

TAB B

SUMMARY OF THE REEF FISH MANAGEMENT COMMITTEE January 27-28, 2009 Bay St. Louis, Mississippi

Committee members present:

Kay Williams, Acting Chair	Robin Riechers
Kevin Anson	William Teehan
Roy Crabtree	Susan Villere
Robert Gill	Bobbi Walker
Julie Morris	

January 27, 2009

The agenda was adopted with the addition of the following items under Other Business:

- Updates on state activities relating to recreational red snapper regulations.
- Control date on reef fish
- Update from NMFS/SERO on estimates for 2009 recreational red snapper season.
- Discussion of allocation analyses report by Brad Gentner, and U.S. DOC Fisheries Economics report.

The minutes of the October 28, 2008 meeting were approved as written.

Options Paper for Amendment 31/DEIS (Sea Turtle-Longline Interactions)

Carrie Simmons reviewed the actions and alternatives in the options paper for Amendment 31, noting that there were corrections to the Table 2.1 on page 20. Carrie also summarized comments made at the Panama City scoping meeting, Steven Atran summarized the Madeira Beach scoping meeting, and Charlene Ponce summarized written comments received. In response to questions as to whether this table represented percent reductions for the various actions, she responded that it represented the current percent of takes under the given parameters observed in the observer study. Roy Crabtree emphasized that the report needed to be clear whether effort would go away or would simply shift under the alternatives. Steve Branstetter noted that the statement on page 23 that “the least restrictive combination of options that would achieve a significant reduction is to close waters less than 40 fathoms in the entire eastern Gulf during June-August” should read 50 rather than 40 fathoms. Jennifer Lee stated new take estimates were being worked up that incorporated the 2008 observer data, but she did not expect the overall estimates to change much.

Action 1 - Modify baits for the bottom longline reef fish fishery

Roy Crabtree cautioned that research on baits and hooks from the pelagic longline fishery may not necessarily be applicable to reef fish longlines since turtles caught in the bottom longline fishery tend to be larger and have larger mouths. He noted that the pelagic longline fishery had been shut down for two to three years except for a limited number of

vessels that conducted research on bait and hooks under exempted fishing permits. The pelagic longline fishery was then reopened with bait and hook requirements based on that research.

Kay Williams felt that this section could be expanded and suggested that add alternatives to the section.

Action 2 - Restrict longline fishing in the eastern Gulf of Mexico

The committee had no recommendations for this section, but did have an extensive discussion regarding the lack of an explicit bycatch reduction goal. Shepherd Grimes stated that the goal was to reduce bycatch to the extent practicable, and to a level that will avoid a finding of jeopardy. Bob Gill noted that in Table 2.2 a change of just one sea turtle in the data can result in a big change in percentage of turtle takes. Rick Leard noted that sea turtle nesting has declined, and that under the ESA, agencies must make conservative assumptions. Roy Crabtree added that a conservative assumption would be to assume that turtles are ubiquitous throughout the Gulf shelf, in both time and space.

Action 3 - Longline Endorsements

The Committee agreed that only landings from longlines should be used to establish eligibility criteria.

By consensus, the Committee recommends, and I so move, that qualification criteria for longline endorsements in Action 3 be based on longline landings only.

Bob Gill felt that a 10,000 pound longline endorsement qualification criteria was too small for longline catches, and was more representative of vertical line catches.

Without opposition, the Committee recommends, and I so move, that Action 3, Alternative 2 (ten thousand pound qualification criteria) be stricken from the amendment.

Alternative 2: Establish a longline endorsement to the reef fish permit; a minimum annual average reef fish landings of ten thousand pounds per permit will be required to qualify for a longline endorsement. Annual average landings will be calculated based on logbook landings

Option a: during the 1999-2004 period

Option b: during the 1995-2007 period

Without opposition, the Committee recommends, and I so move, that the options paper clarify that qualifying landings are those from longline gear, and add alternatives for qualifying criteria of 60,000, 70,000 and 80,000 pounds.

Assane Diagne noted that in order to determine the number of pounds caught by each permit, the permit's individual history had to be researched by hand. To aid the NMFS permits branch in this task, the Council should decide what years they want to use. Bob Gill noted that the existing options used a long time series of years. Given the volatility in landings and possible recent changes, he felt there should be an alternative to use only recent years.

Without opposition, the Committee recommends, and I so move, that in Action 3, Alternative 3, add an option c) for control dates 1999 – 2007.

Action 4 - Observers and Electronic Monitoring

Roy Crabtree asked who would pay for video monitoring or enhanced observer coverage, noting that NMFS does not have the funding. He felt that 100 percent observer coverage was the only coverage that would give real-time monitoring. Less than 100 percent coverage would require expansion of the observer data using logbooks, and video monitoring would require that the video recording be removed from the vessel at the completion of a trip and taken back to the office for analyses.

A motion to move Action 4-Observers and Electronic Monitoring to be considered but rejected failed by a vote of 1 to 7. Some committee members felt that the industry should have a chance to look at the plan, and perhaps identify sources of funding.

Section 2.2 Ideas for future development

Julie Morris felt that the ideas discussed in Section 2.2, Item 1 - address number of hooks, mainline length and soak times, were reasonable and should be developed into current management ideas rather than be left as items identified for further research. The Committee recommended that Council staff contact the SEFSC to see if additional alternatives could be developed in conjunction with the Pascagoula lab to address gear modification or other ideas that could be implemented in Amendment 31. There was considerable discussion about enforceability, with NMFS and Coast Guard officers stating the mainline length and soak times were not enforceable, and that VMS would not be a useful tool for these.

By a vote of 5 to 3, the Committee recommends, and I so move, that in Section 2.2, Item 1 be developed into an Action item to change fishing behavior and gear practices by addressing number of hooks, mainline and gangion lengths, and soak times. 10-5 passed

Emergency Action Request

Roy Crabtree stated that a Council request for emergency action is needed at this meeting in order to have it in place by June 1.

Based on Table 2.1, a motion was made to prohibit longline gear in waters less than 50 fathoms for the entire eastern Gulf for a 5 month period starting immediately upon implementation. Based on Table 2.1, which indicated that such a move would be most effective June through August, a substitute motion was made to prohibit longline gear in waters less than 50 fathoms for the entire eastern Gulf starting immediately upon implementation and ending August 31st. However, Roy Crabtree stated that since he could not know for sure in advance when a final rule would publish, a fixed number of months would be preferable to a fixed closing date. The substitute motion failed by a vote of 1 to 7.

By a vote of 7 to 1, the Committee recommends, and I so move, the Council request an emergency rule that would prohibit bottom longline in waters less than 50 fathoms for the entire eastern Gulf starting immediately upon implementation.

Roll call vote, passed 10- 7, mcIlwain, Williams, morris, gill, riechers, diaz, pierce, all no, Walker, foote, crabtree, villere, anson, ray, hendricks, teeahan, sapp, shipp, all for

New motion Morris, during fishing year 2009 while the emrg LL closure is in effect and after the 2009 dw quota is caught, rf bottom LL is prohibited east of cape san blas.

Motion, add an action that would allow a framework to add acls and ams to amend 31. passed

Final Action on Amendment 29 (Grouper/Tilefish IFQ)

Steve Branstetter summarized the results of the referendum, stating that there were 220 votes in favor, 50 opposed, and 4 invalid. Andy Strelcheck reviewed the Proposed Rule, noting that is included changes to the red snapper IFQ to make both IFQ programs consistent with each other. Bobbi Walker expressed concerns about the fairness of awarding IFQ shares to longline fishermen who couldn't use them if longlines were moved to 50 fathoms, and also about the potential for loss of jobs due to consolidation and reductions in shore based jobs. She noted that in the Alaskan halibut fishery, the number of vessels was reduced to just a few, and shore-based jobs were reduced by 50 percent. She also felt that the red snapper IFQ had not yet been perfected. Julie Morris responded that the Council has been working on Amendment 29 for a long time, and she did not see any reason to delay final action.

By a vote of 6 to 2, the Committee recommends, and I so move, that he Council forward Amendment 29 to the Secretary of Commerce for approval and implementation.

Walker, villere, foote, sapp, no 13 were yes

Crabtree, council deems the proposed rule for amend 29 to be necessary and appropriate and forward to that to the soc, passed

Management of the Recreational Red Snapper Fishery

Steven Atran reviewed the white paper on the Council motion for management of the recreational for-hire sector. While the paper is primarily a discussion of the elements in the Council motion, it included a table comparing the Council plan, SOS plan, and AHRSAP plan, plus the GOMARS proposal in an expanded table. Bobbi Walker felt that the white paper did not address fishermen's concerns, specifically whether any of the elements would help to extend the red snapper season. Other committee members felt that the concerns of the fishermen included getting better data, and management measures that are more accountable. The committee held an extended discussion of ways to improve data collection. Bonnie Ponwith cautioned the committee that data collection fell under the MRIP program, and she did not want to see MRIP fragmented by a lot of small species-specific data collection programs. The committee noted that all of the plans included self-reported data, and such data needed to be validated. After further discussion, the following motion was passed:

By a vote of 8 to 0, the Committee recommends, and I so move, that the Council ask the SEFSC and MRIP to establish protocols for validation of self reported recreational reef fish data and establish pilot projects to evaluate and ground truth these protocols. Williams, walker, amend, sefsc and mrrip also look at the gomars and sos plans as they relate to validation of self reported data. Passed All passed

Williams, shipp, direct staff to put together a draft options paper to include the for-hire sector to be able to choose their days, incorporate the sos and gomars plan ideas such as sector separation and endorsements, and other ideas that the public and for-hire industry has requested. Passed

Reallocation of Gag, Red Grouper, Greater Amberjack and Gray Triggerfish Using New Allocation

Assane Diagne reviewed the discussion paper on allocation, which consisted mainly of graphs showing historical levels of catch and proportion by sector per year of harvests for grey triggerfish, greater amberjack, red snapper, and gag. Kay Williams felt that the paper should have discussed purpose, basis, and objectives as required under the framework procedure for changing allocation. Assane noted that, since the Council has not proposed any allocation changes, such discussion was not yet needed. Other committee members noted that development of possible allocation changes was an iterative process. Robin Reichers suggested that the next stop was to see what data sets might apply to allocation tools, and what data is needed to evaluate economic impacts, social impact analyses, etc. Julie Morris suggested that the Council begin by reviewing

the interim allocation for gray triggerfish and greater amberjack. Bill Teehan responded that Florida FWA has previously asked the Council to review its allocation of red, gag and black grouper. No motions were made for this issue.

Due to time limits, continuation of the discussion of this issue was deferred to full Council.

Richers, , continue preparation of of tab b#6 by discussing the different alternative methods in the allocation policy sec III as they relate to the species covered in RF amendments 30A and 30B and to include any data that are available. passed

January 28, 2009

Alternative Devices to Reduce Release Mortality

Bob Shipp reported that he was recently made aware of an alternative method of releasing deep caught fish from Doug Olander, editor of Sport Fishing Magazine. This method uses a weighted hook to return the fish to depth, with the hook rigged such that a sharp tug on the line releases the fish once it has been returned to depth. The method is used in Australia. More information and a video on this method are available at:

<http://www.recfishwest.org.au/ReleaseWeightDVD.htm>

Steven Atran added that a retired charterboat fisherman from Alaska has invented a device that does the same thing, but uses a Boca-grip type clamp rather than a hook to hold the fish (<http://git-r-down.com/>). Also, a group called the Coelacanth Rescue Mission (<http://www.dinofish.com>) has been distributing a deep release kit in the Comoros, which is a hook attached to a small sack that can be filled with weights and works similar to the Australian weighted release hooks. Studies (available on the Recfishwest web site) indicate that release weights can be as effective as or more effective than venting.

Other Business - Updates on state activities relating to recreational red snapper regulations

Florida – Bill Teehan reported that Florida had previously adopted the 2 fish bag limit and 0 bag limit for captain and crew of for-hire vessels, but had retained the April 15 to October 31 fishing season. This season stakeholders have petitioned FWC to reconsider its season. The Commission will meet next week and will consider changing the state season to June 1 to September 30 to be consistent with the season as specified in the Code of Federal Regulations. The regulations need to have a fixed opening and closing date, as the rulemaking process does not allow a “we close when they close” type rule.

Alabama – Kevin Anson stated that Vernon Minton will recommend to the Commissioner that Alabama adopt the federal season.

Mississippi – Dale Diaz stated that staff has recommended that the Commission adopt the federal season.

Louisiana – Karen Foote reported that Louisiana will continue to follow the federal season. The Secretary is authorized to take action to close or open the season as needed to be consistent with the federal season.

Texas - Robin Reichers stated that Texas has a regulatory process similar to Florida's. Proposed changes are presented to the Commission in January, they are decided in April, and rule changes are usually implemented in August. Red snapper are not currently on the agenda for action. Texas believes that it has contributed to the conservation of the resource through the Texas shrimp closure, BRD requirements, a moratorium on shrimp licenses, a zero bag limit for captain and crew that has been in place since 2002, and a requirement that commercial red snapper fishermen must abide by the recreational red snapper bag limits when fishing in state waters.

Other Business - Update from NMFS/SERO on estimates for 2009 recreational red snapper season

Roy Crabtree reported that the closing date for last year's red snapper season was announced on March 25, and he expects to make this year's announcement around the same time frame. Determination of the closing date depends on state actions regarding fishing seasons. In addition, NMFS does not yet have all the landings data for 2008. MRFSS data is currently available through Wave 5 (October). Headboat and Texas data is not yet in. However, based on the data currently available, there appears to have been an overharvest estimated between 500,000 and 1,000,000 pounds. Part of this overharvest is because the average size of red snapper harvested has increased by 10%-20%. Because of this, even if the states adopt consistent regulations, the season is likely to close sometime in early August. If states do not adopt consistent regulations, it's possible that the entire recreational allocation could be taken by state harvest, and there would be no federal season.

Other Business – Presentations on electronic reporting systems

Bobbi Walker felt that it would be useful to the Council to have an Environmental Defense representative give a presentation at the next Council meeting on the electronic logbook system that they are currently evaluating. She also felt that it would be useful to have someone from the NMFS Science and Technology office such as Tom Sminky or David Van Voorhees to listen to the presentation and evaluate the program. Julie Morris added that, if there were going to be presentations, a presentation from Dr. Scott Baker of North Carolina Sea Grant on his cell-phone /social networking based reporting system would also be useful. Committee members felt that the appropriate committee to hear these presentations would be the Data Collection Committee.

By consensus, the Committee recommends, and I so move, that the Council invite a representative from Environmental Defense, and Dr. Scott Baker from North Carolina Sea Grant, to give presentations to the Data Collection

Committee at the next Council meeting on their respective electronic data collection systems, and that a representative from the NOAA Fisheries Office of Science and Technology Fisheries Statistics Division also be invited to attend and evaluate the presentations. passed

The remaining Committee items were deferred to the full Council.