

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

DATA COLLECTION COMMITTEE

**Charleston Marriott Hotel
Charleston, SC**

September 19, 2013

SUMMARY MINUTES

Dara Collection Committee:

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Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Phil Steele
Anik Clemens
Dr. Marcel Reichart

Dr. Jack McGovern
Doug Boyd
Pres Pate
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Additional Observers Attached

*Appointed but non-voting or sworn-in until October 25, 2013

The Data Collection Committee of the South Atlantic Fishery Management Council convened in the Blue Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, September 19, 2013, and was called to order at 1:30 o'clock p.m. by Chairman Michelle Duval.

DR. DUVAL: If everybody is ready, we're going to go ahead and call to order the Data Collection Committee. We have a number of items on our agenda today. The first thing; is there anything else that folks might want to add or change on the agenda or anything to come up under other business? Seeing none; the agenda stands approved.

The next item is approval of our June 2013 committee minutes. Are there any changes or corrections to the minutes? Seeing none; the minutes stand approved. The next thing is we have several amendments that we had approved, and the first one is to get a status report of the Joint Gulf and South Atlantic Council Generic For-Hire Reporting Amendment. This is the one that implemented electronic weekly reporting for headboats, and Jack is going to give us a little status update on that.

DR. McGOVERN: Yes Madam Chair, the Notice of Availability for the South Atlantic Electronic Headboat Amendment published yesterday. The comment period on that amendment will end on November 18th. The comments from the NOA and the proposed rule will be used by the secretary to make a decision on the amendment in December. It is expected the regulations for that amendment could be in place by early next year. For the Gulf Headboat Electronic Amendment; that amendment is under review in a region, and it is expected it could clear the region fairly soon.

DR. DUVAL: Then we also had as items under each of these a report on how compliance would be implemented for these amendments and, Dr. Ponwith, are you prepared to update us on that?

DR. PONWITH: In your briefing books this is Attachment Number 10. What we're going to do is roll right through talking about each of these in sequence beginning with the headboat. The major emphasis in these presentations will be on what the Center is doing to monitor compliance from within the system.

The part that is still sort of young and in development is the collaboration across the four components of compliance. That would be the Southeast Fisheries Science Center, our colleagues at the Regional Office, our colleagues in the Office of Law Enforcement, and then certainly general council.

Those four elements of the enterprise are collaborating right now on discussing how each of us envisions our role in the full continuum of compliance to be carried out. Those discussions are under way and I can share with you some of the early parts of those discussions. First let's start with what is happening within the Southeast Fisheries Science Center. We're going to begin with the headboat survey. With the headboat survey, the current reporting requirement is that the trip reports are due the first week following the end of a month.

The compliance measures are currently that when they are two weeks past due, the vessel is visited by a port agent. That is an in-person contact. If they are one month past due, then the vessel receives a warning letter, and that status is made available to the SERO Permits Office.

What we picture right now within the Center for the new reporting requirements is the reports will be due for each trip the following Sunday.

The compliance measures are if they are one week past due, the vessel will be contacted by e-mail. If they are one month past due, then the vessel is sent a letter. The status is made known to SERO Permits Office, and the Office of Law Enforcement is notified. Future compliance measures that we would be looking out going into the future would be again at one week past due contacting the vessel by e-mail and then at one month past due sending the vessel a letter and make SERO Permit Shop aware of this and notifying OLE.

What I am going to do is roll straight into the dealer reporting piece right now. Before I go, are there questions about what's happening within the Science Center? Again, what I'm going to do is we'll go through what happens at the Science Center and we can talk a little bit about the handoff from Science Center to Regional Office to OLE to General Counsel after we're done with these series of three presentations. Are there any questions specifically on the Science Center component?

MR. WAUGH: The way the regulations are written or will be written here, the vessel would be out of compliance if they fish the following week without having submitted a report. I was just wondering the rationale for waiting a month to send them a letter.

DR. PONWITH: I think this is an important discussion. Certainly, we would want them in compliance as quickly. I think one of the things that we're interested in is your feedback on phase-in. Part of this is going to require a substantial amount of education and outreach from the council's perspective and from those four components within NOAA's perspective.

We're holding internal meetings right now to discuss the notion of phase-in, the notion of we would rather do outreach than write tickets. We would rather make people aware of the repercussions of being late on these and bring them into compliance that way than have to go the ticket route, because we think the long-term benefits of those are strong.

It is just a matter of understanding sort of our views on phase-in, understanding the council's views and what the council views its roles for outreach would be to help make this system work. Ultimately the goal is 100 percent compliance we would like to see on this, because that is when those electronic systems have the highest payback for us and we get the biggest return on our dollar that way.

DR. DUVAL: Bonnie, are you looking for some input from the committee with regard to almost a grace period; like how long you would have something of a phase-in? I know in North Carolina if we have major regulation changes, we will do a press release. We will reach out to folks and the marine patrol will sometimes just provide written warnings if there is a new major license requirement or something like that. Is that the kind of feedback that you're looking for?

DR. PONWITH: That is precisely the kind of feedback, because I know culturally that may be completely different in each of the states. You may have your own views on the right way to bring this system online and bring us to that point where we're getting 100 percent compliance or near 100 percent compliance. But if you have views on the correct way to get there from here,

this would be an ideal opportunity. We're not rushing into landing on the compliance approach. I think it needs to be a studied approach. Your input on this is really valuable.

MR. BELL: Madam Chairman, I am not on your committee, but we've got a lot of experience at the state level dealing with headboat reporting or for-hire reporting and also dealer reporting. You are right, when you start something new, you do need some sort of transitional period. We have some recent experience with new reporting requirements and things for other fisheries, dealing with diadromous species and stuff.

What we found is you can send them a letter and you can explain how it is supposed to work, and you are still going to get a certain percentage that don't get it or whatever. Our program is really all about what we're really after are the data. We want the data and we're not interested in writing a lot of tickets; but over the years, particularly with our for-hire sector and our dealer reports, we have a process in place where we write tickets, but we go through kind of like you've got set up there.

There is a warning and then there may be a second warning. Then at some point the officer goes and finds the individual and writes a ticket. Then either they pay the ticket or we go in front of the magistrate. I will say documentation – if you find yourself going in front of the judge or in front of the magistrate, having your ducks in a row and having it all very simple to understand.

We have about a 99 percent success rate in front of the magistrates. Since we've been doing this for several years, they are used to the system and they know the deal. It is pretty cut and dry for us. There does need to be that sort of introductory period. Even with this in place, we make it clear this is all about the data. Then we have the opportunity to explain why the data are important. You are going to have to kind of phase it in, for sure.

DR. DUVAL: I agree, and I am thinking about some of the efforts that we've made in North Carolina. Say a dealer is late on sending in their trip tickets; we give them a phone call. I realize that is going to be a little bit more difficult with all the headboats in the region. But it is an example of an outreach just to make sure there wasn't some lightning storm that blew out the cable, things like that; that there is not some family thing going on that really just interrupted their ability to get a report in a timely fashion.

MR. PHILLIPS: We're doing electronic reporting for our snapper boats and our shark boats, and we still have problems with it locking up and stuff. We're steady calling. It is going to be fine tuning on both ends of the spectrum. I would like to see a consistent – for every week they're out, I would like to see an e-mail go out and not wait a month.

Because, if you wait a month and then you send the letter and then you wait for a reply; you're getting on out there. We get e-mails, and sometimes it is something we did and sometimes it's something that happened on their end. We say, "We did this." "Oh, sorry." But I would like a quicker, more interactive; instead of one week and then don't do anything else for a month.

DR. DUVAL: Thanks, Charlie, that is some good feedback. Jack.

MR. COX: Yes, we're just way past time where I think we should already be doing some kind of electronic reporting. I was just curious on the Mid-Atlantic or even the Northeast, how they may handle this situation?

DR. PONWITH: Well, the real question here I think that is germane; we are doing electronic reporting right now. The electronic reporting for the headboat fleet went into effect the beginning of the calendar year. We have maybe between 80 and 85 percent of the vessels are already reporting electronically.

The real question isn't how do you do electronic reporting; it is how do you phase it in in a way that meets our expectations of what we were trying to get out of the system, but phases it in in a way that helps make that cultural transition from paper to electronic in a way that is fair and productive.

DR. DUVAL: Jack and for Chris as well and Zach, the Science Center currently has the ability to require electronic reporting. Really, what this amendment was dealing with was the frequency of that reporting, so the regulations need to change for that. They can require electronic reporting.

It is having the infrastructure in place to do so and making sure that everybody is on board when they do it. This is really about changing the regulations regarding the frequency of reporting for headboats now that they've got everybody pretty much up on the electronic system.

MR. BOWEN: I noticed that the title of this; I saw the word "for-hire", but in these pages that we've been reviewing I have not seen it. Is this just for headboat or is this for charterboat also?

DR. PONWITH: Yes, that is a good question. At this point right now it is headboat only.

MR. CONKLIN: My experience as being a dealer and getting integrated into doing these trip reports electronically, it took a little while to get used to it. I got the e-mails a couple of times. They are not mean; they are friendly. They are nice reminders. I've got a letter in the mail before like you were talking about, extenuating circumstances.

The lady that does mine, she was out for 12 or 15 days, and I wasn't in compliance on some stuff. There should be not extreme repercussions thus far, because stuff does happen and people are busy. But maybe one thing, like I think mine has to be in every Saturday; and if they are not in Saturday, then Sunday morning or Monday morning I've already got an e-mail reminding me to fill it out.

But one thing I would like to see is if all these reports are going up to whoever is getting the information and using the data, well, then everybody, fishermen and headboats, charterboats, dealers, everybody should have the same deadline so people know it is a known fact that Saturday afternoon, no matter if you are on the water or you sell the fish, that is your reports. Then guys will make it kind of part of their regimen, per se. That is just my thoughts on it.

DR. DUVAL: Chris, you were suggesting that there should be the same deadline for electronic reporting for dealers and headboat operators and whoever else comes online with electronic reporting? I just want to make sure I understand what your suggestion was.

MR. CONKLIN: Yes.

MR. STEELE: Madam Chair, Bonnie mentioned outreach earlier in this effort, and we're going to concentrate a lot on our outreach efforts from the Regional Office to let the dealers and the fishermen know this is basically their system. This is a system that they wanted and it is all about monitoring the ACLs and trying to keep us within those ACLs and cut down on the amount of projections that the Science Center will have to use.

Also, during the Notice of Availability of the amendments and the proposed rule, we'll get comments from the public on how they think compliance should work. This would give us some additional information to help us go down this route, but it is important that the people do know it is their system. They asked for it and we got it running, and it is really going to help us monitor our ACLs.

DR. DUVAL: I think that is a great approach, Phil. To cut down on the uncertainty in our ACL estimates; that is a great outreach tool. Are there any other questions before Bonnie roll into the next piece of this presentation? Okay.

DR. PONWITH: The next piece is the electronic dealer reporting. You will see this is sort of jumping in the agenda. If you will indulge this, it will make the presentation a little more cohesive here talking about this. This is Agenda Item 5B, talking about compliance for the dealer reporting amendment.

Here again what we do is talk about what the current requirements are. The current reports are due five days after the end of each period. You will see that is the 1st through the 15th, and then the 16th to the end of the month; so five days after that period. The current compliance measures are that the Center contacts the dealer if they don't receive the reports by the due date, and the dealers are requested to supply those data.

The new reporting requirements, of course, are going to be weekly, and they are going to be due by Tuesday of the following week. The compliance measures during the first year – and again this is proposed. We welcome your feedback on this as part of the discussion – is to notify the dealer by e-mail if they are out of compliance, follow that up with a letter to the mailing address on the permit and then report the compliance status to our colleagues at SERO.

Compliance measures after the first year of the new reporting regulations going live would be that the dealers would be reported again by e-mail. If no report is submitted, they receive letters sent to the address on the permit. The dealers would be contacted by the Southeast Fisheries Science Center if the vessel submits logbook reports and no dealer reports are submitted, because that is a good way to catch a lack of reporting.

Then the compliance status would be made available to the regional office through the new compliance system. We've talked about the dealer reporting system, and it has got modules written into it. Those modules would actually be able to detect ultimately whether we've got dealers who aren't reporting. Then we can generate automated reports and makes it pretty efficient. That is what we have on tap right now.

Again, the part of the discussion that we need to have is your feedback on grace periods and phase-in and outreach and communications approaches; but also again to get the four elements of NOAA together so we've got a really carefully crafted plan after we've obtained that feedback from you of how we interlock those different phases of monitoring for compliance and then what we do about it when we find dealers who are out of compliance. Again, I'm interested in your input or if there are any questions.

DR. DUVAL: Bonnie, I would assume that you were originally proposing maybe a similar schedule of notifying folks by e-mail after a week if no report was submitted and then follow up with a month. I'm guessing Charlie's same comments would probably apply about maybe wanting to see something a little more frequently, like don't wait until a month has passed before sending a letter and maybe send another e-mail the following week or something like that; just to make sure it is top of mind, or it is not something that accidentally gets deleted or something like that. Comments or questions from the committee; input to Bonnie?

MR. WAUGH: I think the timing here is a little more critical than headboat, because we have different compliance measures on the recreational side, and those data aren't going to be available as quickly. But on the commercial side, we have some small quotas. If you wait a month for a dealer to turn in something; that is why we're getting these continued overages of quota. As you will see in a few minutes, gag was over significantly a year ago. To me this is an area where you need to look at your compliance measures and the need to really get that data in fast.

DR. PONWITH: Gregg makes an excellent point, because the point here is that the monitoring system gets its basis from these dealer reports. The closer to 100 percent compliance we are, the smaller the proportion of unreported data we have to estimate. Our biggest mystery is if we don't hear from a dealer, is it because they didn't buy or is it because they bought and neglected to report? That is the wildcard.

What we do is take the data we have and we use a series of algorithms to look at what percentage of the data we have to estimate landings for the data we know we're missing. The smaller, the skinnier of contribution those unknowns are, the tighter that is going to be and the closer to a true census.

If it is a true census, there is very, very little uncertainty about where you are in hitting an ACL. It is all just projecting out this is where we are to date, and based on that our projection of when we would hit is this as opposed to saying this is where we think we are today and based on what we think we have because there are a lot of missing reports that makes the projection more uncertain.

Now, that is why the dealer report is really critical, but allow me to say for the headboat we are not using the headboat data in near real time at this point. But, with headboat, the longer you allow a report to languish unreported, the higher the probability what you get has a potential for being dry-labbed. That has huge repercussions in being able to understand what the true landings were.

MR. COX: Okay, I see where you're going with it now. On the state trip ticket program we have a thing that will come up and it will let you know that you have got so many days left to

have your data in. It is supposed to be in by the end of the month. It is a reminder on the screen. It is important. I hear what Gregg is saying that you guys have got to have this data so we don't blow through the ACLs. If you have got to send the dealer an e-mail or it might be a nice friendly phone call; and after that it should just be a violation, quite that simple.

MR. BOWEN: To your point, Dr. Ponwith, you mentioned the headboat and the real-time reporting. The headboat in my fleet out of Savannah, he uploads it in just a matter of minutes. It is not an ongoing long-sought-out process. If the owner or the captain of the boat counts their fish as they come over the rail like they are supposed to, this takes just a very few minutes to have this accurate information.

Second point; Mel had mentioned something about this transition period that we should go through or that we'll face with this coming about. After that transition period, it is of my opinion that we should send some – and I know we're not in the business of writing tickets, but we should send a strong, clear message that we want this data pretty close to immediately, pretty quick. Whatever that message is, I'm not sure, but I just wanted to raise those two points.

DR. DUVAL: Bonnie, did you want to say something to that point?

DR. PONWITH: Just that it is music to my ears. The weekly reporting is sort of the bookend. There is absolutely nothing preventing those headboats from reporting on a daily basis, which we would love.

MR. BELL: A quick question. You mentioned you don't get a report and then you are forced to make an estimation, because you don't know if the zero is really a zero and you have to come up with a number; what is the timeframe on that? How fast do you come up with that number and then insert? As opposed to let's say it was a case where the individual is in the hospital or something and that can be resolved, but what is the timeframe when you start creating that sort of missing data, I guess?

DR. PONWITH: Right now we are generating projections every two weeks, and that is ready or not. Basically every two weeks we run through the algorithm, take the data that we have and then use mathematical formulas to determine what happened for the data you don't have and then run those projections.

MR. BELL: A couple of times we've been – and again our system is a paper-based system so it is slower, but a couple times we've been asked to provide kind of our paper records to deal with some potential discrepancies or issues or things in the electronic database. That has been very useful to have. I will say the paper has come in handy even though it is paper.

But we're operating on a little bit different – we're not doing every two weeks; we're doing monthly. That has come in handy, but I can see where maybe that is where some of the – if you're applying a number and then we kind of go high, well, then it turns out you find out it was a zero and you're back down again. We maybe can make some overestimations in a short timeframe. It could be problematic, I guess.

DR. DUVAL: Good comments from everyone. I guess one thing I might say to Phil and Bonnie, if you guys are developing outreach materials and you have those in electronic format, I

think your state partners would love to receive those, because we have our own port agents and creel clerk supervisors. I think it would be great to have those materials electronically so that we could pass them along to folks who have questions and are asking.

MR. STEELE: Well, we can certainly do that. Hopefully one central location, of course, will be on the council's website itself, and we'll work with Kim and our partners in the Gulf also and get it there. Then I guess we can branch out from there however you want to do it, but we'll certainly use the council's website.

MR. CONKLIN: It sounds like one kind of maybe solution to the whole thing would be where we're having problems is we're reporting on paper tickets for the state, which have come in handy before, I'm not going to deny it, but if we did away with those and just made the only one kind of report there is and the trip ticket, per se, is the one you fill out in the computer, and you print it out and give it to fishermen.

There is no other one; it automatically uploads. Why don't we plug the states into it so they can have access to the data? Then it automatically uploads to your database; and if you don't get a report, that means we didn't buy any fish. That sounds like we could just do away with the state trip tickets.

DR. DUVAL: That sounds like a data-flow thing, sort of where the data go from the states. It gets a little bit complicated here in the southeast when it comes to dealer reporting. Like in North Carolina, we have dealers who have northeast permits and southeast permits. Our data get kind of split and then combined and then re-split.

They go to the ACCSP data warehouse, and then the Science Center will pull them from there. They are all submitted to a Bluefin Data Server. I think for our northeast and southeast dealers, all that information goes to the Northeast Fisheries Science Center. We have a crazy little diagram I think in the Dealer Reporting Amendment of what those data flow were. Maybe we'll have to resurrect that for you, Chris.

MR. BELL: That makes sense. Keep in mind our system is set up for all of our dealers. A small portion of our dealers are federal dealers, so we've got to kind of cover everybody. We would love to eventually get to that system. I would rather them not have to do paper if they don't have to do paper. We'll try to figure out how to do that. But short of starting our own and hiring a bunch of new people and spending a lot of money right now; we're trying to make it work with kind of what we have. We'll figure that out and we will evolve to that eventually.

DR. DUVAL: Are there any other questions or suggestions right now on the compliance element of these different electronic amendments? If not, then we actually have some business we need to do with the Generic Dealer Reporting Amendment. If you recall, because this applies to anyone who has any Southeast Region Dealer Permit, we had a couple public hearings in the Mid-Atlantic and New England Regions just to make sure that we were doing our due diligence to alert those folks that we were considering some changes. There have been a few minor modifications to the document that Gregg is going to take us through. Then we're going to need to approve that amendment and the codified text once again.

MR. WAUGH: We did hold two public hearings, one in New England and one at the Mid-Atlantic, and we got no comments on the Generic Dealer Amendment. I think in large part that is because they have been operating under weekly electronic reporting since I think it is 2003. It is nothing new to them up there.

The Gulf Council did approve this at the last meeting. There are just some editorial changes and some expansion of the analysis to address the Mid-Atlantic and New England areas. This is Attachment 4. The Dealer Amendment is Attachment 6. But in that, in Section 1.3, the proposed examples, the tables were updated and Table 1.1 and 1.2 for the Gulf, 1.3 to 1.6 for the Atlantic now include data through 2012.

These are examples of why we need this weekly reporting. I just pulled a couple of changes out there. The gag landings were 60 percent over the quota in 2011, and then vermilion is still proving to be challenging. The overage for the second half of 2011 was 152 percent. This is something that is still timely; and certainly getting fast turnaround on 100 percent of dealer reports will help eliminate these overages, as Bonnie said.

In Chapter 2 there were just minor edits to the wording of some alternatives. I just laid that out for you. Nothing changes the intent at all. In the discussion this paragraph was added that the councils concluded the dealer requirements should apply to dealers and federally permitted vessels in the Mid-Atlantic and New England to ensure accurate tracking of landings so the ACLs are not exceeded.

We just wanted to make sure that was absolutely clear. There was a good bit of work by the Southeast Regional Office staff to expand these analyses, and the Center staff. Section 3.3, the economic environment was expanded to include the northeast; 3.4, the social environment was expanded to include the northeast.

Chapter 4, the environmental consequences were expanded to include the northeast, particularly the economic and social impact assessments were expanded. We certainly want to express our thanks to the Regional Office and Center staff that did the bulk of that analysis. The RIR was expanded to include the northeast in the RFA also.

Nothing changed the management measures in the actions. As I said, the Gulf did approve a motion to recommend that the modifications to the federally permitted seafood dealer reporting requirements and codified text be submitted to the Secretary of Commerce and that regulations be deemed as necessary and appropriate.

DR. DUVAL: Thanks for that, Gregg. Are there any questions of Gregg regarding any of the changes that were made to expand the analyses or anything else? Monica.

MS. SMIT-BRUNELLO: Gregg, I had a question and it was on Action 2. I think it is under Preferred Alternative 5. Action 2 is a frequency method of reporting. There is a bracketed statement in bold, "Any selected preferred alternative will include dealers reporting purchases of king mackerel landed by the gill net sector for the Gulf West Coast Florida Southern Subzone must submit forms daily by 6:00 a.m. local time." I was just wondering the statement is in bold; do you know when it was added?

MR. WAUGH: That has been in there the two previous times we've submitted it.

MS. SMIT-BRUNELLO: I'm not finding problems, don't worry, I'm just asking.

MR. WAUGH: That has to go with everybody who was confused about all the Gulf zones. That is one of the Gulf zones that is – and I'm sure Phil could go into this a little more detail. It is small and has a relatively low quota and gets filled very quickly. Weekly reporting would not work for that.

MS. SMIT-BRUNELLO: That's fine; and I know the gill net; they can catch it up very quickly. But just so that is clear for anybody who has read the amendment, that has been in there? All right, thank you.

DR. DUVAL: If there are no other questions, then what we need from the committee now is a motion to approve the Joint Gulf and South Atlantic Generic Dealer Amendment for formal review and approve the codified text and all that stuff. Gregg has some text up here on the screen that is highlighted in yellow. I would entertain a motion from the committee.

MR. HARTIG: I would make the motion to approve the Joint Gulf and South Atlantic Council Generic Dealer Amendment for formal review; deem the codified text as necessary and appropriate; give the Council Chair authority to approve editorial changes to the amendment and to redeem the codified text as necessary.

MR. DUVAL: Motion by Ben; second by Charlie. Discussion? Any opposition? Seeing none; that motion stands approved. Gregg, that was the last thing we needed to do for this particular agenda item; is that correct? Okay, the next item on the agenda is a presentation from the Science Center on sample sizes for individual species.

We had a pretty lengthy conversation at our last committee meeting regarding biological sampling targets for particular species. Bonnie had kind of outlined the process that is used at the ACCSP to determine what those biological sampling targets are for dependent sampling. There is a presentation in your briefing materials, and I believe it is Attachment 8. When Bonnie is ready, we'll let her take us through this.

DR. PONWITH: Correct, it is Attachment 8B. The last time we talked about what the protocols were for how we set sample levels and walked through how it used to be done and how that process was modified to make it better and then how the process was modified again to refine the process even more.

The end of the discussion was, okay, now we understand the process; we want to see what the outcome is; and that is some sort of a comparison of what the target was relative to what the actual were. Just to very briefly refresh your memories on what we talked about, because I know it has been a while since the last meeting, the ACCSP created a biological review panel.

It was formed in 1999. It is made up of representatives of each of the Atlantic coast states and the representatives from the Southeast Fisheries Science Center and the Northeast Fisheries Science Center. Each year since 2004 that is where the guidance on how many samples we should be collecting has come from, and that is from this group.

The next slide talks a little bit about what their scope of work is. We're talking from Maine to Florida. It includes recreational and commercial fishes and sampling. They can be federally or state-managed species. These are large negotiations, as you can well imagine. Again, really, the problem that we're looking at is getting biological sampling, so you're not wasting money by oversampling, but that you're getting adequate samples for these federally and state-managed species to make sure that you have what you need to do the stock assessments and understand how you're doing as a management enterprise on keeping those stocks healthy.

Again, a brief history in time is that prior to 2009 the targets were set based on what they got last year. They looked at the actuals from last year and used them to set the targets for the next year. In 2009 through '10 those targets were calculated based on previous years overall sampling fraction for all species combined to the previous year's landings.

You can see a pattern here to the extent that last year's landings are a good predictor of what is going to happen this year. This works pretty well, but we all know that things happen. Weather happens; the changes in distributions of fishes happen, and so you set your sampling rates based on patterns you saw last year; and if those patterns change, your sampling rate target and your sampling rate actual can be quite different.

We'll see that in the next slide, some of those ranges. Starting in 2011 this process was refined even more, and that is by taking into consideration how much natural variability there is in the age structure, if it is a really stable age structure or a length. For example, the range in lengths is stable and narrow, then the number of samples you need to describe the length of those landings is smaller.

If there is a broad range of length in the landed, then to properly describe that range you need a higher sample size, and so they are using math to help us make those adjustments. We view that as a positive change. Here are the caveats associated with that. The bottom line is there are concerns about how we've set those sample levels in 2010 and 2011 – since 2011 by members of the group.

One of the concerns is that the math sometimes tells us that the samples we need are unrealistically high. Again, when we pick sampling levels, we're not picking them for the whole coast. We're picking them for strata within the coast of strata by time period by gear by subarea. If you have huge natural variability in, say, a statistic-like length, the math may drive you to have really, really high sampling rates that border on a level that is not technically possible to achieve.

We've had discussions about that, and these are the types of things that I think that working group is ideally suited to tackle and refine going into the future. The next slide is a table. You will see a series of species and what the percent sampling rate was. The target; really the thing to look at here is focus on the target versus the percentage in the final column. That would be the ratio of what the target was to what the actual were. That is probably the simplest way to look at this table.

Now, the species were selected to intentionally show you the range of the success rates of this. It was intentionally designed to show that there are extreme oversampling cases. There are extreme undersampling cases. Take, for example, you see black grouper. The target was 1,700 fish and the percent of the target that was achieved was 4 percent, so that is an extreme underage.

Another example would be spiny lobster where the target was 3,000 and we ended up with a 313 percent of the sampling target was hit.

Now, some of these species we're taking exclusively length. The species that we tend to ultimately oversample often are the ones where all we're taking is length. This is just speaking in general, general patterns. The species that we tend to undersample are the ones where we're taking length and hard parts.

Now, you might ask how could you set a target and end up only getting 30 percent of that target, but remember we set a target for a time, area, and gear combination based on a pattern that we saw last year. If they're not fishing in that time, area, gear pattern in a way that matches last year, if they are fishing somewhere else or they are fishing at a time other than when we expected them to be there, it could make that sampling rate much, much lower than what the target is.

You don't really have a chance to look at how well that target fit mathematically what you need to describe there until after all of the landings are in. Basically, it is like choosing a stock based on its patterns from last year, whether you think it is going to earn you some money or not, and making your asset allocation based on that and not really knowing until the following year how well you did on that asset allocation based on whether that stock performed the way you projected it was going to or whether it didn't.

That is kind of the circumstance that we're faced with. My sense is that the group that are making these decisions are the right group to be making these decisions. They are made collaboratively. We run the model and put what the projections say we should be sampling. We run that by the states. Sometimes the states agree and sometimes they don't.

We'll go in and make adjustments based on those discussions and then wait until the year is over and see how we did. I view this as an adaptive decision-making process. We're open to people's input on how we can keep improving the system. I know that is a big table; it is a lot of information. Before I go on, I'll just ask if there are any questions about that table.

MR. BELL: These are the data that are generated through our TIP's Program or our port agents that are sampling; that is what that is for the whole southeast?

MR. HARTIG: Yes, that was the same thing. This includes the recreational sampling as well? No; this is only TIPs?

DR. PONWITH: I know that the discussion has been about recreational and commercial. I think for the table let me double-check and see if it is a combination of both or whether it is just commercial.

MR. HARTIG: A followup; this is based on just lengths collected for the entire area?

DR. PONWITH: No, it is a combination of length –

MR. HARTIG: It is a combination of lengths and ages?

DR. PONWITH: – and length of otoliths.

MR. HARTIG: I thought it said farther along or in that other explanation you had in those captions under the other presentation, which is the same presentation with a little bit of explanation, that it said it didn't include ages and that ages would be lower. I'll go back and look.

DR. PONWITH: Yes, the point is that it was the point I was making before that we have a tendency to achieve and often exceed the targets when it is length only just because it is faster to do that. When you are collecting both length and age, those are the species for which we have a tendency to be under.

MR. JOLLEY: Thanks, Bonnie, and I like this, but I'm having a little trouble reading this thing. I don't know if anybody else is; maybe it is just me. Staff and you guys work with this stuff all of the time, but those of us around the table don't. When we see something, it is nice to have it presented so that there aren't questions about what is it that we're looking at? I am a little confused, and maybe I didn't hear something. What does target REV mean?

DR. PONWITH: That would be an initial target and a revised target. We can go through the whole table, but I really think for the purposes of the discussion, the thing to look at is you can look at the revised target and then look at the percent of the revised target that was achieved. For the purposes of this discussion, that gives you the feel for how close to the target the actual sampling came out.

MR. JOLLEY: Well, thank you, and I don't want to take up a lot of time, but I did want to get that point across that it is nice to have these things to be able to stand alone and be easy to interpret. Thank you.

DR. PONWITH: So noted; and I agree with you.

DR. DUVAL: Bonnie, there is one more question from Gregg.

MR. WAUGH: Bonnie, you said you all wait until the year is over and see how it is done. That certainly makes it more difficult to adjust during a year to ensure that you reach your sampling targets; but what is the process after the year? Like looking at these; what was achieved in 2012, what adjustments have been made in 2013 to try to get closer to your targets?

DR. PONWITH: My point is that you can look at what you did the previous year and find out that your target wasn't a good target. Your target was set based on past sampling and that when you take a look at the actual landings, the landings were either outrageously higher than you expected and you really need to have more samples or your samples were considerably lower in that cell, which resulted in you oversampling and probably spending more money. The ability to change that in season is almost impossible because the fishery is really dynamic.

You could end up in total reaction mode where you shift your sampling regime mid-cycle and find out that it was an anomaly that is going to be a weekend long and end up causing even more wrinkles in the sampling rate. The way we adjust is we don't base next year's sample based on this year's sample anymore. We take a look at this year's landings and the distribution of this

year's landings and use it as a way to project what is going to happen next year and then negotiate back and forth using expert knowledge.

DR. DUVAL: It looks like a few more questions have come up. I just want to ask a quick one myself. I know that regulations can play a role in whether or not you meet your sampling targets. I mean, one species that is not on here that comes to mind for us is weakfish. Weakfish is a species for which we've got extremely low trip limits at the Atlantic Coast level. I guess my question would be when you do sort of look at that and revise your target; are regulations taken into account? I'm sure they probably are.

DR. PONWITH: To that point, notice that this table is a sampler plate. It doesn't represent all of the fish species that we sample. It is a suite of examples of what happens when you're really high. It is to show that sometimes we're right spot-on on the target and sometimes we're way under and sometimes we're way over and explain why and how that happens.

Now, the process through which a decision is made on what species gets sampled is made by that same working group. The explanation of how that was done was presented in June. A really good refresher is you can go back to that June and see – there is a really large unbelievably complicated spreadsheet that takes exactly those criteria; the life history of the animal, how variable it is and what the management measures are, and is it overfished and is it overfishing. That is how those agonizing decisions of who is going to get sampled and who simply isn't in any given year are made. Those are made collaboratively with federal and state partners all weighing in.

MR. PHILLIPS: Bonnie, again I'm like John; I'm like 100 percent I'm reading this right, but it looked like 2011 and 2012, most of the percentages are very low, below 50 percent, except for yellowtail snapper and spiny lobster. Maybe they're easier to sample, I don't know. If you saw that they were low and you actually wanted to get it up closer to 100 percent of your target sample, why didn't something happen to get it closer in 2012? I don't understand.

DR. PONWITH: Well, you can take measures to do that. You can say, my goodness, we really want 100 percent of our target hit in this combination of time, gear and area, and you can revise your distribution of sampling effort. But, remember, that is changing your human beings on the dock and what their patterns of sampling are.

The thing that is the wild card is how the fleet is behaving. If twice as many people land fish in a time, area, and gear combination than you were expecting, you would be sampling at 50 percent of your rate even though you made accommodations to try and deal with patterns you saw last year. Basically, you are trying to use last year to predict the right place to be standing. Sometimes that works and sometimes that doesn't.

MR. HAYMANS: Madam Chair, I am not on your committee. I appreciate the question. I guess I'm going to back up a second make sure I understand. As the table plainly says this is commercial landings. It says it at the top there. These estimates or these numbers that you need are what you want to be able to plug into an assessment at some point in the future. We look at some of the critical species or at least some of the things we maybe elevate to a higher priority, like red snapper.

Realizing there was no commercial in '11 and '12, we only hit 3 percent of that. That scares me to death to know that we only have 3 percent of at least one sector's information that we need to plug in to the assessment whenever it comes around. I heard your answer for Charlie just now. I know we've made some extra effort to get to the fish house this year and to get to Charlie's fish, but where are we going to wind up in '13 with red snapper commercial sampling? Are we going to be really critically low on information for the next assessment?

DR. PONWITH: The question is how are we doing on biological sampling for the mini-seasons for red snapper?

MR. HAYMANS: Sure.

DR. PONWITH: You know, I don't have any info for '13 yet. I don't know how we did for 2013.

MR. HAYMANS: But I guess more kind of linking it with Charlie's question; after you saw the 3 percent collection from 2012, was there a strong effort to make that different for '13?

DR. PONWITH: Allow me to ask you when you saw the 3 percent for this year, because this is a collaboration and we spent many hours on the phone making decisions about how can we augment – because here is the trick with red snapper. The trick with red snapper is the worse thing we could do is be like a fifth grade soccer match where everybody is huddled around the ball and the whole rest of the field is wide open.

The danger of that is that the sampling that we're doing for both recreational and for commercial sampling is for all the species. If you change your protocols to target one species at one time, it can have some really unintended consequences that range from, oh, well, to really horrible for other species.

Every decision that you make in the distribution of your people has an influence on some other aspect of the sampling. All of that has to be weighed in. Now, I know that each of the states, based on the phone calls that we had in the last couple of years, each of the states put additional effort onto sampling for red snapper for commercial and for recreational. We did the carcass collections and things like that. But, we need to be careful that we don't do that at the expense of the scientific integrity of the system as it stands. It is kind of a double-edged sword.

DR. LANEY: Bonnie, does the Center and/or the states make an effort to track what's coming in on maybe a monthly basis so that you can see where you are going to fail to meet your target for a given species and then perhaps try and make some adjustments to try and get that percentage up?

The reason I ask the question is I know this is for commercial, but for fishery independent, when we go out on the cooperative winter tagging cruise, North Carolina DMF always brings with them a tracking sheet that tells us how they have already done and what we need to try and focus on during that trip to try and pull up their fishery-independent samples. I just wondered if you were doing the same thing for the commercial side.

DR. PONWITH: The electronic dealer reporting puts us in better shape than we will have been in history in terms of knowing how closely the pattern of landings is reflecting the projected pattern of landings. It could potentially contribute to adjusting in-season what your sampling regime looks like.

Again, you need to be careful about doing that so you are not constantly in reactive mode chasing the ball and finding out that you missed the next change because you were still reacting to the last change. As you can imagine, there are some potential hazards to that, but it is certainly something that we can look at now that we've got that system and certainly when the regulation goes final.

DR. DUVAL: Ben, then Charlie; then we're going to let Bonnie move through the rest of her presentation because we still have a couple more agenda items.

MR. HARTIG: Yes Bonnie, the question I asked earlier about were those lengths and ages or both, and you said they were both; well, under the explanation caption that I pulled up, I understand that this is length sampling only – in some cases there are high proportions of otoliths collected along with the lengths, but in general if the same table was produced based on hard-part samples, the percentages would be lower for almost everything except lobster and KGM maybe that is king mackerel, I'm not sure.

But having said that; any assessment I've attended, I don't know of any assessment that I've gone to that used lengths for anything in the assessment other than maybe to check it. For the base run in every assessment that I've been to, everyone has been based on age-assessed species. The ages are a real critical part of this; and if the percentages are even lower for the ages than they are for the lengths, that is alarming. Having said that; thank you very much for bringing this before us. I like the way you've done it.

You have done an excellent job. You have identified exactly what I wanted. These explanations and captions in that additional piece are excellent; it sheds a lot of light. It also sheds light as we are starting to get critical now. I think you need to finish your presentation, because when you talk about trips and how important they are to the sampling and in the assessment – I mean, that is another thing, because I know in some assessments we've only used trips. It is more than just the percentages of what you collected. It is trip sampling as well. In the end, I'm sure you will explain that but we need to get there.

DR. PONWITH: Yes, we do need to get there. The next slide talks about sort of the discussion of what we see in the presentation. Again, this is where we get at the fact that the percentage seems to be higher for species where samplers might perceive – these are human beings out there and these are some of the patterns we can see.

We need to weigh whether those patterns are influencing the patterns of our landings or not. Again, the point is made here where the effects of the regulations can be clear that where red snapper percent sampling is zero in 2011. The next slide goes into the distribution of the samplers that we've gotten. Of course, more samplers, more samples, right?

Right now in the federal side of the house we have four samplers in Florida, two in North Carolina. Then you see below that the distribution of the samplers that we have participating in

each of the states. The sampling that we do, of course, for bio-sampling are directly proportional to the funding levels that we have.

That is what drives the decisions about what species get sampled and which ones don't and how we distribute our effort among those species. This is a multi-faceted math problem when we give the instructions to the people who are out on those docks. The really important point is that there were other metrics other than simply what species – you know, those species target was, and that is going to be really important.

The other metrics such as trip sampled may be equally important. For example, if you end up hammering a species, but the way you do it is by heavily oversampling one of those strata, and that stratum is not reflective of the entire fishery across the range and the temporal, you could end up having a serious bias in the sampling.

Again, balancing the distribution of those trips, the timing of the year sometimes is more important and it comes at a cost where you may not hit your actual target, but the sampling is better reflective of the distribution of age across those strata. That is really an important thing to take into consideration.

Then here is an example, if you look at the graphs on the next slide, this is commercial bio-sampling targets and samples. This is an evaluation of the bio-sampling activities and how important it is that optimally it includes more than just achieving the sampling target. What it shows is the landings and the interviews by percentages.

Ideally in a perfect world you would have the blue bar and the gold bar pretty close to one another, and that would reflect some good proportional sampling. You can see in some places they are proportional and some places they aren't. If you look at southern North Carolina, you see that the landings tended to be lower than the interview rates proportional to the rest of the area, and so that can end up causing problems in how well you are representing the sampling rates across the whole universe.

Again, sometimes these things are predictable. You can learn from what you did last year and improve, and sometimes things change out from under you after you've created your game plan to try and level that sampling. The primary objective happens in two stages; again, to represent what is happening out there with the true landings and make sure that they are sampled proportionately.

Stage 1 is that the trips are sampled that are representative in terms of the gear type, season and area fished and reflective of the commercial trips that we're targeting. Then Stage 2 is within a trip that the individuals are sampled proportionately relative to their length, weight, age, and sex so that you are not just going into a trip and sampling exclusively all the big fish, which would be a bad thing. That concludes the presentation; so questions?

MR. PHILLIPS: Thanks, Bonnie. I need to go back to red snapper because we need this for an assessment. We've kicked the assessment down the road from 2013 to 2014. Are these percentages going to make us kick it down the road again? I mean, I am worried about a train wreck.

DR. PONWITH: Again, we work together across the federal government and the state governments to get as many samples as we can. No, we're going to do a stock assessment. We will do a stock assessment.

MR. HAYMANS: Bonnie, I would love for you to get together with – or somebody from your staff get together with someone on our staff, because I asked the question to verify my suspicion we are still TIP sampling. We haven't been taking hard parts until the most recent red snapper stuff, but we've got TIP samplers who are continuing to work. I would like to make the correction to Slide 7 if we can. I understand the slide that talks about confidentiality, but we're still collecting information in Georgia.

MR. BELL: On the slide, I guess it would be 6, the one that has confidentiality, South Carolina is not in there, but I'm assuming we're actually in there somewhere – it is just not labeled – because I know we're doing it.

DR. PONWITH: I'm sorry, which slide was that?

MR. BELL: The one on the screen there.

DR. DUVAL: I think it is Slide Number 9, Bonnie.

MR. BELL: You left us out, I guess.

DR. PONWITH: Yes, and I don't know whether they were just showing examples here or whether it was a confidentiality. I can check on that, yes.

MR. JOLLEY: Bonnie, again, thanks; I love seeing the data. I'm curious what kind of coverage in terms of getting the biological samples is adequate. Is it something above 25 percent or 50 percent? Then I'm also curious; if we're not getting the data, maybe there are some creative ways that we could maybe get some of the data.

We don't have enough money to pay enough people to be out in the field to get these samples. We've got universities and colleges all over the state of Florida, for example. I would think that we could build some sampling capability at the universities in the state of Florida to get these biological samples. I have an aversion to this overreliance on catch data in trying to do these stock assessments.

If we don't have the biological samples, I just have the opinion that these assessments, which are already speculative, are going to be more speculative without the biology because it is the best data that we can have. Anyway, where is the passing grade here in terms of the percent of the target that we need to collect? Is it 25 or 50 or 75 percent of what we need? I do think we need to think more creatively about how we can get cooperation and get these samples.

DR. PONWITH: Our goal is to get 100 percent of the target, so the target is what we want and our goal is to get 100 percent. Sometimes logistics keep us from getting that, because we planted our human beings on the dock with an expectation of a pattern of landings and that expectation changed. Sometimes landings change; lots of things change. Sometimes, certainly, how we set those targets in the first place is driven by resources.

Sometimes it is just pure logistics that keep us from getting it. This presentation is dealing exclusively with how we're doing on fishery-dependent sampling. I concur; fishery-independent sampling is a completely different thing. Fishery-dependent sampling will always be critical, because sampling the landings is the only way to understand the demographics of the landings.

Sometimes what people go fishing for and land are not reflective of what is out there in the environment due to market pressures and things like that. We like the fishery-independent sampling, because it is the very, very best way to depict what is out in the environment and what the demographics of those populations are in the environment.

The fishery-dependent data are crucial, because they depict the behavior of fishermen, what those behaviors are doing to the landings. Sometimes when you compare those two samples they can look exactly the same and sometimes they look extremely different. Getting both is really important.

The suggestion of using academics students and other means, it is something we can certainly look into, like maybe working with a major professor and saying use a lab practical and teach your early career biologists sample theory by making them part of our sampling teams.

But, of course, doing that is predicated on making sure that all the sampling they do is done exactly according to the protocol so you don't throw a wrinkle into your sample by oversampling or undersampling somewhere; and really understanding the repercussions of bad decisions on the dock.

I'm going to go sample because there are millions of a fish that I really am interested in can actually do more harm than saying I'm going to miss my target but my sampling is going to be according to the protocol. The other thing is that incorporating even volunteer sampling costs money because you have to have people who can manage volunteer programs.

Those can be very labor-intensive enterprises to bring volunteers on and teach them the protocols and why it's important and then deal with the logistics of getting them to the right places. I hear you; I think they are good ideas. They take time and effort and a lot of thought to implement them, to do it in a way that keeps those protocols clean.

DR. DUVAL: I have Gregg and then Ben and then we're going to wrap up questions, because we still have two more agenda items to go through. I think the next agenda item is going to result in a little bit of discussion.

MR. WAUGH: We heard last night from a number of people that they are looking for cooperation between the councils, NMFS, NGOs, other groups. That is really what we need to tackle this problem. When John asked how do you understand these numbers; well, really what these percentages give you is a grade for the collective we; how well are we doing in the southeast to provide input data for these stock assessments?

I forget the exact number of interviewers, a dozen? Those guys are busting their butts. We get them at our meeting. They can't work any harder. The problem isn't hiring more mathematical wizards to crunch a 3 percent sampling level. We've got to get these numbers up to a passing

grade or we're going to continue to deal with problems in stock assessments after stock assessments.

DR. DUVAL: I would say don't forget that some of these are due to regulations; and if you have zero harvest, and this council made that decision, it is really difficult to have some kind of – well, you have no fishery-dependent sampling so you are relying entirely upon your fishery-independent sampling. Some of those regulations that we put in place to rebuild populations lead to numbers like this that you see on that chart.

MR. HARTIG: You have a stated goal that you would like to get this to 100 percent. The next question is do you have enough samplers to collect the current sampling targets?

DR. PONWITH: Having more samplers would make sampling according to the protocols in achieving your desired sampling rates better, absolutely. With more samplers, we could do a better job of hitting the targets for the species we were dealing with, and it would give us a better capability of moving that dotted line lower on the list.

As you recognize from earlier in the discussion, there are species that didn't make the cut that either the fed or the states or both really wanted sampling on, but they didn't make the cut. It is just because it is driven by how many people you have and logistically how do you move them around to hit these targets?

The other thing that is the more lengths that you take, the more otoliths that you take, the more people you need who can process and read those otoliths. The more data you have resulting from that preparation, the more data-preparation analysts you need so that your stock assessment people aren't down there preparing the data for assessments. You've got a team of people who are experts at those data base management procedures. It is this giant pyramid of labor that it takes to get to that ultimate step, which is how many fish are in the sea.

MR. HARTIG: Yes, the last question I had, who determines the number of trips sampled; who makes that determination?

DR. DUVAL: Is that part of that big, gigantic, complicated chart that we saw last time where you're looking at gear, area, quarter, and fishery?

DR. PONWITH: Correct, and the team that makes those sampling decisions is that collective team of state and federal representatives that meet each year through the ACCSP.

MR. HARTIG: We have asked for this information and we've got it. The reason I've asked is because anyone who has attended assessments – Michelle, Anna, any number of you have – look at the data going in and are very, very disappointed that what we're funneling to our best quality assessment scientists is really, in my opinion, not usually enough to do a quality assessment.

With the uncertainties you introduce, you introduce cost to both recreational and commercial fisheries; but the only way we can help, Bonnie, is for you to tell us exactly what you need and then we can go to Congress. When they came down with this new MSA and said you have to have this, you have to have that, if we can know what you don't have, then we can try and get the funds to make sure that you do.

There is all kind of these data collection questions going all through Congress. You have got a GAO investigation occurring as we speak. These types of things we need to know so we can help in the long term to make sure that the collective we, as Gregg said, that we can try and help in this regard.

Now the way it has been handled so far within this MSA Reauthorization – I mean, from the Science Center, the first thing I would have done was come to people, hey, listen, this is what we've got to collect, and we can't do it with the people we have now, so we need some help. We are a long way down that road where we could have helped out earlier in this process.

But there are inquiries from Congress concerning data, especially from areas in the southeast where we haven't had these long-term time series that are so important for showing stock health. Hopefully, we can help you by you giving us the information we need to help in the long term. The next logical question would be for me was – you know, have that same table with the number of trips so we can have a comparison of all these different things that go into assessment, see where all our problems are, and then be able to go to Congress and go, listen, this is what we're collecting in the southeast; this isn't acceptable.

Then we need to go and get the monies. You told us that we have to do this; we have to manage our fisheries at a certain level; we can't do it because we don't have the necessary data to do that. If you want what you mandated, you have to pony up and give us some more money to collect the necessary data. It is a team project that we can do here. I think it is doable. I think the interest is there. I'm heartened that this information will help. Further information will help us. Maybe we can help down the line rectify the situation.

DR. DUVAL: Bonnie, did you want to respond to anything in that?

DR. PONWITH: Yes, just one point on the Magnuson-Stevens Act is the Act that directs how we in the collective, the state, the councils, the federal government work together to manage those stocks that we're stewards of. Then it is the appropriations process that feeds that beast. It is almost like a two-step process. The Magnuson-Stevens Act talks about in the last reauthorization established the requirement for annual catch limits. It is the appropriations process that funds what you get to do that with.

DR. DUVAL: Bonnie, I want to thank you for putting this presentation together. I think this was very educational for folks to see and also to hear the discussion of the different factors that impact your staff's ability and the state partners' ability to be able to meet those particular sampling targets.

I think it is important to remember that there is sort of an interplay between resources being people as well as regulations. I think the snowy grouper assessment is just a great case in point. The agency was unable to get a federal port sampler up on the northern part of North Carolina where a good chunk of the fishery was happening until 2006, which was actually after the trip limits had been dropped significantly by almost an order of magnitude.

That changed people's behavior, so people were not going out on those trips. We found that we were not – I think the number of trips that were sampled went up, but the number of samples we

got per trip went way down. I think it is a great poster child for what Ben is advocating for; we really need to work together to try to improve this.

Speaking of working together, that is a good segue way to I think the next presentation, which deals with the Joint South Atlantic and Gulf Generic Commercial Logbook Reporting Amendment. At our last conversation in June, Bonnie indicated that the Science Center is moving forward with an Electronic Logbook Reporting Pilot Project. She has just a few slides on that to outline for us what that pilot project entails.

DR. PONWITH: Yes, this is in the initial pilot stage and right now we're talking about a prototype pilot testing and the feasibility study on this. We are in the initial project stage, so again this is pilot testing. That involves working with vendors on what equipment and specifications and the system requirements that we would have to look at to make this a possibility.

Then it requires testing and modifying the system that was originally built and is used in the Northeast Fisheries Science Center to make decisions about whether we're going to adopt or adapt – what do we need to meet the specific needs for our region – and then testing this prototype in the region, the Gulf and the South Atlantic, and using it also for pelagic fisheries.

The estimated duration of this initial project is 12 to 18 months, and it started just this fall. The update on the activities that we've been involved in so far is that we've started with four vendors on identifying the system requirements and the modifications to using it as a template that northeast system. Project staff is also in touch with people working on iSnapper.

We have laptops and PCs that are both PC and iPads purchased to be able to test these different prototype software. Then we will create selection criteria for participating boats, and that is currently being developed right now. Once the feasibility of the prototype is established, we will look at what it would take for full-scale implementation of commercial electronic logbook project within the area and this process of how we would scale up – would commence, depending upon the future budget allocation and priorities.

The bottom line is we take a look at the feasibility. We can't do any full-scale implementation until we look is this feasible and what does it take so we can quantify the costs and how we would go about doing it. This stage is going to tell us whether this is something that we can look at full-scale implementation for. I guess any questions on this work right now.

MR. BOWEN: How many are in this? You say it is just starting to be implemented?

DR. PONWITH: It literally started in August, so it is a nascent project right now.

MR. BOWEN: How many permitted commercial participants do we have right now?

DR. PONWITH: We don't. We're actually sort of developing the software, looking at the hardware, and determining what selection criteria we'll use to pick those vessels.

DR. DUVAL: Bonnie, I actually had a quick question or just a suggestion in terms of selection criteria. Speaking to some of the fishermen in North Carolina about this, particularly in the area

north of Hatteras we have fishermen who participate in Southeast Regional Fisheries and Northeast Regional Fisheries, and so they are reporting to two different regions in terms of logbooks.

Most of these guys also have VMS on their boats right now, and a lot of them participate in HMS fisheries, so they are filling out three different sets of logbooks. They suggested that some of them would be great guinea pigs for something like this, because they would want it to be compatible with any electronic platforms that they already have on their vessels such as a lot of them have had to purchase new VMS systems to remain compliant with HMS.

They have also spoken about iPads, which you are obviously looking into; but I think if there is an on-the-boat platform that they're already required to have, making sure that it would be compatible with that, such that it might be a screen or a program that they pull up there. That was my only.

DR. PONWITH: That is an excellent suggestion, and it is quite logical because it allows some sort of inter-calibration and taking full advantage of existing electronics instrumentation. If I could trouble you to drop an e-mail to Steve Turner with a cc to me with that suggestion, I think that is a good one. If they are not already too far along – well, it sounds like they're not. They are developing those criteria now. Those are excellent suggestions.

DR. DUVAL: Are there any other questions for Bonnie before she moves on through this presentation?

DR. PONWITH: The next presentation is talking about the logbook reporting for the commercial logbooks and changes to the trip report form. If you take a look at the next slide, you see a very busy slide, because that is what the ticket looks like. You see that area circled in blue; I'm not going to ask you to be able to read that from here.

The next slide will magically show it in a lot more detail. We went around and around on the trip revenue and how trip revenue is going to be the thing that would limit the ability for increasing the reporting rate for these vessels. The solution to that was to modify in the 2014 version of the form, this form by creating a check box with the question has payment for your catch already been determined?

If the answer is yes, then you are better able to fill out the rest of that section. If the answer is no, then the rest of that section is not required and would be handled later in the process. By foregoing the requirement for that, we don't have to wait 21 days to be able to fill out this document. We can get it sooner with partial information. That was the point that we wanted to make with this.

If you take a look at the next slide, you can see a comparison of the old form and what is required on the commercial logbook reporting form on old versus the new. You will see some significant changes, specifically the fuel expenses, the trip, tackle and supplies, and then additionally there are some caveated ones where the captain expense, crew expense, trip revenue is not required, but the hired captain and crew expense and trip revenue is if it is available.

It will be included on new. The point is those data will not hold up the sending of the report. The report will be considered complete if the answer to those questions is no. Then the next slide is just what we would look at for the logbook reporting for monitoring compliance. Again, it is just a couple of slides.

It is pretty much that same story is the trip reports under the current system are due seven days after the end of the trip; and if no trips are taken, seven days after the end of the month, and the current compliance measures. The next slide compares kind of the current versus the future. Again, we're interested in your input on this notion of phase-in and how we manage compliance for this reporting process. It is just one more case where that input is important. I think a lot of the discussion we've had thus far is certainly relevant to this as well.

MS. BECKWITH: Weren't we moving to having the no trip indicated at the same rate as the trip information on a lot of these other things? Why would we not have no trips also due seven days, you know, once a week?

DR. DUVAL: Correct me if I'm wrong, but I can't remember if there is a provision to allow for someone who is not going to be fishing to go ahead and submit ahead of time that they're not going to be fishing. Yes, and there is I think a similar provision for dealers. Dealers who may not be purchasing for some period of time also have an ability to go ahead and let the Center know, so that they are not required to be filling those trip forms out or reporting forms out on a weekly basis. Is it mandatory to –

MS. BECKWITH: If no trips are taken seven days after the end of the month, instead of having trips reported seven days after the end of a trip; so I think to me this just goes back to the conversation we previously had on you never really know if they are not reporting at the same time periods, you don't know if they're late or if they just forgot.

DR. DUVAL: Right, so you're saying that speaking to if someone has not submitted a report within seven days after the end of their trip, there is no way for us to know that they haven't been fishing until after a month has gone by and they have submitted that no fishing report. Mel, did you have a question?

MR. BELL: I was just going to say and that is how that zero becomes not a zero, it becomes some number, and then we find out, oops, they really didn't fish. Then you have to come back down off of that number. That is the problem with that, I think.

DR. PONWITH: I'll double-check and make sure that I'm completely clear on the no-trip reporting. But to your point, the actual monitoring system that we have is using the dealer reports. Those dealer reports are the ones where we need to know the difference between a missing report versus a zero report. That is the one that is time sensitive for the projections.

DR. DUVAL: All right, other questions for Bonnie on this? Gregg has a couple things that he needs to take us through in regards to this. I think one is mentioning this electronic data reporting directive that NOAA is engaged in. I think a few of us have participated in some of those conversations. Then we're going to need some direction from the committee as regards a timeline for this logbook reporting amendment.

MR. WAUGH: It is Attachment 9 in your briefing book and it has several items in there. I just want to call your attention to this. George Lapointe will be at our meeting in December to give us a presentation on this, but this is a National Marine Fisheries Service Policy on Electronic Technologies and Fishery-Dependent Data Collection.

George has been meeting with various groups in the southeast. He's met with the region, people in the Center, council staffs. He will give us a status of where this is going. What I wanted to do was just call your attention to Items 7 and 8 on Page 2 of this.

MR. HARTIG: That's under guidance, Gregg?

MR. WAUGH: Yes, under objective; it is the NMFS ET Policy Guidance; that is the document name. No electronic technology based fishery-dependent data collection program will be approved by NOAA if its revisions create an unfunded or unsustainable cost of implementation or operation contrary to applicable law or regulation.

Funding of fishery-dependent data collections program is expected to consider the entire range of funding authority available under federal law, including those that allow collection of funds from the industry. This is definitely in the future.

The budget outlook is for fishery-dependent monitoring and sampling the industry should be prepared for some type of cost saving in the future. It really makes it more important for the industry to make sure they participate in these programs and get these systems set up, because ultimately you are going to be contributing to the cost of running them.

DR. PONWITH: Just one quick comment on that; the fact of the matter is that Item Number 7 is almost irrelevant whether you are in a budget-shrinking or a budget-growth scenario. The point is that you can't create something for which you don't have the resources to pay for it, because that puts you into anti-deficiency.

Basically, we need to tailor our appetite for electronic reporting and electronic monitoring to what resources we've got available, whether you've got a lot of money or a little bit of money. That is a sensible provision. Then 8 does say that there are different combinations within the constraints we have of the law to be able to look at that.

That can include sharing the burden of this. I think the main take-home message is that the agency is a strong proponent of making sure we're rolling into the future, which is moving away from systems that rely on paper that are creating some timeliness issues for us and creating systems that are more efficient and more effective that makes us better at our jobs, because we have those data in our hands.

We just need to be careful that we do it right, because we all know that bad data can show up on a piece of paper written with a pencil and bad data can show up even faster using binary bits. We need to make sure those systems are set up correctly so they serve us to the fullest extent.

MR. BOWEN: Dr. Ponwith, with that being said, are we taking the necessary steps within this for the validation of this electronic reporting?

DR. PONWITH: That is a really good question, and that is part of the cost of electronic reporting. In other words, we rely on self-reported data as a practice. The best practice for self-reported data is there is some portion of dockside validation to make sure what you're seeing on the reports match what trained scientists or trained technicians on the docks are seeing there. The same would be true whether you're doing that by paper or whether you're doing that by binary bits, by using electronic reporting, you have to do validation of self-reported data.

DR. DUVAL: What we need now from the committee is guidance with regard to timing of the Joint South Atlantic and Gulf Generic Commercial Logbook Reporting Amendment. Remember, I think this is Attachment 9 in your briefing book. This is a very short document that this committee has seen on a few different occasions. I think what we need now is direction as to whether or not the committee wants to continue to pursue this right now or do you want to wait until NOAA has finished their electronic logbook pilot project, which will be completed in 2016?

DR. PONWITH: The time period was somewhere between 12 and 18 months, if I remember.

DR. DUVAL: What is your pleasure? It is a joint logbook between the Gulf and the South Atlantic so this needs to be a joint amendment.

MR. PHILLIPS: It is good to get the stuff from the boats in, but what is the critical point is getting it in from the dealers. As long as we're getting stuff in from the dealers on a timely timeframe, we can do most of what we need to do. I would kind of like to know what is the Gulf Council thinking on this?

MR. WAUGH: They haven't addressed this at their last couple of meetings. We've been waiting to find out the status of the logbook pilot, and then they will take a look at it. I think, Charlie, you made a good point. The benefit of the electronic reporting is to get data we're not getting on the paper logbook now.

Basically, the paper logbooks are being filled out at the end of a trip from the dealer report. The real useful information is discards, catch by area, and that would be more easily done with an electronic logbook. It seems the prudent thing to do is to wait for the Center to finish. If we went ahead and developed an amendment, it couldn't be implemented until they finished their work, anyway.

DR. DUVAL: That would be my advice to the committee. I think if Bonnie is willing to give updates as they are available with regard to how the project is progressing and if there is any assistance needed from the council or from the state partners with things like reaching out to interested commercial fishermen, anything of that nature, I think we should let the pilot project move forward.

Staff certainly has enough to do right now without working on another amendment. This is something a lot of the fishermen in North Carolina, commercial guys; especially those who are reporting to two different regions plus HMS, they are begging for something like this, something electronic so that they can use an iPad or they can use their VMS system if they're fishing HMS, or they can go back home and log into their computer and just do this stuff after they come back from a trip and just have it be done. Well, I guess if nobody has any objection on that, then that

is the course we'll take. We'll simply get some updates on how the pilot project is progressing. That takes us to the last agenda item, which is the Joint South Atlantic and Gulf Generic Charterboat Reporting Amendment. Gregg is just going to give us an update on where this stands or does not stand, as the case may be.

MR. WAUGH: In October 2012 the Gulf addressed this and they approved a motion to create a subcommittee with a member of the South Atlantic, HMS, Gulf Council, Southeast Fisheries Science Center and MRIP to coordinate and bring back a complementary documented deal. This says headboat, but I think it was to address the charterboat.

Headboat has already been dealt with; that is separated out. What we're waiting on now is for that committee to be formed and them to do some work. We've got some wording here. I've talked with our staff, and John Carmichael has been working with ACCSP. Mike also has been.

Our recommendation would be to appoint John Carmichael and Mike Errigo as the South Atlantic Council representative on the subcommittee working on the technical aspects of separating charterboats from the MRIP Sampling Program. If we do that and then put the charterboats on electronic logbooks similar to the headboats, then we can have the MRIP Program focus on the private recreational angler and maximize the use of those limited resources.

DR. DUVAL: I think doing something like this kind of gets the conversation started. Really, this is a committee that needs to be formed and populated. We need to have conversations with the MRIP personnel, because right now the charter vessels are sampled through MRIP so they are integral to that conversation. Are there any questions of Gregg or any comments?

MR. BELL: Just that it makes perfect sense. Now that we're an MRIP subcontractor, we're doing this. You have to take those assignments as well as the normal ones. It would be great if we could just kind of focus on other than the for-hire sector; better use of resources.

DR. DUVAL: Is anyone willing to make a motion that would be similar to something that is up on the screen to get the ball rolling here?

MR. PHILLIPS: Madam Chair, I make the motion we appoint John Carmichael and Mike Errigo as the South Atlantic Fishery Council representatives on the subcommittee working on the technical aspects of separating charterboats from the MRIP Sampling Program.

DR. DUVAL: Motion by Charlie; seconded by Mel. Discussion?

MR. CUPKA: Point of order, Madam Chairman; I don't think Mel is on your committee.

DR. DUVAL: You're right, and I actually read that list. Wilson, save us please. **Okay, motion by Charlie; seconded by Wilson. Now is there any further discussion? Is there any opposition? Seeing none; that motion stands approved.** Is there any other business to come before the Data Collection Committee? If not, Mr. Chairman, I turn things back over to you.

(Whereupon, the meeting was adjourned at 3:30 o'clock p.m. September 19, 2013.)

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69	MacLauchlin, Bill	billmac@charter.net	242 min
62	Laban, Elisabeth	labane@dnr.sc.gov	389 min
58	Mehta, Nikhil	nikhil.mehta@noaa.gov	503 min
54	conklin, chris	conklincc@gmail.com	73 min
53	holiman, stephen	stephen.holiman@noaa.gov	359 min
39	Bresnen, Anthony	anthony.bresnen@myfwc.com...	509 min
39	michie, kate	kate.michie@noaa.gov	395 min
39	Knowlton, Kathy	kathy.knowlton@gadnr.org	186 min
37	raine, karen	karen.raine@noaa.gov	388 min
36	burton, michael	michael.burton@noaa.gov	183 min
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33	malinowski, rich	rich.malinowski@noaa.gov	136 min
33	DeVictor, Rick	rick.devictor@noaa.gov	435 min
33	Lee, Jennifer	jennifer.lee@noaa.gov	460 min
31	c, m	mec181@yahoo.com	497 min
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28	froeschke, j	john.froeschke@gulfcounci...	408 min
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24	Brame, Adam	adam.brame@noaa.gov	72 min
23	Bademan, Martha	martha.bademan@myfwc.com	99 min
22	Sedberry, George	george.sedberry@noaa.gov	59 min
22	Recks, Melissa	melissa.recks@myfwc.com	62 min

22	Defilippi, Julie	julie.defilippi@accsp.org...	44 min
22	Sempsrott, Michell...	michelle.sempsrott@myfwc...	95 min