

**Summary of the
Gulf of Mexico Fishery Management Council
Ad Hoc Recreational Red Snapper Advisory Panel Meeting
Quorum Hotel – Tampa, FL
January 9-11, 2008**

Panel members

Thomas Becker – Vice-chair
Jerry Anderson
Myron Fischer
Scott Robson
Louis Rossignol
Mike Rowell
Mike Thierry
Monty Weeks
Johnny Williams
Dick Wilson
Jim Zurbrick
Jeff Barger
Dave McKinney
Donald Waters

Others

Janet Bernard, Council Staff
Sarah DeVido, NMFS
Assane Diagne, Council Staff
Bob Gill, Council Representative
Elisabeth Fetherston, Ocean Conservancy
Sheppard Grimes, NMFS
Stephen Holiman, NMFS
Russell Nelson
Dennis O’Hern
Andy Strelcheck, NMFS
Bill Tucker
Wayne Warner
Bob Zales
Patty Zurbrick

The Ad Hoc Recreational Red Snapper Advisory Panel (AHRRSAP) met to discuss management of red snapper in the recreational sector. The meeting was held on January 9-11, 2008 in Tampa, Florida. Bob Gill was the Council representative.

With modifications, the panel members adopted the agenda and decided to cancel the break-out sessions and provide all members the opportunity to participate in all discussions. Panel members suggested that Council staff could record the group’s objectives and distribute the list later.

Bob Gill, the Council representative reiterated the Council’s charge to the panel. He indicated that the group has a challenging problem to solve and suggested that future discussions should also consider annual catch limits and accompanying accountability measures required by the MSRA.

Sheppard Grimes gave a presentation on regulatory requirements applicable to advisory panel meeting and recordkeeping procedures. He stressed the importance of proper notice and of granting complete access to the public. Regulatory excerpts that he provided are attached to this report.

Sarah DeVido gave a presentation on incentive-based and regional management approaches including fish harvest tags and stamps, and angling management organizations. Her presentation discussed key issues associated with the program considered, including initial eligibility, initial distribution, monitoring and enforcement, and, transferability.

Andy Strelcheck gave presentations on the status of the red snapper stock and on potential impacts of the first fish rule. His presentations clarified status determination criteria and explained the stock assessment process. Relative to the first fish rule presentation, panel members expressed concerns relative to the paucity of the data used and inquired about potential uses of the study. Members indicated that a study with a representative sample across the Gulf of Mexico was needed.

Recreational red snapper objectives were discussed by panel members. Following the consolidation of similar or related objectives, members agreed upon the following list of objectives:

1. Design Flexible Management Strategies for the recreational red snapper fishery
2. Optimize red snapper management to provide greatest access for the longest amount of time and provides a catch level that sustains participation.
3. Maintain a stable and profitable for-hire sector.
4. Improve Council's notification of recreational fishermen to increase involvement in management decisions.
5. Identify reef fish participants in the private recreational fishing sector (federal).
6. Provide a reliable and verifiable reporting mechanism for the private recreational fishing sector.
7. Reduce bycatch and bycatch mortality.
8. Restore red snapper biomass to a level supporting a sustainable fishery.
9. Reduce participation in the red snapper fishery.
10. Implement appropriate regional management strategies.
11. Inform the Council of the cumulative adverse impacts of economic downturns, all regulations and increased input costs (fuel).

Group discussions focused on five themes: Data Collection, Education and Enforcement, Artificial Reefs and Marine Reserves, Bycatch Reduction, and Alternative Management Strategies. For each theme, following extensive discussions and exchanges between

members and contributions from the attending public, panel members listed key elements for further consideration.

A. Data Collection

1. Reef fish permitting system for recreational fishermen with red snapper endorsement.
2. Require mandatory reporting system from all permitted fishermen.
3. Periodically educate captains on existing charterboat survey.
4. Ask charter captains for catch information.
5. Use truly random selection in the dockside surveys.
6. Observer system in place.
7. Video monitor.

B. Education and Enforcement

1. The need of a linking system for online permit application for Data Collection items 1 and 2 which will require the completion of a tutorial and agreement to complete the required reporting procedures
2. Comparable orientation presented to the clients by crew prior to fishing on for-hire vessels.
 - a) Law enforcement will provide a DVD of the required orientation education for captains and crew.
3. Recommend to the Gulf Council that the collection of this data is extremely important and we consider the violation of this section egregious.
4. Need for compatible regulations between state and federal
5. Recommend to the Gulf Council that due to the perceived condition of the stock violation of the red snapper regulations are considered egregious.

C. Artificial Reefs and Marine Reserves

1. Encourage the states to enhance their artificial reef program.
2. Encourage the federal government to create an artificial reef program.
3. Encourage the federal government to enhance their knowledge of the productivity of artificial reefs.

Motion to request presenter on MPA's for the next meeting. Issues to discuss would include direct benefits and stock enhancement credits to fishermen that can be derived from MPA's. (Motion carried).

D. Bycatch Reduction

1. Explore the impacts of concurrent bottom fishing and snapper seasons in an effort to reduce off-season bycatch.
2. Consideration of a maximum depth boundary for red snapper fishing.
3. Limit number of hooks dropped.
4. Explore monitoring methods that would improve the viability of First Fish Rule.
5. Educate the recreational fisherman.

Motion to request clarification on the referendum requirements pertaining to change in the red snapper allocation between the commercial and recreational sectors (Motion carried)

F. Alternative Management

1. Explore the possibility of a First Fish Rule to get larger TAC.
2. Request Council explore the idea of designating red snapper as a recreational-only species
3. Comparison of net economic benefits derived from the commercial and recreational sectors

In discussing the scheduling of their next meeting, panel members indicated that they preferred to meet for two working days and offered the following:

Motion that the next Ad Hoc Recreational Red Snapper meeting be held on Tuesday, March 25 and Wednesday, March 26, 2008 in Mobile, AL. (Motion carried).

On Friday January 11, 2008 panel members continued theme discussions. However, the members present did not constitute a quorum. Therefore, discussion items considered during that session are appended to this report. At its next meeting, the panel will determine whether these items warrant further consideration.

The meeting ended at noon.

APPENDIX: Additional Discussion Elements (1/11/08)

Bycatch Reduction (Appendix)

- 1* Educate recreational fisherman in the use of venting tools, dehookers and circle hooks
- 2* Require minimum hook size

Alternative Management (Appendix)

- 1* Ask council staff to explore the possibilities of an IFQ system in the for-hire sector
- 2* Explore headboat IFQs
- 3* Explore possibility of making red snapper a game fish
- 4* Explore potential options for developing initial allocation criteria
- 5* Enforcement of potential IFQ
- 6* Explore the possibility of an incentive-based program.
- 7* Data for party boat and charterboat landings to be presented at next meeting
- 8* Data on charterboat permits
- 9* Explore possibility of raising TAC as a means of bycatch reduction
- 10* Explore possibility of allowing recreational sector to purchase or lease commercial IFQ
- 11* Recreational and private sector's contributions to be recognized
- 12* Explore the use of tag-based program in the recreational sector
- 13* Explore the use of regional management organizations
- 14* Explore the use of regional management alternatives
- 15* Look at earned income requirement for the head boat and charterboat

Relevant Regulatory Excerpts (to open/public meeting requirement)
January 9, 2008

Directly applicable regulatory requirements:

50 CFR § 600.135 Meeting procedures.

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(c) After notifying local newspapers in the major fishing ports within its region, having included in the notification the time and place of the meeting and the reason for closing any meeting or portion thereof:

(1) A Council, SSC, AP, or FIAC shall close any meeting, or portion thereof, that concerns information bearing on a national security classification.

(2) A Council, SSC, AP, or FIAC may close any meeting, or portion thereof, that concerns matters or information pertaining to national security, employment matters, or briefings on litigation in which the Council is interested.

(3) A Council, SSC, AP, or FIAC may close any meeting, or portion thereof, that concerns internal administrative matters other than employment. Examples of other internal administrative matters include candidates for appointment to AP, SSC, and other subsidiary bodies and public decorum or medical conditions of members of a Council or its subsidiary bodies. In deciding whether to close a portion of a meeting to discuss internal administrative matters, a Council or subsidiary body should consider not only the privacy interests of individuals whose conduct or qualifications may be discussed, but also the interest of the public in being informed of Council operations and actions.

(d) Without the notice required by paragraph (c) of this section, a Council, SSC, AP, or FIAC may briefly close a portion of a meeting to discuss employment or other internal administrative matters. The closed portion of a meeting that is closed without notice may not exceed 2 hours.

(e) Before closing a meeting or portion thereof, a Council or subsidiary body should consult with the NOAA General Counsel Office to ensure that the matters to be discussed fall within the exceptions to the requirement to hold public meetings described in paragraph (c) of this section.

(f) Actions that affect the public, although based on discussions in closed meetings, must be taken in public. For example, appointments to an AP must be made in the public part of the meeting; however, a decision to take disciplinary action against a Council employee need not be announced to the public.

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[66 FR 57887, Nov. 19, 2001]

General Guidance (not directly applicable):

Subpart D—Advisory Committee Meeting and Recordkeeping Procedures

41 CFR § 102-3.145 What policies apply to subcommittee meetings?

If a subcommittee makes recommendations directly to a Federal officer or agency, or if its recommendations will be adopted by the parent advisory committee without further deliberations by the parent advisory committee, then the subcommittee's meetings must be conducted in accordance with all openness requirements of this subpart.

§ 102-3.155 How are advisory committee meetings closed to the public?

To close all or part of an advisory committee meeting, the Designated Federal Officer (DFO) must:

- (a) Obtain prior approval. Submit a request to the agency head, or in the case of an independent Presidential advisory committee, the Secretariat, citing the specific exemption(s) of the Government in the Sunshine Act, 5 U.S.C. 552b(c), that justify the closure. The request must provide the agency head or the Secretariat sufficient time (generally, 30 calendar days) to review the matter in order to make a determination before publication of the meeting notice required by §102-3.150.
- (b) Seek General Counsel review. The General Counsel of the agency or, in the case of an independent Presidential advisory committee, the General Counsel of GSA should review all requests to close meetings.
- (c) Obtain agency determination. If the agency head, or in the case of an independent Presidential advisory committee, the Secretariat, finds that the request is consistent with the provisions in the Government in the Sunshine Act and FACA, the appropriate agency official must issue a determination that all or part of the meeting be closed.
- (d) Assure public access to determination. The agency head or the chairperson of an independent Presidential advisory committee must make a copy of the determination available to the public upon request.

§ 102-3.160 What activities of an advisory committee are not subject to the notice and open meeting requirements of the Act?

The following activities of an advisory committee are excluded from the procedural requirements contained in this subpart:

(a) Preparatory work. Meetings of two or more advisory committee or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the advisory committee, or to draft position papers for deliberation by the advisory committee; and

(b) Administrative work. Meetings of two or more advisory committee or subcommittee members convened solely to discuss administrative matters of the advisory committee or to receive administrative information from a Federal officer or agency.