

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COMMITTEE

**Charleston Marriott Hotel
Charleston, South Carolina**

September 18, 2014

SUMMARY MINUTES

Mackerel Committee:

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Additional Observers Attached

The Mackerel Committee of the South Atlantic Fishery Management Council convened in the Topaz Room of the Charleston Marriott Hotel, September 18, 2014, and was called to order at 9:25 o'clock a.m. by Chairman Ben Hartig.

MR. HARTIG: All right, we'll bring the Mackerel Committee to order. The first item of business is approval of the agenda. Are there any changes to the agenda? I have one under other business that we need to talk about. When we prohibited the sale of bag limit king mackerel, we had an allowance for the Shark Drift Gillnet Fishery off Florida. We allowed them a two-fish bag limit, to be able to keep that and sell that. I think Monica has actually researched that and we'll talk to her about that at that time. Doug.

MR. HAYMANS: If it's all right under other business, I would also give you a very brief report on tournaments in Georgia under the new system.

MR. HARTIG: Okay, great! Any other changes to the agenda? Seeing none; the agenda is approved. The next item of business is approval of the June 2014 minutes. Are there any changes, deletions or corrections to the minutes? Seeing none; the minutes are approved. That brings to the status of commercial catches versus ACL; and that is under Attachment 1; and I guess Phil is going to do that.

MR. STEELE: Our king mackerel season, as you know, lasts from March 1 of this year until February 28 of next year. Right now for kings we're at about 21 percent of the quota at some 798,752 pounds. For Spanish, the same season. We're at about 26 percent, roughly, of the quota at 739,186 pounds. That's it for commercial.

DR. MacLAUCHLIN: You guys got updated commercial landings and then updated codified text for the Framework Amendment 2 yesterday afternoon to replace those attachments. I just wanted to let you know.

MR. HARTIG: Okay, so that's in our inbox in e-mail. All right, any questions of Phil? All right, status of recreational catches versus ACL; and that is under Attachment 2; Jessica.

MS. STEPHEN: Okay, you guys have seen this slide before. I just remind you we're using MRIP or MRFSS calibrated back to MRIP; and this is up to Wave 3 for the data we have available right now. For cobia, for 2012 we were at 73 percent of the quota. Keep in mind king mackerel and Spanish mackerel do have the late start of the fishing season in March through February 28.

For 2012/2013 for king mackerel we were at 26 percent and for Spanish mackerel we were at 54 percent. Moving on to the 2013/2014 season with cobia, we were at 79 percent, and that was just for 2013. For 2014, it is not in this slide, but we're up at 42 percent; and again that's just for the MRIP Waves 1 through 3 and does not include headboat. For king mackerel we are at 15 percent for the 2013/2014 season and 72 percent for Spanish mackerel.

These are similar charts showing back in time the landings and the graphs showing where we are in relation to the ACLs; and we are under the ACLs for the past two years and currently are as

well. For Spanish mackerel, here are the landings and the graphic showing where we are in relation to the ACL. Once again, we were under the ACL for the past three years and currently very well under the ACL. That's all I have.

MR. HARTIG: Any questions about the recreational catches of Spanish mackerel, king mackerel and cobia? Seeing none; thank you very much. All right, that brings to the status of amendments under formal review; and I guess Phil is going to do that.

MR. STEELE: Amendment 20A; I won't reiterate all the text there. The final rule published on June 16 and became effective July 16. Amendment 20B would modify the commercial hook-and-line trip limits for Gulf Migratory Group King Mackerel. It changed the fishing year for Gulf Migratory Group King Mackerel for the Eastern and Western Zone; established transit provisions for travel through areas that are closed to king mackerel fishing; established regional ACLs for Atlantic Migratory Group King Mackerel and Spanish Mackerel; and modified the frame work procedure.

This rule and a number of other rules right now are kind of on hold, waiting for our Protected Resources folks to finish their consultations as result of the new coral listings and of the critical habitat for bottom longline. Now the Mackerel Framework 2013, also; it would allow Atlantic Migratory Spanish Mackerel harvested with gillnet gear in the South Atlantic in excess of the trip limit to be transferred to another federally permitted vessel that has not yet harvested the trip limit.

The proposed rule for the framework amendment published in the Federal Register on March 19 and the final rule is under review right now in the regional office. The Mackerel Framework Amendment 1 would increase the ACLs for Spanish mackerel in the South Atlantic and Gulf of Mexico. The proposed rule for the framework published in the Federal Register on July 31 with the comment period ending September 2. The final rule package is under development in the region right now. That's it, Mr. Chairman.

MR. HARTIG: Any questions of Phil? Phil, 20B is being held up by the Protected Resources; I think that's what I got out of that review. Aren't we having a consultation on the CMP's Fishery right now; isn't that ongoing? Monica.

MS. SMIT-BRUNELLO: Yes; it is; and two rules have come out recently. One was designating critical habitat for a certain portion of the loggerhead sea turtles; and then another was a recent coral listing final rule. When those come out, we have to make sure that we look at each fishery management plan action.

Then we have to look at each FMP and see whether we should reinitiate consultation; and if not, then that's fine; but if we should, are these things not likely to adversely affect or do they need a biological opinion and all that sort of thing. This is what is going on in the region right now; and there are several rules in the queue that are waiting for these determinations for all the FMPs, from snapper grouper to mackerel to coral – no, coral I think we're finished with; but there are a number of things. I believe, yes, consultation is ongoing mackerel; and we're trying to work out

all the ESA requirements as it pertains to these kinds of FMP amendments. We think we have that almost completely resolved.

DR. DUVAL: I'm a little confused. If a rule has already passed, then you don't deal with it; but the ones that are in the hopper you do? Maybe I'm misunderstanding what you're saying. I guess that's what it sounds like; because 20B is still under review and a determination has come out on corals and the critical habitat for sea turtles; that because it is in the hopper, that needs to be reviewed. It just seems counterintuitive that you wouldn't review other rules that are already finalized and on the books.

MS. SMIT-BRUNELLO: And you do. I think that I didn't explain it very well. We have to look at all the fishery management plan actions as they relate to these recent protected resource rules. Michelle, you're absolutely right; I think what I meant to say is that we have the determinations – I'll just leave it at that; so, yes, we have to, because my explanation would further confuse you and it doesn't matter. We're looking at all those kinds of things, ESA-related things to the Magnuson Act.

DR. DUVAL: And I don't need to be confused at this late date in the game; so thank you.

MR. HARTIG: Under one of your last sentences that we're almost done was good, too. All right, that brings us to the Public Hearings Report.

DR. MacLAUHLIN: That's a PDF portfolio so there are actually three files in there. The first is the comment summary, which is very brief because as you guys have heard, there weren't a lot of folks at the hearings this time around. At the hearings we did not have any testimony on the record, but I did have one attendee in Cocoa Beach.

He supported Alternative 4 and then also recommended the council consider a provision for a 10 percent overage if the unlimited trips are removed. This was kind of an informal discussion; and I asked him if he wanted to speak on the record, but he said, no, he just wanted to tell Ben. We also received one written comment from the East Coast Fisheries Section of the Southeastern Fisheries Association. That is also included in Attachment 3; and they also support Alternative 4.

MR. HARTIG: Any questions about the Public Hearing Report? Seeing none; that brings us to Coastal Migratory Pelagic Framework Amendment 2; and that's Attachments 4A through 4C; an overview by Kari.

DR. MacLAUHLIN: I'm going to walk through the decision document. That is Attachment 4C. Yesterday afternoon you also received three PDF attachments for 4B; and those are updated codified text. The reason why you have three is because there is codified text for any of the alternatives for when you select your alternative.

Going through this for a little background just to remind you about the trip limit and quota system for Florida for Atlantic Spanish mackerel has been around since 1992 and tweaked a little bit. There is an adjusted quota that triggers the step-down and then a period of unlimited trips

and then weekend trip limits. Then it drops down to 500 pounds when the adjusted quota is caught.

The fishery has changed and regulations have changed. Then you also have pending Amendment 20B, which is going to set up a northern and southern zone. The southern zone is South Carolina, Georgia and Florida. This would make all the trip limits consistent for the whole southern zone instead of Florida having its own.

The expected schedule is for you guys to review the public input, select a preferred alternative and then approve for submission to the Secretary of Commerce at this meeting. Because of the framework procedure, which will change once 20B goes through, the Gulf Council also has to review this framework amendment.

They'll take a look at that in October and approve; and then we'll send it in October/November, and then hopefully implementation in early 2015. I have in the decision document just some background information. Table 1 is the current trip limits; so north of the Georgia/Florida State Line Boundary is 3,500 pounds; and then you have the Florida trip limit system, which starting on December 1 has unlimited weekdays, 1,500 pound weekends.

Once 75 percent of the adjusted quota has been landed, it goes to 1,500 pounds all the time. When 100 percent of the adjusted quota is landed, it is 500 pounds. Then once the ACL is met, then 100 percent of the quota goes to zero. There will also be some – I have in here the ACLs and then the proposed ACLs, which are in Framework Amendment 1, which the final rule package is under review, still. Just so you can see that; the proposed is 6.036 million pounds.

Then also the proposed quota is under the new ACL that will be coming in Framework Amendment 1. This one is a little tricky because we have a lot of pending changes in the quotas and the ACLs. Then, of course, I have the map in here to show you guys the southern zone and the northern zone; all of the background information.

First I want to go through the purpose and need because we received comments from Headquarters in Silver Spring; and some of them were we needed to revise the purpose and need. Currently the purpose is to modify the current trip limit system for commercial harvest of Atlantic Migratory Group Spanish Mackerel in the proposed southern zone.

We have an IPT recommendation in there. The purpose of this amendment is to ensure the system of trip limits for Atlantic Migratory Group Spanish Mackerel in the proposed southern zone is aligned with the current conditions of the fishery through proposed modifications to the current system of trip limits in place for the species. Sorry it's so long, but that will capture everything we need.

Then the need; we have a new IPT recommendation also to address some comments for this. The need is to respond to new regulations and changing fishery characteristics for Atlantic Migratory Group Spanish Mackerel in the proposed southern zone while increasing social and economic benefits of the CMP fishery through sustainable and profitable harvest of Atlantic

Migratory Group Spanish Mackerel in accordance with provisions set forth in the Magnuson-Stevens Conservation and Management Act.

First I would like for the committee to review that language that the IPT suggested and let us know if you approve that and then have a motion.

DR. DUVAL: Mr. Chairman, I move that we approve the modified language for the purpose and need as suggested by the IPT.

MR. HARTIG: Motion by Michelle; seconded by Jack. Discussion? Is there any objection to this motion? Seeing none; that motion is approved.

DR. MacLAUHLIN: I have a little more background; just a history of the trip limits just in case anybody needed it. What years there have actually been step-downs triggered; so you can see how often that happens. And again the current trip limits; just to review. We're going right into the action and alternatives.

We also have some recommended language to change for the alternatives. It doesn't change anything about it. It just makes the language consistent throughout the alternatives and tweaks it just a little. Alternative 2 starts the trip limit at 3,500 pounds for the southern zone starting March 1; and then after December 1, when 75 percent of the adjusted southern zone quota has been landed or projected to landed, the trip limit goes to 1,500 pounds.

Alternative 3 has the trip limit at 3,500 pounds; and there is no timeline on this one; so when 75 percent of the southern zone commercial quota has been landed or projected to be landed, the trip limit drops to 500. Then Alternative 4 – and this was the one that was supported by the AP and then also the two commenters – establish the trip limit for 3,500 pounds for the southern zone.

When 75 percent of the adjusted southern zone quota has been landed or projected to be landed, the trip limit will be reduced to 1,500; and then when 100 percent of the adjusted quota is reached, the trip limit is reduced to 500 pounds. We have the IPT suggestions, and basically this is just going to make them all consistent with language in that if it is met or projected to be met and then also just clarify that when you're using that adjusted quota, that when it does hit the full southern zone quota, the commercial sector will be closed for the rest of the year. If you guys can review those and if that language looks good, let me have a motion to approve the language.

MR. HARTIG: Yes, if you agree with the modifications, then we would need a motion to approve the IPT language suggested in Alternatives 2 through 4.

DR. DUVAL: Mr. Chairman, I move that we approve the IPT suggested language in Alternatives 2 through 4.

MR. HARTIG: Second by Mel. Discussion on that motion? Is there any objection to that motion? Seeing none; that motion is approved.

DR. MacLAUHLIN: So just to remind you that in April 2014, the Mackerel AP reviewed these and recommended Alternative 4; and then we had to comments during the public comment period for Alternative 4. We did send out the amendment and public hearing materials and an invitation to our webinar to the Mid-Atlantic Region and they distributed that to their members and their constituents; so it did go up there.

We did not receive any comments from the Mid-Atlantic about this. Then Table 4 I think makes it a little easier to see the comparison for these. This is the wrong table. I'm sorry; there is an error in this. Table 4, actually you guys took out Alternative 2.

MR. HARTIG: Well, most of the fishermen I have talked, they were in favor of Alternative 4 as well, so if someone would like to make a motion for Alternative 4, if that's what you think it should be, then we could move forward.

DR. DUVAL: Mr. Chairman, I move that we select Alternative 4 as the preferred under this action.

MR. HARTIG: Second by Charlie. Any discussion? Michelle.

DR. DUVAL: Well, I guess just looking at the different alternatives in terms of a projected closure date, they're not drastically different. I think all are probably within the realm of error. I think it looks maybe a two-week timespan or two-week difference between Alternative 3 and Alternative 4. If this is what the fishing public is recommending and the closure dates are not different, I don't see why we wouldn't go with that.

MR. HARTIG: And the fishermen have been adamant about that 500 pounds. Basically if you get to that – we got to it one time in the history of the fishery. What happens in that time is production really ratchets down; but the price increases; so even at 500 pounds, it is still a profitable time for them and they would like to see that included to stretch that season out as long as possible. For a number of these fisheries; both king and Spanish are two of the only species that they participate in, so it is pretty important for them. Is there any other discussion? Monica.

MS. SMIT-BRUNELLO: I just had a question. I was just looking at something and I missed what you just said; but have we had discussion on why it is a good idea to keep the adjusted quota in there if it is no longer I guess biologically necessary?

MR. HARTIG: Yes, and that's what I had just talked about on the record is that why the fishermen – both king and Spanish mackerel are really two of the only species that they participate in; and to be able to get the longest season for Spanish; and then the 500 pounds, as production decreases, the economics of 500 pounds, each fish is worth a lot more money per pound.

Even at 500 pounds, it is still a significant trip for those people, so they want to see it extended as long as possible. I had a number of discussions with these guys saying, well, we could have a 500 pound step-down at some percentage, but they still wanted to go with what we have. I know there was some discussion in the document about being to monitor that closely. I would hope

with the new requirements on monitoring that we have, the weekly reporting, we may be able to get to a situation where we can monitor this to a better level.

MS. SMIT-BRUNELLO: Right, that discussion was in there and how it is difficult to monitor it that closely so that you can effectively implement that with still some quota left to catch.

MR. HARTIG: Yes, and I understand that; but like I said, the regulations have changed so hopefully we will be able to monitor at a finer resolution. Do you have any comments on that, Phil.

MR. STEELE: No, I don't. I hope we can monitor it closely. Remember, most of our landings for mackerel came from port agents and switching over to dealers, but I think it will be fine.

MR. HARTIG: Well, I didn't know that as well; that's a big switch, too, so stay tuned. All right, anymore discussion. **Is there any objection to this motion? Seeing none; that motion is approved.**

All right, we have a draft motion to approve Coastal Migratory Pelagics Framework Amendment 2 for secretarial review and deem the codified text as necessary and appropriate; give staff editorial license to make any necessary editorial changes to the codified text and to give the council chair authority to approve the revisions and redeem the codified text. Michelle.

DR. DUVAL: So moved, Mr. Chairman.

MR. HARTIG: Second by Charlie. Is there any discussion? Is there any objection? Seeing none; that motion is approved. All right, thank you very much for moving forward with this amendment. That concludes that portion of the mackerel show. That brings us to our discussion paper for Amendment 26. That is behind Attachment 5.

DR. MacLAUCHLIN: Okay, so you have a discussion paper, Attachment 5, in your briefing book. I have just put together this PowerPoint and it kind of just has the main points of that paper. We don't have to look at that paper, but follow long. Here is the proposed purpose and need for Amendment 26. This is the one to separate the king and Spanish mackerel permits into one for each region.

The possible proposed need would be to allow the Gulf and South Atlantic Councils to more effectively manage commercial participation in the respective regions and make changes to participation that will not unnecessarily affect the other region. I have just a little background. There are commercial permits to harvest king and Spanish; and it is valid to harvest those species in the Gulf, South Atlantic and Mid-Atlantic with just the one permit.

King mackerel is limited access and Spanish is open access. The councils considered removing or restricting inactive king mackerel permits or permits below a landings' threshold in Amendment 20A; but selected no action. There is concern about effort for king and Spanish

mackerel on the east coast of Florida. We hear that a lot at the public hearings around Canaveral and Cocoa.

Having separate permits would allow each council to make changes without affecting the other region. King mackerel permits; they are limited access since '98. There are about 1,350 to 1,600 valid permits depending on how many are renewed at the time when you look at the data. Options for separating the permits; one thing that you guys would have to talk about is the number of permits granted per vessel.

If they met whatever criteria you set up, they could get both the Gulf and Atlantic permit. One thing that this would do is create twice the number of permits; but then if you decide that a vessel can only be granted one permit – and this is at the initial granting of the permits – if they can only be initially granted one permit, that is going to limit the fishing grounds maybe for traveling fishermen who have worked in both regions; and then if they qualify for both, how do you determine which region they get; do they get to select one or is it based on some kind of other criteria. Then can they purchase that other permit later?

Also, keep in mind that king mackerel permits have value not just from the dockside revenues that you can get from fishing on a king mackerel permit, but there is also an exchange value for those. Somebody may have invested money into a king mackerel permit or would like to get that money by selling it; and changing the permit system will effectively maybe take away somebody's permit or ability to fish in one of the regions.

Then also as part of a permit portfolio for many fishermen that have a king mackerel permit, they maybe have not even fished on it or fished a very low level, but they keep it in their portfolio instead of selling it to keep that option open. You guys would have to talk about your qualification criteria for getting a permit in a region.

Probably the one that you'll talk about is some kind of landings' threshold; so in Amendment 20A you looked at a period of 2002 through 2011; an average of at least 500 pounds per year; average at least 1,000 pounds or at least one year in that period where they were over 500 pounds or 1,000 pounds.

And then the table in here is from 20A, but it shows you how many permits would meet that qualification, not meet that qualification, and then the percentage of the permits that would either be eliminated or restricted. This was when you were considering this for 20A, either removing those permits that didn't qualify or making them non-transferable; so you can see how this would affect it.

You have a substantial number of active valid fishable permits out there that people keep; but they don't necessarily fish on even at these very low landings' level. A little more with the qualification criteria; there are different zones, trip limits in those zones, seasons in those zones, lots of differences; and so this will affect the participation levels for fishermen in different areas.

We have Table 2 in here that shows you the zones and subzones in the west in the Gulf Group and then the different quotas and trip limits; and then on our size, the northern zone and southern

zone. You could look at qualification criteria other than landings like some kind of home port designation or the number of trips or days fished or something like that.

So just important issues to consider: should you separate the commercial permits; should the current permit holders be allowed to receive both or just one on that initial allocation. If only one permit is granted, how will the determination be made if they qualify for both? Is there some kind of criteria that designates them or they get to pick; and then the qualifying criteria that we just went over, landings, trips, home port. Then does either council wish to establish criteria that would reduce the number of permits?

Okay, moving on to Spanish mackerel permits; these are open access. The range is usually 1,700 to 2,000 valid permits, depending on how many people have renewed in the past couple of years. You could create some kind of limited access program if these were separated; and the South Atlantic was interested in capping or even reducing the number of permits or some kind of passive reduction; so you would put a moratorium on it and then over time the number of permits would reduce, like snapper grouper.

What kind of qualification and criteria if you were going to set up a limited access program; maybe landings. One problem is that this would have to be based on the vessel landings because these are open access permits; so the landings are not actually assigned to that permit like they are with king and snapper grouper. You could consider a moratorium before a permitted limited access. That is how the king mackerel limited access permit works.

So just things to think about; first, should you separate those commercial permits into the different regions. Would either council want to establish limited access system; capping it, setting your qualification criteria, temporary moratorium. And then what would be your criteria of landings or some kind of effort threshold.

There are some control dates that are in place. The councils may want to talk about another control date. We have those here for Gulf king, Gulf Spanish and then one that you set for South Atlantic king and Spanish in 2010. Also, keep in mind that the king mackerel stock assessment is underway; so our SSC will review that in October.

Then the committee will receive those recommendations from the SSC at our December meeting. The Gulf Council will receive their recommendations from their SSC in January 2015. And then also remember that they're considering the mixing zone to be down in the Keys in a different area; so that may affect the boundaries.

There are also alternatives to separating the permits that maybe address some of the concerns, such as area-specific endorsements or separating the FMPs. And then, of course, the Mid-Atlantic Council would need to be consulted for anything that the South Atlantic Council was doing with king and Spanish mackerel permits.

And then we have this in here, the public input. I did review this with the AP in April. They had some concerns and overall passed a motion do not separate the permits. They were looking at a very broad scoping document that didn't have specific actions. It was just kind of some

background information; but in general they had some concerns about the effects on the traveling fishermen.

They work in both regions and that professional fishermen just go where they need to go, and they'll follow the fish; that everyone is entitled to access to the resource. There was some concern about latent permits in the king mackerel fishery and then increased effort in the mixing zone around Cape Canaveral/Cocoa Beach.

We did scope this in January 2014; and that is at the end of that discussion document that you have. There was mixed reaction. It really depended on where you were. Around Cocoa Beach there was support for separating the permits, even maybe reducing the number of permits for king mackerel.

But then also we had opposition to separating the permits because of the fishermen who work in both regions and then an impact on new entrants who instead of buying one permit to work in both regions, they would have to buy two. Then there was some opposition because some commenters felt that the councils should not take away anymore permits.

It was noted in Key West that a higher trip limit for that area could increase the number of active permits or permits that could meet some kind of higher landings' threshold so they should consider increasing trip limits before any action to address latent permits or permits with low levels of landings. Then we have support and opposition for some kind of two-for-one requirement for a king mackerel permit that put in a passive reduction over time; and then some support for an endorsement that would be very specific to king mackerel fishing around Cape Canaveral/Cocoa Beach if the permits are split.

And then support for if you qualified for both permits, then you should be able to get both permits and then using a more recent control date to kind of capture more recent effort. We can talk about this, but I also put together this slide to kind of talk about what is next for CMP, which it all kind of goes together.

I don't know, unless you guys want to talk a little bit about separating the permits or if you want to talk a little more about big picture of what is going to happen the next year and what you guys want to do with the king mackerel stuff, the Spanish allocation and –

MR. HARTIG: I think you have to talk about all the moving parts before you actually get into this, because a number of them are going to play into where you can actually talk about like king mackerel. Spanish is probably a little easier now, but still let's go ahead and talk about the big picture.

DR. MacLAUHLIN: I have that discussion. The paper was helpful, I thought –

MR. HARTIG: It was.

DR. MacLAUCHLIN: – it was a good piece of work. Okay, we have Amendment 24 that you guys talked about. We kind of went over this options paper; and this is the Atlantic Spanish Mackerel Commercial and Recreational Allocation.

We talked about a couple different ways. One would be a permanent change in the allocation, which is 55 percent commercial and 45 recreational; you know, some kind of permanent change where you talked about setting up some kind of in-season trigger that if some kind of threshold wasn't met; that a portion of – you could do it either way, but mostly we're talking about a portion of the recreational going to commercial somehow during the year if it was triggered; and then setting up a preseason allocation and even changing the framework procedure so you could do that in a framework instead of doing it in a plan amendment.

MS. BECKWITH: Did you guys also – the other idea I had brought up of actually shifting 10 percent from the commercial and 10 percent from the recreational and just having kind of a mutually assessable ACL?

DR. MacLAUCHLIN: I have that in my notes for the next time we talk about that, which is in December, putting that together; and so what you guys asked me for at the last meeting was basically putting together actions and alternatives in December, including stuff that we talked about and the kind of common pool quota that we talked about; and then you review that I guess – you know, remove things that you definitely know you're not interested in.

Then I will bring it back to you in March; and then you wanted the AP to review a little more detailed – they reviewed a scoping document that was very broad; so they didn't have really specific things that they were commenting on; and they wanted a little more detail; and so that's the plan right now. That is going to put it on a kind of slower track than we had anticipated before because you wouldn't – my understanding is that the committee doesn't want to move forward full force until the AP reviews it again and gives you some feedback on exactly what kind of shifts and possible things that you want to look at. I just want to make that is still good.

MR. HARTIG: Yes; certainly we need the AP to review anything specific that we're going to try and talk about at the council meeting; so I would – and they told us, frankly, that the options they had in front of them was too vague to be able to comment on specifically. They would like that more fleshed out in order to get – especially for king mackerel more fleshed out, we've got to wait for the SSC, we've got to see how the numbers change in the zones; so there are a whole lot of working parts for king mackerel in particular that need to be worked out before we can go forward with any kind of talk about what we want to do with the permits. Go ahead unless there are questions.

DR. DUVAL: So the Mackerel AP is meeting in April, right?

DR. MacLAUCHLIN: Yes.

MR. BROWN: I just want to discuss the king mackerel permit thing because I own one. Years ago I used to fish really hard for the king mackerel back in Florida. Then when I moved to South

Carolina, the fishery was a little bit different. We caught them pretty good there for a few years; but then things kind of slowed down, and I was getting more into the for-hire business.

Then in the last few years since I built my headboat; I don't really fish the kings a whole lot, but I still have my permits and I'd like to keep them. I don't want to see those go away. I didn't see anything in there, maybe it is, a provision that was put into place for the renewal of your permits as far as your income requirement. That was one thing I could always pivot off of if I was going to renew my permit.

I was in the fishing industry regardless of whether I was fishing for king mackerel or whatever; and my income requirement was a hundred percent fisherman; so it didn't matter whether or not what I was doing. Whether I was catching snapper grouper or for-hire or whatever, I was in the fishing industry.

I think that's something I feel like if you're going to implement something to pivot off of as far as looking at either the two-for-one or something as maybe increasing the income requirement for the renewal of a permit. I'm just trying to think of a way to where I could keep my permits, too. That's one of the things I don't want to lose.

I'd utilize my permit more in this area if we had the influx of kings that I could remember, but we just don't – I haven't seen any here in a long time, enough to justify putting the paravanes back on the boat and trying to just catch enough to pay for the expense going. Anyway, I just wanted to put that out there.

DR. MacLAUHLIN: In Amendment 20A, the income requirement was removed; so there is no affidavit to apply anymore to get that. We had in that action another alternative which actually increased the income requirement, but in the end the council selected to just remove them completely. You have considered it so it would be – you know, that would take new action and basically reestablishing it in some way.

MR. BROWN: And what was the rationale behind that, Ben; I don't understand?

MR. HARTIG: Well, basically we were looking for professional fishermen to be in the industry. In our area in particular we have a lot of people that get in and out of the fishery when it goes up and down. They're not commercial fishermen in any other fishery; so they only jump in and out of king mackerel.

In our area we'd like to see it more towards the professional fishermen, the fishermen who fish and have a portfolio of the fisheries that they fish in; and then they could have some kind of income requirement based on their portfolio to put forward to that. It wouldn't necessarily have to be for king or Spanish mackerel. It could be for anything that you fish for; and it could be for for-hire income as well.

MR. BROWN: I hear what you said, but I still don't understand what was the rationale for removing the income requirement; that is what I meant?

DR. DUVAL: Yes; we had a lot of discussions about this, Mark; and if I recall correctly, I'm pretty sure the advisory panel voted to remove it. We got quite a few comments to remove the income requirement. Personally, I liked the option of increasing the amount of income that you needed, but part of it is that that's not verified.

If you say that you have 25 percent of your income is from commercial fishing, there is no way to verify that. I guess it is an affidavit that you sign or used to sign; but there is no way for the agency to force you to give up your tax returns or anything like that to demonstrate that you've actually done that. Really, it is just your word against nothing.

There is no ability to prove that. I think a lot of people were cheating on getting around that income requirement. They'd put permit in like their wife's name or something like that and so that 25 percent of the requirement was being met; so there were I think lots of problems with it. I'm sure Roy and Monica can elaborate.

MR. HARTIG: Let me get Roy to go ahead with that.

DR. CRABTREE: Well, I think what we found, Mark, is when we looked back over many, many years, no one ever got turned down anymore because of the income requirement. It had just become a bureaucratic exercise; but it really didn't seem to be doing anything. Michelle is right, in order to determine if you meet the requirement, we asked you to check a box saying I meet the requirements and signing saying you do, but there is no way to verify whether you actually do meet it or not. It is essentially self-certification, I guess.

MR. HARTIG: Well, let me get Monica to fully explain it; and then I'll get back to you, Mark.

MS. SMIT-BRUNELLO: And I agree with that; and even before we had the affidavit, we did have individuals submit their income tax returns; but they submitted whatever – how should I put this. We had no idea whether we were getting the actual tax returns that had been submitted to the IRS because there was no way to verify that with the IRS. Through all those years when people submitted their income tax return, Roy is right, whatever return they submitted resulted in them meeting the income requirement; so that no one ever didn't get their permit because they didn't meet the income requirement.

Everyone always met the income requirement; it was determined to kind of be a bureaucratic exercise, if you will. The Gulf Council had made a move to get rid of the income requirements in their reef fish permits; and they wanted to get rid of the income requirements as well in the king mackerel for all these reasons.

DR. CRABTREE: And part of what spurred the Gulf Council to look at this was in the aftermath of the oil spill a number of fishermen were hired by BP to go out on their boats and skim and clean up; and they were paid by BP to do that. Only that income was not income from fishing; and they were worried that having that income would cause them not to meet the income qualification anymore; so it got real complicated in the aftermath of the storm.

MR. BROWN: Boy, Roy, that's cooking the books; isn't it? I had my permit turned down a couple of times because they said, well, you didn't send in everything for your tax return. At one time you had to send everything in; so I would send it down. Boy, I got so mad at you people in St. Pete a couple of times, I was fuming.

DR. CRABTREE: I apologize for that.

MR. BROWN: But to your point about the Gulf, that's just being falsified there. If they're not separating out the fishing from what they're doing separate from that, they –

DR. CRABTREE: Well, they couldn't; they weren't allowed to fish because the Gulf was closed; also, they were being paid by BP.

MR. BROWN: Well, that's separate.

DR. CRABTREE: Well, it is separate, but that along with a whole host of other things caused – it also had to do with a variety of things; but I think that's where looking at the income requirement probably started from. After going through it all, I think both councils came to the conclusion that we're not really getting anything out of the income requirement and we dropped. Now, you can disagree with that, but that is the decision that was reached.

MR. BROWN: Like I said, I know when I filed it and on my tax return it said "commercial fisherman"; it was stating on my tax return what I did for a living. It actually said "commercial/for-hire", but it was fishing all the way across.

MR. HARTIG: I think there were a number of us that were disappointed, but we all came to the realization that it was a bureaucratic exercise, basically. Mel.

MR. BELL: I was just going to say as we move forward with this, whatever comes out of it, the thing that I'm looking at is from our fisheries standpoint we're not a big king mackerel state. Our landings might be a really, really good year recently, like 20,000 pounds for the whole thing; so our guys that have the permits, it is part of that portfolio.

It's basically a lot of the snapper grouper guys that just simply augment their catch because they have both permits with some change. And in recent years, as Mark has said, they're just not around like they used to be. You might be doing six or seven thousand pounds for the whole state. It is important to these guys as part of their portfolio, I guess. My interest would be making sure they can at some point operate at some level; but they're not directed – there is really no directed king mackerel fishery for us, anyway. We may be a little unique, but that is the way it is set up.

MR. BROWN: Ben, the reason I voiced my opinion about this is I just don't want this to slip into a direction to where it starts eliminating permits from people that are in the industry.

MR. HARTIG: And I understand that; and I think the realization that I've had through this whole process is that really the problem lies in the general area where I am. In a high population

center is where you have lots and lots of people and you have a large number of permits and people jump in and jump out of the fishery. It doesn't seem to be a big problem with king mackerel number of permits in North Carolina. It doesn't seem to be a problem.

It doesn't seem to be a big problem with the number of permits in the Gulf – of people that fish in the Gulf. Now, we have people that go and forth. Since we have now a regional type of separation – although the Carolinas would be involved in that regional thing, I think we could even get into a smaller region where the problem is really occurring and probably get an options paper based on what that region needs to be able to keep viable in the industry and not have people jump in and out.

We'd just like to see it become more of a professional type fishery. We'd like to see our fishermen be able to participate in the fishery without having people jump in and increase the amount of harvest and lower the price. I mean, there is a whole host of things that happened. We have got our fishery that occurs in the spawning season and we'd like to continue that; but we don't think that everybody in the world should be able to jump in during the spawning season where we are and participate.

We think you can take some fish out of that spawning season without having a big impact, and we have through the years and the stock has rebuilt based on that. We're concerned about the number of people who jump in during the May timeframe to fish that fishery. I have come to the realization that it is not a South Atlantic, per se, problem. The problem is in a geographic region on the Florida East Coast. Go ahead, Mark.

MR. BROWN: And to that, I agree with you; and I don't think we have those issues north of Florida; so if you were going to make any changes in that respect, I think that this is more of a Florida or a Gulf issue.

MR. HARTIG: Yes, and like I say, I don't even think it's really a Gulf issue. Once we see the levels of harvest that come out of both SSCs for the Gulf and the Atlantic for king mackerel, then we're going to have to sit down and figure out how we're going to manage king mackerel in the future. We don't know what those levels are yet.

We don't know how many fish we're going to be able to catch and the future impact. It would be really premature to go ahead with some kind of a permit action. Kari has been willing to come down and talk to the fishermen in the area where we have the problem; and we haven't done that because we wanted to wait until we get the catch levels. We've got a whole, big presentation to give the fishermen. We'll have a big meeting and lots and lots of input.

DR. MacLAUHLIN: Sticky wall.

MR. HARTIG: Well, we could actually do that; we could actually do the sticky wall thing as well. That would be great; but we have to give that presentation to the fishermen about what comes out of the SSC. I think at that appropriate time, Kari could come down to that meeting and then we could do the sticky wall and see if we could find a way to move forward with some of this; but that's for king.

Spanish is a little bit different because we have the catch level recommendations coming out of the stock assessment. We have a new regional aspect that isn't implemented yet, but that is the way we're looking forward. The problem with Spanish is not in North Carolina. It is in the area where we fish for Spanish again in South Florida where we have a lot of people jumping in and out of the fishery.

I don't know how to address that without having at least a permit requirement; and I know North Carolina doesn't want that. We've caught the quota for Spanish in the majority of the recent years; and we've gone over the allocation in most years in the last three, I think.

We should be looking at Spanish as some kind of limited access fishery. Whether North Carolina wants to do it that way or not, I think generally we need to look at Spanish and bring it in under a limited access system for the future because we're overshooting the allowable harvest. Michelle.

DR. DUVAL: To that point, again, 95 percent of our Spanish mackerel landings are caught within state waters. We're opposed to forcing our fishermen who are working only in state waters, only like in Pamlico Sound, to get a federal permit and especially limited access. We will have to dig that one out when we get to it.

MR. HARTIG: Okay, there is where one of the problems lies. Roy.

DR. CRABTREE: Well, I've been chastised in no uncertain terms at many a Gulf Council meeting over the issue of too many permits. You've got a whole group of mackerel fishermen who travel after these fish; and it is all they do is mackerel fish. They're in the Gulf; and I think most of them live in Ben's area on the east coast of Florida.

It seems partly what we have here is we've got a group of full-time mackerel guys who follow the fish; and that's what they do for a living; and they'll tell me that's what they've done their whole lives for 30-plus years; and that we're putting them out of business. So you've got this conflict of these mobile guys who follow the fish and the guys who just fish where they live and don't follow the fish; and we've never been able to reconcile that.

The guys who don't follow the fish don't want to see the permit numbers reduced and the professional guys do. I don't know how you reconcile that; but we've had some very intense discussions with some of those guys; and you've been there at a lot of those.

DR. DUVAL: I'm going to jump a little bit to only the full-time mackerel fishermen being called professional fishermen, because we have full-time professional fishermen who fish for mackerel when the fish are available at those more extreme reaches of the range of the stock. With all the environmental changes that we've seen in recent years, the availability has waxed and waned for those guys to be able to participate.

Especially in that northern part of North Carolina, it is the extreme range for most southern species and the extreme range for a lot of northern species; so there are a lot of shifts that do

occur; and a hundred percent of their income is from commercial fishing. This kind of gets back to what I said in the HMS Committee when we consider things like that, I know it is a tough lift, but we really need to consider them holistically with regard to those social and economic impacts of removing a tool that someone has to make a living. Maybe it is just your November and December paycheck, but you're going to miss those if they're gone.

MR. HARTIG: When Roy mentioned that full-time mackerel fisherman, that is what complicates the issue. The full-time guys on the east coast, since the stock has been down, more and more of them have migrated into the Gulf in the summer; so the Gulf guys who would use king mackerel as a fill-in for other fisheries that they weren't prosecuting at the time – and there are some full-time mackerel fishermen in the Gulf; not as many as on the South Atlantic.

I mean they're being disadvantaged by the influx of fishermen into the Gulf; and that's what the Gulf has been concerned about. I think you could address that as we tried to earlier in an endorsement situation where each different area – each area we have that has a quota could have their endorsement; and if you had landings, you could get in; if you didn't, you didn't.

At least you could stop that push towards the Gulf, which to me is only going to increase because our stock isn't looking as good coming out of the assessment; and the Gulf stock is still looking pretty healthy. That dynamic is still going to occur; and if the Gulf ever wants to slow it down or stop it, they're going to have to do some kind of endorsement system or something to allow some kind of landings' history to be under an endorsement to fish in that area. Anna.

MS. BECKWITH: Well, I was going to say exactly what Michelle said; but also a point to consider is as much we all want to divorce the Gulf Council, we were able to protect some of our mackerel fishermen recently with that joint amendment where there were concerns about shifting of the dates and the starting dates and how that was affecting the prices. We would certainly lose that ability if we went to a completely separate permit system; so we have been able to offer a little buffer to protect the prices on our side.

DR. CRABTREE: Just for the record, I don't want to divorce the Gulf Council; I love the Gulf Council. I just wanted to get that into the record.

MR. HARTIG: We appreciate that and I'm sure Kevin does as well. Mark.

MR. BROWN: Again, I say this issue is more down in Florida and maybe Southwest Florida, whatever, but, Roy, I hear what you're saying, but I used to know a lot of those guys that did that traveling. We were talking about it the other day at lunch, as a matter of fact, and I asked him, I said have you seen this guy or this guy; and a lot people we lost contact with. I don't know if they just went over in the Gulf and died over there or if they're somewhere in the woods or what; but I haven't seen a lot of people that used to be consistent with traveling. We would see them on the east coast and then they would move around the end of Florida and up into the Gulf. I don't even know what the fishery looks like anymore. As far as the people that are traveling, I don't know any of the people.

DR. CRABTREE: Well, I imagine there are fewer of them than there used to be. There is fewer of everything it seems like fishing-wise than there used to be; but there still are a group of them; and I don't know, Ben, 20 or 25 of those guys will show up periodically. We have real conflicts. We've had big issues in Louisiana because there is a lot of local resistance to having people from other areas come in and fish the quotas. It's still there and we've had them show up at both Gulf and South Atlantic Council meetings in the last year or so; so there is still an issue there.

MR. BOWEN: I was just going to mention to Mark I don't think he was at the Savannah meeting in March when we had a heck of a turnout of those traveling king mackerel fishermen to comment. There were quite a few so they are around.

MR. HARTIG: Well, I will tell you, Mark, that the older guys that you knew aren't traveling anymore, but there is a new generation that does; and a number of younger fishermen in this fishery that travel.

MR. BROWN: Well, I can tell you if you're going to go down to Florida and start explaining this down around Fort Pierce or something, you need to take Gregg Waugh with you because I saw him talk to them in 1982.

Gregg stood up in front of everybody and was telling them about all these new permits and boundaries they were going to have to apply to and I figured, oh, man, he is going to get scalped, but he did actually a good job.

MR. HARTIG: I appreciate that. Things have changed a little bit since the days of the mackerel wars. I remember them vividly. Go ahead, Michelle.

DR. DUVAL: Mark, just one more point; we struggled with this when we were looking at the whole permit question in Amendment 20A. One of the things that we tried to do was look at instead of things like average landings or something like that as a means of separating or eliminating permits was we tried to look at adding an alternative that would allow for consideration of all your landings across all fisheries.

That was during a Joint Mackerel Committee Meeting that we had with the Gulf Council's Mackerel Committee; and our struggle was exactly that fishermen do participate in different fisheries and you have your northeast permits, your HMS permits, your South Atlantic permits. Also, there was a real push from the Gulf to also be able to use state waters' landings from your state waters' fisheries; because there are folks who do participate in federal and state-managed fisheries.

There was concern I think from the agency with being able to have access to all of those landings for a permit holder. I still think the idea has merit, but it is complicated and would certainly separate your truly professional fishermen from guys who may have a permit and they're fishing on the weekend and selling to supplement their fuel bill.

MR. PHILLIPS: If I remember, I think we've had this discussion before; and I think we're going to have it again. We're going to have it when we get that new assessment out of the Gulf.

We're going to take it all back to the AP; and then we'll have a little new boundaries and some more understanding on how we run the rabbit.

I agree with Roy; occasionally we may want a divorce, but our marriage counseling seems to be working for the most part. This is really good conversation, but we're definitely going to see this again, and we're really not going to be able to make any decision until we get the new assessment.

MR. HARTIG: And with that comment, I think we should probably move on. Basically we're in limbo at the moment and we should wait until we see what comes of the SSC as far as catch level recommendations and projections; and then we'll have a whole host of things to talk about there for king mackerel.

For Spanish, I don't know what we can do. I'm going to have to put my thinking cap on for that. I don't know how in the world that you can deal with the problems we have without a permit in our area, but maybe we'll come up with some way that we can; maybe just landings since it is in that area, maybe some landings' discussion. Clearly, North Carolina doesn't want to enter into the permit discussion; and that has been consistent through time; so that is not different, and I appreciate that. Really, Kari, do you have clear direction from this mud that we've given you?

DR. MacLAUHLIN: Sure! Well, with the rest of this, this is also based on conversations with Ryan on the Gulf Council staff. In October he was going to talk to them about also what is next for mackerel, which is what this came from; and that's when we thought maybe 24 could just be Spanish allocations stuff.

They were talking about looking at the allocations for Gulf king mackerel, but I think they're also waiting for the stock assessment results. We could move forward with 24; and 26 could be just a king mackerel – you know, revising the boundary, if that happens; the Gulf looking at their allocations for king.

We can do the ACLs, if the ACLs are going to be changed based on the stock assessment results, in a framework amendment to get them through; but we can also put them in this one and then changing any other AMs or management measures or something that maybe could all go in like a king mackerel amendment.

Then down the road, after everything we're waiting on right now, the northern and southern zone quotas, the ACLs for Spanish, the ACLs for king; and once all that gets in place, then an amendment to talk about separating the permits or some kind of other bigger – looking at the problems that you guys identified with the king and Spanish and coming up with ways to address them.

MR. HARTIG: I think you have laid a rational way to move forward. Not at this time, Doug, don't worry about it; this year there won't be any more king mackerel amendments, but, yes, in the future there will be, so that sign is probably not appropriate. I think if you all understand Kari's way to move forward, I think that's probably a really good way to do that. I see heads

nodding at the table; I don't think we need a motion to do that. I think direction to staff that we have given and this discussion has helped a lot.

DR. MacLAUHLIN: I just want to make sure that everybody is aware of our plan.

MR. HARTIG: All right, that takes care of the mackerel section of this. We have some cobia presentations, I believe. Mel has asked us to have a presentation on cobia. There is still some concern, I guess, in South Carolina over some of their – actually, they have some stock-specific fish the genetic analysis has shown over the years. Go ahead, Mel.

MR. BELL: I'll just tee this up. Chris McDonough from our staff is going to make the presentation; but maybe just for informational purposes, we don't really anticipate any action necessarily coming out of this, but we would like to have some discussion because there are some interesting aspects to this.

For a number of years our fishermen particularly down in the Beaufort County area south of us have had some concerns about what they're seeing with the cobia fishery and concerns about the – Chris will get into this, but it is interesting. We've done a lot of genetics' work on our cobia and have been able to distinguish there is a distinct population segment that kind of works in the Port Royal/St. Helena Broad River Area.

We have documented those as an actual spawning aggregation inside – well, that is inside state waters. Then you also have cobia that are just offshore and predominantly on the artificial reefs; and Chris will get into that. What we are seeing and the fishermen are seeing – and we've heard this backed up by our law enforcement officers as well – is perhaps a lot more pressure on these offshore fish and kind of a diminishing status of the inshore fish.

They have some concerns about what we may be doing in terms of the pressure on these fish that is aggregating at the same time of the year perhaps for spawning aggregation or pre-spawning or something. As Ben mentioned yesterday, these are batch spawners. They may spawn there, they move up the coast and that sort of thing.

There are some interesting movement patters with these fish. I'll just let Chris give the presentation, but it is something we wanted to bring to the council's attention; and it may warrant future action on our part from the standpoint of the council; and there may be some other things that the state can do as well. So, Chris, go ahead.

MR. McDONOUGH: Okay, I'll go ahead and get started. I do want to point out or Kari asked to point out that the presentation was sent around; so you should be able to pull it up however you get it. Okay, the issues, as Mel has kind of brought some of these up, was that with cobia you've got these offshore aggregations on artificial reefs.

In addition to that, at the same time you've got these spawning aggregations inshore particularly in Broad River Sound and St. Helena Sound that are essentially occurring at the same time; and that is when all the fishing pressure is occurring at both inshore and offshore sites. We're getting some indications that fishing pressure from fishermen and from law enforcement as well as some

of the recreational data and our charterboat data; that fishing pressure is increasing in the offshore area.

At the same time there has been evidence, circumstantial in some case, but there is evidence of decline in relative landings in the inshore areas as well. Also, those fish do move back and forth between the inshore and the offshore areas. This is supported in tagging data. Particularly for the distinct population segment in the Broad River Sound, those fish have a high degree of site fidelity, so they return to areas year after year.

An additional one is that there is some concern about illegal sale of cobia from federal waters; and then last, which we've kind of already stated a couple of times here, but that increasing fishing pressure offshore possibly could lead to similar declines in the offshore population. Okay, for essentially a little overview of our fishery statistics; now this is coming from both our charterboat data, logbook data, as well as the MRIP Survey.

There are, of course, some limitations; not fishery-independent data, so it is not quite as vetted as well. I'm sure most of you are aware. An issue with the MRIP Survey, particularly for cobia; cobia is a highly seasonal fishery in South Carolina. There is a very narrow window; and the MRIP Survey, by its characteristics and the way it is carried out, the narrower the window is, slightly less reliable the data is; so that is something to just keep in mind.

South Carolina does have a commercial fishery. The majority of our landings are from recreational. However, our landings typically make up about 2 percent of the coastal landings in the southeast; typically ranging two to four thousand pounds a year. They are caught year-round; however, as I mentioned that narrow window, it is mainly May to July.

The game fish status that was given to cobia as of 2012 makes it such that the only cobia that can be landed commercially in South Carolina have to come from federal waters and not from state waters. That's about all I'm going to say on the commercial side. Okay, for the recreational data, the recent peak that occurred in the stock was in 2007.

The relative proportion of the fish that are being released alive has remained relatively constant. Even after the peak, you're getting those B-2's, the released-alive fish make up a slightly greater portion of the fishery. Most of those fish are coming from – according to the MRIP Survey, most of those fish are coming from federal waters or typically a higher percentage.

And then one note; in 2011 we had a much more reduced harvest. From what we've been able to find, digging through all the MRIP data, is that it is a problem with the intercept and likely the intercepts were very low that year; and so the catch levels were correspondingly low when they did the expansions.

By capture mode; most of the fish are caught by private boats. You get about a similar percentage between for-hire boats, which is a split between charterboats and partyboats, and shore-based anglers. These are individual fishermen or small groups in private boats landing most of the fish.

As far as where they're coming from by time period, the top graph there you've got – that's from the MRIP Survey by wave. The majority of them are coming in from federal waters or a pretty even split during the third and fourth waves, basically May through August. Then we see a similar shift in the charterboat log data, on the bottom one there where you've got the peaks occurring inshore in May/June and then shifting offshore in June/July into early August for the charterboat data.

Okay, for the effort levels, there is a higher proportion of effort that occurs in inshore waters, mostly due to access. It is a lot easier for more fishermen to get access to that inshore population or group, I should say, in state waters. Typically the catches in terms of number of fish coming in are higher in federal waters.

The nominal catch/effort CPUE is typical higher in federal waters than it is in state waters even with the increased amount of catches – I'm sorry, trips – and that is mostly driven by that narrow timeframe from May through July. The charterboat log data you see a little bit different trend; it is a little clearer.

You still see the much higher effort level in number of trips, which is the top left one there, in state waters. However, that is kind of flip-flopping in recent years, but you see that steady increase in number of trips in federal waters; and then the total number of fish, which is the one down on the bottom left, is showing a steady increase; but the scale, of course, because the scale is much higher in the state waters kind of shrinks that down a bit.

However, the nominal catch per unit effort between has been relatively stable. I mean, there is a slight declining trend in both zones; but it has remained relatively stable since the early 2000's. When we add bag limit and what people are actually bringing in, the MRIP Survey, the two on the left there, show that the majority of those private boat trips are really reporting just one cobia per trip or one fish per person per trip.

Those peak waves, 2, 3, 4, are the only ones where you're really getting that people are bringing more essentially filling the bag limit and bringing in two fish. Then the charterboats show a similar trend. Of course, you can have more fishermen, so they're going to be bringing in more fish per trip. However, it is like 67 percent of them are pretty much bringing one fish per person.

This is important to point out that when you starting about, okay, if you're going to think of alternatives, if you're trying to impact that fishing level, changing the bag limit here is unlikely to make much of a difference if most of the fishermen are already only bringing in one fish. Many of you have probably seen some of this stuff before, just some summary from what we know of the genetics.

There is a distinct South Atlantic and Gulf stocks with cobia; and within the South Atlantic there are distinct population segments. These occur in the Chesapeake Bay and South Carolina. They were identified via the spawning aggregations that occur in these areas. There no morphometric differences in these fish. You show one next to one; you're not going to be able to tell the difference.

There is limited gene flow between the populations; and generally tag data supports this. As I mentioned before, most of them exhibit quite a bit of natal homing in terms of that site fidelity. The best way to illustrate this is what we've done in South Carolina. Okay, fish that have been tagged in and around the Broad River Sound Area and St. Helena Sound, as well as offshore, almost 90 percent of the recaptures that have occurred with those fish have occurred within the inshore areas.

Most of those that have moved out and have been recaptured out of state are occurring to the south. That one dot that is up off of North Carolina, that was actually a fish that was tagged on the Betsy Ross Reef offshore and was not actually tagged inshore, moved north; but the majority of them typically move south.

You've got some of that north/south migration as well as east/west migration. Some of those fish that have been tagged in the inshore areas occur in those offshore areas. Then a little bit more from the stock assessment here – and actually I would like to point out – I didn't realize this when I – I'm not going to throw Mike under the bus too much, but when I borrowed the slide, these graphs are switched.

The bottom graph is actually the spawning stock biomass figure and the top one is the fishing mortality figure. Anyway, this was based on a statistical catch-at-age model that they used in the assessment, using landings and life history data. The spawning stock biomass did approach overfishing a couple of years, in 2007 and 2009; but the main thing is on the regional fishing pressure appeared to be increasing.

Given the possibly increased effort in recent years, we may have passed one of those lines; and that's hard to tell. You can't trigger these assessments every other year; it just takes too much time and effort to do them; so it is hard to keep track; but it is something to keep in mind. Of course, there are limitations to the assessment.

It is not sensitive to those localized populations. It is really done more on a regional level. However, even though overfishing is not occurring – it was concluded that overfishing was not occurring in the South Atlantic and the stock was not overfished; those distinct population segments, because they are in areas that are known by anglers, they're concentrated, they can be more easily targeted; so the level of effort may have greater impact on those fish because of that ease of access.

To conclude and basically repeating a lot of stuff I've already said, but there is some anecdotal evidence from law enforcement as well as some of the fishermen observing that it seems that fishing pressure is increasing offshore. The charterboat data actually supports some of this. It does show that fishing pressure – at least the relative number of trips and number of fish being caught has been increasing offshore; however, the relative CPUEs have stayed fairly consistent.

The MRIP data also shows some of this increase in effort, but not quite the same amount of decrease as it does in state waters. Because, as I mentioned, the limited window with the MRIP Survey in terms of this fishery in South Carolina, the error factors are quite a bit higher; and so that could indicate some reliability issues that need to be dealt with in the MRIP data.

Catch-per-unit-effort levels from both MRIP and charterboat data seem to be relatively stable over the last five to seven years or so or a little further back in the charterboat data. As I mentioned on that last slide, even though overfishing was determined not to really be occurring, those concentrated aggregations, both inshore and offshore, are more easily targeted; so increased effort could have an effect that is essentially harder to detect or it would be more difficult to detect. It's one of those things we run into where if the problem occurs, we don't know until after. That's it; any questions?

MR. HARTIG: Chris, thank you very much. Wilson.

DR. LANEY: Chris, have you all seen any changes in the age structure of the stock? Again, I'll say right up front, I don't know what a normal age structure for a healthy cobia stock would look like. I know it is another one of those very fast-growing species; so I suspect maybe they don't live a long time, anyway, but that is a perception on my part. If you are seeing a lot of increased pressure; is the age structure truncating as well?

MR. McDONOUGH: Actually, the short answer to that question is I don't know. Most of the age data that has been done – and I didn't really review that for what they've got in the last couple of years for this presentation – is what has been done through the stock assessment since it was only two years ago. They still continue to collect age data, but I haven't seen anything recent. Actually, some of the information I have shown; they're getting ready to release or submitted a paper that is going to have some of that data and that should be coming out soon.

MR. BOWEN: I fish out of Savannah so I'm on the southern end of what you're showing here. One thing to keep in mind I think the for-hire effort – and I'm recalling from memory – despite what we had there in the last couple of years, what happened for us was sea bass didn't open until June 1, until that fishing year got changed.

Well, the charterboats are sitting at the dock and our sheephead are gone by the middle of March; so we were still trying to put trips together; but we couldn't keep sea bass so we started cobia fishing. Then those people that went cobia fishing while the sea bass were closed, huh, we like this; we want to come back and do it again next year.

From my perspective, that's the reason you see in the for-hire sector an incline in the effort. I wanted to point that out. Overfishing is not going on, so they say, and it is not being overfished; and then I also heard you say a reduction from two to one really might not make a big difference. To be frank, what are you trying to get out of this; what are you wanting the council to do or what would help I guess is the best way of asking?

MR. McDONOUGH: I'll defer that question to Mel.

MR. BELL: Zack, it is not that we want to do anything right now. We've been working with our fishermen down there for a while; and they've been expressing concerns to us. I encouraged them to come. Bill Parker who was here last night, one of our charterboat captains, has been at this for quite a while; and we will hear some more tonight as well.

It is an informational thing just to let the council know this is going on and there are concerns. I get what you're saying in terms of that spike. Our fishery might be a little bit different and the spike might be for a slightly reason, perhaps. Our fishery has traditionally been very focused on those inshore fish, on that inside DPS.

What the guys are seeing – and what we wanted to make sure is we're sharing with you what data we have; and we can support what we can support and what we can't, we can't. What everybody is telling us – and this makes sense across the board – is the fish just are not there inside like they used to be; so there is additional interest in shifting offshore. We have documented an increase in offshore fishing.

I think the concern is that perhaps – and they can tell you themselves in their own words tonight – perhaps we have really, really, really worked this inshore population real heavily; and now we're seeing the results of that. There is some concern over now working the offshore aggregations real heavily.

I'm not putting words in their mouth; they have said this to me; it is sort of like, well, we need to do something; but stop us because we can't stop ourselves. And I'm not asking for any action; it is just for discussion purposes. Another reason this made sense kind of right now is the council has already begun talking about spawning aggregations in another plan and in other areas and talking about SMZs and using SMZs to help pressure, perhaps, off of spawning aggregations.

If indeed what we have – we know we have aggregations of these cobia on our artificial reefs at the same time that the fish are actually spawning just a few miles away. We're not prepared to support with data that those fish are actually spawning on those reefs; but they're sure ready. We have documented that they are spawning inside.

I think the concern is what we have here is increasing pressure on perceived spawning aggregations or certainly aggregations of fish that are at the time of the year for spawning. The fishermen have brought this to us as what can we do? Since some of what we can do is obviously a state solution because the state can do certain things for state waters.

But these fish, as we've mentioned from tagging, kind of move back and forth and they don't recognize the three-mile line, per se. So, at some point in time we may be interested in coming to the council for what could we do to perhaps provide some degree of protection and reduction of mortality on these aggregations out here.

One logical thing – since they are artificial reefs, they are already designated as special management zones for snapper grouper purposes; and since through CE-BA 2 we have kind of used SMZs to help provide some protection for other species. I mean, the logical question might be could we bring some sort of level of SMZ protection on these very specific sites at a specific time of the year.

That is where we get into the – you know, if you decided to do that, if we decided that was a good thing, bag limits, boat limits, a seasonal time-based – because the timing on these guys is

amazing. It's like 15 April to 15 June, boom; I mean it is like clockwork every year. It is just for discussion purposes. We're not asking for anything, but we wanted to bring this to the council's attention. It kind of fits the topic of what we've spent some time talking about earlier related to snapper grouper, which is protection of spawning aggregations of fish.

MR. BOWEN: What is the state regulations for the South Carolina for the cobias; is it still the same as the federal regulations or have you took proactive measures and reduced it?

MR. BELL: It is the same; it is a 2/2 bag limit. The only different that we have done in state waters is cobia have been established as a game fish, which prevents the commercial sale of fish caught in state waters only. It does not restrict the sale of fish in federal waters. That is a little unique feature of kind of what goes on down there as well. There is a lot of commercial sale that we don't document through landings. Our law enforcement guys are very good about working this.

This year alone they wrote four successful tickets, kind of doing a reverse sale operation thing of kind of a reverse kind of thing. There is a lot of direct sale going on to restaurants; and we know that. It was a lot easier for folks. When that inshore population was doing much better, they could do that a lot quicker.

Now that they're having to go offshore, it is a little more complicated, but they still operate under the two fish bag limit. But from a state perspective, that's the only thing we've done so far; but certainly the state, to protect that DPS inside, could look at options like a boat limit or one fish or some sort of time-based restriction. That's all on the table, obviously, for the state.

MR. BOWEN: And one more point and then I'm going to drop it and we can move on; but let's keep in mind that our artificial reefs were not only set aside for habitat-building for our fish, but they were also set aside and placed for our recreational anglers to have a place to fish. Because not only South Carolina but Georgia's sandy bottom; you have to go so far to get a natural bottom that they were placed there for the recreational anglers to be productive in catching fish. I know there are multiple reasons, but that is one reason that they were placed there.

MR. BELL: And that's why the SMZs were put in place. The SMZs – and trust me, I was there on Day One – the SMZs were all about maintaining the reef for the purpose of which it was designed, which is to benefit as many recreational anglers as possible. That's why we asked early on to put certain gear restrictions in place; and it was never about commercial versus recreational.

It was about efficiency of operation and how do you get the maximum benefit out of that reef for as many people as possible. What I would say is that if you were to look at something related to cobia, if you wanted to maximize the benefit for all recreational fishermen for cobia alone on an SMZ, placing some sort of restriction just helps you – more people can catch more fish.

In other words, if you kind of, let's say, decrease the efficiency of the allowance for individuals, it allows more people access to those fish over time; so you really increase the advantage over time for recreational fishermen. I'm a hundred percent on board with you. That's exactly why

the reefs are there; and that's exactly why if we were to go down this road – and, of course, the state would have to – our fishermen would have to say, yes, we're cool with that. We want to do something like that. We're not saying that's going to happen; but, no, you're absolutely right.

MS. BECKWITH: Can we have John or Mike come up and remind me of the strengths, weaknesses and uncertainties relative to the cobia assessment since it has been a few years?

DR. ERRIGO: I was actually just looking at the assessment in case any questions came up and also to double-check the figures to make sure they were reversed. Okay, for cobia, what happened when they split the stock at the Georgia/Florida Line, it didn't leave as much data for the rest of the South Atlantic stock; so we wound up using – for indices of abundance, we used the headboat index and I think we also used the South Carolina logbooks for an index of abundance for cobia.

There was no independent survey for cobia in the South Atlantic; so it was just those two surveys. There was some concern that like for the charterboat index; that if they were hitting the – or even for the headboat index, if they were hitting the bag limit; but after we looked at the numbers, it seemed that most trips were not hitting the bag limits so we were okay with that. I know that the charterboat index was truncated at a certain time period; because one of the graphs actually in the presentation you saw was the trips targeting cobia ramped up at a certain time period; so they truncated the index there because targeting changed at that time period.

We also had minimal data north of – we had landings' data north of North Carolina, but not much else. Unfortunately, though, a lot of landings came from like Virginia. I don't recall if that was included in the assessment; but we had very little other data from states north of North Carolina. The index itself was from South Carolina. We worked with what we had; like age composition, sample sizes were on the low side; so there were a lot of uncertainties in the assessment. I don't know if you have any specific questions.

MR. HARTIG: Do you have anything else, Anna?

MS. BECKWITH: Any strengths?

DR. ERRIGO: There was enough data to run a catch-at-age analysis, I suppose. It was certainly one of the more data-poor species that we've run an assessment on. There were a lot of uncertainties, which is why the graphs you saw at the end had really large gray areas around the line; because there was a lot of uncertainty in the assessment.

MR. HARTIG: The only strengths were is we could trace cohorts. That was the only strength; and that was probably the only real reason we got any information at all out of the assessment is we could track some cohorts through the fishery. Mel.

MR. BELL: I was just going to say Captain Parker mentioned last night is – so in the assessment, which was 2012, not overfished and not overfishing not occurring, but kind of close to the line; trending towards the line, perhaps. I doubt that we'll see another cobia assessment for a while.

In that interim I think there is just some concern with increased targeting or increased interest on this offshore population; and we might very well slide over the line or through the line or something. That's just the concern on the part of our anglers. This is an important species for them that is targeted; and we just wanted to make that they brought their concerns to the council and folks had a chance to hear that.

There may be some options the state chooses to follow, which would include perhaps coming back to the council and trying to see if we could do something prior to another stock assessment. As a council, we need to act for the whole stock or whatever based on an assessment. It may seem kind of like a local concern, but it is a concern that local fishermen are seeing about their fish and fishing practices.

Keep in mind even our DPS, the Port Royal fish and all, if you noticed from the tagging, they go down and mix or populate that blank spot off of Florida; so our fish don't stay – what we call “our fish” don't stay in our waters. They go other places, so there is movement. This is mainly for informational purposes. You will hear a little bit more about it tonight, but it could very well be that there is interest at the state level and coming back to the council at some point here and asking for some help with some additional conservation measures, perhaps.

DR. LANEY: Well, yes, it may be a local stock in a geographic sense, but I think the council has to think about genetic diversity here as well. If you've got DPSs already designated, I would think that's a topic of interest to the council is trying to maintain the genetic diversity that's out there.

I would only point to the northeast and New England Groundfish Fisheries and those cod stocks up there that everybody thought I guess for a long time it was all just one big uniform stock. As it became evident that a lot of the inshore cod populations were not rebounding, people began to realize, well, maybe that's because there were a whole lot of localized genetic stocks there that we didn't understand at first; so they were kind of neglected from a management standpoint.

I think here we have an early heads-up that you do have a genetically distinct population inshore; and it looks like maybe a couple more, one in Chesapeake Bay at least; and then two more offshore, one in the Gulf of Mexico that kind of comes around the Florida Peninsula; and the other in the South Atlantic.

There are at least four different groups of fish there; and I think the council would be certainly concerned about trying to maintain and conserve the genes in all of those populations. So even though, yes, it is a local South Carolina issue and as Mel pointed out, those fish do go down to the east coast of Florida. Somehow we need to consider our obligation as a council to not only maintain the populations sustainable from a numbers and weight perspective but also from a genetic perspective, I think.

MR. McDONOUGH: I can add a little to that in that I didn't show it, but there is additional tag data from Virginia, from Florida; both off Brevard County and down in the Keys that supports

the movement in terms of where you've got that large mixing zones essentially from Canaveral up to the Georgia/South Carolina Border or a little bit further south.

You know, the fish that are tagged off Florida, especially off the east coast of Florida, go all over the place. The ones in the Keys pretty much stay in the Gulf, but never go above Canaveral, say; and then the fish in Virginia are just moving up and down and that South Atlantic stock mixed in. There is further support besides just the genetic data. For brevities sake, I didn't show it.

MR. BROWN: I participated in the SEDAR and I talked to Mike Denson; and we talked about the DNA studies and the movement of the fish and everything. I found it interesting how some of them indicated the movement east and west and some of them was north and south at certain times of the year.

It seemed like they were starting to really narrow down on the exact time when these were spawning. It seemed like the window was getting shorter and starting to understand exactly when those fish were going to spawn. Also, the movement; it seemed like they were going to specific areas, too.

As an option in the future and when we start talking about these SMZs and stuff, I think that we need to also look at maybe spawning time closures kind of like what we have with the snapper grouper, maybe. When we're starting to understand more when these fish are spawning and getting a tighter frame on exactly when that is happening, maybe that would be an idea rather than creating an SMZ or closing the bottom; just having a closure for that species during that timeframe.

MR. HARTIG: Mike, do you have something>

DR. ERRIGO: I just wanted to mention one other thing about during the presentation you saw that the CPUE Index was very flat across a lot of it, which if it follows all the assumptions, you would say, well, it looks like the population is pretty steady. It goes up and down from year to year, but overall it is not really trending anywhere.

The one issue there is that during the data workshop we spoke to a lot of the – we spoke to some fishermen and some other people involved in the cobia fishery in South Carolina and other areas, but especially in South Carolina because I was dealing with the Charterboat Index. They said that during that peak when they go out and really target cobia, first of all, they know where to go and they're hitting them in these big groups and these aggregations.

This is one of the issues with only having fishery-dependent indices. If you're fishing on an aggregation, the population may be suffering and it may be getting smaller, but your index is going to remain constant because you're fishing on an aggregation. Even if there is less fish out there, they're all coming to the same place; and you fish on them; so even if the number of fish is smaller and smaller, you still know if I go here I can still get my fish; so your catch-per-unit effort stays fairly constant until the population crashes and that area disappears.

This is what happened in the northeast with cod or that is the theory is that everything was good until those areas disappeared and then all of a sudden there was no cod and they never came back; and what happened; last year was good, this year I got nothing. That was one of the issues with the index that is nice and flat.

MR. BROWN: And to that, Mike, too, I think that supports the fact of maybe trying to let them do their thing during their time. Especially when you see those big aggregations like that, that is why that has happened. If we can identify the timeframe and bring it down to a window to where those are just off limits, then maybe we're going to be having a positive result in the future.

MR. HARTIG: Well, I think it has been a lot of good discussion and the presentation was excellent. I appreciate that; and, Mel, certainly keep us informed of what continues to happen in South Carolina. We'll see where this goes. At a time you want to develop an option paper for this, let us know when you want to bring it forward to the council. That will conclude the business if there aren't any other pressing questions for the Mackerel Committee. We do have one other item of other business. Doug, do you have something?

MR. HAYMANS: I thought you wrote it down when I mentioned it as you opened the committee. I was just going to give you a quick report on the tournament sales. Since we just issued on July 16 when we had 20A go into effect, we've had four tournaments in Georgia since that point.

Although participation seems to be up, the catches were not in total number nor the size. We got less than 200 fish out of those four tournaments. There is one small issue that was centered around the dealers being the one who divvy out the proceeds back to the non-profits. Neither the dealer nor the tournaments are very comfortable with that. The dealers just don't want to do it.

At some point in the future, after we've got a few years under our belts and other states have had a chance to weigh in on it, maybe we'll look at tweaking that just a little bit. I do appreciate North Carolina sharing their tournament permit with me. I built it based off of their permit and it is working as far as the tournaments registered and the dealers reporting.

MR. HARTIG: I appreciate that. Any questions for Doug? That was some interesting information; and I look forward to hearing more from you as we proceed down this path. The only other item I have is that in the Drift Gillnet Small Coastal Shark Fishery, we have an allowance for those – we had an allowance for those fishermen to be able to keep the bag limit of king mackerel that they caught incidentally in that fishery and they were able to sell it.

Since we've prohibited recreational sales, we're not quite sure what happens to those fishermen. They have a king mackerel permit, but they were operating under a recreational bag limit to be able to sell those fish. I have asked Monica to research a little bit; and I'm not sure if she was able or not; she has been so darned busy during this meeting. Monica.

MS. SMIT-BRUNELLO: Well, my crack team back at the office and I looked into this. A drift gillnet is not an authorized gear for king mackerel; and under the Coastal Migratory Pelagic

Regulations if a vessel has unauthorized gear, it is subject to the bag limits. Those shark drift gillnet fishermen can have the bag limit of king mackerel, but they may not sell it because you cannot sell. Under 20A, as you know, you can't sell fish harvested under the bag limit.

If you wanted to allow them to sell it, you would have to make an exception for them to sell it. Now, one of the factors – and I think you've talked about it – is they have a commercial king mackerel permit; so they would, if you made an exception, be allowed to sell if that is what you choose to do. They can possess it but they can't sell it.

DR. DUVAL: That seems a little unfair because they're engaged in a commercial fishing activity. They have the king mackerel permit. I understand that it's not an authorized gear; but in order to release dead discards, presumably that's why the allowance for the bag limit was there in the first place or is it just an unauthorized gear provision that allows you to keep that bag limit?

MS. SMIT-BRUNELLO: Before Amendment 20A, you could sell your bag limit harvest of king mackerel. I think that is what happened; when 20A went in, it eliminated the bag limit sales; and since these fishermen, because they have unauthorized gear, can only have the bag limit, they cannot sell those fish caught under the bag limit. I'm not sure why that exception was made for unauthorized gear way back when or not; but that's the way I read the regulations.

MR. HARTIG: Yes; and that's the important thing is how you interpret the regulations and how we have to rectify this as we move forward. It was to address the bycatch that they had in that fishery. It was to reduce discards of king mackerel being thrown into the water; being counted under the quota so we could account for those animals as well as not having to have waste in the fishery. Michelle.

DR. DUVAL: Yes; I guess it still seems a little odd because previously the commercial permit was required only to possess more than the bag limit. With 20A we required the permit in order to sell your fish, period, so these guys have the permit, right, the commercial king mackerel permit. It seems like it is almost a semantic issue of them selling their bag limit because they actually have the permit. I understand what you're saying about we would have to allow an exemption for that. It just seems unfair if they already have the commercial permit.

MS. SMIT-BRUNELLO: Well, that's why it took a little time to try to figure this out because that was my first thought, too, is they have a commercial permit so they can sell. The fact is they have a kind of gear that you said you cannot use to harvest king mackerel; and so because they have that unauthorized gear, you've limited them to the bag limit.

If you read all the regulations together, we think it reads that, okay, you have the bag limit; you're allowed to have that, but you can't sell it. If you wanted to make an exception, I was just quickly looking at the framework to see whether this could be done via a framework or even an abbreviated framework measure; and I have finished that analysis yet, so I'm not sure.

MR. HARTIG: Is it possible by tomorrow that we could know that?

MS. SMIT-BRUNELLO: Certainly.

MR. HARTIG: Okay, because that would help. I know we've got the no new amendments, but it is important. These king mackerel, where those guys are catching, they're worth four dollars a pound now at the time of the year when they're catching them. Even though it is a reduced number of fish, it more than pays for their fuel; so it is important. Charlie.

MR. PHILLIPS: Is the recreational bag limit going to cover all of the discards or will they need a different amount of fish to cover the discards?

MR. HARTIG: Well, that's interesting. They have had observers on them, so we could look at that information and see. Monica.

MS. SMIT-BRUNELLO: Well, it is not exactly to that point; and this may be a silly question, but I assume they're harvesting the king mackerel with this unauthorized gear while they're harvesting sharks; so they're allowed to have that gear for sharks, and is that how they're harvesting the king mackerel?

MR. HARTIG: Yes; they're catching the king mackerel in the same gear that they're catching their sharks; so, yes.

MS. SMIT-BRUNELLO: So, to Charlie's point, then, there is probably more than – well, so the bag limit is what the bag limit is, but it could be that they're catching more king mackerel than just the bag limit.

MR. HARTIG: Yes; it could; and it does happen on occasion where they do. In recent years they have not caught that many on normal trips. I have a little bit more fish this year, which was encouraging because we've been looking for a new year class; and I caught some of these fish; so they have quite a few more. Michelle.

DR. DUVAL: Yes; and so I guess I wouldn't want see that changed because you don't want it to become a directed fishery. You just want to allow these guys – they are legally permitted; they have the commercial permit; they have been able to sell this bycatch in the past; to simply to be able to continue to do that. I'm not sure I would be in favor of like modifying how many fish they can retain because you don't want to create that incentive for the directed fishery. You just want to be able to legally use their permit that they already have.

MR. HARTIG: And, Charlie, that was the reason why we left it at the bag limit, because this was a gear we prohibited; and then they turned right around and said we're catching small coastal sharks with it. The council gave them the bag limit allowance to allow them to have some sale under a very limited condition and not to try target.

Actually, at four dollars a pound, you start increasing this and then you will get a targeted fishery. These guys know pretty much where these lanes of king mackerel migrate through, and they can and have said to me that they can stay out of the areas where you catch most of the king mackerel and still have a shark catch. Mark.

MR. BROWN: I don't think there is a huge overage either because they are targeting a specific species; and you are going to encounter some of the other things along with it. I just think it is a waste if you're not going to allow them to be able to do what they're licensed to do; and that is to commercial fish. You can only eat so many king mackerel.

MR. HARTIG: Well, you can only have so many on the boat; so you would have to discard any over and above however many crew you had. Still, I agree with Michelle that when we put these regulations in effect, it was a way to keep it from becoming a targeted fishery. What is the will of the committee?

How would we move forward? It sounds like we don't know yet, so let's wait until full council and Monica gives the definition of whether we can do it under framework or it would have to be a plan amendment. Zack, do you have one more thing?

MR. BOWEN: Yes, sir, I just have a question. I'm not part of this fishery at all, but what is the average crew size of these trips? Are we talking one person or two so that's three fish or six fish. What are the numbers?

MR. HARTIG: I think it is probably around two or three and probably three. Some of these boats aren't as big as others. Some may have four on occasion.

MR. BOWEN: So nine to twelve fish per day?

MR. HARTIG: Probably eight max; two per person; eight fish maximum for the maximum larger boat. There aren't many large boats left anymore. Mostly it is these 30- to 35-foot boats now. The whole fishery has changed as we've gone through this; and the boats are smaller and they set their nets differently and they don't have as much gear.

They have cut their bycatch on mackerels because of the gear changes; and some of them actually anchor their gear now, and that has cut down on the bycatch of king mackerel. They have made a number of changes to try and cut down on that bycatch. All right, we'll come back to that full council. Are you all okay over there?

MS. SMIT-BRUNELLO: As well as can be expected; yes, thank you.

MR. HARTIG: All right, is there any other business to come before the Mackerel Committee? Seeing none; let's adjourn the Mackerel Committee.

(Whereupon, the meeting was adjourned at 11:30 o'clock a.m., September 18, 2014.)

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South Atlantic Fishery Management Council

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Robert Beal, ASMFC Representative
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Kari MacLauchlin / Brian Chevront

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Mid-Atlantic Liaison, Pres Pate
Staff contact: Brian Chevront

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Chester Brewer
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✓ Mark Brown
✓ Jack Cox
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✓ Charlie Phillips
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PLEASE SIGN IN

In order to have a record of your attendance at each meeting and your name included in the minutes, we ask that you sign this sheet for the meeting shown below.

South Atlantic Fishery Management Council Meeting
King and Spanish Mackerel Committee Meeting:
Thursday, September 18, 2014

<u>NAME & SECTOR/ORGANIZATION:</u>	<u>AREA CODE & PHONE NUMBER:</u>	<u>EMAIL ADDRESS:</u>	<u>MAILING ADDRESS:</u>
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King and Spanish Mackerel Committee Meeting:
Thursday, September 18, 2014

NAME & SECTOR/ORGANIZATION: AREA CODE & PHONE NUMBER: EMAIL ADDRESS: MAILING ADDRESS:

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