42
43 Depending on how that goes, I'm not sure if that would be the
44 August meeting or the November meeting. I have some ideas,
45 certainly, but I would want to run those by the IPT. I think we've
46 gotten some other information from some IPT members, and so I think
47 Rich and I -- The plan is to sit down, look through all of those,
48 and then develop what we would want to do for that IPT meeting,

1 and see if we can't get an action looking at some of that
2 information.

3
4 In my mind, it would be helpful, at least for an inflection point
5 of the council, to make some decision, in terms of effort
6 validation, whether it would be an electronic approach, mechanism,
7 some sort of hardware affixed to a boat, or if there would be some
8 other levels of something else, like did-not-fish reports, trip
9 declarations, something about calling in when you're coming into
10 your port, what time you might be there, such that an intercept is
11 more likely to happen, to get a validation, something like that,
12 that wouldn't require an affixed electronic piece of equipment.

13
14 If that is something that is feasible, that people feel like
15 stakeholders would be willing to do, as well as get the information
16 that, you know, we need to move forward with management and stock
17 assessments, and, if that's possible, I think that that would be
18 an interesting decision point for the council to make, in terms of
19 moving forward, and then I think the IPT would have better clarity
20 and would be a lot clearer to move through after that. That was
21 my initial thoughts, after kind of sitting down and talking, but
22 certainly we would want to take that to the IPT and get their
23 feedback.

24
25 **MR. STRELCHECK:** Thank you for that, and, you know, I am really
26 supportive of providing the IPT with some flexibility here, as you
27 kind of work through -- Whether it's consolidating and reorganizing
28 some of the actions and alternatives, but I do agree that it's
29 important that we include new actions and alternatives, for that
30 validation component in particular.

31
32 You know, listening to public testimony, there's not a lot of
33 sentiment supporting VMS, right, but I did hear a little bit of
34 support for the idea of like a geofence, and so I feel like that's
35 a reasonable thing to at least consider right now, and I would
36 hate to take that off the table, and so I'm just going to lean in
37 and say that's something that I would be interested in, obviously,
38 at least taking a look at, but the other things that you mentioned,
39 like no-fishing reports, and declarations, and hail-ins, to me,
40 should also be included, obviously, as validation components for
41 consideration.

42
43 **CHAIRMAN ANSON:** I have two hands up. Captain Walker.

44
45 **MR. WALKER:** I agree with Mr. Strelcheck. I think -- I don't think
46 we're at a place where we can actually select which of those
47 technical options, because we don't really know which one is going
48 to work, but I'm fairly certain that we can scratch VMS off the

1 list, if it will make it a little smaller, and some of the others
2 we definitely would like a little more information on.

3
4 You know, I know that, myself, some kind of a geofence that would
5 work from a phone would be the best solution, the most favorable,
6 the easiest sell, but I don't even know if that technology is there
7 yet, and so it's hard to say that's what I want, if I don't even
8 know it's there, and so we could perhaps look into tightening up
9 the feasibility of those measures.

10
11 **CHAIRMAN ANSON:** Dr. Froeschke, followed by Ms. Boggs.

12
13 **DR. FROESCHKE:** I'm just trying to think, in my head, what we would
14 discuss at the IPT meeting, and it seems like exactly those things
15 that get conflated, and so I will give you two examples here. In
16 terms of what we've discussed in the IPT, a geofence and the VMS
17 are the same, for all intents and purposes, because that device
18 has to be on, tracking position all the time, and then it just --
19 The filtering would occur on what information is transmitted, but
20 that still has to be on, and so, for all intents and purposes,
21 that is a VMS.

22
23 In my view, if you don't want a VMS, then a geofence is not an
24 option, and that's not my saying that, and I'm just trying to
25 structure the discussion so that we can move forward.

26
27 The other thing that was discussed in the presentation was this
28 idea of the passive versus active validation, meaning do you hit
29 a button when you turn stuff on, and, you know, the guidance in
30 there was that the active, you know, where you have to do
31 something, is not a best practice, and so, you know, those are the
32 things that we would distill this into, and so, if you say, yes,
33 it needs to be passive, or it needs to not be, that would be
34 helpful to us, because I don't see how we could do a geofence in
35 an app kind of a thing that fits in there.

36
37 Maybe that technology is there, and we're happy to look into it,
38 but I don't know what we would do to develop the action, and so
39 that's -- You know, I guess the guidance that I would like is,
40 yes, I could see that we would develop an option for a hail-in and
41 hail-out, or hail-out and hail-in, kind of thing, with dockside
42 validation. Do you want us to explore something technology, like
43 in addition to that bigger consideration, or not?

44
45 **CHAIRMAN ANSON:** Captain Walker.

46
47 **MR. WALKER:** So, to me, when we started talking about this, I don't
48 think that I understood that a geofence meant that you still had

1 to be tracked the whole time, and so that brings us back a few
2 steps, in my mind, and apparently there is no way around that,
3 right, under the rules here, and so, yes, I believe we'll have to
4 look elsewhere, because, like you said, that's a VMS, and that's
5 what people didn't want, and that's what lost the lawsuit, is
6 fulltime tracking, but it's definitely something we should
7 continue to discussing.

8
9 **CHAIRMAN ANSON:** All right. I have a few folks. Ms. Boggs,
10 followed by Dr. Sweetman, and then Dr. Frazer.

11
12 **MS. BOGGS:** So I'm going to address the VMS and geofencing issue,
13 and that's not what I wanted to comment about, but, I mean, if you
14 take a cellphone on a boat -- My understanding is that now, if you
15 take a picture on a boat while you're out there, it locks in your
16 GPS location, and so, I mean, I don't understand.

17
18 I'm having a hard time grasping why this is so complicated, because
19 you're tracked everywhere you go. If you've got one of these,
20 you're being tracked, and so I don't understand why this is such
21 a big deal.

22
23 That being said, is there any compromise, I suppose, to at least
24 to get this ball rolling, and to have some kind of a declaration,
25 a no-fishing report, which is what we did before, and if there's
26 any way to take some of the funding that hasn't been used, that's
27 sitting aside, to help beef-up dockside intercepts, but some kind
28 of compromise that can push this along?

29
30 The agency -- Would the agency be willing to compromise, to do
31 some kind of I guess soft rollout of a data collection system
32 program, as we work out this VMS and non-VMS issue? I don't like
33 doing things like that, and I don't like parsing things up, but
34 it's very important, for the charter fleet as a whole, to have
35 some kind of a data collection system.

36
37 My other question is, as far as with the software, if the software
38 can help us in any way, what can we do with Bluefin and eTRIPS,
39 that would help maybe move this along? Do they have any way of
40 helping us with this, and how would it channel down into the
41 agency, where we could, again, get -- I'm looking, and I'm trying
42 to think outside the box, and what are some of our options, Andy?

43
44 **CHAIRMAN ANSON:** Mr. Strelcheck.

45
46 **MR. STRELCHECK:** Sorry. Mara and I were having a huddle there. I
47 mean, I have thought about the idea of separating out the
48 electronic component of the monitoring, or validation, from this

1 amendment, right, and just trying to proceed forward with getting
2 a logbook program stood up, and then, if we could come up with
3 that, you know, new approach, that's going to be even a further
4 improvement, in terms of helping with validation, we could do that
5 in some sort of separate action.

6
7 What Mara and I were talking about was with the lawsuit, right,
8 and so there is two key components, right, and we would have to
9 explain why VMS, or some other mechanism for validation, is needed,
10 right, and so essentially we lost on the account that we didn't do
11 an adequate job of explaining the need, and then, also, addressing
12 privacy considerations, and so I think, with the idea of a
13 geofence, and I appreciate the comments that John made about VMS,
14 right, but the thought there is that we're trying to avoid the
15 twenty-four-seven tracking, right, the privacy considerations,
16 while ultimately getting us information on did a trip occur, or
17 didn't it occur, and, if it occurred, right, then we have a yes,
18 and we can know that then we're going to have a logbook that needs
19 to be submitted, and we can follow-up if a logbook is not
20 submitted, right, but how we actually figure out kind of that
21 trigger, and the technology, is still, to me, the difficulty, and,
22 whether that requires a VMS or something else, I think we need to
23 continue to explore some technological solutions.

24
25 **CHAIRMAN ANSON:** To that point, Ms. Boggs?

26
27 **MS. BOGGS:** Well, I mean, we kind of did this with SEFHIER, and,
28 I mean, it was in the document about the VMS, but we did roll it
29 out independently. We started with the data collection portion of
30 it, and then we moved into the VMS, and so I guess I kind of see
31 this as the same way, but something else I wanted to touch on is
32 the economic data. Is the agency -- Is 20 percent going to be
33 something that you all can live with, because it sounded like some
34 consensus yesterday, or do we do it on a random basis for sampling?

35
36 **MR. STRELCHECK:** I think the document says up to 20 percent, right,
37 and, from what I've heard from our economists, that would be
38 sufficient. My bigger concern, right, and this is also, you know,
39 going back to the technological solution, is, by doing some sort
40 of subsampling of the fleet, whether it's a portion of the vessels
41 or a portion of the trips, in taking it outside of the electronic
42 logbook program, you have now increased the administrative burden
43 on the agency.

44
45 We're going to have to come up with a new tool to collect that
46 data, and someone is going to have to administer it, and so there's
47 going to be costs then to the agency that need to be considered,
48 and factored into this amendment, and, if we can come up with some

1 technological solutions that reduce that burden, that, to me, is
2 the key, because we're not getting lots of additional resources
3 and funding right now. It just -- It's going to add to, obviously,
4 the burden on staff, and others, in order to even go out and
5 collect that data.

6
7 **CHAIRMAN ANSON:** Ms. Boggs.

8
9 **MS. BOGGS:** Well, I may be making a request to add more burden on
10 the staff. It sounds like, because now we're in this conundrum
11 again, and I may be overstepping, and it may be wrong, but I'm
12 wondering if we need to get our data collection ad hoc back
13 together, and I think our Data Collection AP together, because
14 that's more minds in a room, having a conversation, or doing some
15 kind of outreach, because we can't keep having this conversation
16 for the next year. We need to come down to some resolutions, and
17 we need to get some ideas.

18
19 You know, June is a terrible time to try to get fishermen to stand
20 at that podium, to give you input, and now you're saying you
21 probably won't see the document in August, and it's going to be
22 November, and I can see, in June of next year, we're going to still
23 be talking about this, and I'm going to be on that side of the
24 table screaming and yelling at everybody, and so we need to do
25 something, and so, if it's getting those AP and ad hoc together,
26 and getting the minds at NMFS and everyone in the room, that's
27 what we need to do. We need to get this thing moving.

28
29 **CHAIRMAN ANSON:** Okay. I have Dr. Sweetman, followed by Dr. Frazer
30 and Captain Walker.

31
32 **DR. SWEETMAN:** Thanks, Mr. Chair, and so, kind of going back to
33 some of the things that John was talking about there, I mean, from
34 my perspective, I mean, at a bare minimum, you know, we need -- I
35 don't think we want to go in the direction of having too little
36 validation, where the data is not actually useable, and so I think
37 there's kind of a line that, maybe at least me personally, is not
38 willing to cross, as it relates to going with too little
39 validation, and so, at a bare minimum -- I think, in Dr. Masse's
40 presentation, that medium-level there was the no-fish reports, the
41 increased dockside intercepts, and a hail-in and hail-out.

42
43 I appreciate what Andy was highlighting relative to the lawsuit,
44 as it relates to VMS, or geofencing, however you want to describe
45 it, if it's essentially the same thing, but adequately describing
46 what the need is here -- Like I'm not saying -- Like I understand
47 the concerns about twenty-four-hour tracking, and maybe there's
48 something we can do there, where it's not constantly twenty-four

1 hours, or something that's a little bit more palatable to the
2 general public, where they fear that their privacy is being, you
3 know, impinged upon there.

4
5 I don't want to completely rule that out, because it is a very
6 valuable tool, as it relates to this validation for everything
7 we're trying to accomplish here, and actually get usable data, but
8 maybe we would just need to dive into that a little bit more
9 further, with adequately explaining the need, and then trying to
10 figure out kind of what that sweet spot is there, relative to the
11 amount of tracking that actually occurs, and that was just my
12 thought there.

13
14 **CHAIRMAN ANSON:** Dr. Frazer, hold on a second. Andy had raised
15 his hand after Susan concluded her comments earlier. Andy.

16
17 **MR. STRELCHECK:** Well, like Susan was indicating, right, I don't
18 -- We've been working on this for a while, and I would love to,
19 obviously, continue to make progress on this, and, you know, I
20 would leave it up to the IPT, and maybe not bring back a full
21 document, but is there some pieces of this conversation that you
22 would want to bring back in August, like the action and alternative
23 for the validation, and further discussion around the technology,
24 so we can make a decision of are we going to keep the technology
25 in, or are we going to take it out, and is there an opportunity
26 that maybe we do some pilot testing with some of the fishers, and
27 try to build buy-in, and support, and that could be a follow-on
28 amendment.

29
30 I think there is some opportunity there, where maybe we can make
31 some progress in August, but not have the IPT bring us back the
32 full document, but we want to leave it with the IPT to help,
33 obviously, determine if that's timely.

34
35 **CHAIRMAN ANSON:** All right. Dr. Frazer.

36
37 **DR. FRAZER:** Okay, and so I just was going to follow-up with C.J.
38 with regard to the technology, and it kind of relates to what Andy
39 said too, and, you know, we heard, in public testimony, from Mike
40 Colby, obviously, that Woods Hole is developing a phone app that
41 was capable of doing the geofencing, right, and I'm pretty
42 confident that the technology actually exists, although people are
43 not sure if it does or not, but I'm also fairly confident that,
44 with proper programming and coding, right, that you could protect
45 the privacy.

46
47 I would like to see, moving forward, perhaps if the IPT just brings
48 back some discussion about that technological capability, right,

1 so people can feel a little more comfortable with what those
2 options are.

3
4 **CHAIRMAN ANSON:** All right. Captain Walker, then followed by Ms.
5 Boggs.

6
7 **MR. WALKER:** So clearly we're hung up on the technology part, but
8 I agree with Andy that we should try not to let that hold the whole
9 program up, and so, if we could pause that, and let the IPT work
10 on the technology part, because we really can't make any decisions
11 on that without understanding what the technology is.

12
13 What we could do is prioritize, or make a list, of the things that
14 we need from the technology, so you could find it better, and I'm
15 not sure that I have all of those clearly -- Not fulltime tracking
16 would be one, and satisfy the hail-in and hail-out, or the geofence
17 line, or whatever that is, and, you know, others are welcome to
18 chime-in here, but, if we prioritize what's acceptable, and what
19 is not, and hand you that list, it might make it easier for the
20 IPT to find the options that we could consider.

21
22 **CHAIRMAN ANSON:** Dr. Froeschke.

23
24 **DR. FROESCHKE:** I think, on one hand, the IPT has a pretty good
25 idea of what you all might want. What would be more helpful for
26 us is a list of things that you absolutely cannot accept, and so,
27 in the management, it's like you have the bottom, where it's like
28 we don't know where we want to be exactly, as far as the goal, but
29 we know we don't want to be over here, and so, to the extent that
30 you can tell us that we don't want that, hard stop, that would be
31 helpful, because, I mean, that's one of the things that I know
32 we'll talk about at the IPT level, is all of these technologies -
33 - I mean, tracking is tracking, and you're either being tracked or
34 you're not, and so I'm not sure how we would get around that, and
35 we're happy to explore the technology, to see what options there
36 are, but, I mean, on a base level, that seems like that's going to
37 be a cut.

38
39 **CHAIRMAN ANSON:** To that point, Captain Walker?

40
41 **MR. WALKER:** So maybe, and I think what we're looking at here is
42 something in between you're either being tracked and you're not.
43 We're looking for you're being tracked to the line, or you're being
44 tracked to the extent that will satisfy the need here, but not all
45 the time, and I don't know what that is, but I think that's what
46 we're looking for, but I also think that we should continue this.

47
48 I don't think that we should convene an AP and stuff, because that

1 takes a long time, and, you know, an AP of charter boat guys isn't
2 going to know the technology, or, well, they might, but
3 technologically speaking, that's something that you kind of have
4 to dig into, and not just an idea from a group of fishermen, I
5 think, and so I think we should keep moving, and I think convening
6 APs would slow the process down, but I think we need to work on
7 that and continue progress on the rest of what we're working on in
8 the SEFHIER.

9
10 **CHAIRMAN ANSON:** Ms. Boggs.

11
12 **MS. BOGGS:** So I've got a lot of things going on, but the main
13 thing that I wanted to talk about, to touch on, is what Dr. Sweetman
14 said, and that is the too little evaluation. If you don't have
15 enough data, then you might as well just stop on the document, and
16 not even move forward, because what we put together is something
17 that's not going to satisfy what we can get output from that will
18 help the fishery, and there's no need in going down this road.

19
20 If we start dicing it up, and basically we just want to report the
21 fishing, and they say that's not enough, then -- Because there was
22 a pilot study in the Gulf of Mexico, many years ago, and everybody
23 was onboard that we're going to do this, and it resulted in
24 absolutely nothing, and the fishermen were mad, and, if you want
25 to get them mad, don't worry about the VMS. Do something and then
26 not get any output from it.

27
28 So there's going to have to be some give-and-take, and I understand
29 what you said, Dr. Froeschke, about, you know, what do you
30 absolutely not want, and, well, they absolutely don't want economic
31 data collection, and they absolutely don't want VMS tracking, and
32 so then what do we have? We have nothing.

33
34 So there's going to have to be some compromise, and I think the
35 agency has compromised on this 20 percent for the economic
36 collection of data, but now we're back in this VMS, and everybody
37 doesn't want to be tracked, and they don't want to give us this
38 information, and so you either do or you don't. You can't be in
39 halfway, because, if you're in halfway, then we have nothing at
40 the end result.

41
42 **CHAIRMAN ANSON:** I have Dr. Walter, followed by Mr. Strelcheck.

43
44 **DR. WALTER:** Just it seemed like the public comment gave a couple
45 of good ideas, and I think it would just say that, for the IPT,
46 make sure you're looking at some of those ideas that were provided
47 by a number of people, like Mike Colby, and Dylan gave some ideas,
48 and I think Scott also, as well as a number of other ones, and I

1 think the idea of like a Sunpass, or a fast toll, where it seemed
2 like that was one of those things that might have some
3 acceptability, where you go through somewhere, and you're not
4 tracked all the time, but you're just tracked when you go through
5 that pass, or wherever you are on your way out, and, if that was
6 something that could be technologically feasible, and maybe done
7 with your phone, so that you go past something, and it just pings
8 back that, you know, we just left that inlet, and then you come
9 back in, and you're back in the inlet, but it doesn't provide any
10 other information, and that seems, John, from what I am condensing
11 the palatability, that might be something that would be palatable.
12 Thanks.

13

14 **CHAIRMAN ANSON:** Mr. Strelcheck.

15

16 **MR. STRELCHECK:** So this has been a great discussion. I didn't
17 expect it to last this long, and so we're not going to solve this
18 today, right, but I think this has been informative, and helpful,
19 and, you know, what I guess I'm taking away is that it will be
20 good for council staff and my team to sit down and kind of talk
21 about some of these technological ideas.

22

23 I like how Ed approached it, in terms of kind of what we want or
24 don't want out of that, and I keep hearing, right, the agency
25 compromising, right, and this isn't -- This is a collective
26 decision around this table. Yes, we have to approve the
27 rulemaking, and we have to deal with the legal decision, and make
28 sure the record is adequate, but, at the end of the day, what we
29 really need to be focusing on is does this achieve what we're
30 trying to achieve with the purpose and need with this action, and
31 is it improving the data for the charter-for-hire community, and
32 will it help us better manage the fisheries.

33

34 The last thing that I want to do is stand up a program and not be
35 able to use the data, or find out after the fact that the data is
36 not usable, and then I think the main thing, the difference, and
37 what we've learned since the previous program, is how we need to
38 build some trust with the industry, right, and so there is
39 certainly some in the industry that are supportive of VMS, and
40 even providing the economic questions or not, right, and so how do
41 we look at solutions to that, that are going to build that trust,
42 and still accomplish the goals and objectives that we have, and so
43 there's work to be done, but I think, you know, at this point,
44 unless people have other thoughts, I think we can proceed with
45 some additional ideas and come back to the council either in August
46 or November.

47

48 **CHAIRMAN ANSON:** Thank you for the comments, Andy. With that,

1 we'll go ahead, Ms. Boggs, and if you can continue on with the
2 committee report.

3
4 **MS. BOGGS:** Discussion of Highly Migratory Species Economic Data
5 Collection, the Office of Atlantic HMS is also developing an
6 electronic reporting program for their fisheries and are similarly
7 considering alternatives for collecting economic information.
8 One-stop reporting has been suggested as an approach to avoid
9 duplicative reporting for stakeholders that own federal permits
10 across multiple fisheries.

11
12 When developing data collection programs across regions
13 simultaneously, there is a question of what would happen should
14 different sampling approaches be selected. Dr. Banks reported
15 that, during the most recent HMS Advisory Panel (AP), it was also
16 unclear how a potential conflict would be resolved. The HMS AP is
17 scheduled to meet again in September, and the topic of electronic
18 reporting will be discussed. Council staff indicated that HMS
19 staff do participate on the for-hire data collection IPT, and so
20 HMS is aware of how the council's program is being developed.

21
22 Presentation on Options for Effort Validation, SERO staff provided
23 a presentation outlining potential effort validation methods for
24 reducing the uncertainty for quantifying nonreporting. A few
25 committee members emphasized the need for trip validation in a
26 Gulf program. They reminded the committee that the South Atlantic
27 does not have this component in their program, and this omission
28 contributes to the determination that the program is not
29 appropriate to inform management or stock assessments.

30
31 A committee member advocated for the removal of Automatic
32 Identification System (AIS) as a potential validation method,
33 since that information is publicly available. Another committee
34 member reiterated the sentiment, from earlier discussions on
35 collection of economic data, that effort validation approaches
36 should be as agreeable to participants as practicable, while
37 reducing uncertainty in estimations of effort.

38
39 Discussion of NOAA Fisheries Guidance on MRIP-FES Transition
40 Document, Tab F, Number 5, staff from NOAA Office of Science and
41 Technology (OST) indicated that the year-long study examining
42 question order and timeframe on the effort mail survey was ongoing.
43 To date, the side-by-side surveys were being returned at a similar
44 rate, and the surveys had been completed through Waves 1 and 2.
45 OST staff indicated that it was premature to report out those
46 results, with only two waves of data received.

47
48 Update on Status of the Commercial ELB Document, SEFSC staff

1 reported that implementation of commercial electronic reporting
2 was still pending until the permits database is fixed. The SEFSC
3 is looking to solicit a group for voluntary reporting sometime in
4 late 2024, with the goal of required reporting by mid-year 2025.

5
6 SEFSC staff indicated that a list of potential volunteers had been
7 created, based on past participation in voluntary programs, but
8 stated that, if anyone was interested in being considered for this
9 group, they should contact the SEFSC. Mr. Chair, this concludes
10 my report.

11
12 **CHAIRMAN ANSON:** All right. Thank you. Any other discussion to
13 be included in Data Collection? All right. Thank you. We have
14 reached a point where we would be up against a break, and let's go
15 ahead and do that now, and then we'll come back in fifteen minutes.

16
17 (Whereupon, a brief recess was taken.)

18
19 **CHAIRMAN ANSON:** All right. There might be a version out there
20 that you're looking at that has Reef Fish next, but, unfortunately,
21 Sustainable Fisheries was not on the list, and, taking the order
22 of committees, we're up at the Sustainable Fisheries report, and
23 so Dr. Sweetman.

24
25 **SUSTAINABLE FISHERIES COMMITTEE REPORT**

26
27 **DR. SWEETMAN:** Thank you, Mr. Chair. Okay. Sustainable Fisheries
28 Committee report, the committee added an item, under Other
29 Business, to discuss the ecosystem-based fisheries management
30 (EBFM) roadmap, adopted the agenda, Tab E, Number 1, as modified,
31 and approved the minutes, Tab E, Number 2, of the January 2024
32 meeting.

33
34 SSC Recommendations from May 2024 Meeting, Tab E, Number 4, Dr.
35 Jim Nance, the Scientific and Statistical Committee chair,
36 reviewed the proceedings of the SSC's May 2024 webinar meeting.
37 The SSC reviewed and approved terms of reference for the upcoming
38 SEDAR 98 assessment of red snapper, an independent management
39 strategy evaluation (MSE) exercise by the Southeast Fisheries
40 Science Center; evaluated a study by the National Academies of
41 Sciences on equity in fisheries management benefits; evaluated the
42 NMFS southeastern U.S. region equity and environmental justice
43 plan; discussed modifications to the SEDAR process and alternative
44 assessment methods for Gulf stocks; reviewed the council's planned
45 restructuring for the SSC; and heard public comment on both days.

46
47 Dr. Nance clarified, for the committee, that the purpose of the
48 independent MSE exercise by the Southeast Fisheries Science Center

1 was to establish a base for future work and to engage the SSC in
2 further work on this MSE exercise. I want to hit a little bit of
3 a pause here. I think that there was some discussion, relative to
4 the SSC, that maybe we want to talk about at Full Council here,
5 relative to the desktop MSE.

6
7 The one that was produced for the SSC was a desktop MSE on cod,
8 and I think one of the primary concerns, from the SSC, was that
9 some of the assumptions that were presented in that desktop MSE
10 were not necessarily valid for Gulf stocks, and so I think there
11 was some discussion on the table to maybe further have some
12 thoughts about that.

13
14 **CHAIRMAN ANSON:** Dr. Frazer.

15
16 **DR. FRAZER:** Yes, and C.J. and I did just talk about this a little
17 bit before, and so, if it's all right, I would actually like to
18 motion here, and I sent it to Bernie over there. All right, and
19 so I will just read that.

20
21 **The motion is to request the Southeast Fisheries Science Center**
22 **conduct a desk management strategy evaluation on Spanish mackerel**
23 **to examine the impacts that the unknown magnitude of recreational**
24 **landings data may have on management performance of Spanish**
25 **mackerel. This evaluation should consider, but not be limited to,**
26 **differences in historical calibrations of landings in the eastern**
27 **Gulf, as well as uncertainties in these calibrations for state and**
28 **federal landings that may contribute to additional management**
29 **uncertainty. The evaluation could also consider the performance**
30 **of decreasing the recreational bag limit. If there is a second,**
31 **I'll give some rationale.**

32
33 **CHAIRMAN ANSON:** It's seconded by Captain Walker. All right, DR.
34 Frazer.

35
36 **DR. FRAZER:** I debated whether to bring that in the Sustainable
37 Fisheries Committee or in the Mackerel Committee, and we had a lot
38 of discussion about these in both places, and I just think, you
39 know, to C.J.'s point, you know, it might be good to work with the
40 Science Center, in this particular case, to bring back a more
41 relevant MSE, one that we can wrap our heads around, and I think
42 that it would be probably a good start.

43
44 **CHAIRMAN ANSON:** Any other discussion on the motion? Dr. Walter.

45
46 **DR. WALTER:** Well, seeing as how the motion is a request for the
47 Southeast Center, I will just comment on that. One, I appreciate
48 the heads-up that we got on it, and so I did chat with our staff

1 on it, and I think that we can commit to doing that, and so it was
2 something that we think -- The reason we presented the MSE, and it
3 was just an example one, to the SSC, is I think that basically
4 demonstrated a proof-of-concept, that, yes, indeed we could apply
5 something like this, and you've got to start small, in general,
6 before you get specific and detailed, and, here, I think this is
7 a good one for us to embark upon, because it's not got everything
8 all at once wrapped up into it, and it's one of those ones that I
9 think we can bite off a manageable bite.

10
11 I can't commit exactly to the time limit, and I need to consult
12 with our staff, as to workload and what this might entail, in terms
13 of when we would get it back before the SSC, but I think one of
14 the benefits of this is that we're seeing these desk MSEs as really
15 the flight simulators for management, and it allows the council
16 then to be able to get information as to how well does this
17 management option perform, in light of many of the uncertainties,
18 and it goes above and beyond just sensitivities, because it's
19 actually the flight simulator and saying, if this kind of thing
20 happens, can we manage our way through it.

21
22 Then it's going to be able to show us, in terms of which one of
23 those recreational bag limits, best achieves the goals, and I think
24 provides exactly the kind of information that this council will
25 need to select the alternatives, and so we're happy to embark upon
26 this, and we support this. Thanks.

27
28 **CHAIRMAN ANSON:** Thank you for the comment. Captain Walker.

29
30 **MR. WALKER:** I speak in favor of the motion. I think it's a good
31 idea to evaluate historical calibrations and landings, and, also,
32 I think it's important to have that information when we're
33 discussing decreasing bag limits on something like Spanish
34 mackerel.

35
36 **CHAIRMAN ANSON:** Mr. Geeslin.

37
38 **MR. GEESLIN:** I also speak in support of the motion. I kind of
39 wish that this was also brought up in the Mackerel Committee, and
40 maybe we can revisit this at that point today.

41
42 **CHAIRMAN ANSON:** All right. Any other comments? **I am not seeing**
43 **any, and is there any opposition to this motion? Seeing none, the**
44 **motion carries.** Dr. Sweetman.

45
46 **DR. SWEETMAN:** Thank you, Mr. Chair. Okay. Continuing on,
47 regarding the National Academies of Sciences study on equity in
48 fisheries management benefits, Dr. Nance added that the SSC's

1 motion on the subject was meant to help ensure that the
2 recommendation in the study, stated in the SSC's motion, is acted
3 upon and the continued research occurs. The committee concurred
4 with the SSC.

5
6 The committee also questioned if the mechanism and applicability
7 of the Southeast equity and environmental justice plans being
8 implemented by NOAA Fisheries would include the recommendations of
9 the NAS study.

10
11 **The committee recommends, and I so move, to recommend that the**
12 **council request that NOAA Fisheries recommend that the National**
13 **Academies of Sciences follow up on "Assessing Equity in the**
14 **Distribution of Fisheries Management Benefits" with a second**
15 **consensus Study Report that, as noted in the current report, "would**
16 **build on this contribution by evaluating equity in select,**
17 **illustrative fisheries using the information available. The**
18 motion carried without opposition. Mr. Chair.

19
20 **CHAIRMAN ANSON:** All right. We have a committee motion. Is there
21 any discussion on the motion? **Not seeing any hands, is there any**
22 **opposition to this motion? Not seeing any, the motion carries.**

23
24 **DR. SWEETMAN:** Thank you, Mr. Chair. May 2024 SEDAR Steering
25 Committee Meeting Report, Tab B, Number 5, council staff briefly
26 reviewed the SEDAR Steering Committee's May 2024 webinar regarding
27 changes to the SEDAR process and assessment of key stocks. These
28 changes are being discussed by the council staff and the Southeast
29 Fisheries Science Center, and they will be reviewed further by the
30 Steering Committee and the council's SSC in July.

31
32 A committee member asked whether these changes could affect
33 throughput. The Southeast Fisheries Science Center replied that
34 the main idea was to provide focus on the most important stocks to
35 a region within a predictable timetable, while providing for
36 bandwidth to consider other species assessments and analyses to
37 inform fisheries management decisions.

38
39 Another committee member asked about analyzing the five key stocks
40 every three years and whether interim analyses would be used for
41 providing catch advice or only as health checks. The Southeast
42 Fisheries Science Center replied that the interim analyses could,
43 and have, been used to revise catch advice, so long as they can
44 use a reliable index of relative abundance that is representative
45 of the fishery for that species.

46
47 Other Business, a committee member brought up the NOAA Fisheries
48 request for comments on the modified ecosystem-based fisheries

1 management (EBFM) roadmap. It was noted that the comment deadline
2 is July 31, 2024. The committee member recommended convening the
3 council's Ecosystem Technical Committee to provide comments on the
4 roadmap, noting a request for an extension on the comment period
5 was likely necessary. Council staff noted that other councils
6 have also asked for an extension for providing comment.

7
8 **The committee recommends, and I so move, to direct staff to write**
9 **a letter to ask for an extension to the ecosystem-based fishery**
10 **management roadmap request comment deadline of July 31, 2024, to**
11 **allow the ETC to meet and provide their input prior to submission.**
12 **This motion carried without opposition. Mr. Chair.**

13
14 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
15 the motion? **Is there any opposition to this motion? Not seeing**
16 **any, the motion carries.**

17
18 **DR. SWEETMAN:** Mr. Chair, this concludes my report.

19
20 **FULL COUNCIL CLOSED SESSION REPORT**

21
22 **CHAIRMAN ANSON:** Thank you, Dr. Sweetman. Any other business for
23 Sustainable Fisheries? All right. That will take us to the next
24 committee report, which is the closed session, and not Reef Fish.
25 The Full Council closed session report occurred -- The committee
26 met on June 24, 2023, in the afternoon, to appoint the Ad Hoc
27 Commercial Red Snapper and Grouper-Tilefish Individual Fishing
28 Quota, Reef Fish, and Shrimp Advisory Panel members. The council
29 also appointed Standing and Special Statistical Committee members.

30
31 Selection of Ad Hoc Commercial Red Snapper and Grouper-Tilefish
32 Individual Fishing Quota Advisory Panel members, the council made
33 the following appointments to the Ad Hoc Commercial Red Snapper
34 and Grouper-Tilefish Individual Fishing Quota Advisory Panel:
35 Kenneth Beverin, Jane Black-Lee, Ron Chicola, John Cosgrove, Keith
36 "Buddy" Guindon, Costa Kouzounis, Brian Lewis, Kelia Paul, Randy
37 Sobieraj, David Walker, Amy Wirtz, and Jim Zurbrick.

38
39 Selection of Reef Fish Advisory Panel Members, the council made
40 the following appointments to the Reef Fish Advisory Panel: Jane
41 Black-Lee, Doug Boyd, Bill Campbell, Josh Ellender, Troy Frady,
42 Rachal Hisler, Dylan Hubbard, Gary Jarvis, Mike Jennings, William
43 Langley, John Marquez, Jr., Alexander McIngvale, Greg Mercurio,
44 Steve Papen, Alicia Paul, Clarence Seymour, Rudy Valenciano, and
45 Bob Zales.

46
47 Selection of Shrimp Advisory Panel Members, the council made the
48 following appointments to the Shrimp Advisory Panel: Kristen

1 Baumer, Leann Bosarge, Steve Bosarge, Edward Cuevas, Jr., Glenn
2 Delaney, Haley Gambill, Alan Gibson, Gary Graham, Dennis
3 Henderson, Chris Londrie, Randy Pearce, Laura Picariello, Justin
4 Versaggi, and Bob Zales.

5
6 Selection of Standing and Special Statistical Committee Members,
7 the council made the following appointments to the Standing SSC:
8 Jason Adriance, Mike Allen, Luiz Barbieri, Harry Blanchet, Dave
9 Chagaris, David Griffith, Tiffany Hopper, Jack Isaacs, John
10 Mareska, Paul Mickle, Trevor Moncrief, Jim Nance, Will Patterson,
11 Daniel Petrolia, Sean Powers, Andrew Ropicki, Steven Saul, Steven
12 Scyphers, and Ralph Townsend.

13
14 The council made the following appointments to the Special Mackerel
15 SSC: Matthew Streich, Chris Stallings, Jie Cao. The following
16 special SSCs will be repopulated at a later date: Special Coral,
17 Special Red Drum, Special Spiny Lobster. The Special Shrimp SSC
18 will be readvertised and then repopulated during the August council
19 meeting, the Special Shrimp. This concludes my report. Any
20 questions? Not seeing any, then that will take us to Reef Fish.
21 Dr. Frazer.

22 23 **REEF FISH COMMITTEE REPORT**

24
25 **DR. FRAZER:** Thank you, Mr. Chair. Reef Fish Committee report,
26 the committee adopted the agenda, Tab B, Number 1, after adding an
27 item under Other Business to discuss the greater amberjack
28 recreational fishing season. The minutes, Tab B, Number 2, from
29 the April 2024 meeting were approved as written.

30
31 Discussion: Reef Fish Amendment 60: Individual Fishing Quota (IFQ)
32 Programmatic Distributional Issues, Tab B, Number 4, a committee
33 member stated that the committee should discuss its vision for the
34 IFQ program and offered a motion. While the committee acknowledged
35 the merit of the motion, it was decided to table further discussion
36 until Full Council.

37
38 **The committee recommends and I so move, to establish a vision for**
39 **the red snapper and grouper-tilefish IFQ programs. The vision,**
40 **fishery vision: a cohesive commercial fishery - including a diverse**
41 **range of profitable small, medium and large businesses, and fishery**
42 **trusts - that maximizes access to and use of available IFQ shares.**
43 **Process vision: a simple, automated, and transparent process that**
44 **ensures IFQ shares and allocation are equitably distributed by**
45 **NMFS to a defined user group, the impacts of which are measurable**
46 **and evaluated over time.** The motion to table carried without
47 opposition. Mr. Chair.

1 **CHAIRMAN ANSON:** All right. We have a committee motion. Any
2 discussion on the motion? Mr. Gill.

3
4 **MR. GILL:** Thank you, Mr. Chairman. I think this would be an
5 appropriate time for discussion on this motion. We tabled it until
6 Full Council, and I recognize that it's a large ask, but I think
7 we should attempt to make progress on revising this, as necessary
8 and desired, and I've had a number of comments made on
9 wordsmithing, and perhaps greater than that, and I would hope that
10 council members would do so at this time, and see if we can get
11 this to a better place for further council decision. Thank you.

12
13 **CHAIRMAN ANSON:** Thank you, and, to that, I guess I just offer,
14 for some discussion, a question on whether or not "profitable"
15 should be used to describe the small, medium, and larger
16 businesses. I know, obviously, for optimum yield and that, maximum
17 benefits to the nation, that type of context, but, I mean, we don't
18 have a mechanism for checking to make sure that any of the
19 businesses or entities, stakeholders, that we manage are
20 profitable, and so I just wonder if we just should remove that.
21 Yes, Mr. Gill.

22
23 **MR. GILL:** Thank you, Mr. Chairman. I would argue that, as part
24 of the vision, we certainly want profitable businesses, and, if
25 they're not profitable, they would not be in existence, and, yes,
26 we don't control that, but, as part of the vision of a healthy
27 fishery, it includes profitable businesses utilizing the IFQ
28 system.

29
30 A comment was made, in committee, about what small, medium, and
31 large are, and suggested that perhaps we should define that. I
32 think the question is a fair one, and a way to approach that would
33 be to replace "small, medium, and large" with "diverse mix of", so
34 that you don't get into this prescriptive, because the position
35 should not be numbers, and not viable, and all that kind of thing,
36 and so that's a suggestion, and I'm happy to approve that part,
37 but I believe that "profitable" is very much a part of what our
38 vision needs to be.

39
40 **CHAIRMAN ANSON:** Ms. Boggs.

41
42 **MS. BOGGS:** Thank you for that, Mr. Gill, because I was going to
43 bring up, again, you know, small, medium, and large, and what does
44 that mean. Diverse, I guess then you've got to figure out what
45 does that mean, but I feel better if it doesn't have "small,
46 medium, and large", unless somewhere we have that clearly defined.

47
48 **CHAIRMAN ANSON:** Mr. McDermott.

1
2 **MR. MCDERMOTT:** I was just going to agree with Mr. Anson about
3 removing "profitable". You know, I've heard a lot of comments,
4 both around the table and at public comment about, you know,
5 overcapacity, and different capacity issues, and I've done some
6 research on it, and maybe -- I'm not sure how great the research
7 is, but I just feel some pressure to drive profitability for a lot
8 of these operators, you know, pressure on the council to do that,
9 and I don't think that that's really a big -- That's not our goal
10 here, and so I want to see plenty of different sized businesses,
11 but I'm not sure that we've got a lot to do with profitability
12 sitting at this table, and so I would support removing that.

13
14 **CHAIRMAN ANSON:** Ms. Boggs.

15
16 **MS. BOGGS:** Based on the discussion, do you -- Of course, I don't
17 want to get too broad, but a cohesive commercial fishery that
18 maximizes access to the use of available IFQ shares, because you're
19 being pretty prescriptive, which that could be a good thing, and
20 it could be a bad thing, but, if you say "a cohesive commercial
21 fishery", to me, you're already talking about diverse, because
22 you're going to use what you currently have in that fishery, and
23 it sounds to me, like you're just trying to bring the entire
24 fishery together, and work together, to maximize the access and
25 use of the IFQ shares, and so I think you need to take everything
26 between the hyphens out.

27
28 **CHAIRMAN ANSON:** Mr. Gill.

29
30 **MR. GILL:** Thank you, Mr. Chairman. Relative to the discussion on
31 profitability, certainly the council does not drive businesses to
32 profitability, but we certainly can drive them to unprofitability.
33 We can make it impossible for a business to achieve a profit and
34 remain in existence, and we don't want that, or at least I hope we
35 don't want that, and so I still believe that very much belongs in
36 the vision, even though we don't make it happen, and we don't want
37 the opposite.

38
39 **CHAIRMAN ANSON:** After hearing your comments, going back and
40 thinking about it, as part of a vision, we could probably include
41 that, and I wouldn't have a problem with it. Captain Walker.

42
43 **MR. WALKER:** I support the motion, and I'm not clear on what a
44 vision means to us as a council, but there's nothing wrong with
45 it. To me, pretty much all of this is already understood, but
46 putting it in writing is fine with me.

47
48 **CHAIRMAN ANSON:** Dr. Frazer.

1
2 **DR. FRAZER:** Thanks, Mr. Chairman. Bob, I was just going to make
3 maybe some friendly amendments here, to help us along. Before you
4 actually made them, I will just read them, and I was thinking maybe
5 say "a cohesive commercial fishery that includes a diverse suite
6 of successful businesses and fishery trusts", and that's the first
7 part of it, right, that, again, optimizes access to and use of
8 available IFQ shares.
9
10 There's a couple of reasons that I took out "profitability", right,
11 in listening to the conversation around the table, but "successful"
12 depends on who you are, right, and so some people may just break
13 even, but that's what they love to do, and, you know, who knows
14 what that is really, and I don't know.
15
16 **MR. GILL:** Mr. Chairman, this is a committee motion, and so it's
17 up to the council to decide whether to accept it, and not me.
18
19 **DR. FRAZER:** All right, and so do you want me to go ahead and --
20 If people are generally good with that, then I'll go ahead and
21 make the edits, as a friendly --
22
23 **CHAIRMAN ANSON:** I think go ahead and make edits, just so we have
24 it on the board, so everyone is clear.
25
26 **DR. FRAZER:** Okay. So I would say the fishery vision is a cohesive
27 commercial fishery that includes a diverse suite, instead of
28 "range", and replace "range" with "suite" "of successful
29 businesses", and you can get rid of "small, medium, and large"
30 and fishery trusts, and you can get rid of the hyphen too, that
31 optimizes access to and use of available IFQ shares.
32
33 **MR. GILL:** Seconded.
34
35 **CHAIRMAN ANSON:** All right. Staff, if we can change this to a
36 substitute motion, since we are kind of -- It's more than just a
37 little wordsmith, I guess, and so, Dr. Frazer, that's the motion,
38 your substitute motion?
39
40 **DR. FRAZER:** Yes, it is. Thank you, Mr. Chairman.
41
42 **CHAIRMAN ANSON:** Mr. Gill, did you second?
43
44 **MR. GILL:** Yes, Mr. Chairman.
45
46 **CHAIRMAN ANSON:** Okay, and so we have a second. Is there any other
47 -- Mr. Strelcheck.
48

1 **MR. STRELCHECK:** I'm okay with, obviously, the suggested changes,
2 and I never like wordsmithing things like on the fly like this,
3 and I know we've had time, since Monday or Tuesday, when this came
4 up, but I feel like we're going to miss some things, just
5 wordsmithing today, and maybe that's okay, and we can always come
6 back to it.

7
8 I did want to comment on the process vision, and I feel like it's
9 very narrow, right, and so there is a lot of process related to
10 the IFQ program that goes well beyond what we're talking about
11 here, and, to me, we probably need to give some more thought, if
12 that's going to be our process vision, as to how we expand out on
13 that. For example, you know, it's not solely just the equitable
14 distribution of shares, and it's the access, how people access
15 those shares, the transparency of the marketplace, right, and some
16 other things that kind of relate to, obviously, how people
17 participate in the fishery, or even engage in the fishery, and how
18 we can make that as transparent as possible.

19
20 **CHAIRMAN ANSON:** Mr. Gill.

21
22 **MR. GILL:** Thank you, Mr. Chairman, and, Andy, I understand, and
23 I don't disagree with your comments, and perhaps a path forward
24 would be to leave it as it is, and bring it back at the August
25 meeting, for further consideration at that time, and I would
26 therefore like to move to table the substitute motion until the
27 August meeting.

28
29 **CHAIRMAN ANSON:** Ms. Levy.

30
31 **MS. LEVY:** Well, if you want to discuss the motion, it's probably
32 better to postpone to like a time certain, which is what you're
33 basically saying, and then it would be debatable.

34
35 **CHAIRMAN ANSON:** Well, I think, Ms. Levy, what you're suggesting
36 is a motion to postpone, versus the motion to table, correct? Yes.
37 It might be easier, a little bit, process-wise, to go through a
38 motion to postpone, but Ms. Boggs.

39
40 **MS. BOGGS:** Before we do that, because we can't discuss it once we
41 do that, I want to quickly go back to the fishery vision. The
42 fishery trusts, it was my understanding that's going to be like a
43 quota bank, or something as such, and that's correct? Okay. Thank
44 you.

45
46 **CHAIRMAN ANSON:** That's my understanding, yes. Mr. Gill? No?
47 Okay.

1 **MR. GILL:** Relative to Ms. Levy's suggestion?
2
3 **CHAIRMAN ANSON:** Yes, and do you have any thoughts on that?
4
5 **MR. GILL:** I fail to see it, other than a distinction without a
6 difference.
7
8 **CHAIRMAN ANSON:** Ms. Levy.
9
10 **MS. LEVY:** Okay, and so it depends on whether we're going to follow
11 Roberts Rules and be sticklers, which sometimes we want to be and
12 sometimes we don't. Technically, a motion to table is used when
13 you want to discuss something that's going to impact that motion,
14 and it's not debatable. A motion to postpone to a time certain,
15 or indefinitely, is debatable, and so you don't have to stop
16 discussion on it, and it's for a situation like this, where you
17 want to stop until something else occurs, and that's the reason
18 that I suggested it.
19
20 **CHAIRMAN ANSON:** All right, and Dr. Simmons is telling me, just
21 for discussion purposes on the timeline aspect of what we have
22 been discussing, is that August is a little too soon, in that we
23 would have to wait until probably November, because that's when
24 the next time we are planning to see the documents again, 59 and
25 60. Mr. Gill.
26
27 **MR. GILL:** To that point, Mr. Chairman, I would argue that the
28 vision does not necessarily need to be tied to the next discussion
29 of the document, because it's a higher level than the documents
30 are, and, in that sense, it can stand alone, and, as difficult as
31 coming up with this thing would be, my suggestion is making
32 multiple stabs at it would give you a better chance at getting to
33 a successful conclusion, and so I think it could be done in August
34 easily, without talking about 59 or 60, and it may even be better,
35 because that -- Once that's set, that helps define the discussion
36 of 59 and 60 and gives you time to absorb the impact, if any.
37
38 **CHAIRMAN ANSON:** All right. What's the desire of the council? Is
39 there a motion, a particular kind of motion? Dr. Frazer.
40
41 **DR. FRAZER:** I'm happy to postpone my own motion, and so I would
42 like to make a motion to postpone discussion of this motion until
43 August, if the schedule allows, and I will give staff some
44 flexibility.
45
46 **CHAIRMAN ANSON:** This would be a second substitute motion then.
47
48 **MS. BOGGS:** I will second.

1
2 **CHAIRMAN ANSON:** All right, and so we have a second substitute
3 motion to postpone discussion of the substitute motion until the
4 August 2024 council meeting. It's been seconded by Ms. Boggs. Is
5 there any discussion on this motion? I am not seeing any. **Is**
6 **there any opposition to the motion? Not seeing any, the motion**
7 **carries.** Dr. Frazer.

8
9 **DR. FRAZER:** All right. Council staff gave a presentation of Reef
10 Fish Amendment 60, which addresses the distribution of shares held
11 by NMFS from Reef Fish Amendment 36A recovered from inactive
12 shareholders accounts or from the divestment by shareholders who
13 do not meet requirements that would be set in Reef Fish Amendment
14 59 and annual allocation collected from future quota increases.

15
16 In the need statement, the committee suggested replacing the word
17 "barriers" using a phrase such as "addressing inequities of
18 access". Inactive accounts were defined as having no allocation
19 transfers or landings within a year. Staff discussed alternatives
20 to reclaim shares from inactive accounts, including two, three,
21 and four consecutive years of inactivity.

22
23 Committee members inquired whether inactivity was determined based
24 on aggregate shareholdings or based on individual share
25 categories. The committee noted that a shareholder may not elect
26 to utilize their allocation in a particular share category, due to
27 market conditions, but would use them as the markets improve.
28 Staff replied that analyses provided to illustrate previous levels
29 of inactivity were performed by share category and indicated that
30 alternatives evaluating inactivity across all share categories
31 will be developed.

32
33 Staff discussed alternative methods to distribute shares reclaimed
34 from inactive accounts and shares held by NMFS, including
35 distribution based on shareholders' share percentages, inverse
36 share percentages, as well as equal distribution. Committee
37 members noted that the fairness and equity implications of
38 distribution methods should be considered and noted that shares
39 will not be distributed to anyone at the share cap.

40
41 The committee indicated that the Interdisciplinary Planning Team,
42 or the IPT, should discuss how shareholder accounts without shares
43 would be included when distributing shares based on inverse share
44 percentages. The committee suggested that the share distribution
45 of a particular share category might consider shareholders that
46 have landings in that share category.

47
48 The committee asked whether the process of share distributions

1 would be an ongoing process by NMFS. Staff replied that
2 distributions will be on a rolling basis. A committee member asked
3 whether NMFS would sell the reclaimed shares. NMFS staff replied
4 that shares would be redistributed at no cost.

5
6 Staff discussed options to set aside future quota increases and
7 alternatives to distribute annual allocations from said quota
8 increases, noting that shares cannot be distributed because quotas
9 fluctuate over time. A committee member noted that any
10 consideration of new entrants as recipients of some of the quota
11 increases would require that a definition of "new entrants". Staff
12 noted that, for each share category, a baseline quota would be
13 required to quantify future quota increases.

14
15 A committee member stated that, if a quota decrease is followed by
16 an increase, setting aside the increase for redistribution would
17 adversely impact shareholders. The committee suggested that
18 setting baselines would require more discussion and indicated that
19 the intent is not to negatively impact current shareholders.

20
21 A committee member noted that the baseline for gag grouper should
22 account for the fact that it is on a rebuilding plan. NOAA General
23 Counsel suggested that stocks undergoing rebuilding could be
24 treated differently and noted that baselines could account for the
25 fact that species landings, in cases of a rebuilding plan, are
26 well under historical quotas.

27
28 A committee member asked whether the timing of the distributions
29 has been determined. Staff replied that the IPT has not yet
30 discussed the issue in detail. A committee member asked about the
31 timing of quota increases and shareholding status. Southeast
32 Regional Office, or SERO, staff indicated that, if a quota increase
33 happens during the year, it is distributed based on the
34 shareholdings at that time.

35
36 A committee member suggested that some issues needed to be
37 discussed during Full Council, including restructuring Amendment
38 60 by first aggregating what would be distributed and then
39 determining distribution methods. The impact of the alternatives
40 presented on quota banks should also be discussed.

41
42 The committee noted that the action schedule shows that Amendments
43 59 and 60 are both planned to be brought back to the council in
44 August and inquired whether a more achievable timeline should be
45 considered. Staff replied that, to give the IPT sufficient time
46 to further develop the amendments, one amendment will be scheduled
47 for the November council meeting and the second at the January
48 council meeting.

1
2 **CHAIRMAN ANSON:** Sorry, Dr. Frazer. There's a hand. Sorry. Thank
3 you. Mr. Gill.

4
5 **MR. GILL:** Thank you, Mr. Chairman. I think, before we leave
6 Amendment 60, we ought to discuss some of the issues regarding it
7 that are alluded to in that last paragraph that I suggested in
8 committee.

9
10 **CHAIRMAN ANSON:** Go ahead, sir, if you have some thoughts on that
11 now.

12
13 **MR. GILL:** Thank you, sir. Yes, I have a number, and so the first
14 one that I suggested was that the structure of 60 takes the
15 individual distribution approaches and distributes the little bit
16 that is there. My argument is that what we ought to do is determine
17 what shares would be made available for distribution, aggregate
18 them, and then determine distribution, and the main reason for
19 that is that, as has been noted, there aren't many shares
20 available, and, for example, those held by the agency, and, in the
21 aggregate, you have a bigger pie to consider and deal with, and it
22 should be considered there.

23
24 In addition, the way the amendment is currently structured, it
25 doesn't address a number of the objectives of Goals 1 and 2. For
26 example, we call them allocation banks, but I prefer the "fishery
27 trust" definition. If you go ahead and distribute, as the
28 amendment is currently written, there is no discussion of an
29 allocation bank, or fishery trust, because there's no shares left,
30 and so that would argue, in my sense, of figure out -- Let the
31 council figure out what shares would be considered for
32 distribution, and, once you do that, then you can determine the
33 distribution facets, whatever they happen to be, consistent with
34 Goal 1 and Goal 2, and so I think the structure needs to be revised
35 going forward. Thank you, Mr. Chairman.

36
37 **CHAIRMAN ANSON:** Dr. Assane.

38
39 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. Mr. Gill, the IPT did
40 consider the approach that you talked about, meaning aggregating,
41 you know, the sources of quota, if you would, but that would not
42 be practicable, for several reasons.

43
44 The first one is that, in some instances, we are only distributing
45 annual allocation, and, in other instances, we are distributing
46 shares, and so, obviously, we couldn't put those together, and so
47 that would justify putting the distribution from quota increases
48 separate, and so, when it comes to shares, the reason why we did

1 not aggregate those is because, as of today, right now, the only
2 shares that we have on hand to distribute would be the shares held by
3 the agency through 36A. That is the only thing we have, and
4 presumably those could be distributed as soon as the amendment
5 goes final.

6
7 Everything else we have in the amendment is looking forward,
8 because we have grace periods of two, three, and four years, and
9 so, if you were to aggregate that, that would essentially prevent
10 us from distributing the shares held by the agency, right when
11 this amendment is implemented, and, for those reasons, we separated
12 them out, and we discussed a distribution method for each one of
13 them.

14
15 One last point, and, I mean, looking at the two amendments,
16 including the one that will be discussed later, after 60, about
17 the issue of quota banks, the way in which we consider this is to
18 make sure that we don't do anything that would preclude the
19 establishment of quota banks, and that is within, I guess, your
20 purview, by choosing the preferred alternative that would make
21 space for quota banks, but perhaps, if the council also directs us
22 to do so, in the distribution methods, we could add an alternative
23 that would say to distribute to quota banks, and just leave it
24 there, and there is an underlined question there of is the agency
25 considering, for example, establishing, and running, a quota bank
26 to oversee this whole thing, or are we just making space, quote,
27 unquote, for private quota banks, and so that is something that
28 the council also needs to consider. Thank you.

29
30 **CHAIRMAN ANSON:** Mr. Strelcheck.

31
32 **MR. STRELCHECK:** Yes, and I appreciate Mr. Gill's comments,
33 because, you know, it relates to the vision, and we were talking
34 about, you know, the vision including fishery trusts, and what are
35 we talking about there, with regard to, you know, the future of
36 the fishery, and is that private fishery trusts, or is that, you
37 know, government-managed fishery trusts, but I also agree with
38 Assane's comments, in terms of kind of the line of thinking, in
39 terms of how we structure the amendments, and, you know, it will
40 ultimately be a council decision whether we preclude or include,
41 you know, space for those fishery trusts.

42
43 I did want to, I guess, comment on the timeline here, and I
44 recognize we have a pretty short timeframe between now and the
45 August meeting, just because of how late the June council meeting
46 is being held, and we've been alternating back and forth these
47 amendments, but I really hate the fact that we would wait
48 essentially seven months to bring one of these amendments back,

1 and we heard public testimony, at the last several meetings, about
2 uncertainty to businesses, and people are, you know, wanting to
3 know kind of how we're proceeding on these amendments, and I feel
4 like we owe them more than just a lengthy delay.

5
6 I recognize that the staff has a lot of workload, but maybe there
7 is ways that we can bring back components of these amendments, and
8 continue to make progress, rather than waiting until January before
9 we see one of these amendments again.

10
11 **CHAIRMAN ANSON:** Dr. Diagne.

12
13 **DR. DIAGNE:** Thank you. Absolutely, and, I mean, between now and
14 November, at the earliest, and then January, it is a long time,
15 but the fundamental issue, or at least roadblock, is not staff
16 time, at this point, and, essentially, what would, I guess, drive
17 this delay is the availability, perhaps, of needed data and
18 supporting analysis.

19
20 We could bring back alternatives, as we did at this council
21 meeting, but what we won't be able to bring, it seems to me,
22 between now and August, would include updated, for example, permit
23 analysis and updated evaluation of related accounts and updated -
24 - You know, those sort of things, and that is the main challenge
25 here, and the challenge is not staff time to make progress.

26
27 **MR. STRELCHECK:** To that point, I fully understand that, and I --
28 I think, oftentimes, right, the analysis, data, information is
29 used as a reason to not bring something back, but we're still
30 wrestling with these actions and alternatives, and we're still
31 trying to figure out kind of the best path forward, and, if we
32 skip a meeting, and we aren't talking about the actions and
33 alternatives, and making those refinements, to me, it's a
34 disservice to the IPT, because that's going to then put you further
35 behind, when you actually can do the data and analysis, and
36 ultimately complete the work that is related specifically to those
37 actions and alternatives.

38
39 **DR. DIAGNE:** To the extent that the expectations of the council
40 are to just further discuss the actions and alternatives, you know,
41 restructure and take advantage of the suggestions that are made
42 here, that is totally fine, and we could consider bringing back at
43 least one of them in August, but we couldn't expect to bring
44 supporting analysis to be able, for example, to talk about the
45 distribution of share quotas that may or may not be affected by a
46 typical action, and so that is at your discretion. We can continue
47 the discussion on the structure, but we won't have access to the
48 data, and the analysis, that we need to support the points that

1 you are making.

2

3 **CHAIRMAN ANSON:** Ms. Boggs.

4

5 **MS. BOGGS:** Andy, I appreciate you bringing that up, because I
6 talked to a couple of the commercial fishermen too, and it's like,
7 right, wrong, or indifferent, let's move forward with this, because
8 they can't make business decisions, and, you know, they don't know
9 what direction to go, and, as some of them said, they're retiring,
10 and they're getting older, and they're just kind of holding on and
11 trying to figure out can their family get this, or what can they
12 do with it, and so I really encourage the council that, yes, even
13 if you just bring back one alternative, and finish discussing it,
14 and maybe that's what it takes, but then -- So thank you, Andy,
15 for doing that, for bringing this up, because I think it's
16 important to keep this moving forward. It's been talked about for
17 many, many years.

18

19 **CHAIRMAN ANSON:** So I just briefly talked with Dr. Simmons, that
20 they will do that, but I feel like one of the amendments can be
21 brought forward, with the kind of extra work that would be needed,
22 and that would be a step forward, if you will, for keeping the
23 conversation going, and she just asked if one could be identified,
24 as to which one it would be, and so, Mr. Gill, you had your hand
25 up?

26

27 **MR. GILL:** Yes, sir, to somewhat of a different aspect of this
28 topic, and so, if there's other considerations relative to the
29 question you asked, I would like to defer and come back to me.

30

31 **CHAIRMAN ANSON:** All right. Dr. Frazer, you had your hand up?

32

33 **DR. FRAZER:** Yes, and maybe I will read through Amendment 59, and
34 say which one we prefer, and I think -- Let's wait.

35

36 **CHAIRMAN ANSON:** Ms. Boggs.

37

38 **MS. BOGGS:** I agree with that, Tom, but I think, whatever you do,
39 is you've got to figure out the order, because you don't want to
40 do something, like I said yesterday, and come back like, oh, we
41 can't do that, because we did this, and that may be difficult to
42 do, but try to do it in some kind of an order, so you're kind of
43 -- You know the path you want to go down.

44

45 **CHAIRMAN ANSON:** Captain Walker.

46

47 **MR. WALKER:** I think, if we're trying to keep this moving, which
48 I fully support, I think, and I may have mentioned this earlier,

1 but I think we need to kind of split up the distributing shares
2 currently held by NMFS, versus distributing allocation that might
3 be gained from increases, because that's going to be a big,
4 controversial issue. We haven't actually defined what an increase
5 will be, based on the history of the species and stuff, and so I
6 see that part of it taking a little longer than people want. I
7 don't know if it can be completely separated, but, if it could, I
8 think the rest of this would go a lot smoother and faster.

9
10 **CHAIRMAN ANSON:** So I tell you what. Your suggestion that you
11 just made, Dr. Frazer, is maybe we go ahead and read through the
12 committee report on the discussions that were held during the Reef
13 Fish Committee, and then we'll come back to this. How is that?

14
15 **DR. FRAZER:** Sounds good. All right. Draft Options: Reef Fish
16 Amendment 59: Requirements for Participation in Individual Fishing
17 Quota Programs, Tab B, Number 5, Dr. Jessica Stephen, from SERO,
18 discussed the various entities holding shareholders accounts in
19 the red snapper and grouper-tilefish IFQ programs and the business
20 models adopted by participants in the programs. Business models
21 presented included simple ownership (i.e., a single fisherman with
22 one shareholder account), and business entities with multiple
23 shareholder accounts. She also provided numerical examples to
24 illustrate how share caps are calculated.

25
26 A committee member asked why anyone would open a shareholder
27 account without shares. Staff replied that some participants open
28 multiple accounts for business liability purposes, while others
29 have accounts without shares because they are planning to acquire
30 shares later. In addition, some of the accounts without shares
31 are opened by dealers who purchase IFQ annual allocation.

32
33 Staff presented actions and alternatives included in Reef Fish
34 Amendment 59. The amendment considers permit requirements to open
35 or maintain shareholder accounts, to obtain or maintain shares,
36 and to obtain or maintain annual allocation. The amendment also
37 includes active participation requirements and divestment measures
38 for noncompliant entities.

39
40 While discussing permit requirements for shareholder accounts, a
41 committee member expressed support for removing Alternative 3,
42 because it would require considering alternative time periods
43 between obtaining a shareholder account and getting a commercial
44 permit. The committee also noted that, based on the same
45 rationale, Alternative 3 should also be removed from Actions 3 and
46 4.

47
48 A committee member asked about the number of commercial reef fish

1 permits terminated each year and whether they could be utilized by
2 new entrants. Staff suggested that a permit pool could be created
3 to collect permits that would have expired.

4
5 **The committee recommends and I so move, to direct staff to explore**
6 **the possibility of establishing a permit pool from terminated**
7 **commercial reef fish permits for future use, including use by new**
8 **entrants.** That motion carried fifteen to one with one abstention.
9 Mr. Chairman.

10
11 **CHAIRMAN ANSON:** We have a committee motion, and it's on the board.
12 Is there any discussion on the motion? Mr. Strelcheck.

13
14 **MR. STRELCHECK:** I think Kesley made the motion, and it would be
15 good, I think, if we talk about intent, for staff, when say
16 "explore", and what are we meaning? Are we wanting them to bring
17 back a presentation, a white paper, data? I'm just curious, so we
18 can make sure we meet the needs of the motion.

19
20 **CHAIRMAN ANSON:** Dr. Banks.

21
22 **DR. BANKS:** I think, at this stage, I'm looking more for like a
23 presentation on the possibilities, maybe with a little analysis,
24 but I don't know that we have to jump straight to a white paper.

25
26 **CHAIRMAN ANSON:** Captain Walker.

27
28 **MR. WALKER:** So a couple of things that might come up with this
29 exploring would be -- I think we have to say how many years back
30 in permits we're going to add to this pool. You know, there's
31 probably been 150 sacrificed since the beginning of the program,
32 and are we going to bring them all back, or are we going to do
33 them each year forward, and so that would -- You know, maybe this
34 motion could list out, you know, the options there, and we would
35 make some decisions on that, but it's also going to increase the
36 number of fishermen sharing allocations, and that's just something
37 to keep in mind.

38
39 **CHAIRMAN ANSON:** Dr. Diagne, to that point?

40
41 **DR. DIAGNE:** Thank you. In my understanding, I mean, the motion
42 is not backward-looking, and it seems, to me, that, you know, it's
43 looking forward, meaning, if this were to be implemented, from
44 that point on, permits that would have been terminated would begin
45 to be kept in a pool, but it would not go backward and say, okay,
46 we lost 150 permits in the past.

47
48 **MR. WALKER:** I get that, but I'm not sure it's captured in the

1 motion though. It says "future use", but it doesn't say permits
2 terminated in the future.

3
4 **DR. DIAGNE:** Yes, that's correct, and perhaps the committee would
5 modify the motion and take some of the text from the report itself,
6 where it says permits that would have been terminated, and so that
7 would be, you know, from a certain point forward, to make sure
8 that this doesn't go back.

9
10 **CHAIRMAN ANSON:** Mr. Gill.

11
12 **MR. GILL:** Thank you, Mr. Chairman, and so we're talking here about
13 a permit pool, and we've talked about allocation banks, and we've
14 talked about share banks, and so my suggestion would be that, while
15 we're, assuming the motion passes, in this mode of considering how
16 these different sections of the program would work, that you also
17 introduce the idea of fishery trust, which covers all of them, so
18 that you don't do segregated and separate parts, one at a time,
19 but you do it in terms of one cohesive look.

20
21 **CHAIRMAN ANSON:** All right, and so, just going back to the
22 discussion on the phrasing of the motion, and whether or not it
23 needs to be tightened up a little bit to clearly -- Ms. Levy.

24
25 **MS. LEVY:** Well, I mean, just to point out that, once they're
26 terminated, they're gone, and so there's no way to go back, right?

27
28 **CHAIRMAN ANSON:** Ms. Boggs.

29
30 **MS. BOGGS:** To Mara's point, and I was thinking about that
31 yesterday, and you can't recapture that, and it's -- You would
32 have to -- I had two -- Well, I have two questions now, with Mara's
33 comment, and so I'm not sure what "including use by new entrants",
34 and I don't know what that means, because you don't know, and,
35 number one, you don't have a definition for "new entrants", and I
36 don't exactly know what that means, and I suppose you could just
37 say establishing a permit pool with -- To exclude expiring permits,
38 and I don't know, because that's what I was thinking yesterday,
39 is, once it's terminated, you can't go back and recapture it.

40
41 **CHAIRMAN ANSON:** Ms. Levy.

42
43 **MS. LEVY:** Well, I think the idea is that, when it gets to the
44 point of being terminated, we would have something that indicates
45 that it goes back to NMFS, right, and so, right now, they just
46 don't exist anymore, but, when it gets to that termination date,
47 it goes to NMFS, instead of disappearing.

48

1 **CHAIRMAN ANSON:** Mr. Strelcheck, followed by Dr. Frazer.
2
3 **MR. STRELCHECK:** Like we've done for shrimp, you know, I think the
4 idea here would be we would set a threshold, and it drops below
5 that threshold, and we come up with a way of retaining those
6 permits, and then you have to come up with a mechanism then for
7 distributing those permits in some sort of pool thereafter.
8
9 **CHAIRMAN ANSON:** Or a date certain option could be thrown in, at
10 least at the initial stage of the document, and so Dr. Frazer.
11
12 **DR. FRAZER:** Just I think the discussion we're having around the
13 table indicates pretty clearly why we're going to come back with
14 an exploration of what this might mean.
15
16 **CHAIRMAN ANSON:** Ms. Boggs, or Dr. Diagne.
17
18 **DR. DIAGNE:** I just maybe would suggest, instead of the motion as
19 written, if we could consider something like establishing a permit
20 pool from permits that would have expired, and then continue, and
21 so, as Ms. Levy said, when they are to be expired, then you put
22 them in a pool, or terminated, that would have been terminated,
23 and so those are the permits that are kept in a pool, and I guess
24 we'll discuss further during the exploration.
25
26 **CHAIRMAN ANSON:** Ms. Boggs.
27
28 **MS. BOGGS:** Well, could it be as simple as -- I didn't realize
29 that it existed until Andy just spoke up, but to direct staff to
30 explore the possibility of establishing a permit pool for expired,
31 or expiring, whatever commercial reef fish permits, such as that
32 of the shrimp industry, and, I mean, so you've got something to go
33 model it against, and is that a poor idea, since something already
34 exists?
35
36 **CHAIRMAN ANSON:** I don't know, and I don't think we need to be
37 that explicit, and I think we're just -- They're going to explore
38 the possibility, and they're going to come back with some
39 alternatives that we would then flesh out at that time, and so --
40
41 **MS. BOGGS:** So why don't you just direct staff to explore the
42 possibility of establishing a permit pool, and just leave it at -
43 - For commercial reef fish permits, and leave it at that, and then
44 they can bring you back the option.
45
46 **CHAIRMAN ANSON:** Well, I think there needs to be some mention as
47 to where those permits are coming from, because it's a moratorium
48 on those permits, and so -- Dr. Frazer.

1
2 **DR. FRAZER:** Yes, and I just -- Maybe I should let Dr. Banks speak
3 to that, but I would -- It kinds of ignores the intent of her
4 motion, I think.
5
6 **CHAIRMAN ANSON:** Dr. Banks.
7
8 **DR. BANKS:** Yes, and so I had intended not to restrict,
9 necessarily, the future use, but, when I initially made the motion,
10 it was to address some of the new entrant problems, and looking at
11 maybe some of this EEJ stuff, and so I'm not opposed to
12 wordsmithing it, and narrowing it down, if that's something we
13 need to do for staff to have a clearer direction, but that was
14 kind of the direction that I had initially gone.
15
16 **CHAIRMAN ANSON:** So I thought it was fairly clear, when the motion
17 was made, as to what -- Staff had a direction, but we've kind of
18 gone off the rail a little bit here in the permit status realm, as
19 to when they would be reissued potentially, and so, if anyone has
20 got -- Dr. Frazer, do you have that?
21
22 **DR. FRAZER:** I think, if it's okay, I'll just use Dr. Diagne's
23 suggestion, and we'll just slightly modify the motion. **I think**
24 **there's enough direction here, and so if we direct staff to explore**
25 **the possibility of establishing a permit pool from those permits**
26 **that will be terminated. Establishing a permit pool from those**
27 **commercial reef fish permits that will be terminated.** I think I
28 would just put a hard stop after that. I think there's been enough
29 discussion around here to know what's going on.
30
31 **CHAIRMAN ANSON:** As earlier, this will be a substitute motion to
32 the committee motion. I think it has changed significantly enough.
33 All right. Is that your substitute motion, Dr. Frazer?
34
35 **DR. FRAZER:** Yes, it is, Mr. Chair.
36
37 **CHAIRMAN ANSON:** Is there a second to this motion? It's seconded
38 by Captain Walker. Is there any further discussion related to
39 this substitute motion? **Seeing none, is there any opposition to**
40 **this motion? Not seeing any, the motion carries.** Dr. Frazer.
41 Mr. Strelcheck.
42
43 **MR. STRELCHECK:** I'm just going to abstain for the vote.
44
45 **CHAIRMAN ANSON:** Okay, and so we have sixteen yes and one
46 **abstention.** Dr. Frazer.
47
48 **DR. FRAZER:** Committee members noted that active participation

1 requirements may result in unintended consequences and suggested
2 that lower minimum landings percentages could be considered. A
3 committee member noted that participation requirements should
4 account for potential impacts from hurricanes and asked whether
5 the requirements are by share category and commented that
6 fluctuations in shareholdings during the year should be kept in
7 mind. Staff replied that the participation requirements are based
8 on shareholders' aggregate shareholdings.

9
10 In Alternative 4, Actions 3 and 4, the committee recommended to
11 replace "obtain or maintain" with "obtain and maintain". Mr.
12 Chairman, did you want to revisit which one of these you want to
13 prioritize at this point, or after the reef fish report?

14
15 **CHAIRMAN ANSON:** Yes, and I'm sorry. I guess let's go ahead and
16 still talk about it now, and it's still fresh in everyone's minds,
17 and so, again, staff had requested, you know, for schedule -- Dr.
18 Simmons.

19
20 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I was
21 just talking to Assane, and he's thinking maybe we should, if you
22 will, allow us the flexibility to decide, when we get back with
23 the IPT, which one we think we could turn around, and would be the
24 biggest bang for our buck, as far as trying to discuss and make
25 forward progress, based on the data that can be available, so that
26 we're not just putting things in writing that we don't have any
27 information to back it up with for discussion purposes.

28
29 **CHAIRMAN ANSON:** Dr. Frazer.

30
31 **DR. FRAZER:** Yes, and I think that's -- I mean, I will always
32 afford staff as much flexibility as we can.

33
34 **CHAIRMAN ANSON:** I want to just go back to what you said about
35 data availability and the comments to data analysis to support the
36 actions and alternatives, and I just want to make sure that it's
37 all clear that -- I guess it's the expectation that there may not
38 be any data available, and so, in that case, there would be options
39 to pick then whatever you feel there's enough discussion, or extra
40 knowledge, if you will, based on the discussion that was held here
41 at council, to then flesh out, and so it would still be a
42 flexibility thing for staff to do either 59 or 60, depending upon
43 whether there's data or not, I guess is what I just want to make
44 sure that -- Okay. All right. Mr. Gill.

45
46 **MR. GILL:** Thank you, Mr. Chairman. Before we leave Amendments 59
47 and 60, I would like to clarify where we're going, and so, as I
48 read it, 59 and 60 were the first crack at addressing Goal 1 and

1 Goal 2, and it didn't address Goals 3 through 5, but Goal 1 has,
2 if I remember correctly, five objectives, and Goal 2 has three,
3 and not all of which, and in fact most of which, are not addressed
4 in 59 and 60, and the allocation bank discussion, which is in both
5 goals, is not addressed at all, and yet is part and parcel of
6 distribution discussions, and so my question, I guess to Assane,
7 is how are -- Let me back up a minute, and so Goal 1 and Goal 2,
8 and the objectives, are intended to be accomplished, and that's
9 what they're there for, right?

10
11 At the end of the day, they're done, but, since they're not in the
12 amendments, what is the plan for addressing the items in these
13 goals and objectives that are not there going forward, so they can
14 be accomplished?

15
16 **DR. DIAGNE:** Mr. Gill, you are specifically referring to quota
17 banks?

18
19 **MR. GILL:** No, and I'm addressing the objectives that were set a
20 year ago in Goal 1 and Goal 2 that are intended to be accomplished
21 as part of what we're doing, whether it's in 59 or 60 or a separate
22 amendment, and what I don't understand is how are we getting to
23 the endpoint of achieving what we said we were going to achieve?

24
25 **DR. DIAGNE:** I am looking here at the presentation, and I am
26 looking at the objectives attached, for example, to Goal 1, and
27 limit share ownership to accounts harvesting IFQ species, and I'm
28 not going to read the long list, but the one that is not addressed,
29 it seems to me, by 59 and 60, would be the idea of quota banks in
30 general, just broadly, evaluating the merits of limiting share
31 ownership to implementation of alternative mechanisms for
32 equitable distribution, recover and distribute shares held by
33 deceased shareholders, and that is something that we need to make
34 some progress on.

35
36 Create an allocation bank, and identify barriers limiting
37 participation, and so, aside from the quota banks, that is really
38 the big one, if you would, that the amendments are not addressing,
39 and, in previous discussion around the table, everyone agreed that
40 quota banks would be such a big topic that it would require an
41 amendment of its own, and that was the consensus here, given all
42 of the intricacies, and so the interpretation is 59 and 60
43 shouldn't do anything that would preclude the establishment of
44 quota banks down the line.

45
46 For example, if you were to have very strict participation
47 requirements for everybody, then that would be problematic to have
48 a quota bank down the line, and, at this time again, depending on

1 whether this council, and the agency, are considering a public
2 quota bank, run by the agency, and that is one thing, versus having
3 private entities, because, if you have private entities, it is
4 not, I guess, our responsibility to give them any shares, right,
5 and the existing ones have found creative ways of funding their
6 own quota banks, but, if it is run by the agency, then, obviously,
7 we would have to fund that quota bank.

8
9 As we mentioned earlier, in the distribution methods, one of the
10 alternatives that we should add is give X percent of these shares
11 to a publicly-managed quota bank, and the big question-mark, again,
12 is are we prepared to go in that direction, and that depends, of
13 course, on, as you know, what the agency can and cannot do.

14
15 **CHAIRMAN ANSON:** In my mind, I mean, that is a more -- It adds
16 more complexity to these particular amendments, and that's not to
17 say that it wouldn't be appropriate, or couldn't be appropriate,
18 but I'm just saying that it does make it more complex. I mean, I
19 look at it as, without -- Once we establish some of these
20 transferability, and divestment, if you will, options -- I mean,
21 the agency is going to serve as a de facto quota bank, as it is
22 right now, with its own set of rules, as far as distribution, and,
23 you know, participation, that we're already talking about, and so
24 this would just be a separate mechanism, that would have its own
25 set of rules, that are separate from what we're creating, in order
26 to feed, or put in, deposit, if you will, into that bank, and so,
27 I mean, I see your point, but I just think, if we have to physically
28 carve out one, and put it in these documents, it could slow it
29 down. Mr. Gill.

30
31 **MR. GILL:** Thank you, Mr. Chairman, and I don't disagree, and I'm
32 not arguing that they should be included in 59. What I am
33 suggesting is that omission without going forward -- For example,
34 if we go forward and put quota bank considerations, fishery trusts,
35 as I call them, in a separate amendment, then fine, but that
36 necessarily has to go directly parallel with 60, so that you have
37 something to discuss with, and so, if you're not thinking that
38 way, then you take these actions in 59 and 60 and then you say,
39 okay, let's talk about fishery trusts, and, all right, what are we
40 going to do now, coach, and, you know, we basically have to create
41 some more capital, if you will, for that.

42
43 Back in June of 2023, when we adopted these goals and objectives,
44 we also had a section in there that said staff would develop an
45 additional objective, under Goal 1, to address the inheritability
46 of shares, and their ownership, in perpetuity, and make a proposal,
47 and that's not addressed either, and so I don't think we should
48 lose sight of the intent of having that objective as part of this

1 generalized discussion.

2

3 My concern is that we're focused on 59 and 60, and we ought not to
4 lose sight of what we said we were going to do a year ago in Goal
5 1 and Goal 2, and, to that point, I would suggest that we always
6 include Goal 1 and Goal 2, and their objectives, in the discussion
7 in each amendment, to keep that focus.

8

9 The further away we get, and I had to go back and look at them, to
10 try and understand what the heck we had agreed to, and I think
11 that's true for most of us, and that focus needs to be there,
12 because that's what we're trying to do, and 59 and 60 are part of
13 that, as we discuss them, and maybe not all, and that's fine, but
14 we said we were going to accomplish these, whatever it is, eight
15 items, eight objectives, and we ought not lose sight of that, and
16 that's my point. Thank you, Mr. Chairman.

17

18 **CHAIRMAN ANSON:** Thank you for your comments, Mr. Gill. Mr.
19 Strelcheck.

20

21 **MR. STRELCHECK:** Points well taken, Bob, and I really appreciate
22 the comments. To use one of your favorite phrases, we're taking
23 small bites of the elephant, right, and you can see how challenging
24 it is even to make progress on Amendments 59 and 60, with the goals
25 and objectives that we are addressing, right, but, as you're
26 pointing out, let's not lose sight of that whole suite of goals
27 and objectives, not only for 1 and 2, but the remaining three that
28 we haven't even started on.

29

30 **CHAIRMAN ANSON:** Ms. Boggs.

31

32 **MS. BOGGS:** So Assane brought up a good point. I mean, I think
33 one of the first questions that needs to be asked, before you start
34 going down this path of quota banks, fishery trusts, whatever you
35 choose to call them, is, is the agency even interested in managing
36 something like that? I mean, because, if the agency is not
37 interested, then you've got a clear path of where you need to go
38 with it, and it would be private, and so I think that would be a
39 good start on that, because I think that's going to be your number-
40 one question, because you've got to know whether you're going to
41 have to establish that.

42

43 **CHAIRMAN ANSON:** All right. Any other discussion on this topic?
44 We all kind of had some head-nodding going on, relative to it will
45 be up to staff to determine, based on IPT discussions, as to which
46 document that they would bring, and hopefully it would be a
47 document that would have the most, you know, updated information
48 and changes, again based on discussion that was had here earlier

1 this week, and for IPT meetings, and so okay. Very good. Dr.
2 Frazer.

3
4 **DR. FRAZER:** All right. Thank you, Mr. Chairman. Presentation
5 and Discussion on the Twenty-Fathom Recreational Seasonal Closure
6 for Shallow-water Grouper, Tab B, Number 6, council staff presented
7 an overview of the management history surrounding the existing
8 twenty-fathom recreational seasonal closure for shallow-water
9 grouper and the rationale for exploring management options to
10 remove the closure.

11
12 The shallow-water grouper seasonal recreational closure, seaward
13 of twenty fathoms, from February 1 to March 31 annually, was
14 implemented in 2013, with the aim of conserving species in the
15 shallow-water grouper complex during their spawning period,
16 particularly gag and red grouper.

17
18 Since implementation of this rule, each species in the shallow-
19 water grouper complex has been subject to additional management
20 action and harvest, as constrained by annual catch limits and
21 accountability measures.

22
23 Committee members discussed concerns about compliance or limited
24 awareness of the twenty-fathom seasonal closure among recreational
25 anglers. Also, the committee discussed that the closure may result
26 in increased regulatory discards, because fishing is not
27 completely closed seaward of twenty fathoms, and discards may also
28 increase when targeting red grouper in waters less than twenty
29 fathoms, where fish are smaller.

30
31 Captain Dylan Hubbard, the Reef Fish Advisory Panel chair, provided
32 a summary of the AP's discussion about the twenty-fathom seasonal
33 closure. The AP stated that the recreational seasonal closure has
34 been in place for a long time and was implemented before there
35 were long seasonal closures for gag and red grouper. During the
36 April 2024 Reef Fish AP meeting, a motion to recommend that the
37 council remove the twenty-fathom shallow-water grouper closure for
38 the recreational sector carried unanimously.

39
40 In contrast, a committee member thought that the removal of the
41 twenty-fathom closure would not reduce red grouper discards, but
42 simply shift the timing of discards, because the red grouper quota
43 would be met sooner if opened from February 1 to March 31.

44
45 Committee members also recommended proceeding with caution when
46 deciding to remove conservation rules for species that are all
47 currently experiencing reductions in allowable harvest and whose
48 management issues have not yet been resolved.

1
2 A committee member stated that enforcement difficulties should not
3 be the reason for removing a rule and that outreach may increase
4 awareness about the twenty-fathom closure. A committee member
5 asked whether there are data to evaluate the efficacy of the
6 closure, and council staff responded that the spatially-explicit
7 data necessary to explore this question are largely unavailable.
8 Committee members also asked whether there were other options to
9 consider as conservation measures in place of the twenty-fathom
10 closure.

11
12 The committee put forth a motion to direct staff to begin a
13 framework action to remove the twenty-fathom fathom recreational
14 seasonal closure for shallow-water grouper. **The committee**
15 **recommends, and I so move, to direct staff to begin a framework**
16 **action to remove the twenty-fathom recreational seasonal closure**
17 **for shallow-water grouper. That motion carried without**
18 **opposition.** Mr. Chair.

19
20 **CHAIRMAN ANSON:** We have a committee motion. Is there any
21 discussion on the motion? Captain Walker.

22
23 **MR. WALKER:** I still support the motion, and I would point out to
24 the council that, in my understanding, there's about twenty
25 comments that have been sent in, in the last couple of days, from
26 recreational red grouper fishermen, in red grouper land down there.
27 I haven't read them all, and I think they just came in in the last
28 day or so, but I'm told that it's nearly all in support of this
29 motion, and so maybe not, but I would point it out, and we can --
30 You know, council members can maybe take a look at what the people
31 that fish for red grouper have to say on the topic.

32
33 **CHAIRMAN ANSON:** Dr. Sweetman.

34
35 **DR. SWEETMAN:** Thank you, Mr. Chair, and so I more or less said
36 most of my piece during the committee here on this, and certainly
37 I'm not opposed to looking at this, to evaluating this framework
38 action, to see basically what the impacts of this might be, and so
39 I would be interested in seeing some analyses along those lines,
40 with whatever data is available. I do feel a little uncomfortable
41 just basing -- Removing a regulation just based on anecdotal
42 information at this time, and so I would be very much so interested
43 to see what could kind of come up there.

44
45 One of the issues that I was a little concerned about here is how
46 this could potentially increase catch rate, for some species like
47 red grouper, and I think one of the last things that I would want
48 to do here is inadvertently remove this, and then, all of a sudden,

1 we have a very short red grouper season that is impacted by that,
2 because I don't think that's what the recreational community would
3 want at all there, and so I'm just kind of thinking out loud, and
4 some of the stuff that maybe I would be interested in looking at
5 a little more closely within the document. Thank you.

6
7 **CHAIRMAN ANSON:** Captain Walker.

8
9 **MR. WALKER:** I would agree with Dr. Sweetman on that. This is
10 just a -- You know, it's a good look at it. I don't think anybody
11 from my region, if this was shown that it was going to cause a
12 month shorter season, would be in support of it. It's hard to
13 say, and most of my folks, and myself, think that it won't, but
14 it's not really clear yet, and so it's something to keep an eye
15 on.

16
17 **CHAIRMAN ANSON:** Any further discussion on the motion? **Is there**
18 **any opposition to the motion? Seeing none, the motion carries.**
19 Dr. Frazer.

20
21 **DR. FRAZER:** Okay. Discussion: NMFS Letter to Gulf Council on
22 Lane Snapper Overfishing, Tab B, Number 7, the Southeast Regional
23 Office reviewed recent landings and catch limits for lane snapper,
24 which have exceeded the stock ACL in four of the last five years.

25
26 Council staff summarized the Reef Fish AP's discussions about lane
27 snapper, reporting increasing length composition, frequency of
28 catch, and expanding spatial distribution of catch. The Reef Fish
29 AP recommended that the council evaluate the minimum size for lane
30 snapper, minimum size limit for lane snapper.

31
32 Council staff recalled research which estimated the length at which
33 50 percent of lane snapper are sexually mature is just over ten
34 inches total length. The Reef Fish AP chair added that the council
35 has an opportunity to stay in front of this healthy fishery and
36 suggested matching the minimum size limits for gray snapper, twelve
37 inches. Currently, the federal minimum size limit for lane snapper
38 is eight inches total length.

39
40 A committee member asked about the effects of discards, should the
41 minimum size limit be increased. The Reef Fish AP chair replied
42 that an increase in the minimum size limit to twelve inches may
43 result in an increase in regulatory discards. However, he thought
44 those discards would be occurring in shallower coastal waters,
45 where barotrauma on snapper species is less of a concern.

46
47 NOAA General Counsel reviewed the requirement in the Magnuson-
48 Stevens Fishery Conservation and Management Act for the council to

1 address the management of lane snapper to reduce the probability
2 of an overage. Council staff proposed consideration of a change
3 to the fishing year, such that the majority of the landings are
4 not occurring at the tail-end of the fishing year and when
5 estimating accurate projections for a seasonal closure is
6 problematic.

7
8 A committee member asked whether it would be preferable to keep
9 the current fishing season, if the landings peak in the summer, or
10 if it would be better to change the fishing season. The Reef Fish
11 chair replied that lane snapper were most important to private
12 vessels in the summer and in the fall for the for-hire fleet. A
13 committee member expressed interest in the average length of the
14 retained lane snapper in any analysis.

15
16 The Reef Fish AP requested that the council ask the Southeast
17 Fishery Science Center to conduct an annual interim analysis on
18 lane snapper. NOAA General Counsel noted that the council could
19 use the ACL/Annual Catch Target Control Rule to address the
20 management uncertainty associated with the recent ACL overages.

21
22 Council staff suggested examining whether a more in-depth analysis
23 of lane snapper could be explored, given the likely increase in
24 available length and age composition data for the stock. The
25 Southeast Fisheries Science Center added that interim analyses
26 should be scheduled in advance and consider whether stock
27 perception is positive or negative.

28
29 A committee member confirmed with NOAA General Counsel that the
30 council is not under a defined time limit for addressing
31 overfishing for lane snapper. However, SERO added that the council
32 should be demonstrably working toward that responsibility.

33
34 **The committee recommends, and I so move, to request staff to start**
35 **a document to evaluate minimum size and bag limits and other**
36 **measures to stay within the ACL for lane snapper. That motion**
37 **carried without opposition. Mr. Chairman**

38
39 **CHAIRMAN ANSON:** All right. We have a committee motion. Is there
40 any discussion on the motion? **Seeing none, is there any opposition**
41 **to the motion? Not seeing any, the motion carries. Mr.**
42 **Strelcheck.**

43
44 **MR. STRELCHECK:** Two comments. One, with the motion that we just
45 passed on the twenty-fathom closure, and I don't know if there's
46 efficiency to combine that with the lane snapper action, but I'm
47 certainly always looking to see where we can maybe be more
48 efficient.

1
2 The other, I guess, question would be we have the AP recommendation
3 for an interim analysis, and we had, you know, John's comments
4 during committee, but, you know, is there interest in looking at
5 another interim analysis, and giving that direction to the Science
6 Center?

7
8 **CHAIRMAN ANSON:** Dr. Sweetman.

9
10 **DR. SWEETMAN:** I will speak up there. Yes, I mean, I certainly
11 would be interested in another interim analysis along those lines,
12 but I don't want to speak for the rest of the council here, but,
13 from my perspective, it seems like the situation on the water is
14 just a little bit different, just based on some of the overages
15 we've had, and given where we're currently at with the ACL, and so
16 I would be interested to see if the dynamics have changed a little
17 bit there. We got a 60,000-pound increase from the last one, but
18 also being cognizant of the fact that, based on Dr. Walter's
19 comments before, you know, an interim analysis can go the other
20 way too, and I just kind of wanted to put that out there for
21 everyone's full thought process.

22
23 **CHAIRMAN ANSON:** Captain Walker.

24
25 **MR. WALKER:** I was initially thinking, you know, we don't need it,
26 and let's just roll on here, but then I thought about it again,
27 where we're up against a closure, and it's close, and so, if it
28 can be done, I would speak in favor of an interim analysis.

29
30 **CHAIRMAN ANSON:** I would also be in favor of that, if we could get
31 it, yes. Any other comments on that? Andy.

32
33 **MR. STRELCHECK:** Do we need a motion?

34
35 **CHAIRMAN ANSON:** Yes, it would be preferred.

36
37 **MR. STRELCHECK:** Okay. **I will make a motion to request the**
38 **Southeast Fisheries Science Center to conduct an interim analysis**
39 **for lane snapper.** I am not going to put a time requirement.

40
41 **CHAIRMAN ANSON:** All right. That's seconded by Dr. Sweetman. Any
42 discussion on this motion? **The motion is that the council request**
43 **the Southeast Fisheries Science Center to conduct an interim**
44 **analysis for lane snapper.** All right. **Not seeing any discussion,**
45 **is there any opposition to this motion? Not seeing any, the motion**
46 **carries.** Ms. Boggs.

47
48 **MS. BOGGS:** So I wanted to ask, and make sure I understand. I

1 mean, I understand what we're doing here, but the interim analysis
2 will be conducted before staff creates this document to incorporate
3 that in?
4

5 **CHAIRMAN ANSON:** There is no time, mention of timeline, of when
6 this would be done, and it would just be done whenever the
7 Southeast Fisheries Science Center has the resources, the staff,
8 to do it.
9

10 **MS. BOGGS:** Right, and so, I mean, I would hate for you to make
11 any changes, just to have to change it back once you get the
12 interim analysis, and am I missing something here?
13

14 **CHAIRMAN ANSON:** I think you're correct. I was looking at this
15 relative to my experience in how long it takes, you know, to
16 develop these other documents, that that could be going along, and
17 then hopefully we might have an interim analysis, and, granted, it
18 might delay it a meeting, but I was hoping to kind of have them
19 both at the same time, you know, is what I was thinking. Mr.
20 Strelcheck.
21

22 **MR. STRELCHECK:** Yes, and that was my thought process, right, that
23 we're going to proceed with the lane snapper actions. The SSC is
24 going to have to review the interim analysis, and give us
25 scientific advice, but we could integrate it into the amendment at
26 a later date.
27

28 **CHAIRMAN ANSON:** Dr. Simmons.
29

30 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I just wanted
31 to get clear that this is to consider catch level changes, and
32 sometimes we've used these for health checks, and so that is my
33 understanding of this exercise. The other thing is, you know, I
34 would like to work with the Science Center, and our staff, to try
35 to think if there's other, you know, indices we can look at,
36 besides the headboat index, and I think you guys have some new
37 data-limited tools, and so maybe there's some other things we can
38 consider, when we go through this process, to try to better inform
39 maybe what's going on in the water. Thanks.
40

41 **CHAIRMAN ANSON:** All right. Any other comments? Not seeing any,
42 Dr. Frazer.
43

44 **DR. FRAZER:** All right. Review: Reef Fish AP Charter For-Hire
45 Buffer and Fishing Season for Red Snapper and Other Business, Tab
46 B, Number 8, council staff reviewed the Reef Fish AP's discussions
47 and motions about changing the charter-for-hire buffer and fishing
48 season for red snapper.

1
2 The Reef Fish AP was unanimous in considering these measures, which
3 has not typically been the case regarding measures like fishing
4 seasons. He added that the for-hire members of the AP thought
5 that fishing into August was less desirable than having access to
6 red snapper in the fall.

7
8 Southeast Regional office staff thought that a November 1 start
9 date may not be feasible, due to data availability issues, and
10 instances of short notice of season openings makes it difficult
11 for for-hire operations to book those newly-available fishing
12 days. The chair of the Reef Fish AP replied that, while short
13 notice on re-openings is less desirable, it is still preferable to
14 no additional fishing days later in the season.

15
16 A committee member suggested moving the start date for the for-
17 hire component earlier into May. Another committee member thought
18 there was confusion between the public and fisheries managers
19 regarding the use of weekend seasons for private anglers and
20 continuous seasons for the for-hire component. They added that
21 they thought the buffer could be decreased, but did not recommend
22 decreasing it below 5 percent. A committee member thought reducing
23 the buffer to 5 percent was appropriate and noted also that many
24 for-hire fishermen want to see the fishing season open for Memorial
25 Day weekend.

26
27 Another committee member expressed concern with a fishing season
28 going into September, which is within a Marine Recreational
29 Information Program, or MRIP, wave and would increase uncertainty
30 in season duration projections. Instead, he proposed projecting
31 backwards from August 31st if the fishing season is expected to
32 extend beyond that date, based on a June 1st start.

33
34 The committee member responded that projecting backwards from
35 August 31st would create some uncertainty in the season start date.
36 The Southeast Regional Office Regional Administrator retains the
37 authority to reopen any fishery if it is determined that the catch
38 level has not been met. The committee largely agreed with moving
39 the fishing season opening back into May and said that it would be
40 possible to book days for a late fall season with only a couple
41 weeks' notice.

42
43 Council staff briefly reviewed the items covered by the Reef Fish
44 AP under Other Business and will further discuss these items at
45 Full Council, as appropriate.

46
47 **CHAIRMAN ANSON:** All right. Mr. Rindone.
48

1 **MR. RYAN RINDONE:** Thank you, Mr. Chair. It would be helpful for
2 staff to get some direction on this, about what path we're going,
3 with doing a buffer and season, and it may be possible to take
4 Andy's advice and apply that, you know, and apply that to whatever
5 effort we're going to do, whereby there could be an option to
6 reduce, or remove, the buffer, to provide some options for you
7 guys to look at, and then to have a second action that is kind of
8 like an if-else statement regarding the fishing season.

9
10 So the fishing starts on June 1, and, if it's projected to go
11 beyond August 31, then, in that event, the fishing season is
12 projected -- It's like hindcasted from August 31, and that might
13 mean that it starts prior to June 1, and so, if that's something
14 that is of interest to the council, that's something that we could
15 try and write up and get some preliminary analysis on for next
16 time, but that might be a way, like Andy talked about, to be able
17 to do both things at once, without really interjecting a lot of
18 extra uncertainty into the season duration projections, by adding
19 in times that we right now don't have any data for, and so -- At
20 least not in the same way.

21
22 **CHAIRMAN ANSON:** Ms. Boggs.

23
24 **MS. BOGGS:** I have a question, and I have a motion, but the question
25 is to Ryan. I mean, these would be two separate things, correct,
26 and not together?

27
28 **MR. RINDONE:** They would be two separate actions. However, the
29 second one, about the season, is inherently dependent on the first
30 one, because, right now, if it starts on June 1, it's not projected
31 to go past the end of August, but, if we reduce the buffer, such
32 that it allows additional pounds to be caught, and we also know
33 that the daily catch rates in August are less than they are in
34 June, then it's possible, and, again, this is without having seen
35 the analysis yet, but, I mean, it could be possible that it would
36 project the season closure to be sometime in September, and so,
37 instead of doing that, you start from August 31 and then look
38 backwards, and that would likely result in you having an opening
39 sometime in May, and so, at that point, it's just a matter of
40 trying to notice the season with enough heads-up that people can
41 start booking their trips.

42
43 **MS. BOGGS:** Well, I was just confirming that -- You were putting
44 it all together in the conversation, and so I would like to make
45 a motion. I guess it would be to direct staff to start a framework
46 action, or do we already --

47
48 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Chair, sorry, but, in April, you

1 did direct us to do a framework action to adjust the red snapper
2 ACT buffer and the season for the federal charter-for-hire
3 component, and so you already passed that motion. The question
4 is, you know, what range do you want to look at, so we get at this,
5 and trying to get going on it, is what we were trying to do at
6 this meeting, since we could not bring a more complete document.

7
8 **MS. BOGGS:** Okay, and so I'm not sure -- What I would like to see
9 is it be reduced to 5 percent, and so I'm not exactly sure how the
10 motion needs to -- I guess I'm confused, because you're asking
11 what range, and what range are you looking for?

12
13 **MR. RINDONE:** So I think, right now, the ranges that we can justify
14 are, you know, no action, which is do nothing, and 5 percent, which
15 is based on the ACL/ACT Control Rule, and we don't need a preferred
16 right now, but just kind of like tacet head-nodding approval that,
17 yes, this is a reasonable path forward, because we write up, you
18 know, Chapters 1 and 2 for this, and I don't think we need a motion
19 of what alternatives to include, but, because this was talked about
20 during committee, is this an idea that you guys think is decent to
21 move forward with, and, you know, even just discussion on that is
22 probably sufficient.

23
24 **MS. BOGGS:** Okay, and so I guess I thought that we had already
25 agreed to all of this, and I'm confused, but, to your second point,
26 I think that's a little more -- It's not as cut-and-dried as
27 everybody thinks it is with the season.

28
29 **MR. RINDONE:** So we won't know, until we do an analysis, what it
30 looks like.

31
32 **MS. BOGGS:** Well, so, if I'm not mistaken, Amendment 27 set the
33 recreational season for red snapper for the charter-for-hire, and
34 so what you're suggesting -- You would have to change what the
35 current regulation is.

36
37 **MR. RINDONE:** Right, and we would be changing what the regulation
38 is anyway, because it would be changing what the buffer is, and so
39 we would change that regulation, by default, and so this would be
40 changing the season one as well, if that's what you guys want to
41 do.

42
43 **CHAIRMAN ANSON:** I have a few people with their hands up. I have
44 Mr. Diaz, Dr. Banks, and Dr. Frazer. Dale.

45
46 **MR. DIAZ:** I just wanted to say I think the range of alternatives
47 that's in there now is reasonable, and I think I said this during
48 committee, but, right now, I think the 5 percent is the best way

1 to go. I do not like the idea of bringing the season into
2 September, with only a few days, and that's starting a new wave,
3 and you all can remember, during the calibration discussions we
4 had, in Mississippi, just opening up for a couple of days in
5 September, it threw some crazy numbers, and that concerns me, that
6 we might just go a few days in September and have some problems
7 with getting realistic numbers for just a short period in that
8 wave, but I do support the document going forward, and I like
9 basically what Ryan had proposed when he was speaking earlier.
10 Thank you, Mr. Chair.

11
12 **CHAIRMAN ANSON:** Just to remind everyone, the for-hire component,
13 the effort side is calculated through direct contact, for the most
14 part, except for headboats, for the for-hire. It's through direct
15 contact of the captains, to get the trip information, and so it's
16 a little different, but I see your point, and it still would
17 probably have a chance, but just not as great, but Dr. Banks.

18
19 **DR. BANKS:** I have just a quick clarifying question, I guess. So,
20 if we're talking about, and I don't know if this goes to Ryan or
21 Andy, but, if we're talking about changing the season, potentially,
22 and projecting from August 31, and everybody around this table, in
23 public comment, sounded like we're not looking at moving it into
24 September, potentially, and we move -- We change the buffer, and
25 we change the season, and we've gone all the way up to Memorial
26 Day, and the weather is bad in the summer, and we've been talking
27 about staying in the same position we are now, where NMFS can open
28 the season in the fall again, and so this won't adjust anything -
29 - Because September 1, or June 1, is hard open date, right now,
30 but, if we're talking about projecting, and so, instead of moving
31 the end of the season, we're going to move the beginning of the
32 season, so there's not a solid eighty days or whatever, if that
33 question makes sense, Andy.

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

36
37 **MR. STRELCHECK:** We haven't, obviously, settled on a recommended
38 season, but what I was proposing was, right now, we've been inching
39 toward the end of August, right, and, if we hit the end of August,
40 and we estimate that the quota would not have been filled, right,
41 because we always project the season in advance, right, and we
42 announce it, and then we would start adding days to the start of
43 the season, until we estimate the quota has been filled, right,
44 and that would be the season for the year, whatever that date would
45 be in May all the way to August 31.

46
47 Then, once we get the landings through August 31, which would be
48 mid-October, if we determine that the quota hasn't been met, I

1 have authority to reopen the fishery, right, and we haven't done
2 that but a few occasions, because we've done a pretty good job of
3 estimating when that catch target is met.

4
5 **DR. BANKS:** So my follow-up to that then would be would it not
6 make better sense, if we're talking about adjusting the season, to
7 go ahead and have a set date, and just the ending date still move,
8 and so move it to Memorial Day, or whatever we decide, and then
9 have the ending date still keep shifting to the end of August, and
10 then you can go back to -- That way, there's stability for the
11 charter fleet, and we just moved them from one date to the other,
12 but we're not inching forward, and then we get into a position
13 where they know they have a start date, but maybe NMFS has a little
14 bit of -- Like it came out two weeks, and if you remember that
15 public comment, and so that would give you guys a little more time
16 then at the beginning of May, and now they have to open in a week.

17
18 **MR. STRELCHECK:** Yes, and I think that's the range of alternatives
19 we need to consider, right, and so it's moving backwards into May
20 or just starting earlier, right, whether it's May 1, May 15, the
21 Friday before Memorial Day, and then running the season out from
22 there, and you're exactly right.

23
24 One of the concerns that I identified is, if you move back into
25 May, is you don't then have a set start date for the season, and,
26 of course, the charter captains are trying to book trips, and
27 people are going to be asking them are you starting on June 1, or
28 are you starting some other day, and when is that start date.

29
30 **CHAIRMAN ANSON:** All right. I have Dr. Frazer.

31
32 **DR. FRAZER:** That conversation covered what I was going to talk
33 about.

34
35 **CHAIRMAN ANSON:** Andy.

36
37 **MR. STRELCHECK:** One other thing I will mention is it didn't seem
38 like there was strong support for a split season, and I know that
39 Ryan presented that as an alternative, and I expressed the
40 challenges, obviously, with reopening on November 1. I think,
41 based on this conversation, it sounds like we're all honing-in on
42 kind of either a fixed start date or working back into May as the
43 range of options.

44
45 **MR. RINDONE:** I think we have good direction now, and so I
46 appreciate the discussion.

47
48 **CHAIRMAN ANSON:** Captain Walker.

1
2 **MR. WALKER:** In discussion with my peers around the Gulf, charter
3 boat captains, I would say that the split season is a less-popular
4 alternative, and so I've come around on that, not targeting a split
5 season.

6
7 **CHAIRMAN ANSON:** Ms. Boggs.

8
9 **MS. BOGGS:** Well, one concern that one fleet had, that I spoke
10 with, is doing too much changing until we get a data collection
11 system in place, because they don't want to start on May 15, the
12 Friday before Memorial Day, and then get shut down on July 1,
13 because we've exceeded the quota, and so there's some concern
14 there, without a data collection system, what could that look like,
15 and, I mean, there's that chance that you take.

16
17 I mean, so that was a concern, that they would rather have it in
18 June or July, and not risk losing those days into May, and then I
19 had someone else suggest that, and I know this isn't feasible, but
20 I want to put it on the record, because it was a suggestion that
21 was made, is, if you look like you're going to have extra days,
22 open it the second weekend of January, the second week in February,
23 and, if you lose the days because of weather, you just lose the
24 days, and you don't try to move them, but people are looking for
25 flexibility, but I do get the data collection concern, and they
26 want to make sure they protect that summer season.

27
28 **CHAIRMAN ANSON:** All right. Any further discussion on this topic?
29 Not seeing any, Dr. Frazer.

30
31 **DR. FRAZER:** All right. Thank you, Mr. Chairman. Update and Next
32 Steps on Recreational Initiative, Tab B, Number 9, Dr. Willy
33 Goldsmith and Andrew Loftus, private consultants for the
34 recreational initiative, presented a status report on the work of
35 the recreational steering committee to-date. Captain Walker and
36 Mr. McDermott are the council's representatives on the steering
37 committee, which is expected to meet monthly.

38
39 Dr. Goldsmith reviewed the seven initiatives to be addressed by
40 the steering committee in the next year. A technical working group
41 is being assembled to provide context, background, and supporting
42 information to support the efforts of the steering committee.

43
44 A committee member asked for clarification as related to the
45 process to appoint individuals to the committee. Council staff
46 verified positions would open to the public immediately following
47 the council meeting, and individuals would be selected during a
48 closed session at a subsequent council meeting.

1
2 Another committee stressed the importance of selecting applicants
3 who would dedicate the time and effort to the recreational
4 initiative that it needs. The Southeast Fisheries Science Center
5 added that it would support the initiative and asked for
6 consideration of a recreational definition of optimum yield and
7 synergy with other council fishery ecosystem initiatives.

8
9 Other Business, 2024 Recreational Season for Gag, Southeast
10 Regional Office staff indicated that a Fishery Bulletin announcing
11 the 2024 gag recreational fishing season was imminent. The
12 recreational ACT will be approximately 105,000 pounds gutted
13 weight in 2024, and the fishing season will be open from September
14 1st through September 15th, closing at 12:01 a.m. on September
15 16th, 2024.

16
17 2024 Recreational Season for Greater Amberjack, Southeast Regional
18 Office staff announced that a regulatory action to modify the
19 greater amberjack fishing season was delayed. The Southeast
20 Regional Office is currently responding to public comment, but
21 does not expect the rule to be in place before the current fishing
22 season is scheduled to open August 1st. Mr. Chair, this concludes
23 my report.

24
25 **CHAIRMAN ANSON:** Thank you, Dr. Frazer. Any other discussion for
26 Reef Fish? Mr. Gill.

27
28 **MR. GILL:** Thank you, Mr. Chairman. Before we leave Reef Fish, I
29 would like to highlight the gag issue, and I know there's nobody,
30 that I'm aware of, that is happy with the season, but that's what
31 we have, and need at this time, and what I would like to point out
32 is the sensitivity of this season to the reality, and, based on
33 the average landed fish size prior to the short seasons, there is
34 850 fish a day, roughly, under this season, before you reach the
35 ACT, and you reach the ACL at approximately 1,300 fish per day,
36 and so it's very sensitive, and, in my opinion, is likely to
37 overrun the ACL, given that low catch.

38
39 Yes, the ACL roughly doubles next year, but any excess over this
40 level would then take off of it, which says that there isn't much
41 to work on next year either, and so I just want to highlight that
42 issue, and it may not be that bad, in the sense that, if the short
43 season landed fish size is smaller than this, there are more fish
44 available, but, nevertheless, there are not many, and so it's not
45 a good situation, but, for those listening, I wanted to highlight
46 the sensitivity.

47
48 **CHAIRMAN ANSON:** Dr. Simmons.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so my
3 question, and I just want to make sure we're clear, and we know
4 what to tell fishermen on the recreational 2024 greater amberjack
5 season, and so, since the framework action cannot be implemented
6 in time, we are going to go ahead and notice the August 1st opening,
7 so people can plan their businesses?
8

9 **MR. STRELCHECK:** Not at this time. We are still working to try to
10 come up with a solution that we could open the fishery on September
11 1, rather than August 1, but, until we can see if the solution
12 will work or not, and proceed on that course, I would not announce
13 the start date for the season.
14

15 **CHAIRMAN ANSON:** I have Captain Walker. To that point, Dr.
16 Sweetman?
17

18 **DR. SWEETMAN:** Do you have any idea, Andy, as to when you would
19 make that decision?
20

21 **MR. STRELCHECK:** I don't have an idea when I can actually share
22 that decision. Right now, and we've been working on it the last
23 couple of days, since we've discussed it in the council meeting,
24 right, and there is, I think, a phone call even scheduled for later
25 this afternoon, and, essentially, when we publish a final rule,
26 there's a cooling-off period of thirty days. If we can publish
27 the final rule in the month of July, and waive a portion of that
28 cooling-off period, which is not desirable, right, and we want to
29 give people notice, then we could have the rule effective, and in
30 place, before August 1, or by August 1, to then delay that start
31 date of the season to September 1, and so that's the path we're
32 working on. Waiving that cooling-off period is not an easy task,
33 and it has to come along with, obviously, substantiated rationale.
34

35 **CHAIRMAN ANSON:** Captain Walker, did you have your hand up?
36

37 **MR. WALKER:** Yes, and I, along with Mr. Gill's scary math on the
38 gag there, and I wanted to ask -- It might be a question for Frank,
39 and I'm not sure, but just to clarify that this year our limit,
40 the gag ACT, I guess it is, is 105,000, and that's including a
41 100,000-pound payback from before, or so, I think, and so, next
42 year, we would be fishing to three-hundred-and-something-thousand,
43 and that's -- What is that number? Is it 330,000?
44

45 **MR. STRELCHECK:** If there's no overage, the ACT is 319,000. Next
46 year, the ACL is 399,000.
47

48 **CHAIRMAN ANSON:** Dr. Frazer.

1
2 **DR. FRAZER:** I'm just curious, and maybe this question is for Mara,
3 but I'm just -- You know, has the thirty-day cooling-off period
4 ever resulted in a rule being rescinded?
5
6 **MS. LEVY:** Rescinded?
7
8 **DR. FRAZER:** Or, I mean, what would keep it from moving forward,
9 I guess?
10
11 **MS. LEVY:** I mean, the Administrative Procedure Act requires a
12 thirty-day delay in effectiveness of final rules, unless there is
13 good cause otherwise, right, and there is a standard for that, and
14 so you have to articulate that. So, if you waive the cooling-off
15 period, then you could be challenged, as a potential violation of
16 the APA, right, if you don't substantiate it enough, and you could
17 be challenged if you do substantiate it enough, and have to go to
18 court, right, and so it's a risk.
19
20 **DR. FRAZER:** Yes, and I just wanted to kind of understand how this
21 actually functions in real life, right, and I understand the intent
22 of the cooling-off period. Okay.
23
24 **CHAIRMAN ANSON:** Any other discussion for Reef Fish business? I
25 am not seeing any, and so we are just after noon, and we had a
26 break scheduled from noon to 1:30, for lunch, and we have -- We're
27 just a little ahead of schedule. We have concluded Reef Fish,
28 which was scheduled to go for an hour after lunch, and then we
29 have completed the Gulf States Marine Fisheries Commission liaison
30 report.
31
32 Other than that, we have everything else on the books, and so do
33 you want to -- What's the pleasure of the council? Do you want to
34 take a full lunch break, or do you want to take just a short
35 bathroom break, and come back and try to finish this? What's the
36 consensus here? I guess, by show of hands, who wants to take a
37 full lunch break? All right. Who wants to take just the bathroom
38 break and come back in?
39
40 I've got a report that the traffic is bad, and so, if you all have
41 midafternoon flights, or late afternoon, and wanted to finish
42 early, you need to finish early, and so let's take a fifteen-
43 minute break, and then we'll come back here and try to finish this
44 up.
45
46 (Whereupon, a brief recess was taken.)
47
48 **CHAIRMAN ANSON:** All right, everybody. We're going to reconvene

1 the council meeting, and we're going to continue on with the
2 Mackerel Committee report. Mr. Geeslin.

3
4 **MACKEREL COMMITTEE REPORT**

5
6 **MR. GEESLIN:** Thank you, Mr. Chair. The Mackerel Committee report,
7 the committee adopted the agenda, Tab C, Number 1, and approved
8 the minutes, Tab C, Number 2, of the April 2024 meeting.

9
10 Framework 14: Modifications to Spanish Mackerel Catch Limits and
11 Accountability Measures, Tab C, Numbers 4(a) and (b), council staff
12 reviewed the document that considers modifying the catch limits
13 and accountability measures for Spanish mackerel based on the
14 recent SEDAR 81, in 2023, stock assessment and the council's
15 Scientific and Statistical Committee's, the SSC's,
16 recommendations.

17
18 This stock assessment transitioned the recreational catch and
19 effort data to the Marine Recreational Information Program's
20 Fishing Effort Survey (MRIP-FES) and determined the stock was not
21 overfished or undergoing overfishing. This version of the document
22 included an additional Action 3 to consider reducing the bag limit
23 for Gulf Spanish Mackerel.

24
25 A committee member noted that, from a biological perspective, there
26 is no need to reduce daily bag limits, stating the Spanish mackerel
27 annual catch limit has only been exceeded three times in twenty
28 years. Other committee members agreed, noting the recent decline
29 in Spanish mackerel may be a downturn in a cyclical process, which
30 anecdotal evidence from this year suggests may be trending upwards
31 again.

32
33 **The committee proposed a motion to consider and reject Action 3.**
34 **The committee recommends, and I so move, to move Action 3 to**
35 **Considered but Rejected.** Mr. Chair.

36
37 **CHAIRMAN ANSON:** All right. We have a committee motion. It's on
38 the board. Is there any discussion on the motion? Dr. Sweetman.

39
40 **DR. SWEETMAN:** Thanks, Mr. Chair. In light of kind of the
41 discussion that we had during the Mackerel Committee about
42 potentially keeping this action in there, so we can get some
43 further feedback, the CMP engagement, the stakeholder engagement,
44 and how that kind of translates directly into the broader amendment
45 that we're working on here, and so, from that perspective, I would
46 like to keep this in there, and so I would not be in favor of this
47 motion.

1 **CHAIRMAN ANSON:** All right. Mr. Strelcheck.
2
3 **MR. STRELCHECK:** I was going to make a similar comment, given the
4 upcoming meetings, as well as the MSE discussion we had earlier
5 today. To me, it seems prudent that we leave this in the document
6 for now, until more information becomes available.
7
8 **CHAIRMAN ANSON:** All right. Any other discussion? Dr. Froeschke.
9
10 **DR. FROESCHKE:** Are you looking for discussion on this action or
11 the whole document?
12
13 **CHAIRMAN ANSON:** Just specific to this motion.
14
15 **DR. FROESCHKE:** Okay.
16
17 **CHAIRMAN ANSON:** Captain Walker.
18
19 **MR. WALKER:** I speak in favor of the motion.
20
21 **CHAIRMAN ANSON:** Any other discussion? **All right, and so the**
22 **motion is to move Action 3 to Considered but Rejected. Action 3**
23 **is modify Gulf Spanish mackerel bag limits. All those in favor of**
24 **the motion, please signify by raising your hand. Dale, are you in**
25 **favor?**
26
27 **MR. DIAZ:** No, and I am against the motion.
28
29 **CHAIRMAN ANSON:** Against the motion. Okay. **All those against the**
30 **motion, raise your hand, just for the record.** All right. We spent
31 money on them, and you're right, Susan, and so let's try this
32 again. Everybody power up your clickers. Hold on. Before you do
33 anything, Dr. Simmons.
34
35 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I guess,
36 just to remind everybody, we talked about whether we wanted to
37 leave this in the document, before we did the stakeholder
38 engagements or not, and then we would bring that information back
39 in November, or January is probably more likely, when those would
40 be complete, and, if you want to take it out, I guess we would
41 think about another way to maybe get that information, but it just
42 makes it more clear if we have that, in addition to the engagement,
43 and so I just wanted to make sure everybody was aware of that, and
44 then, if this passes, maybe we should talk again about timeline as
45 well. Thanks.
46
47 **CHAIRMAN ANSON:** Dr. Frazer.
48

1 **DR. FRAZER:** I just wanted to -- In the action schedule, I couldn't
2 remember when the public hearing draft for this particular document
3 was scheduled for.

4
5 **EXECUTIVE DIRECTOR SIMMONS:** So this is a framework action, and we
6 usually just do a little video, but this would be -- With the
7 engagements, we have a specific set of questions, with virtual
8 hearings set up, and a tool that we were going to send out, and
9 then we could put a link to this document, and figure out the best
10 way to do that, if we wanted to consider that moving forward.

11
12 **DR. FRAZER:** That's what I was getting at, is we've got a fair
13 amount of flexibility here, to see what we do. Okay. Thanks.

14
15 **CHAIRMAN ANSON:** Okay, and so go ahead then, and we'll -- Again,
16 the motion, that we're voting on with the clickers, is to move
17 Action 3 to Considered but Rejected. Action 3 is modify Gulf
18 Spanish mackerel bag limits, and so go ahead and vote please, using
19 your clickers.

20

C4. To move Action 3 to Considered but Rejected...				
First Name	Last Name			
Kevin	Anson		No	
Susan	Boggs		No	
Billy	Broussard	Yes		
Dale	Diaz		No	
JD	Dugas	Yes	No	
Anthony	Overton	Yes		
Tom	Frazer		No	
Dakus	Geeslin		No	
Bob	Gill			Abstain
Michael	McDermott		No	
Chris	Schieble	Yes		
Rick	Burris	Yes		
Andy	Strelcheck		No	
Kesley	Banks		No	
CJ	Sweetman		No	
Troy	Williamson		No	
Ed	Walker	Yes		
Results - Passed	Subtotals	Yes (6)	No (11)	Abs (1)

21

22

23

CHAIRMAN ANSON: Okay. According to the clicker results, the

1 **motion failed five to nine and one abstention.** Two people haven't
2 clicked in. It's not going to make a difference, but -- Again, if
3 you can press your clickers, your vote that you had indicated
4 earlier. All right. **The motion failed six to ten with one**
5 **abstention.** Mr. Geeslin.

6
7 **MR. GEESLIN:** Thank you, Mr. Chair, and thank you, Dr. Simmons,
8 for the clarifying information. A committee member questioned the
9 timing of this framework action, noting that Spanish mackerel are
10 a tier 3 (medium exposure) species for MRIP-FES and suggested that,
11 by going final with the document at the August 2024 meeting, the
12 council would miss valuable feedback on Spanish mackerel from the
13 CMP (Coastal Migratory Species) virtual workshops and potentially
14 the MRIP-FES pilot.

15
16 A committee member asked council staff about the timeline for
17 Spanish mackerel virtual meetings and stakeholder engagement,
18 wondering if it would be best to postpone going final with the
19 document until these engagements have been completed and
20 considered. To this point, council staff replied that these
21 engagements are planned for the fall and will be complete with a
22 summary by January 2025.

23
24 SERO staff recommended the council move forward with taking final
25 action on the document, as there is a requirement under the
26 Magnuson-Stevens Fishery Conservation and Management Act to reduce
27 catch limits based on the current scientific information from the
28 stock assessment and SSC. Thus, waiting for the MRIP-FES pilot
29 study to be completed would not be plausible.

30
31 A committee member responded that, while waiting for the MRIP-FES
32 pilot study is not tenable, waiting for the stakeholder engagement
33 could be beneficial.

34
35 A committee member noted that stakeholder engagements are unlikely
36 to influence Actions 1 and 2 of the framework amendment, and thus
37 asked what feedback the committee expects to receive. The
38 committee member noted that the sentiment regarding Spanish
39 mackerel is dynamic, and possibly changing, and, for that reason,
40 public comment on the current state of Spanish mackerel would be
41 valuable.

42
43 A committee member raised concerns over the use of the terminology
44 "landed weight" in the draft framework amendment and wished to
45 consider its removal from future Spanish mackerel documents,
46 noting it is not used with any species outside of mackerel and
47 there is a need for consistent terminology. Council staff recalled
48 that the rationale for using "landed weight" was that some mackerel

1 are landed whole, others are landed gutted, and there is no
2 conversion. Council staff said this was discussed in the
3 Interdisciplinary Planning Team, and SERO was disinclined to
4 change this, due to existing regulatory language and potential
5 inconsistency with the South Atlantic Council. The committee asked
6 the South Atlantic Council liaison if they have considered these
7 issues, to which he replied they have not.

8
9 The committee chair pointed out that these issues are not relevant
10 to the management issues currently being considered and suggested
11 moving on. A committee member agreed and noted that the virtual
12 meetings could be a good time to explore this issue.

13
14 **CHAIRMAN ANSON:** Excuse me a second, Mr. Geeslin. We have a
15 question. Dr. Sweetman.

16
17 **DR. SWEETMAN:** Not necessarily a question, and so, in light of
18 kind of what was captured during committee, relative to the timing
19 of all this, and the motion that was just passed, I would like to
20 put forward a motion. Bernie, I will make it very simple for you.
21 **To delay action on Draft Framework Amendment 14 until CMP**
22 **stakeholder engagement is completed.**

23
24 **CHAIRMAN ANSON:** All right. Dr. Sweetman, is that your motion?

25
26 **DR. SWEETMAN:** Yes, sir, Mr. Chair.

27
28 **CHAIRMAN ANSON:** Is there a second to the motion? It's seconded
29 by Dr. Banks. Any discussion on the motion? Ms. Boggs.

30
31 **MS. BOGGS:** Well, in light of the requirement in Magnuson, is that
32 going to be acceptable? I mean, will that give you enough time to
33 finish the document? Do you understand my question? I mean, are
34 we --

35
36 **CHAIRMAN ANSON:** Dr. Sweetman.

37
38 **DR. SWEETMAN:** It's my understanding that we don't have a timing
39 issue on this one. The stock is not overfished, or not undergoing
40 overfishing, and the issue at-hand is that we have the SSC
41 recommendations here, and we're not saying that we're not going to
42 act on it, but it's just simply saying we're waiting on that, and
43 so, if you're thinking of it from a timing perspective, I don't
44 think that's a concern here.

45
46 **CHAIRMAN ANSON:** Any other discussion on the motion? **Is there any**
47 **opposition to the motion? Not seeing any opposition, the motion**
48 **carries. Mr. Geeslin.**

1
2 **MR. GEESLIN:** Thank you, Mr. Chair. King Mackerel Management
3 Measures Draft Options, Tab C, Number 5, council staff reviewed
4 draft options to consider modifications to king mackerel
5 management measures in response to public concern about the stock
6 abundance and an observed recent decline in landings.

7
8 The cause of these declines appears to be caused due to
9 environmental influences, rather than fishing mortality. As a
10 result, the committee expressed concern that reducing catch levels
11 may result in seasonal closures, reflecting an improvement in stock
12 health rather than exhibiting an unsustainable fishing level.

13
14 The committee discussed the fishing dynamics of the commercial
15 sector. Southeast Fisheries Science Center staff commented that
16 king mackerel appear to demonstrate stability in catches, despite
17 population declines, as king mackerel seasonally aggregate in core
18 areas in the southern Gulf.

19
20 A committee member responded that, while the southern gillnet zone
21 has landed much of its allotted quota in recent years, it has taken
22 substantially longer to do so. A committee member suggested that
23 the conventional management measures presented may not be the most
24 appropriate approaches to address the concerns for this stock.
25 Instead, he proposed exploring provisions within the post-season
26 accountability measures to allow for dynamic processes in the
27 fishery to be reflected in the management measures.

28
29 Council staff also recommended considering changes to the number
30 of permitted vessels prosecuting the fishery, as well as the catch
31 per unit effort by gear and fishing zone over time, to assess any
32 future management decisions. The committee requested staff
33 explore some of these other options and provide a presentation to
34 the committee at the August 2024 meeting. Mr. Chair, this
35 concludes my report.

36
37 **CHAIRMAN ANSON:** Thank you, Mr. Geeslin. Is there any other
38 business for Mackerel? All right. Not seeing any, then that will
39 take us to the Migratory Species Committee Report. Dr. Banks.

40
41 **MIGRATORY SPECIES COMMITTEE REPORT**

42
43 **DR. BANKS:** Thank you, Chair. The committee adopted the agenda,
44 Tab M, Number 1, and approved the minutes, Tab M, Number 2, of the
45 August 2023 meeting.

46
47 Scoping Document: Gear Considerations in Atlantic Highly Migratory
48 Species (HMS), Tab M, Number 4(a) and (b), staff from HMS provided

1 an overview of a scoping document to consider gear modifications
2 for several HMS fisheries.

3
4 A committee member reported that, at the most recent HMS advisory
5 panel (AP) meeting, the AP had recommended expanding secondary
6 gears for bait collection, beyond cast and dip nets, to trapping
7 gears for bait. HMS staff replied they had noted those AP comments
8 and were in the process of considering those recommendations.

9
10 A committee member seconded the AP's recommendation and requested
11 that commonsense approaches be considered when expanding the
12 allowable gears for baitfish. Several committee members
13 recommended considering recreational spear fishermen as
14 conventional recreational hook-and-line anglers when regulating
15 management measures such as bag limits.

16
17 The committee suggested that HMS consult with state fishery
18 agencies when proposing these changes. As an example, the State
19 of Texas classifies sharks as a gamefish and would not prohibit
20 spearfishing in state waters. The committee commented that these
21 potential discrepancies would need to be considered as well.

22
23 Several committee members stated that swordfish vessels using buoy
24 gear at night could potentially interact with other swordfish
25 fishermen that fish during the day, which could create gear
26 entanglement issues. They recommended HMS explore these effects
27 during the development of the proposed measures.

28
29 A committee member supported the gear modification that would
30 authorize the use of power assistance for buoy gear. A committee
31 member asked if those vessels using buoy gear for targeting HMS
32 species were restricted to operations at night. HMS staff
33 indicated that current regulations do not mandate night fishing
34 for that gear type. Mr. Chair, this concludes my report.

35
36 **CHAIRMAN ANSON:** All right. Thank you, Dr. Banks. Dr. Frazer.

37
38 **DR. FRAZER:** I just wanted to make sure the second sentence in
39 that second paragraph is correct. I think, as a gamefish, right,
40 you would prohibit spearfishing in state waters.

41
42 **MR. GEESLIN:** Dr. Frazer, that is correct. Sharks are currently
43 listed as gamefish, and, therefore, would not be allowed to be
44 harvested through spearguns.

45
46 **DR. FRAZER:** So I just want to correct the report. Thanks.

47
48 **CHAIRMAN ANSON:** Good catch, Dr. Frazer. Thank you. Any other

1 comments? Okay. So that then takes us to our supporting agency
2 updates, and the first one is the South Atlantic Council liaison.
3 Mr. Griner.

4
5 **SUPPORTING AGENCY UPDATES**
6 **SOUTH ATLANTIC COUNCIL LIAISON**
7

8 **MR. GRINER:** Thank you, Mr. Chair. First, I want to thank you for
9 all your hospitality this week, and for allowing me the opportunity
10 to participate in your meeting. It's always a pleasure to visit
11 this council. I will keep it brief, but I did want to touch on a
12 few items that may be of interest to this council.

13
14 In the South Atlantic, we have really struggled with participation
15 in our for-hire required reporting, and so we have initiated a
16 SEFHIER improvement amendment, using ACCSP's current technical
17 review efforts, as well actions and alternatives being considered
18 here at your council in the Gulf. In addition, we have approved
19 an Ad Hoc For-Hire Reporting Advisory Panel to try to help us out
20 with that.

21
22 In another attempt to garner more participation in the for-hire
23 reporting, we began work on a for-hire limited entry amendment,
24 but we have since put that on hold, pending resolution of some
25 issues with the NMFS Southeast permits system. We did, however,
26 finally complete work on our wreckfish amendment, 48, which amended
27 our one and only IFQ program, to bring it into the current century
28 with electronic reporting, in lieu of paper tickets, and it did
29 include a cost recovery program.

30
31 We also postponed development of our private recreational
32 permitting amendment, pending changes and improvements to MRIP,
33 and also pending some information we could glean from the Florida
34 Wildlife Commission's new exempted fishing permits for red
35 snapper.

36
37 Our gag grouper is under its second year, I guess, of rebuilding,
38 and it's actually going to commercially close next week, with only
39 a two-month season, but it is trending well, and so I think that
40 the recovery is on track, and is going to go well.

41
42 In response to changing environmental conditions and fishery
43 dynamics, we are hosting a series of mackerel port meetings, all
44 the way from New England to Florida, very similar to your
45 stakeholder engagement efforts here in the Gulf, and, to-date,
46 they've been very well attended, and very well received, and so
47 that's been a positive thing. It's always a -- We always seem to
48 get a lot of bang for the buck when we have these stakeholder port

1 engagement-type meetings. They're informal, and the fishermen
2 really seem to take to them.

3
4 Finally, I would like to just wish all the best to Dale and Bob
5 and Susan, and thank them for being such effective council members.
6 I've learned a whole lot from them, and, for that, I'm very, very
7 grateful. You know, being raised by a Mississippi mother, being
8 around Dale is kind of like sitting around the dinner table, and
9 so it's always nice to be around him, and, Susan, it takes about
10 thirty seconds of being around Susan to know that you either bring
11 your A-game or go home, and everybody I think knows how sharp Bob's
12 mind is, but I'm here to tell you that his elbows are sharp too,
13 and so be careful around him. Thank you all again, and I enjoyed
14 being here.

15
16 **CHAIRMAN ANSON:** Thank you for the report, and so next would be
17 the NOAA Office of Law Enforcement report, Tab R, Number 2(a), and
18 we have Enforcement Officer Salinas. Welcome.

19
20 **NOAA OFFICE OF LAW ENFORCEMENT**

21
22 **MR. ED SALINAS:** Thank you, Mr. Chair and council members. If I
23 don't look familiar to you, it's because this is my first Gulf
24 Council meeting, and so I'm excited to be here. I've told my boss,
25 many times, that I would like to attend one of these, and, now
26 that I have attended it for a week, I'm not so sure that I'm going
27 to volunteer right away, but, no, it's been great, and it's a good
28 experience to see the different ins and outs of everybody's
29 comments and complaints and whatnot.

30
31 Before I get started, I will introduce myself, and so I'm the
32 enforcement officer out of the Houston, Texas field office, and,
33 for the past four years, I've been covering the coastal Gulf of
34 Mexico, from Sabine to Matagorda, and then another officer picks
35 up from Matagorda on, and so I've been doing that for the last
36 four years by myself, and, with that being said, I would like to
37 introduce one of my colleagues, Enforcement Officer Demonte Jones,
38 who was recently hired as my partner, and so I'm grateful for that,
39 and now we've got a little bit more boots on the ground, so to
40 speak. With that, I will go ahead and get started on the
41 presentation.

42
43 The report was sent, and I hope you've had a chance to kind of get
44 through the report. A quick snapshot of Quarter 2 for us, and so
45 we have 110 open cases, or open incidents, which fifteen of those
46 were referred to General Counsel, and some of those included the
47 sanctuary cases, with our ATBAs out of the Florida Keys, with
48 barges, or vessels, that are over fifty meters in length, and they

1 can travel to the ATBA, and so a lot of those get referred to
2 General Counsel.

3
4 Our observer harassment is another area where we have referred
5 cases to General Counsel, and then, lastly, our IFQ program. As
6 far as summary settlements go, they range from \$275 to \$2,000, and
7 some of those include retention during the closure, and some are
8 sanctuary related. Overall, a 41 percent no violations, or
9 compliance, rate.

10
11 Some of our enforcement highlights that I want to kind of go over
12 is we identified a new port, and I won't say a new port, but a new
13 location to kind of inspect seafood, and that's out of Panama City,
14 Florida, and so we had an operation there with CBP and our state
15 partners, and I was lucky enough to be a part of that operation,
16 and I've kind of built friendships there, and a working
17 relationship, and so, from now on, we can inspect seafood coming
18 through the Port of Panama City, and mostly that's seafood that
19 comes from Mexico, and so that's one of our good things that we
20 had in Quarter 2.

21
22 Also, throughout the year, we have several patrols that protect
23 the sanctuaries in the Florida Keys, the SPA patrols, and so that's
24 being done monthly, quarterly, and all the time really, and then
25 we just had an operation in Florida, south Florida, where we held
26 joint with our gear management team, which we did TED inspections
27 for captains, both dockside and at-sea, which is good, because it
28 gives the captain a chance to correct his discrepancies before
29 getting underway, and we all know that the shrimping industry is
30 kind of at a low point, and so we like to do this, to give that
31 captain a chance to be squared away before he gets underway. That
32 way, he's not found with violations at-sea, and so that was a good
33 operation between us and the State of Florida and our gear
34 management team.

35
36 Another thing we want to highlight is our MMPA efforts. We
37 recently just had a case where a young man jumped in to -- I'm not
38 sure it was ICW or whatnot, but he was jumping in and feeding the
39 dolphins, and kind of harassing them, and so we have efforts going
40 on there as well.

41
42 Some of our enforcement partners, you know, we work with Florida,
43 and all the way to Texas, and some of the cases that we referred,
44 and twelve came from the State of Florida, six from the Coast
45 Guard, two from Alabama, one from Texas Parks, and one thing I
46 want to mention is that we work hand-in-hand with Texas Parks,
47 and, a lot of times, they take us out on their resources, and some
48 of those cases that we capture come straight to us, and they don't

1 necessarily get referred through Headquarters, and so I just wanted
2 to make that clear, and we appreciate you, Les, and the Texas
3 Parks, for accompanying us, as we have limited resources down here
4 in Texas.

5
6 Some targeted operations, we have for-hire charters on the west
7 coast of Florida. Some of the violations included reef fish used
8 as bait, undersized fish, and failure to keep fish intact, and, as
9 I mentioned, we had the seafood import operation out of Panama
10 City, that we got to inspect and train to do samples of seafood,
11 and I just wanted to mention too, on the shrimp aspect, and I know
12 there was a comment made.

13
14 Although we don't inspect the quality of the shrimp, we do inspect
15 and take samples to make sure that shrimp is what they say it is,
16 whether it's farm-raised or wild-caught, and so we do hold
17 importers accountable, when it comes to imports of shrimp.

18
19 Another targeted operation would be IFQ catch shares, and so that
20 was a month-long operation, where we just kind of tackled the IFQ
21 industry in a way to make sure that they're doing what they're
22 supposed to be doing.

23
24 June 1, obviously, was the start of the for-hire season. Some
25 things we've been looking at, especially here in the Gulf, that I
26 wanted to mention is the vessel marking requirements. There is a
27 lot of vessels that are not compliant with that, and I just kind
28 of want to put a reminder out there that that's something we're
29 looking at. We're kind of giving education, at the moment, at
30 least in my AOR, and we're educational, in terms of not writing
31 tickets, and we're just kind of saying, hey, this is the
32 requirement, and here it is in the CFR, and let's get you squared
33 away, and so I've been seeing that a lot lately, and so that's
34 some of the things that we're kind of highlighting when we do board
35 our charter fleet out in the Gulf.

36
37 That's kind of a brief highlight there, and I know the report that
38 you got is a little bit more extensive, and I hope you had the
39 opportunity to read it, which highlights a lot more stuff that
40 we're doing, but this was just sort of a snapshot of kind of what
41 we've done in Quarter 2 here in the Gulf, and, Mr. Chair, I will
42 take questions.

43
44 **CHAIRMAN ANSON:** Officer Salinas, thank you very much for the
45 presentation, and, in full disclosure, your remarks regarding your
46 willingness, or desire, to come back for a future council meeting
47 have been echoed at least once before by others here, but thank
48 you. Do we have any -- Captain Walker.

1
2 **MR. WALKER:** So the charter -- It's the ID number size, right, and
3 is that the issue?
4
5 **MR. SALINAS:** That's correct.
6
7 **MR. WALKER:** Has that been -- I know it's being discussed, to
8 change it on vessels under thirty-three feet or so, and, Andy, has
9 that been changed yet, or is it still in the discussion phase?
10
11 **MR. STRELCHECK:** Carrie can maybe update the timing, and we were
12 going to have the Law Enforcement Advisory Panel look at this at
13 some point in time, correct?
14
15 **DR. DIAGNE:** Thank you. We tried a first attempt, and we sent out
16 a doodle poll, of course, to have the meeting at the end of May,
17 but, unfortunately, we couldn't have a data suitable for all of
18 the Law Enforcement Technical Committee members, and so we are
19 going to send a second doodle poll and try to have the meeting
20 before the August council meeting.
21
22 **MR. WALKER:** So was that to -- Well, you pointed out, and it made
23 me think of -- I wasn't sure if the regulation had changed or not,
24 but the size of the numbers, I guess, is the -- The smaller boats
25 have been asking for some leniency, myself included, and, instead
26 of having ten-inch numbers, there's some discussion about, if
27 you're under thirty-three feet, you can have eight-inch, or six-
28 inch, numbers, or something like that, and it wasn't necessarily
29 a question for you, and I guess that just made me think of it.
30 While I have the mic, any action on charters running without
31 federal permits?
32
33 **MR. SALINAS:** So some things that I can mention, and some things
34 I can't mention, because, you know, they're currently under
35 investigation, but, yes, there's been multiple I would say
36 operations that are targeting illegal charters here in the Gulf.
37
38 **MR. WALKER:** That's the same answer I got last time, and it's the
39 same answer I -- You know, it's nothing on you, but is this because
40 the illegal action is still being ironed out, because I heard some
41 things, and some guys in my area got caught, but it's never been
42 mentioned again, and I've never gotten any information on it, and
43 it's just kind of vanished, and so I --
44
45 **MR. SALINAS:** What is your area, sir?
46
47 **MR. WALKER:** I'm in west Florida, west-central Florida.
48

1 **MR. SALINAS:** Okay.
2
3 **MR. WALKER:** I was told that there was a detail done down there,
4 and they got some of the guys that we had all been pointing at for
5 a long time, but we've never gotten any, you know, response on
6 what they got caught for, or if they were charged, or anything
7 like that, and it's been quite a while, but I think I was told, at
8 the last meeting, that sometimes the legal end of it takes a while,
9 and maybe that's why it's not been announced.
10
11 **MR. SALINAS:** It does, and then, you know, me being in Texas, I
12 don't -- It's hard for me to speak on the Florida side of it, and
13 what's going on over there, but I can speak to Texas, and it's
14 that we're really taking a hard look, in terms of illegal charters.
15
16 **CHAIRMAN ANSON:** Mr. Strelcheck.
17
18 **MR. STRELCHECK:** A comment first to Ed, and so there's a report in
19 the briefing book, and, if you go to the back, there will be a
20 table, and so you can take a look and see if there's illegal
21 charter violations that are reported there, once they get through
22 the process.
23
24 Thank you for your presentation, and it's been great to have you
25 here this week. You know, one of the things that we talked about,
26 at-length, was changes to the for-hire red snapper season, and I'm
27 just curious, from an enforcement standpoint, and now we have the
28 for-hire season, and we have the private season, and, off of Texas,
29 we close federal waters and have a state-water season, and so are
30 you encountering a lot of challenges with enforcing that, just
31 because of angler confusion, or do people really kind of understand
32 all the various seasons and who can fish when?
33
34 **MR. SALINAS:** I think it's always a challenge, whenever you have
35 state regulations that are different than federal regulations,
36 and, just for instance, we had -- Me and Enforcement Officer Jones
37 just recently completed a cutter patrol with the Coast Guard, and
38 thank you to the Coast Guard. They're a big part of what we do,
39 and I appreciate you all.
40
41 During that patrol, you know, we can kind of sniff out like, you
42 know, the, oh, I didn't know, that type of thing, but the biggest
43 confusion that I hear from people is, oh, well, I thought we could
44 retain four, instead of two, you know, and so that's the biggest
45 thing, and so I think, when you have different regulations for a
46 state and the EEZ --
47
48 I think sometimes it may cause confusion, and maybe to new anglers,

1 but people that have been fishing for some time I think are pretty
2 well aware of the difference in bag limits, but just to -- Over
3 our two weekend patrols that we had out in the Gulf of Mexico, and
4 one was seventy miles offshore, and one was probably thirty miles
5 offshore, and we had over forty boats that we boarded, and about
6 ten violations, or ten cases, with all over the limit of red
7 snapper.

8
9 **CHAIRMAN ANSON:** Any other questions for Enforcement Officer
10 Salinas? I'm not seeing any. Thank you, sir, for your efforts,
11 and thanks to Enforcement Officer Jones. It's good to see you
12 this week, and hopefully we'll see you again, but thanks to you
13 and your colleagues. We appreciate the work you do.

14
15 **MR. SALINAS:** Thank you, Mr. Chair.

16
17 **CHAIRMAN ANSON:** All right. Next on the liaison list would be
18 that from the U.S. Coast Guard, Tab R, Number 4, and Lieutenant
19 Fuhs.

20 21 **U.S. COAST GUARD**

22
23 **LT CARL FUHS:** Thank you, Mr. Chair. I'm Carl Fuhs, from Coast
24 Guard District 8, based out of New Orleans. We oversee the entire
25 Gulf. This is a layout of our AOR, and I will draw your notice to
26 our dividing line off the west coast of Florida, with District 8
27 and District 7, and so I'll touch on some of the joint things we've
28 been doing with District 7 recently when I get to the domestic
29 fisheries side.

30
31 For the Exclusive Economic Zone enforcement, and this is our
32 international fisheries counter IUF mission off of Texas, down the
33 maritime boundary line, and, to-date, we've had -- I think we've
34 have a few extra interdictions for Fiscal Year 2024, since I sent
35 this in, and so I think we're sitting at forty-seven right now for
36 this fiscal year, and the amount of red snapper will be a bit
37 higher than that.

38
39 We've seen an increase in lancha incursions over the last several
40 months, and I think, about a month ago, we had I think close to
41 ten separate lanchas interdicted within a one to two-week
42 timeframe, including five lanchas at once, that ended up rafting
43 off next to each other, and we've seen an escalation in use of
44 force from the lanchas, as they're coming north, and so we're
45 continuing our efforts down there, partnering with CBP and NOAA
46 and TP&W, especially, to get after the illegal incursions.

47
48 Some of the big things that I wanted to note is assessing the

1 illegal red snapper catch is very difficult. Ideally, we would
2 like to catch them as they're coming north across the line, before
3 they're able to set any gear in the water.

4
5 However, a lot of times, we're catching them after they set their
6 gear, when they're running back south to hang out below the line
7 while the gear soaks, and so, when we're catching them then, the
8 gear is just kind of out there ghost fishing and having a further
9 impact on the environment, and so the red snapper that we have in
10 these totals here is only what we find onboard the boats, and so
11 that's when we catch them as they're running south with a full
12 load, and so it's only a small portion of what the actual impact
13 is from them.

14
15 Likewise, our cutters are routinely recovering several miles of
16 illegal fishing line, each patrol, and so, every time they see a
17 group of high-flyers out there that are illegal, they will sit out
18 there and recover, you know, three to five miles a day, as they
19 see them.

20
21 During the year, we've seen I will see a relative increase of
22 cooperation with Mexico, leveraging some of our Coast Guard and
23 Mexican navy talks to put a little bit more pressure on them to
24 patrol the maritime boundary line. We had a really good exercise,
25 based out of Corpus Christi, Texas, this past year, that sought to
26 increase cooperation with them, and we've exercised a few projects,
27 including that picture there, with Mexico since then.

28
29 We had another one lined up for two weeks ago. However, the
30 weather that was rolling through -- We cancelled that, just due to
31 the sea state, but the exercise that we did in Corpus Christi was
32 really was really good, because it not only brought together Mexico
33 and the Coast Guard, and the sole focus on that was getting out to
34 the illegal lancha fishing. However, TP&W played a significant
35 role in that, as well as some of our other federal partners, like
36 CBP, and so that was a really good exercise for us.

37
38 On the domestic side, we're sitting at roughly 427 boardings, with
39 ten significant violations. Our most common fisheries violations
40 are TEDs and BRDs being out of spec. However, while we're out
41 there to enforce fisheries laws, we're also out there to enforce
42 safety laws, and so, while we're getting a good number of fisheries
43 violations, we've also seen an increase in safety violations, and
44 I will highlight specifically -- We call it 75-25, but it's the
45 crewing requirements, and having the proper number of U.S. citizens
46 and people permitted to work onboard a vessel, versus not, and so
47 we've seen a big increase, specifically here in the Houston-
48 Galveston AOR.

1
2 About two months ago, we had one of our eighty-sevens go out, and,
3 within I think ten boardings, they had five or six 75-25
4 violations, and so we've seen a dramatic increase in that, within
5 this local area specifically, and also a few down off of Corpus
6 Christi, and we're also seeing -- I think the next biggest safety
7 violation that we see are EPIRBs being out-of-date, batteries
8 expired or not registered.

9
10 Then, on the domestic side, we continue to build on our
11 partnerships with NOAA and the state LE agencies throughout the
12 Gulf. Specifically with NOAA, we do a lot with overflights, on
13 leveraging the aviation training center out of Mobile, Alabama,
14 and so we'll let NOAA officers up in our aircraft, and they go
15 observe a number of the different marine protected areas around
16 the Gulf.

17
18 Specifically along the boundary line between District 8 and
19 District 7 off the west coast of Florida, we've had a few good
20 joint operations with NOAA up in our aircraft, from the District
21 8 side, and then leveraging District 7 assets to go -- Actually,
22 Florida vessels issued some violations for fishing in the marine
23 protected areas.

24
25 Then, lastly, marine protected resources, and, as Mr. Salinas
26 mentioned, we continue to see a lot of this. I think, over the
27 winter, with the cold weather off of Texas, our station helped
28 with a lot of turtles during the cold snap, and so we continue to
29 take an active role in that, as we see them, and that concludes,
30 and I will be happy to take any questions, if there are any.

31
32 **CHAIRMAN ANSON:** Any questions? Mr. Gill.

33
34 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Lieutenant, for
35 your report. Relative to the EEZ enforcement, and you may have
36 addressed this in one of our prior presentations, but I don't
37 remember the answer, and so is the dip in last year's interdictions
38 a result of decreased effort by the Coast Guard, less time doing
39 that activity, or was it the fact that you spent the same amount
40 of time and just didn't get many interdictions?

41
42 **LT. FUHS:** That's a good question. It's not necessarily a function
43 of -- The illegal fishing is not going down. I think, if anything,
44 it's increasing, and it's due to, frankly, a lack of manpower.
45 You know, all the military services are encountering that,
46 especially the Coast Guard, but we're working on actually some --
47 We're developing some new statistics, at the Headquarters level,
48 of getting a percentage, based off of our number of available boat

1 hours, and so number of hours we're able to have a small boat on
2 the water, to do a correlation between that and the number of
3 interdictions, to get a better ratio there.

4
5 **MR. GILL:** We call that CPUE in the fisheries world.

6
7 **LT. FUHS:** I guess one thing I want to thank everybody for the
8 year that I've been here. I'm transferring out, within the next
9 month or so, and we'll have Lieutenant Jackson Morton will be
10 coming to take my place. He just finished a two-year grad program
11 up at the University of Washington for living marine resources,
12 and so he'll be coming in a little better prepared than I was to,
13 I think, take the seat, but he should be a good benefit.

14
15 Then, also, I made a concerted effort to try to get, when the
16 meetings are held in our local areas, to get our local LMR officers
17 to the meetings, and so we have Lieutenant Junior Grade Owen Gates
18 here, from the Sector Houston-Galveston area, and then I know our
19 LMR officer from Sector Mobile attended the previous meeting, and
20 so I'm going to try to make sure that continues on after I leave,
21 as the meetings go around the Gulf, to get exposures to the local
22 sectors as well as the district level.

23
24 **CHAIRMAN ANSON:** Thank you for those efforts. Any other questions
25 for Lieutenant Fuhs? I just had a couple, maybe related to the
26 75-25, and can you briefly describe what that means again?

27
28 **LT. FUHS:** So it's based off the manning requirements, and so the
29 number of U.S. citizens or people with a valid work permit, and so
30 basically what it's trying to prevent is U.S.-flagged vessels have
31 non-U.S. masters, or having a crew of non-U.S. citizens on a U.S.-
32 flagged vessel, and so, based off the makeup of the crew, we have
33 a little formula that we'll run through, based off of the different
34 visas and work permissions that people may have, and based off of,
35 after running that, then we'll determine whether or not it's a
36 violation.

37
38 **CHAIRMAN ANSON:** So what do you do if you find that they've exceeded
39 that? Do you detain anybody, or do you get Customs and Border
40 Protection involved with that, or no?

41
42 **LT. FUHS:** No, and it's a safety violation, and, normally, that
43 vessel would be terminated for safety, just due to not having the
44 proper-credentialed mariners onboard, and so they will get
45 escorted back to the pier and issued a violation.

46
47 **CHAIRMAN ANSON:** All right. Thank you, and good luck to you.
48 We'll miss you, but good luck to you in the rest of your endeavors.

1 Thank you.

2

3 **LT. FUHS:** Thank you.

4

5 **CHAIRMAN ANSON:** Okay, and so that will conclude all of the liaison
6 reports that we have, and that will take us to our next agenda
7 item, and that's Discussion of Council Planning and Primary
8 Activities, Tab R, Number 5. Dr. Simmons.

9

10 **DISCUSSION OF COUNCIL PLANNING AND PRIMARY ACTIVITIES**

11

12 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Again, we're
13 just trying to give the council a better idea of what our plan is
14 for the next meeting, and we are still working on the best
15 infographic to do that, and so we're still making some changes,
16 but if you just focus on what we have here on the screen for now.

17

18 For the Generic EFH Amendment, we have contract work that's being
19 done on that, and that information will go to the SSC in July, and
20 then you'll probably get a short report at your August council
21 meeting, and then we can maybe start work, or more discussions, on
22 that effort, and what you might want to consider changing, during
23 the November council meeting.

24

25 We're planning to bring a presentation for the red snapper private
26 recreational accountability measures. For the for-hire data
27 collection amendment, you all discussed bringing some more details
28 on the effort validation, and a revised draft, as much as we could,
29 on some of the other actions, I guess depending on far we get.

30

31 For Spanish mackerel, you postponed that until we complete the
32 stakeholder engagement, and so that would be sometime in January
33 that you would see that again. For king mackerel, we're going to
34 work on a presentation for you to think about in August.

35

36 For Amendments 60 and 59, we're going to work with staff and figure
37 out which one of those we can bring back that will have the most
38 information or data for you to continue to refine. For Amendment
39 58, shallow-water grouper, we are trying to bring a draft, at least
40 options, for that document. For the framework action for red
41 snapper, the for-hire buffer and adjusting the season, I think you
42 gave us clear direction on that, and we'll try to bring a draft,
43 at least of 1 and 2, for August, and then we have been working on
44 the framework action for the shrimp vessel position data.

45

46 We've written a letter to try to get some additional information
47 from the Science Center, and make sure we have that available for
48 the IPT, and so we're planning on, right now, bringing a draft for

1 August. Mr. Chair.

2

3 **CHAIRMAN ANSON:** Thank you, Dr. Simmons. Any questions about the
4 schedule? Mr. Strelcheck.

5

6 **MR. STRELCHECK:** I mean, I'm looking at, obviously, the number of
7 actions here, and that's a pretty hefty workload, and so, Carrie,
8 thoughts? I mean, the private rec AMs would be one that is just
9 a presentation, and it's not as heavy of a lift, but is it -- Would
10 it help, you know, with the schedule, if we moved that to November,
11 rather than August?

12

13 **EXECUTIVE DIRECTOR SIMMONS:** I think it would, if we want to give
14 it a lower priority, if we don't think we have room on the agenda.

15

16 **CHAIRMAN ANSON:** Andy.

17

18 **MR. STRELCHECK:** I mean, obviously, you know, staff has to go back,
19 and we have, you know, a limited number of staff, analysts, people
20 working on all of these actions, right, and so that, to me, just
21 seems like one that we want to work on, and make progress, but I'm
22 not sure it's urgent to actually bring back to us at the August
23 meeting.

24

25 **EXECUTIVE DIRECTOR SIMMONS:** Okay. That's good information to
26 have. I guess, just talking to Dr. Froeschke, we don't have the
27 twenty-fathom boundary on here, obviously, because you just passed
28 that motion for the lane snapper framework, and so maybe just a
29 brief discussion about priority for any of those two frameworks,
30 as you see the workload in front of us.

31

32 **CHAIRMAN ANSON:** Mr. Strelcheck.

33

34 **MR. STRELCHECK:** So this is just me talking, right, and so, to me,
35 the top priorities for the council right now would be shrimp, for-
36 hire, for-hire data collection, and the IFQ program, just because
37 we've been wrestling with those for quite some time, and, you know,
38 we want to continue to make progress on those. I think, you know,
39 if we want to potentially make changes for the red snapper season
40 next year, which would be -- I'm not sure it's going to be possible,
41 right, and that would be something that you could slow down a
42 little bit, because we may not be able to get something in place
43 before next year.

44

45 Then I think the shallow-water grouper action is going to take us
46 some time, and so that's going to be, obviously, one that we're
47 going to want to have enough time on the agenda to really work
48 through, and so that's kind of where I'm at, and so lane snapper

1 and the shallow-water grouper closure, you know, probably is
2 something that I would say would wait until November.

3
4 **EXECUTIVE DIRECTOR SIMMONS:** Okay. That sounds good, and, also,
5 I forgot to point out the shallow-water grouper document -- That
6 does have the yellowedge grouper assessment in it as well, and so
7 that is getting to be a very complicated document.

8
9 **OTHER BUSINESS**
10 **LITIGATION UPDATE**

11
12 **CHAIRMAN ANSON:** Any other discussion on the schedule, the
13 priorities? I'm not seeing any, and so then that will take us to
14 the last item on the agenda, and that's Other Business, and so we
15 had a litigation update prior to Reef Fish, and, Ms. Levy, is that
16 all -- Have you provided everything that you wanted to for a
17 litigation update?

18
19 **MS. LEVY:** Of interest though, I will note that the U.S. Supreme
20 Court is ending its term, and they still have yet to decide the
21 case related to chevron deference, and so we would expect that to
22 come out tomorrow or Monday, or possibly the next day, and so that
23 has not direct implications to the council, but it has
24 implications, because everything you do is implemented through
25 rulemaking, and so maybe we'll talk about that next time.

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

28
29 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Mara, for
30 mentioning that, and so is it possible that the court will adjourn,
31 at the end of the day on the 30th, and that decision be delayed in
32 coming out, or is it normally that it would be in the couple of
33 days -- I'm trying to think what happens if, by the 30th, we haven't
34 heard, and what follows on, based on court procedure.

35
36 **MS. LEVY:** I think we will hear. They generally don't -- I don't
37 know the U.S. Supreme Court that well, but, whatever they take up
38 in the term, they finish by the end of the term, and so we should
39 have a decision. I did read something where they just added Monday
40 as a potential opinion-release date, and so they originally had
41 Friday as the last day, and they added Monday, and so they're
42 clearly working towards finishing the cases that they have, and
43 that will be one of them.

44
45 **CHAIRMAN ANSON:** All right. Any other questions about litigation?
46 All right, and so the next item under Other Business is Discussion
47 of Briefing Book Deadlines. Mr. Gill.

1 DISCUSSION OF BRIEFING BOOK DEADLINES

2
3 **MR. GILL:** Thank you, Mr. Chairman. As you recall, we discussed
4 this briefly at the last meeting, and, just to recap, the question
5 here is whether there is interest on the council in attempting to
6 deal with the issue of late-arriving items in the briefing book
7 prior to the council meeting.

8
9 This problem has been around forever, and certainly it occurred
10 when I was last on the council, and it probably will occur in the
11 future, and there are workload issues, and there are staff issues,
12 and there is priority issues, et cetera, and it's not a thought
13 about considering blame, but it is the recognition, at the end of
14 the day, that the buck stops at this table, and you have to make
15 a decision based on the information that you've got.

16
17 Early in the process, it's not a big deal. At the end of the
18 process with an issue, it is a big deal, and so the question is,
19 is the council interested in considering a way to deal with this,
20 to help in some fashion, and I would note that it doesn't make any
21 difference what you do to address it, and there is pros and cons.
22 There is some pain pills that are involved. For example, one way
23 to address it is to have fewer council meetings, with the same
24 workload, and that's not very practical.

25
26 There are other ways, and I have -- I will float a motion, just to
27 have a discussion about whether the council wants to address it in
28 any fashion, and perhaps this one, or not, or just leave it as it
29 is.

30
31 Relative to the motion, if you would bring that up, Bernie, the
32 motion that I have prescribed -- One of the downsides is that it
33 requires council staff, and the council, to be the enforcers. You
34 know, at the end of the day, if you violate the intent of the
35 motion, then somebody has got to say, woah, okay, we're not going
36 to address this, and, well, we all recognize there is pressures,
37 at times, that we have to address things, whether we particularly
38 want to or not.

39
40 **The motion reads that agenda items not fully in the briefing book**
41 **five calendar days prior to their time on the final agenda should**
42 **be deleted from the agenda and scheduled for the next council**
43 **meeting.**

44
45 By "not fully in the briefing book five calendar days", what that
46 means, or what it's intended to mean, is that it's available to
47 the public, so that they have access to it as well, and the time
48 is precise. As an example, we have an agenda item scheduled for

1 ten o'clock on Wednesday, for example, and that would say that
2 whatever the briefing book items that are needed for that item
3 would be in the briefing book by ten o'clock on Monday, and it
4 doesn't mean twelve o'clock. It means ten o'clock, and five
5 calendar days, in my opinion, would be the minimum, because you
6 have a travel day, typically, and if it's, for example, a Wednesday
7 calendar item, you also have two days that you will be at council,
8 and you won't have time to really address and get into it.

9
10 That's one way to approach it, and it's certainly not the only,
11 and I just throw it out there to see if the pain that one gets on
12 late-arriving briefing book items, and, again, this is not intended
13 to be punitive, pointing fingers, or assigning blame, and it's
14 trying to say that, well, in order to make the best decision we
15 can, whatever the materials that are considered necessary to make
16 that decision, we have to have enough time to digest and consider
17 them, and so I throw that motion on the table, Mr. Chairman, for
18 consideration, and let the council do as they may. Thank you.

19
20 **CHAIRMAN ANSON:** All right. Thank you, Mr. Gill, and so we have
21 a motion. Is there a second to the motion? It's been seconded by
22 Ms. Boggs. Any discussion on the motion? Dr. Simmons.

23
24 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so, after
25 the April council meeting, we had a little bit of internal
26 conversation about this as well, and tried to look at some of the
27 materials that came in later, and, in looking at that, and, you
28 know, I agree that April was not our best council meeting.

29
30 We did have a lot of items that came in after the second briefing
31 book. However, many of those items were for the council's
32 information, and they weren't necessarily materials that the
33 council had to make regulatory decisions on, and the other thing
34 that I wanted to point out is, oftentimes, we have very little
35 control on what we're asking people to do.

36
37 I think that better communication, and coordination, with the state
38 liaison, or not the state liaisons, but the liaison reports, and
39 with BOEM, and I think we've tried to improve that, and they met
40 our deadline, and I think we had good communication on that, and
41 so I think that has improved, but, oftentimes, we get policies,
42 and directives, and things like this MSA data confidentiality
43 proposed rule, and the EBFM roadmap, and they don't fit into our
44 council meetings at all sometimes, unless we ask for an extension,
45 and so, if we just cut this stuff out, it may mean the council has
46 no way of providing comments, and so I just wanted to bring that
47 up.

1 **CHAIRMAN ANSON:** Mr. Strelcheck.

2
3 **MR. STRELCHECK:** I just wanted to acknowledge that, Bob, I think
4 the intent is good here, right, and I would struggle to support
5 it, because I know we're often under the gun to get materials in,
6 and we, obviously, need some additional time, but our goal,
7 obviously, is always to try to provide that material a sufficient
8 time in advance, so that council members can prepare for the
9 council meeting, and sometimes we fall short of that, because we
10 are struggling just to get the materials and information done, but
11 I think we do need to probably continue conversations around this.
12 I wouldn't want it to be so binding, but point well taken. Thank
13 you.

14
15 **CHAIRMAN ANSON:** I tend to agree with Andy about that, and I think,
16 with some more frequent communication amongst those that are
17 expected to produce at least the presentations that the council
18 requests, and needs for deliberation, and, you know, maybe that
19 would foster more timely submissions.

20
21 Then, for those other items that just kind of pop up, and we're
22 kind of in a rock and a hard place with, you know, comment periods,
23 and the timing of our council meetings and that type of thing, and
24 not having an opportunity, maybe, to at least discuss it during a
25 council meeting, and I think could limit us too, in those
26 situations, and so I wouldn't be in support of the motion. Mr.
27 Schieble.

28
29 **MR. SCHIEBLE:** Thank you, Mr. Chair. I understand the intention,
30 Bob, with where this is going, and, in some respects, I agree with
31 trying to put some teeth into something, some gravity, to where
32 there is accountability of having things by a specific deadline,
33 but then, on the flip side, I look at it like, well, what if we
34 miss something really important by one day, and then we don't get
35 to see it, as a council, because it just missed it by one day,
36 right, and would that day have been enough for us to go through it
37 anyway ahead of time?

38
39 I'm sort of on the fence with this whole thing, and I know -- I
40 may be wrong when I say this, but I think the SSC took some sort
41 of action like this, a few years ago, where they requested things
42 had to be in front of them within a week before the meeting, in
43 order for them to fully review them, and I might be wrong, and I
44 don't know if that's like defined in a motion, or if that was just
45 their request, but I believe they had something to that effect.

46
47 You know, each of the states meets with the Executive Director and
48 the Chairman, and we kind of go through some things that we would

1 like to see every year, or issues that we have, and this comes up,
2 at least with our Louisiana meeting, almost every year, about the
3 timing of things, and I don't want it to reflect on the staff over
4 there, because, every meeting, we load them up with more stuff to
5 do.

6
7 We ask them to write letters to so-and-so, and come back with an
8 analysis of this, or whatever, and they've got a lot on their
9 plate, and it's not a reflection of what the staff are doing or
10 not doing, and it's a reflection of what Carrie just said, that
11 they're dependent upon outside sources for things, to get data, to
12 make an analysis, or a slide show, and so, however we go forward
13 with this, I just want the staff to know that, whatever we do,
14 it's not reflective of what you're doing back there, and you guys
15 are doing your job.

16
17 **CHAIRMAN ANSON:** Any other discussion on the motion? All right.
18 I tried it with hands earlier, and I'm not going to try it again.
19 We have one more -- Mr. Gill.

20
21 **MR. GILL:** Thank you, Mr. Chairman, and so I have no problem
22 withdrawing the motion, if there is no traction on the council,
23 and, obviously, I won't be here, one way or the other, but I would
24 just throw out the idea that there are times when it is
25 consequential, and, in fact, Andy was involved, way back when we
26 were going to go final on gag, and it came on Monday night, and so
27 I just offer it as a suggestion, and, if the council doesn't want
28 it, I would be happy to withdraw it.

29
30 **CHAIRMAN ANSON:** Well, without additional folks giving an
31 indication as to where they lean, I mean, I think I would still go
32 through with a vote at this point, unless you want to withdraw it,
33 and I'm not -- If you want to leave it, we'll leave it, but are we
34 ready for the clickers?

35
36 **EXECUTIVE DIRECTOR SIMMONS:** They shut them down.

37
38 **CHAIRMAN ANSON:** They shut it down? Okay, and so we're going to
39 have to raise our hands, and, if you're in support of the motion,
40 please raise your hand now. All right. I didn't see any hands go
41 up, and is there any abstentions on the motion? Anyone abstaining
42 from voting? All right. I don't see any hands up for abstentions,
43 and so the motion failed. Sorry to see your last motion, Bob, go
44 down in flames, but, anyway, that will take us --

45
46 We did, at the beginning of the Full Council meeting, we did add
47 discussion of timing for response to comment requests, and that
48 was brought up, and suggested or asked, by Mr. Gill, to bring up

1 and put under Other Business, but, Mr. Gill, do you have anything
2 to say towards that?

3
4 **MR. GILL:** I withdrew it, and I will deal with Carrie and you
5 directly, to give that suggestion.

6
7 **CHAIRMAN ANSON:** All right. Thank you very much. Is there any
8 other business that needs to be discussed? Mr. Strelcheck.

9
10 **MR. STRELCHECK:** The question that I was asked most this week is
11 when are announcements about council appointments going to be made,
12 and I would like to update everyone that I don't have an update at
13 this point. In all seriousness, phone calls could be made as early
14 as this afternoon, and it may be tomorrow, but there will be an
15 announcement between now and close of business on Friday.

16
17 **CHAIRMAN ANSON:** Thank you for the update. All right, and so, as
18 we close out the meeting, again, Bob, Susan, and Dale, thank you
19 for your service to the council. We really appreciate it, and
20 good luck to you, and hopefully we'll see you soon.

21
22 **MR. DIAZ:** Thank you, Mr. Chairman.

23
24 **CHAIRMAN ANSON:** Thank you, Dale. We appreciate it. Otherwise,
25 the meeting is adjourned.

26
27 (Whereupon, the meeting adjourned on June 27, 2024.)

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29 - - -

30