

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SNAPPER GROUPER ADVISORY PANEL**

**Crowne Plaza Hotel  
North Charleston, South Carolina**

**November 3-4, 2015**

### **SUMMARY MINUTES**

#### **Snapper Grouper Advisory Panel Members:**

Jim Attack, Chairman

Dick Brame

Scott Buff

Robert Lorenz

Wayne Mershon

Red Munden

Kerry O'Malley-Marhefka

Dr. Todd Kellison

Kenny Fex, Vice-Chairman

Rusty Hudson

Robert Johnson

Andy Piland

Richard Stiglitz

Lange Sykes

Robert Thompson

#### **Council Members:**

Dr. Michelle Duval

Mel Bell

Mark Brown

Jack Cox

Zack Bowen

Chris Conklin

Charlie Phillips

#### **Council Staff:**

Gregg Waugh

Amber Von Harten

Myra Brouwer

Dr. Mike Errigo

John Carmichael

Mike Collins

Kim Iverson

Chip Collier

Julia Byrd

Additional observers attached

The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council convened in the Crowne Plaza Hotel, North Charleston, South Carolina, November 3, 2015, and was called to order at 1:30 o'clock p.m. by Chairman Jim Attack.

MR. ATACK: I would like to go ahead and get the AP meeting started here. Welcome to Charleston. Myra wanted to spend just a couple of minutes going over a couple things for the new people. I will let her do that first.

MS. BROUWER: Welcome, everybody, especially those of you who this is your first AP meeting. We'll do introductions in a little bit, but I just wanted to make sure that I had a couple minutes to orient you as to how we run these meetings. Many of you have already been to some of our meetings or you have listened in online or whatever.

You know that you need to state your name when you speak. These meetings are all recorded. We get minutes for each of the meetings that are then approved. Jim will get to that in just a minute. The agenda is approved informally. We do run the meeting under the Roberts Rules of Order so people will have to make a motion. The motion needs to get a second and then you can discuss the motion and then you get to vote.

The AP can also make recommendations that don't have to be necessarily made in the way of a motion, so you can always do that as well. The meeting minutes are typically available maybe a month after the meeting. The audio files are always available if you ever want to request that. Those are available and then the minutes are transcribed. We're going to get started with introductions. I'll turn it back to you, Jim.

MR. ATACK: Let's take a couple minutes for everybody to introduce themselves for the new people so they can associate a face with a name.

MR. HUDSON: Rusty Hudson; Directed Sustainable Fisheries, a consulting company that winds up representing commercial, for-hire, and private recreational. I am glad to be on board.

MR. JOHNSON: Robert Johnson. I'm a charterboat operator out of St. Augustine, Florida, and also have a commercial boat as well.

MS. MARHEFKA: I'm Kerry Marhefka; wholesale dealer, commercial fishing.

MR. BRAME: I'm Dick Brame; I work for the Coastal Conservation Association.

MR. LORENZ: I'm Bob Lorenz; recreational fisherman; North Carolina, Wilmington.

MR. PILAND: Andy Piland; charterboat captain out of Hatteras.

MR. ATACK: I'm Jim Attack; charter and spearfishing out of Oak Island, North Carolina.

MR. FEX: Kenny Fex; commercial fisherman, North Carolina.

MR. MUNDEN: I'm Red Munden. I live in Morehead City, North Carolina. I retired from the Division of Marine Fisheries about three and a half years ago.

MR. STIGLITZ: Richard Stiglitz; commercial fisherman, Florida Keys, since 1969.

MR. SYKES: Lange Sykes; CCA Florida, Indian River County Region.

MR. MERSHON: I'm Wayne Mershon from Murrells Inlet, South Carolina. I am a federal dealer and also a commercial fisherman.

DR. KELLISON: Todd Kellison; NOAA Fisheries, Southeast Fisheries Science Center. I am at the laboratory up in Beaufort, North Carolina; and just a reminder that I am a non-voting member of the AP and happy to be here.

MR. BUFF: Scott Buff. I own and operate six snapper boats and a retail market and a fish house in Holden Beach, North Carolina.

MR. THOMPSON: Robert Thompson; Murrells Inlet, South Carolina, charter, recreational and commercial.

MR. ATACK: Thank you, everybody, we'll move into the agenda here. The first thing is the approval of the agenda and the minutes from the last meeting. Does anybody have any changes? If not, we will approve them. Okay, now we'll move into Item Number 2. Myra will do the overview on the amendments that were recently implemented.

MS. BROUWER: What I like to do when we get started is give everybody an update of where we are with recently approved or amendments that we're in the process of developing so everybody sort of gets an idea of what the council has been up to. This is your Attachment 1 in your briefing book. Stop me if you have questions as I go through this. Like I said, these are amendments that have been recently approved.

Snapper Grouper Amendment 32 for blueline tilefish; this one was effective March 30th of this year. This is the amendment that set the ACL at 98 percent of the ABC that resulted from the latest stock assessment for blueline tilefish. You see what the ACLs are. They were reduced substantially from the previous ACL; 17,841 pounds commercial and 17,791 pounds recreational.

This amendment put in a commercial trip limit of 100 pounds gutted weight. It also put in a bag limit of one fish per vessel per day during May through August with no retention allowed for the remainder of the year, and it removed blueline tilefish from the deepwater complex. Then we had to go and set accountability measures just for blueline and all the other different parameters that resulted from the stock assessment.

Then we have Snapper Grouper Regulatory Amendment 20. This one dealt with snowy grouper. It was effective this summer; August 20th. This one set a commercial ACL of 115,451 pounds gutted weight, so it was a small increase from the previous one. The recreational ACL is currently at 4,152 fish; and it set a commercial trip limit of 200 pounds gutted weight and a recreational bag limit of one fish per vessel per day, again May through August, with no retention during the rest of the year.

Regulatory Amendment 22; this one addressed gag and wreckfish. It implemented new ABCs and ACLs for those two species based on the latest stock assessment. This was effective September 11th of this year. You can see what the numbers are for both gag and wreckfish. I'm not going to go through all those.

Amendment 29; it shouldn't say Regulatory Amendment 29, it is just Amendment 29. This is the one that updated the ABC Control Rule to incorporate the only reliable catch stocks methodology as Tier 4 of the control rule; and then it applied that to several of the unassessed snapper grouper species.

There were several ACLs that were adjusted in that amendment and for some of the complexes as well. This one also dealt with gray triggerfish. It established a 12-inch fork length minimum size limit for gray triggerfish in waters off North Carolina, South Carolina and Georgia for both sectors; and it increased the minimum size limit off Florida from 12 inches to 14-inches fork length.

It also put in a commercial split season for gray triggerfish and established a 1,000 pound commercial trip limit for gray trigger. As you know, we've been talking about Regulatory Amendment 16. This is one that has been under development for a little while. It is the one that deals with the black sea bass pot closure.

The amendment has the two actions. It addresses the prohibition on the use of the black sea bass pots; and as you know, it has several alternatives for the closure; and it also has some transit provisions. The council looked at public input on this amendment in September and made final decisions for the document.

The council is now scheduled to approve it to send to the Secretary in December. They're going to go through it one more time; and then it will be the last time that you get to see that amendment. Snapper Grouper Regulatory Amendment 23; this one is one that kind of got put on the back burner for now.

It has the action to lengthen the golden tilefish fishing season for the longline sector; but that one got removed this year. As I was saying, 23 also had an action to look at a change in the fishing year for the hook and line for golden tile – that is something that the AP had recommended – and also an action to address black sea bass and the Jacks Complex.

Then the council had to do a little bit of shuffling so some of those actions got put in different amendments. This amendment was scoped in August and then the council in September decided to put it on hold. We're going to resume work on this amendment in 2016. Snapper Grouper Amendment 33 dealt with the transport of fillets from the Bahamas. This amendment was already submitted for formal review and the comment period just closed on it.

We're expecting the final rule sometime early in 2016. Snapper Grouper 34 has all the changes to accountability measures for snapper grouper species. It is going to make everything consistent. This one is under review. It is past the comment period for the proposed rule, so it has actually been approved, but we have not received notification of the final rule being published.

Snapper Grouper Amendment 35; you guys looked at this one last time. This is the one that removes four species from the Snapper Grouper FMU. This one was submitted in September, so there hasn't been a proposed rule yet. Then we have Snapper Grouper Amendment 36; and you're actually going to be looking at this one in a little bit more detail tomorrow. Gregg is going to present that so I am going to let him do that tomorrow.

There is a system management plan or actually two of them; one that is going to be applicable to the spawning SMZs and then one that is being developed to address evaluation needs for the deepwater MPAs. Chip will go over that tomorrow. Snapper Grouper Amendment 41 is one that is again we began development of this amendment because there has been an approved stock assessment for mutton snapper; but the council asked us to slow down and we're going to pick this one back up in 2016. It is going to put in new fishing levels for mutton snapper.

Then Snapper Grouper Amendment 37 addresses hogfish. We're going to be going through that one in more detail this afternoon; the same thing with Regulatory Amendment 25. What is in Regulatory Amendment 25 now is actions to address blueline tilefish, actions that address yellowtail snapper, and there is an action to possibly increase the bag limit for black sea bass. We'll go over this one tomorrow morning in more detail and you'll get to make recommendations.

Then there are several generic amendments, and some of these Gregg will cover. There is a Joint Commercial Logbook Amendment that Gregg will talk about, a Comprehensive Ecosystem-Based Amendment 3 that has been sort of lurking for some time. It is still kind of under development.

The Joint Charterboat Logbook Amendment; again we'll get an update on that; and the Joint South Florida Amendment which is one that initially included many actions that address management of species in South Florida. That one has gone through a whole bunch of different changes, and Gregg will give you guys also an update on that amendment tomorrow. That is what we've been up to recently as far as snapper grouper goes. Are there any questions?

MR. ATACK: Does anybody have any discussion or questions on this? Okay, we'll move to the next item.

MS. BROUWER: Next on our agenda is an update on the Scientific and Statistical Committee Meeting. I'll ask Mike to come up here and give you guys an update; just a very brief, informal update. The SSC met in this very room a couple of weeks ago. They had several items on their agenda. Mike will go into a little bit more detail about that.

DR. ERRIGO: The SSC met two weeks ago, I guess. They had quite a full agenda, as you can imagine. I'm sure some of you were probably listening in. They had discussions on setting units for the ACLs and ABCs in numbers versus pounds. They had several presentations. One was on the headboat data evaluation issue that had stalled SEDAR 41 and several of the other assessments in the South Atlantic.

They also had a presentation from MRIP's staff on addressing rarely encountered species and some things that we can do to address those issues. They had quite a few amendments to look at

this time around. They looked at Amendment 36, which is the spawning SMZs. They looked at Amendment 37, which is the hogfish amendment.

They had the final look at Regulatory Amendment 16 and also the system management plan for the Deepwater MPAs. They also had a presentation from Rick Methot on the NMFS stock prioritization tool for prioritizing stocks for stock assessments. They went over the blueline tilefish projections one more time and had some presentations on the SEDAR activities and things like that. They had quite a bit that they were working on.

Some of the highlights for setting ACLs or ABCs in numbers versus pounds, the discussion basically sums up as it is a good idea and can be used. The assessments run in numbers basically and then convert to pounds anyways, so there is nothing wrong with using numbers. However, caution should be used; because if everything is in numbers, we may start skimping on the collection of weights.

We don't want to do that because it is a very important piece of information to have for assessments in assessing health of stocks, so we have to be very careful. The bottom line is it probably could work very well for some species or some situations, maybe not as well for others. On a case-by-case basis, they thought that setting ABCs in numbers would probably be a good idea. The idea is right now we set everything in pounds and then we convert – some species we convert the recreational ACL into numbers.

They said that for some of the species we could set the ABC in numbers and convert the commercial ACL into pounds. They actually suggested that for hogfish, because the commercial sector is much better sampled for hogfish than the recreational sector is; especially in the Carolinas. That was also part of the discussion for Amendment 37.

They did decide to not change any of their recommendations for the Carolina stock for hogfish in terms of the ORCS categorization. It is still the medium high risk of overexploitation for that stock. There were new projections that they got for the Florida stock, which they accepted as best science. It should be used for that stock.

They didn't have much to say in addition for Regulatory Amendment 16. They've seen that one several times. They gave a lot of good feedback for Amendment 36 on ways to monitor these small SMZ areas to look at how they are doing; and also they recommended because we're putting in these SMZs for longer-lived species like groupers; that the sunset period should be on the longer side, because you may not see any results for longer periods of time with these longer-lived species in general.

That was mostly what they had to say about that, and they had a lot of presentations. They had a lot of discussion on the MRIP presentation for rarely encountered species. They are looking forward to working with MRIP to hopefully implement some of those things but nothing that will happen right away.

A lot of it was statistical wizardry and we can only get so much out of it. Basically if you really want to get better estimates of rarely encountered species, you need to sample more or have a specialized sampling program, which costs lots and lots of money. Other than that, there are some other things we can do like shifting sampling; but if they truly are very rarely encountered,

we can pool years and things like that and have multiyear estimates. There are limits to what can be done; that was the bottom line. I think those are the biggest highlights you guys would be interested in. If you have any questions about the SSC meeting, I would be happy to answer them.

MR. FEX: Did you talk about the minimum size of the SMZs? Was that in any of the conversations?

DR. ERRIGO: There was discussion about the size of the SMZs. It all has to do with what are the species of focus and what their spawning behavior is like and things like that. Obviously, due to our limited amount of data about certain places and things like that and our limited ability to enforce, larger areas tend to be safer; but they didn't have anything specific to say like they shouldn't be any smaller than blah, nothing like that.

MR. BUFF: Are we going to get any credits back anywhere for any of the SMZs?

DR. ERRIGO: There was no specific discussion on that. The idea is if the closed areas have benefits to the stock, that should show up in the assessment, either in catches or in the surveys, like the MARMAP surveys or in any of the other smaller surveys. That hopefully will happen now that we have monitoring plans that we're promoting to monitor these places.

Those should affect the assessment and things that go into the assessment, and that is where you would see gains or benefits. Hopefully, the stock would show that it is in better shape and the ACLs will go up. As far as direct benefits like next year or the year after, probably not that quickly, not for these kind of species.

MR. ATACK: Any other questions or comments? Now we are moving into Amendment 37, the hogfish.

MS. BROUWER: Yes, the SSC meetings usually over the last few years have been happening like right before the AP meets, so there is no time for there to be a report that can then be presented to you guys. That is why we decided – Mike is the person that staffs the SSC, and so he can just at least give you an update of the salient points of those discussions and clarify anything that needs to be clarified.

The report, of course, is going to be available later on and it is going to get included in the council's briefing book, and then the SSC Chair will be present at the December meeting, which is in Atlantic Beach, North Carolina, to deliver that report. Jim will also be there delivering the report from this meeting.

On to hogfish; this is Attachment 2 in your briefing book. This amendment has quite a few actions so it is going to take us a little while to get through it, but I'll do my best to try to walk you through it and not confuse you a lot or too much, anyway. The actions that are included are first of all modification of the management unit for hogfish.

Currently they are considered to be one stock managed as a unit and now there is genetic evidence that points to there being two distinct populations. The scientists who conducted this

study recommended that the dividing line be somewhere in Georgia, so now the stock is going to be split north of the Florida/Georgia Border.

That is going to be the North Carolina/Georgia stock; and then the one to the south which comprises East Florida and the Florida Keys. This amendment would do that. Then we have to set fishing levels for each of the stocks, management measures, commercial and recreational for each of the stocks, and accountability measures.

The attachment that you have gives you a little bit of background for how we got to where we are. It talks a little bit about the assessment and what the assessment results pointed to. Each of our amendments, as you know, has a purpose and need statement; so this is the purpose and need statement for this amendment. I've already summarized what is included.

Action 1 has two alternatives. The council has already picked a preferred, which is to go ahead and modify, as has been suggested by recent science, the structure for hogfish and to split it into two different stocks. Preferred Alternative 2 reads modify the snapper grouper fishery management unit to specify two separate stocks of hogfish: a Georgia through North Carolina stock from the Georgia/Florida State Boundary to the North Carolina/Virginia State Boundary; and a Florida Keys/East Florida stock from the Florida/Georgia State Boundary south to – and then we have a couple subalternatives, three of them.

The options are, go to the jurisdictional boundary between the councils, go to the Monroe/Collier County Line or use a line just south of Cape Sable running due west as the boundary. This Preferred Subalternative 2C has been proposed as suggested by the Florida Law Enforcement folks as a good boundary, because it is a good line for enforcement.

It would not change how the ACL is being monitored, so the landings would still be treated the way that they have been. As far as splitting Monroe County and assigning the Monroe County landings to the South Atlantic, that will continue to be done the same way. This is kind of one of those boundaries that just needs to be set in place and it is mainly going to be for enforcement purposes. Eventually I'm going to have a map showing where that is, but I don't right now.

MR. ATACK: Yes, we had a map at the last meeting; but basically by drawing the line for Alternative 2C, like all the Keys and everything are included in the South Atlantic versus the west side versus the east side landings coming in and makes everything confusing for when they're trying to do the counts for the ACLs. That is why we went with Preferred Alternative 2C.

MS. BROUWER: Right; actually the landings will continue to be treated the way they have been. There was a different subalternative that was preferred last time – I think that you guys saw this, I can't quite remember – it was called Shark Point. Florida Law Enforcement for some reason suggested this other alternative as a better boundary. We talked about it in September and the council said, yes, let's include that, it is a recommendation from enforcement. That is how that one came to be, but, yes, you are right, it was Shark Point before.

MR. STIGLITZ: This is further south than Shark Point, though.

MS. BROUWER: Yes, it is.



MR. STIGLITZ: This would be about off of Middle Cape?

MS. BROUWER: It is south of Shark Point. As you know, when we go through these amendments, as we go through each action, if the AP has any recommendations or if they want to make motions that are supportive of whatever the council has picked as a preferred, you can always do that or you don't have to; that is also fine. It is up to you guys if it is something you want to go through or not; and if you do, then please stop me.

MR. JOHNSON: I had a question. I'm not trying to make things difficult here, but they chose the Florida/Georgia line; they had genetic to back that up? I know in North Florida, we're as far different from the Keys as North Carolina is from the Keys. I am just wondering where that real genetic break is; is it more maybe Cape Canaveral or south of there?

DR. ERRIGO: The study doesn't have the kind of resolution to find exactly where the break is. There are samples from like southern Florida and part of the way up Florida, and then there is like samples up off of like North Carolina and South Carolina. There is like nothing in between. However, there is also almost no landings of hogfish recorded or reported in between there.

They use the state border as a break of convenience. It is very easy to break landings there; easy to separate landings commercially and recreationally. If they would have shifted that border north or south or like south into Cape Canaveral, it would have made almost no difference to the landings streams for each stock, because there are almost no landings reported in those areas or very, very, very little.

MS. BROUWER: Moving on to Action 2; this one addresses specification and maximum sustainable yield for both stocks, so we have it split out into two subalternatives. Alternative 1 doesn't define MSY for either one of the two stocks, of course, because the current MSY is applicable for the entire hogfish population. We actually don't have a value.

What is in the books is that MSY equals the yield produced by  $F_{msy}$  and we have F-30 percent SPR used as the proxy. What the council did after the Sustainable Fisheries Act came into place and they went and specified MSY for snapper grouper species, and they had to use proxies for some of these values because that information just simply wasn't available.

As species become assessed and we start getting actual numbers for some of these quantities; then the council can adopt those and then they become part of the FMP. That is what we're doing here for hogfish, and so we would have to specify the MSY for each of the two stocks. The Preferred Subalternative 2A addresses Georgia/North Carolina stock and Preferred Subalternative 2B addresses the Florida/East Florida stock.

I should tell you the assessment that was done for hogfish, SEDAR 37, was conducted by Florida and it was not accepted – or how do I say it? It was not deemed to be applicable to the North Carolina/Georgia stock of hogfish. It was accepted as best available science only for the Florida/Florida Keys stock. We still don't have a stock assessment for the Georgia/North Carolina stock.

That presents a little bit of a conundrum, because we don't have estimates of some of these quantities for that portion of the stock, so we have to use a different methodology for that one

and then use the results of the stock assessment of SEDAR 37 just for the Florida/Florida Keys stock. That is an important thing to remember as we go through this amendment.

You see here that the preferred alternative is Alternative 2, which basically allows the council to adopt whatever MSY value from a stock assessment for a species, and they do that one time and they don't have to keep taking action every time the stock is assessed to update that value. For Georgia/North Carolina, that is going to remain unknown. We don't have an assessment for that stock.

Then for Florida Keys/East Florida, the value for MSY would be 346,095. You see in this column there is an actual value for the Fmsy from the assessment for Florida, and it would remain unknown for Georgia/North Carolina. Action 3 specifies the minimum stock size threshold, the MSST for both stocks. The no action is that MSST for hogfish is equal to the spawning stock biomass at SSBmsy times  $1 - M$  –  $M$  is the natural mortality – or half of SSBmsy, whichever quantity is greater.

That is what is currently in the books for hogfish. Now that we're splitting it out into two different stocks, then we need to specify an MSST for each of them. Under Alternative 2 we would continue to use that same formula that would then be applicable to the Georgia/North Carolina stock under Subalternative 2A; applicable to Florida/East Florida under Subalternative 2B. Alternative 3 uses a different way to calculate the MSST; and it uses just 50 percent of SSBmsy.

Again, the subalternatives are for each of the two stocks; and then under Alternative 4 we use MSST equals 75 percent of SSBmsy. This is what the council has chosen as their preferred. There is some precedent there, because last year we worked on Regulatory Amendment 21 that changed the MSST definition for several snapper grouper species that had low natural mortality estimates.

This was done to prevent a situation where any environmental fluctuations in the population would trigger an overfished definition or an overfished determination for that stock; because you can have environmental variability that is going to – if you have a species with a very low natural mortality; that is going to be creating a situation where you can be overfished one year and not overfished the next just because of where this threshold is.

We went to the SSC and we said how about this 75 percent of SSBmsy, would that be okay for some of these species with low natural mortality? They said that, yes, that would be their recommendation. That is just a little bit of background as to why the council has gone with this Preferred Alternative 4. This table here shows you what the values would be. For Georgia/North Carolina, again we don't have an estimate so that is unknown. Then for the Florida Keys/East Florida stock, the natural mortality estimate is 0.179, so then that would put your MSST at 1.7 million pounds.

MR. ATACK: I guess I'm a little confused about this. I was reading Alternative 4 says is the least biologically conservative, but it looks like it gives you a higher MSST value. Why is that least conservative biologically? I guess maybe I'm thinking about this backwards.

MS. BROUWER: The MSST is the level of biomass below which that stock is going to be considered overfished. If you go below 1.7 million pounds for Florida/Florida Keys, then you are overfished.

MR. ATACK: Right, so Alternative 3, you have to drop below 1.1 million, right? Number 3 would be less biologically conservative than Number 4, right?

MS. MARHEFKA: It is not less conservative because it is higher. I had it all in my head and now it's going to be wrong. It is a minimum; so the higher the minimum is the less conservative you are. You see what I'm saying; if you want an alert in your bank account when you have only \$25.00 left in your bank account, then you are being more conservative than if you want the alert when there is only \$10.00 left in your account. Does that make sense?

MR. ATACK: Well, yes, I agree with that, but I was reading this amendment and it says that Number 4 is the least biologically conservative; but to me it seems like it is more conservative than Alternative 3; because from a biological standpoint, you can have a lot less fish out there with Number 3 before you say you're overfished, right?

MS. MARHEFKA: I think you're confusing the end of the equation with the beginning of what MSST is. It makes sense in my head, but to get it out –

MS. BROUWER: Keep in mind that these are what we call biological benchmarks; these are not numbers that are going to trigger any kind of management action. They are just the results of the stock assessment. They are used to sort of keep tabs on how a population is doing, are they staying within these limits and that sort of thing.

They get revised periodically because the council has to take action to do that to make them part of the FMP and the benchmarks for each particular species. Here is where we start getting into more of the type of stuff that you guys are probably more interested in. Action 4 is going to look at putting in the ACL for the Georgia/North Carolina stock of hogfish.

Currently the ACL as I said, is for the entire stock and it is at 137,824 pounds whole weight. The ACL is set at the same level as the optimum yield, at the same level as the ABC. Then the allocations are 36.7 percent commercial, which puts you at about 49,000 pounds whole weight, and the rest, 63 percent to the recreational sector, which gives those folks about 85,000 pounds.

That is how it is currently split up. Now that we're going to split the stock into two, we're going to need to set an ACL for each portion of the stock. Because we have to do that, we also have to recalculate the sector allocations because you are no longer looking at the whole shebang. You need to look at one portion, look at what the landings are for just that portion of the stock, and then allocate according to the council's allocation formula.

The language that you see highlighted up on the screen is what the allocations would be for the Georgia/North Carolina stock. It turns out that when you redo the calculation using landings just for that part of the world, 69.1 percent gets allocated to the commercial sector and 30.9 percent gets allocated to the recreational sector. For this stock, the ABC has been recommended by the Scientific and Statistical Committee, again using this methodology that is used when you don't have a stock assessment and all you have is a reliable landings' stream for that species.

I will walk you through that in just a little bit. The ABC recommendation for hogfish was at 28,000 pounds and some change. Then when the SSC got together a couple of weeks ago, they revisited this recommendation at the request of the council. When the council discussed hogfish in September, there was some concern that the ABC and then in particular the risk of overexploitation that had been assigned to hogfish needed to be reevaluated.

The council requested that when the SSC got together that they just discuss it a little bit more in light of this splitting up of the hogfish stock. When the SSC got together, they went through the various steps of this only reliable catch stocks methodology, ORCS, and they decided that they felt comfortable with the way that had been applied and that they didn't need to revisit the risk of overexploitation for hogfish.

But the landings' number changed because we were looking at revised landings just for that portion; and so the ABC actually ends up going up a little bit to 35,000 pounds and some change. That is the ABC that has been recommended for the Georgia/North Carolina stock; and now the council has the option of setting the ACL at that same level.

They have been consistent in doing this for other snapper grouper species. They haven't really stepped down the ACL from the ABC on very many occasions or any at all that I can think of; but they always have the option of doing that. You have Subalternative 2A, which is keep it all at the same level; 2B steps it down 5 percent; and 2C steps it down 10 percent.

They have not yet picked a preferred alternative for this. You guys, of course, have the option of making a recommendation to the council. This is what the numbers would look like when you apply the sector allocations to that ABC. Here is your total ACL under each of the subalternatives, what your recreational ACL would be, what your recreational ACL in numbers would be and your commercial ACL.

As Mike Errigo mentioned, the council is interested in specifying recreational ACLs in numbers of fish for some species, because it would just make things a lot easier to keep tabs on. This is how MRIP does their recreational landings estimates. These numbers that you see here have been generated using an average weight for the recreational sector. Your recreational ACL for hogfish for Georgia/North Carolina under Subalternative 2A would be 1,040 fish.

MR. FEX: I would like to make a motion that Subalternative 2A, ACL equal to OY equal to ABC be our preferred.

MS. MARHEFKA: I'll second.

MR. JOHNSON: I just have a question. That is 10.5 pound average weight is what they use to determine the recreational?

MS. BROUWER: I believe it was 10.46 pounds. That is the average weight of an individual hogfish in Georgia and North Carolina. Does that sound okay to those of you who are familiar with hogfish in that part of the world?

MR. JOHNSON: That's a big hogfish; isn't it?

MR. ATACK: Any discussion on the motion?

MR. JOHNSON: I just want to clarify this is for just Georgia through North Carolina? Okay.

MR. BRAME: Is there a particular reason that you're doing this?

MR. FEX: Yes; typically we have done that or we usually try to keep it close to that because you're getting the best. The stock is not overfished or undergoing overfishing so that is my rationale.

MR. JOHNSON: But we really don't know that, in all honesty, from what I'm seeing. We're using the ORCS method. There hasn't been a stock assessment. I'm good with your motion; I'm just saying we don't really know what the stock of hog snapper are doing in that area.

MR. LORENZ: But at least here in North Carolina where the majority of these fish have been harvested, these fish are rather large and some could argue that is an indication of a pretty healthy stock.

MR. HUDSON: Can somebody give me an indication of what a ten-pound hogfish would be as far as length?

MR. ATACK: Yes, Rusty, SEDAR 6 said that a 10-pound hogfish would be 12 years old and 24-inches fork length.

MR. FEX: I would like to make one more comment. Every hogfish that I usually catch is over 12 to 13, 14 pounds at least. We don't catch very small ones. Yes, we do catch big ones up there.

MR. JOHNSON: I'm not trying to drag this out; I'm just trying to understand. Are we to assume that the majority of the hogfish harvested in these waters are males?

AP MEMBER: When do they become males?

MR. JOHNSON: Because I thought the males were the larger fish; right or wrong?

MR. ATACK: Some females are 15 pounds. It depends on where you're fishing at and what you see; but they all start out as females; and then a healthy harem, you can have 15-pound females with 20- or 22-pound males. North Carolina and then south of Cape Fear, I think there is some debate as to how healthy that stock is versus north of Frying Pan Tower.

There is a lot more, I think pressure South Carolina way, Murrells Inlet, Georgetown; but there hasn't been a stock assessment. We just know that south of there we've seen smaller males. Sometimes you see males now down to 12, 14 pounds; which years ago you never saw. There is more targeting of that fish than there had been.

I've asked to see the landings from '09 through '14 and that is not in this document; but I thought it would be good for the group to see that. We're not using that as part of the ORCS, but it would be good to see what's happening in that fishery in the last six years, because there is

some feeling that there has been more pressure in the last six years; but it would be good to see the numbers on the commercial side.

MS. BROUWER: There is a figure in your document that shows the size at transition. This figure here pertains to I think Florida fish; and then this one shows you the size at transition for hogfish in North Carolina. I think it 24-inches fork length is the length at which 50 percent of the females are transitioning to males. I think Chip is at the table.

MR. COLLIER: The smallest size that a male has been observed is 15-inches fork length. The average size where transition occurs is 24 inches, and then the largest size of female has been observed as 30 inches. This is on recent data that has been collected up off North Carolina.

MR. ATACK: Okay, if there is no more discussion, we can vote on the motion. **The motion reads Preferred Alternative 2 as our preferred alternative, which is establish the ACL for the Georgia/North Carolina stock where ACL equals OY equals ABC. All opposed to the motion raise your hand; all in favor of the motion raise your hand. The motion carries unanimous, none opposed.**

MR. STIGLITZ: How come for the north part the commercial sector gets 69 percent, the recreational gets 30 percent; and in the south, if you scroll back a little bit further, Myra, it is just about the opposite? The recreational sector in the south gets 60 or 70 percent; I don't remember the exact number; how come?

MS. BROUWER: As I was saying earlier; because we're splitting the stock into two, then we have to reapply the allocation formula that gives you your commercial versus recreational apportionment, because you have to use the landings just for that stock as opposed to using the landings for the whole stock. The formula doesn't change.

The council is still using – the formula they've used is 50 percent of average landings between 1986 and 2008 plus 50 percent of average landings between 2006 and 2008. The idea behind that is to use both historical and recent landings to come up with an allocation that is fair and equitable based on those landings for that region.

The allocations, the way they are now are going to be reflective of the landings for that region; and it just so happens that in Florida the recreational sector is much larger than in Georgia/North Carolina. That is why your allocations shift. Does that make sense? There is a table here. If you want to go through and recalculate the allocations yourselves, here are the landings that were used.

Like I said, 1986 through 2008; and you've got your recreational, your commercial and your total landings for the Georgia/North Carolina stock; and there is a table further in the document that has the same information for the Florida Keys/East Florida stock; to make sure folks understand where these allocations are coming from and why they are different from the current allocation.

MR. STIGLITZ: Okay, thank you. I just wanted to understand why there was such a great difference from the north to the south; that's all.

MS. BROUWER: I'll just point you to this table here. This is how the SSC came to their proposed ABC recommendation for Georgia/North Carolina. They have a risk of overexploitation, which is 1.25, that is associated with how vulnerable a species is to overexploitation.

The SSC came up with a whole bunch of different criteria that they used to come up with this scoring. They went through that exercise for hogfish back in 2012, I believe. I can't remember when it was, a couple years ago. They recommended that it be treated as a moderately high risk of overexploitation species.

Then they used a range of years to look at landings and they decided that the catch statistic would be the highest landings during that time series between '99 and '07. They used those years because those were the years that were used when the council put together the Comprehensive ACL Amendment and they did ACLs for all unassessed snapper grouper species.

2006 ends up being the year of maximum landings between those years; and that is 40,818 pounds. Then there is another number that is the risk tolerance scalar, and this is a number that is picked by the council based on management risk. Back when they did Amendment 29 that we talked about a little while ago, the council decided that 0.7 or 70 percent would be appropriate for species under a moderately high risk of overexploitation. When you multiply 1.5 times this number, the catch statistic, and take 70 percent of that, you arrive at this number. That is how the SSC has given us the ABC recommendation for Georgia/North Carolina.

MR. ATACK: Myra, is there any chance to see the data from '09 to '14 at this time since we're weighing in on what this is going to be?

MS. BROUWER: From '09 to '14; what data are those?

MR. ATACK: The same commercial landings and recreational landings for hogfish in the Georgia/North Carolina section.

DR. ERRIGO: Here on the left is what basically you saw from the amendment. It is landings recreational and commercial from 1986, but this goes through 2014. It is in pounds. Here is from 2009 on. I also broke it down by gear; there was some question about that. There is something about the recreational intercepts in the Georgia and the North Carolina stock.

All of the intercepts are recorded as hook-and-line-caught hogfish. There are none that have been recorded as being taken by diving with spear, which is not the case in Florida. In Florida the majority are taken by spear. Here is the approximate breakdown. It is mostly either taken by hook and line or spears off the Carolinas. It was mostly hook and line in the past; and then 2009 it switches heavily over to spear-caught hogfish in the commercial landings, much higher from where it used to be.

MR. BRAME: Mike, is that a function of coding or a change in behavior or do we know?

DR. ERRIGO: From my understanding, it is a change in behavior, an increase in the dive fishery for like the commercial dive fishery for hogfish. Someone who knows the area better might be

able to say better; but from my understanding it is an increase in targeting of commercial divers for hogfish and not a difference in coding or changes in monitoring or anything like that.

MR. ATACK: Yes, that is my understanding. There have been some boats moved up from Florida and there is a lot more spearfishing commercially going on in this area; South Carolina, the southern part of North Carolina in the last five or six years. That is why I wanted to see what the landings had done commercially; because if we come up with a 22,000 or whatever pounds per year; if nothing changes; then if these guys are used to landing 30,000 or 40,000 pounds a year commercially, then basically their catch is going to be cut in half.

I'm just trying to get an order of magnitude of what is going to happen, because later on you're going to be looking at trip limits and stuff. We're not in 2009 anymore; we're in 2015 and what has changed in the last five or six years, you can see how that is going to impact them. I know one operation that does 7,000 pounds a year, so they are concerned. That is one two-man operation on a spearfishing thing.

DR. ERRIGO: There is another oddity with this dataset. The allocation that came up – it is like 30 percent recreational – is heavily influenced by the 1995 data point, which is an order of magnitude or two larger than every other year.

MR. FEX: I want to make a point to that. That is what happens in MRIP. We have spikes that jump up and real low. Sometimes we manage – and I feel bad because I want to keep the recreational below theirs is because we don't know what MRIP is going to see one year to the next. I've seen in the red snapper stock assessment; I mean a year that was way crazy. That sometimes I throw a concern towards, so I just had to make that.

MR. THOMPSON: I just want to say that somewhere around '09; that is what you got on your commercial landings forms the added gear type where you would put dive, and before it was just fish. The same thing with charter/headboat forms. There was no distinction between gear type, and I know one dive operator around us when we started talking about grouper snapper landings and all that on his headboat/dive boat, he is like I've never filled out a form in my life. That was somewhere around then. He got the forms. I think that is when you would have had a lot more spearfishing added to it. Then there is a little more effort up that way, I believe, because we took powerheads out in '94 and that is why they're real easy to shoot.

AP MEMBER: I guess I would just like to make one statement banking on what Kenny said is that in the recreational center, that MRIP data will fluctuate a lot and probably has more to do with just when it is being monitored how many intercepts there are of the proper boats. I can pretty much assure you from the hook-and-line anglers, particularly those that fish off their private boats; they're not filling in the forms, so you're just not getting the data.

MR. ATACK: Yes; and the big concerns that I've had people talk to me about is the recreational sector, a majority of the hogfish is speared. There is no interception for speared. These recreational landings are based on hook-and-line landings; so really when you use the ORCS thing, there is a big percentage of recreational landings that aren't even being accounted for.

Therefore, what is going to happen is the ACL for the recreational sector is going to be really low compared to what has been happening. Somehow if it could have been properly measured,



then you wouldn't have probably by the ORCS a thousand fish for the recreational sector. They might be up to three or four thousand fish. The recreational counterparts up that way are concerned.

MR. BUFF: But isn't that the case in all the fishery? I mean, the recreational side we don't have accurate statistics for none of them.

MR. ATACK: Well, yes and no. There are a lot of intercepts in Florida for the recreational sector on the hogfish and everything, but there are no intercepts for the spearfishing for Georgia through North Carolina, so they are saying there are no landings. Just right there in 2014 they said they landed 95 pounds. We had a spearfishing tournament in Wrightsville Beach that NC DENR was there checking the fish; and I'm sure we had more than 95 pounds of fish that day weighed in at the tournament.

MR. LORENZ: Based on a couple of us thinking about this situation between – at least in North Carolina to Georgia, the differences between recreational hook-and-line fishing and spearfishing, and not having the good data on either side; one of the things I'd be interested at an appropriate time would be to maybe make a recommendation or a motion that the council consider separating under this – under one ACL separating the recreational fishing into two component subparts; that there be hook and line recorded and there be spearfishing recorded and record them as separate gears.

That would take care of a lot of the differences there are in the fisheries. These fish are very difficult to procure by hook and line. It is a non-selective gear for hook and line; releasing them, there may be a lot of lethal discards. Then on the other side with spearfishing they can pick and choose the fish they get. Release is not really an alternative because every hit is lethal. I would just like to kick that around as a potential recommendation.

MR. BRAME: Do we know for certain that MRIP does not sample a dive trip? I'm trying to understand what Jim was saying. The implication I got from you was if they intercepted a spearfishing trip, then they didn't sample it. I think they do.

MR. ATACK: From what I've heard, there has been no dive spearfishing intercepts in North Carolina, up that way. All the intercepts have been hook and line is what I have been told. If that is the case and it is thought that most of the landings up there for hogfish recreational side are the spear community; therefore that ACL is really deflated compared to reality.

As long as we never sample the spearfishing community, they'll never go through the ACL; but if they start sampling and then all of a sudden now the landings go through the roof because they're sampling the spearfishing community; then you shut the ACL down in a month kind of like what happened maybe to Florida earlier this year, I don't know.

MR. JOHNSON: We'll have to book rooms for the rest of the week if we're going to get off on MRIP. We probably just need to leave this alone. We could argue about it all day. What I'm hearing is the allocation is the issue; is that the problem? At some point they will do a formal stock assessment on this stock of fish, correct, and move it out of the ORCS? I don't know when, but at some point – ORCS is supposed to be a temporary thing.

MS. BROUWER: Well, yes, but the problem is that it is not that easily fixed. It does have to do with the number of intercepts and the amount of data that is being collected in that part of the world. I was going to just update everybody on the fact that the council did request from MRIP – we drafted a letter, Michelle sent it on behalf of the council to MRIP, to ask them to reevaluate, I guess, the recreational landings’ estimates for hogfish for 2014, because they were extremely high. As you know, the recreational sector closed for the first time this year.

It took a lot of folks by surprise; and it turns out that the landings in Wave 2 of this year were extremely high due to just a handful of intercepts in Miami-Dade County. Then there were a lot of folks asking questions, well, are the dive boats adequately sampled? Is MRIP getting a representative sample of that community? The letter basically just brings this to their attention. It says, hey, are you sampling the dive sector appropriately; and if not, can we think about better ways to do it?

MR. JOHNSON: Thank you, Myra, and I guess that is my point. We’ve had this problem time and time and time again with MRIP. Anybody that has done any of the SEDAR stock assessments, as Kenny mentioned, I saw red snapper from Dade County Wave 2 – really, 200 fish, really? At some point we’ve just got to accept that is what they’re doing.

MR. BUFF: The data part of it, this comes up all the time in all the fisheries and the data that we’re putting into this model is incorrect and everybody knows it’s incorrect but nobody addresses it.

MR. FEX: This was done by an ORCS method; this wasn’t done by a model. In a stock-assessed fish, it is done by landings. It is actually just – it is the best available they can do. In modeling, yes, models are broke. Some are useful, I understand that, but still this is the process that’s done.

MR. BUFF: Yes, I understand that, but it seems to me like that most of the comments that are made when you’re talking about these stock assessments is the data that we’re putting in – almost on all the cases the data that is put in is incorrect in some way, shape or form, which affects a lot of people’s livelihoods. The data seems to be the problem with all of it.

MS. BROUWER: Yes; and Scott is right, and the council is just as frustrated as everybody else, because there is very little they can do other than keep requesting that data are made available more expediently; that these estimates are done in a better, more reliable manner. But, of course, this is going to take time; this is going to take adjustments to the existing sampling survey, which if you followed what happened from the transition from the MRFSS to what now is MRIP; that took a long time.

In order for those changes to take hold and for us to start seeing better estimates, it is going to take some time. You all know that the council has been talking about this visioning project and their strategic plan for the snapper grouper fishery. We got a lot of input from stakeholders during that process.

You’re right, everybody is aware of the issues that we have with the data; and it is unfortunately in our region something that we just have to live with. Certainly, we’re not going to sit back and

say, oh, well, that is just the way it is. We are looking into ways to improve it. I think the council is going to keep requesting and then pushing for better information.

MR. BUFF: Just so you know, there is somebody at our dock every week when a boat comes in from somewhere; the state or somebody that is there every week to sample at least one or two of the boats; most of the time almost every one of the boats every week.

MS. BROUWER: Moving on to Action 5; this one is looking at the rebuilding plan for the Florida Keys/East Florida stock. That stock is undergoing overfishing and is overfished. When a stock assessment result shows that; the council has two years from when it receives a letter from the National Marine Fisheries Service notifying them of the status of the stock of whatever species, they need to put in a rebuilding plan. That is part of the regulations.

For the Florida stock of hogfish, there needs to be a rebuilding plan; so Action 5 has alternatives that would put that in place. All this information comes from the stock assessment. The council can pick different mortality rates and different time periods to rebuild the stock. That is what these alternatives show you.

They are generated through the stock assessment model based on certain criteria. Here under Alternative 2; this is a rebuilding strategy that would rebuild in 10 years with a 50 percent probability of rebuilding success with having 2017 as year one of the rebuilding plan. Then you have a table that shows you what the fishing rates would be according to the model estimates for each of the years; your yield, your ABC in pounds, what the discards would be and then your probability of rebuilding.

Here you see the probability of rebuilding as 0.5 through 2027, and that is what your ABCs would be right here. The preferred alternative is one that comes as a recommendation from the SSC. When they looked at the SEDAR 37 assessment, they recommended that the council look at rebuilding hogfish in 10 years with a 72.5 probability of rebuilding success.

This is the table that the model generated based on those criteria. You see what the ABCs would be for each of the years. Under that rebuilding plan, the ABC for hogfish for the Florida Keys/Florida stock in 2017 would be 38,367 pounds and then so on and so forth until the stock is rebuilt in 2027. This is currently their preferred, as I said, based on the recommendation from the SSC; but there are other alternatives.

This one rebuilds in seven years with a 50 percent probability of rebuilding success, so your ABCs are shown over here. It is much lower. For 2017 the ABC would be 14,000 pounds. Then this alternative, Alternative 5, would rebuild in seven years with a higher probability of rebuilding success, so your ABCs would be even lower. You are looking at about 12,000 pounds in 2017. Those, as I said, are the five alternatives for the rebuilding plan for Florida.

The council does have the preferred based on the SSC recommendation. I don't know if the AP would like to support that preferred or whatever you want to do or we can simply move on to the next action. Action 6 then puts in the ACLs for the Florida Keys/East Florida stock. Again, you see what is highlighted up on your screen is the allocations as we've established change with the different landings that are used. For the Florida/Florida Keys stock, the commercial sector would receive 9.6 percent of the ABC and the recreational sector 90.4 percent.

Again, the subalternatives are the same; 2A sets the ACL at the same level as OY as the same level as the ABC; and then 2B and 2C step it down by 5 and 10 percent respectively. Down here you have a table that shows you the landings that were used for that allocation. Further down you have what the ACLs would be under each of the ACL alternatives.

So 2A, which is currently the council's preferred, would put the total ACL for this stock at 38,367 pounds split out between commercial and recreational. The recreational ACL in numbers would be 34,670. I'm sorry, that was in pounds. The recreational ACL in numbers would be 20,576 fish; and the commercial sector in 2017, their ACL in pounds would be about 4,000 pounds. You have all the numbers for each of the years for each of the subalternatives in this table here.

MR. STIGLITZ: This is what it has been averaging out for years, the commercial to the recreational sector?

MS. BROUWER: No, this is the output based on the preferred rebuilding strategy. Based on the stock assessment, the model says, okay, this is the amount of fish that can be killed each of these years going forward. If you look at the table that I showed you here in the previous action table, Preferred Alternative 3; so this is the output from the model that the model says under this probability of rebuilding success, in this timeframe, 10 years, this is what can be killed each year until the stock is rebuilt; in order for it to be rebuilt in 10 years; so your ABC is 38,000 pounds.

Then you bring it down to Action 6 and you apply those sector allocations, which were determined by using this stream of landings from this table; '86 through 2008. Then this is what results. You've got your number of fish that you are allowed to kill in 2017. You split that out commercial, recreational, and that gives you your ACLs. This is all tied back to the stock assessment.

MR. STIGLITZ: Okay, now the commercial sector is down to 9 percent?

MS. BROUWER: Yes.

MR. STIGLITZ: Well, how did it get down to 9 percent? On the earlier, it was at like 30 percent.

MS. BROUWER: That was for Georgia/North Carolina. Now we're looking at the sector allocations for Florida.

MR. STIGLITZ: No; when I asked you about it earlier, the commercial sector in Georgia is getting 68 or 69 percent/30 percent recreational. I asked you about it and you said, no, in Florida it is like 30 percent commercial to almost 70 percent recreational in Florida. Now the commercial sector is down to 9 percent.

MS. BROUWER: I'm sorry if I confused you.

MR. STIGLITZ: That's easy to do.

MS. BROUWER: What I explained earlier is that the allocations again had to be recalculated based on this splitting of the stock. We have different landings for each area. You use the same formula that I have already, and then you apply those landings to that formula, and that is how you get your allocation.

Here is the landings that were used for Florida and that is what gave us these allocations here; 10 percent commercial and 90 percent recreational. For the Georgia stock, it was 30 percent recreational, and whatever, close to 70 percent commercial, because that is just how historically the landings have been apportioned in the two different areas.

MR. STIGLITZ: I know hogfish is mainly a recreational fish in the Keys. I really don't have a problem with it. I was trying to understand why the commercial side was at 9 percent and I thought earlier it was like 29 percent.

MR. ATACK: Yes; and it has to do with the whole ACL was 135; 50,000 of that went to North Carolina/Georgia, 85,000 stayed in Florida. Of the 85,000, then they split it up based on historical landings. Then the 85,000 gets reduced based on the building plan. You can't do 85,000 still and have a rebuilding plan because it is overfished of how they split up that 135,000 total ACL before.

MR. STIGLITZ: Are they working on raising the size limit of them? That is not even mentioned yet.

MR. ATACK: No, but we're coming to it. That is a further action item down in the amendment.

MR. STIGLITZ: Okay, because raising the size limit is going to really put a whack in Florida. What are they talking, like 18 inches?

MS. BROUWER: We'll get to that action; we'll get to it, Richard. Obviously, this is going to be a big reduction for the fishermen in Florida; but it is overfished and undergoing overfishing and so this is what happens. Action 7 looks at putting in a recreational annual catch target for both stocks.

This is a threshold that the council puts in place just for the recreational sector; because we've established the landings for that sector are less certain than they are for the commercial sector. Typically they've used this formula where the annual catch target equals the recreational ACL times 1 minus the proportional standard error from the MRIP landings' estimates.

Basically what the PSE is is just a measure of precision. If you have very large PSEs, then that means that you are not as sure of your data as you could be. If you have small PSEs, then you can be more comfortable in the precision of those data. Here is the average, the PSEs for hogfish that were used for the current annual catch target. The average was 29.5 percent.

Here are the PSEs for the Georgia/North Carolina. As we've been saying, there is a paucity of information for that stock and the recreational estimates are very uncertain. There are not a lot of intercepts, and so, of course, you are going to have very large PSEs. The average PSE for that stock is 62.1 percent. The alternatives are to continue calculating the ACT the way the council

has done it for other stocks or set it at 85 percent of the recreational ACL or set it at 75 percent of the recreational ACL.

Now, the council has chosen not to attach any management measures to this value. Once the landings approach the annual catch target, nothing happens really. Basically it is used kind of as a red flag. If your landings are bumping against that threshold a whole lot, then perhaps the fishery managers need to pay a little bit more attention to management measures.

Other councils actually base their management measures on the annual catch targets. The whole point of having one is to make sure that your landings are never going to really bump up against your ACL. Then you don't have in-season closures, you don't have some of these more disturbing things happening that people don't like to experience.

But our council has decided to go ahead and set them for the recreational sector and sort of have them in the books but nothing really happens when that threshold is reached. We still have to go through and put it in place. They've picked Subalternative 2B as their preferred for Georgia/North Carolina.

Basically they chose to do that instead of sticking with the current formula; because if they did, because the PSEs are so high, the ACT would have been set at just half of the ACL and that is much lower; and so they decided to go with 85 percent of the ACL for Georgia/North Carolina. To be consistent, they picked the same preferred for Florida.

The PSEs for Florida are much smaller, it is only 20.5 average. Down here I have a table with the various numbers. This is for Georgia/North Carolina, and you can see the preferred is right here; and it depends on which ACL alternative the council picks. If they stay with ACL equals ABC, then your ACT in pounds would be 9,371, and it would be 884 fish in numbers.

MR. ATACK: I guess when you look at these PSEs, I am really surprised that we have a PSE of 10.7 for Florida in 2014; and we have these great big landing numbers which we don't quite believe in these waves. If you had really low PSE numbers, you wouldn't expect to see these great big outliers in MRIP, right?

MS. BROUWER: I am not sure that the PSEs are going to really be reflective of the outliers. It is more of a measure of precision over time. Your landings' estimates are still going to be influenced by the number of intercepts and then the effort and the expansion factors that are used for the landings. In Florida where there are more intercepts and perhaps the expansion factors are more reflective of the true effort going on in that area, then your PSEs are going to be smaller. But Mike is at the table and he can probably explain it better than me.

DR. ERRIGO: Yes, you can still get spikes and some crazy stuff happening even if the actual PSE is lower. What happens is they are looking at the effective sample size, which is how many site time periods are sampled, so how many intercepts you would get in each of the different intercept sites at the different times of day and different days.

You might get a single intercept for hogfish, but one here, one here at a different time, and one here. Your effective sample size is getting larger compared to the total that you've gotten for that wave. The percent is when your standard error is divided by your average. That is so you

can compare across species to see the PSE. Even though the PSE is low, you can still get – it might be precise but it can be very inaccurate.

There is a difference between precision and accuracy. It could be way off, but the precision or the amount of error in your estimate based on the data that you have is pretty good; but your data may be out of whack and you can't estimate that. That is a really, really confusing way of trying to explain that. There are two different things.

For those of you who are target shooters, accuracy is hitting the bulls eye; precision is if you shoot five times, your cluster is really small; you can get really good precision, a really good cluster so your aim is really good, but you're missing the target by quite a bit. The PSE just tells you what your precision is but not your accuracy.

MR. ATACK: Okay, that makes me feel better; because with the PSEs going down from 30 to 22 to 24, they are getting much lower, which is good.

MR. FEX: I would like to make a motion on the North Carolina/Georgia stock for recreational; set the ACT equal to 85 percent of the ACL.

MR. ATACK: Does someone want to second that motion?

MR. LORENZ: Second.

MR. ATACK: Any discussion? All right; if there is no discussion, I will read the motion and we'll take a vote on it. **The motion is to support the council preferred for Action 7, set the recreational ACT at 85 percent of the recreational ACL for the Georgia/North Carolina stock. All opposed to the motion raise your hand. With none opposed, then the motion carries.** Does anybody want to weigh in on Florida, whether you want to go with the council's preferred or not or move on to Action 8?

MS. BROUWER: Okay, moving on to Action 8; this one looks at increasing the commercial and the recreational minimum size limit for both stocks. Alternative 2 is for Georgia/North Carolina; and the subalternatives start with 2A at 16-inches fork length and go all the way up to Subalternative 2F, which is sort of a step-up increase that would go from 12 inches to 15 in year one, to 18 in year two, and to 20 in year three.

The council has picked 20-inches fork length as their preferred for Georgia/North Carolina. Then under Alternative 3, which pertains to the Florida stock, we have subalternatives ranging from 14-inches fork length all the way up to 17; and then again one of these step-up increases, which would take it from 12 to 14 in year one and to 16 in year three. Their preferred is Subalternative 3B, which would set the minimum size at 15-inches fork length.

If you scroll down here; well, we've already talked about the size at transition for both stocks, so we have some information on that. Here is the length composition in inches fork length for recreationally caught fish from '85 through 2012; and this black line here is the 12-inch minimum size limit so that you can see this is currently what the minimum size is for hogfish in federal waters off of the four states except for Georgia. Here is the size distribution of commercial landings in Georgia to North Carolina.

Obviously, the fish there are a good bit bigger. This one looks at the commercial sizes for Florida. Further down we have similar figures. This is using MRIP data from 2012 to 2014. Of course, you see the number of observations here is very low. Then here is using recreational numbers for Florida, again for the same years, and this is for the headboat sector.

Then there are these tables, which unfortunately you can't see them very well on the screen, but they look at estimated percent reductions in landings in numbers and in weight for the different proposed minimum size limits. This is for Florida/Florida Keys where the preferred minimum size limit is 15 inches.

If you look at this row over here, you are looking at reductions in the 70 percent/80 percent range for the charter and in the 60 percent range for private. This is by wave. This is in numbers of fish. Here you have the same thing for Georgia/North Carolina. If you look across under the preferred 20 inches, your reductions in harvest over here for the charter sector are about 40 percent.

Then your reductions in harvest for the private sector are 85 percent. Then over here is for Florida/Florida Keys, the same thing. Under their preferred 15-inch size limit, you are looking at a reduction in the headboat sector of 55 percent, 75 percent for charter and 55 or so average for private.

MR. STIGLITZ: Where did they come up with all these numbers?

MS. BROUWER: That's a good question. These analyses were done by folks at the Southeast Regional Office in Saint Pete. Don't ask me to explain how they came up with it, but it is a standard way to come up with an estimate based on average landings of a number of years prior to when you are looking at putting in a regulation.

Then you take those landings and you apply the proposed regulation to those landings to get an idea of your reduction in harvest, what you could potentially expect. Of course, it is based on previous year's landings. Obviously, there is going to be some uncertainty there, but that is in a nutshell, more or less, how these analyses are done to give you an idea of what you can expect under the various regulations.

MR. STIGLITZ: What we were just told a little ago, the average fish in North Carolina is over 24 inches long. The chart before that said when it goes to 20 inches, it is going to be down 85 percent or did I read that wrong? They just said the average fish is almost 11 pounds. We figured it out, it was 24 inches long. Now you are going to lose – in the private sector, they are going to lose 85 percent. When it comes down to Florida Keys, when you go to an 18-inch hogfish, you just killed – every little kid that comes down there to go spearfishing, you've ruined his day.

DR. ERRIGO: The average sizes and weights were from the commercial sector. This analysis is done using recreational data, which in the Georgia/North Carolina stock is very limited, very sparse. I didn't do the analysis so I don't know how many – I see 2011 to 2013 for headboat, 2012 to 2014 for the MRIP, so charter and private; that is where these are coming from. But, yes, that average size that we told you for the Georgia/North Carolina stock; that was from the



commercial sector harvest. It wasn't from the recreational. There is much, much less data for that. This analysis is much less certain for the Georgia/North Carolina stock.

MR. ATACK: These estimated reductions are really for year one; because once you increase that size limit, the size of the fish are going to change so the reduction won't be the same percentage in year two. You kind of need to keep that in mind when you look at this. Now, according to what we're looking at, you are going to need a 73 percent reduction.

Your ACL is going to be reduced by 73 percent, so they kind of match. By increasing the minimum size, you will reduce your landings, your fish will get bigger, and the next year it will be a different percent reduction. That is why one of the options is looking at phases to get it up to where your fishery can be sustainable.

MR. STIGLITZ: Well, I've told you in the past in the Florida Keys, in the shallow water they don't get that big. They never have, they ain't going to; and if they raise the size limit to 18 inches, every young kid that comes down there to go spearfishing is going to be so disappointed it is going to be unbelievable.

That is a fish that every young kid can shoot. He can find them, and it is a shallow water fish. I've been down there fishing since 1969, and I guarantee you the amount of hog snapper I've caught over 18 inches long I could count on one hand.

MR. LORENZ: I'm going to want to make a motion, and I will provide the logic before I formally make the motion. I'm looking to get your support for Subalternative 2B, which would be 17 inches in the Georgia to North Carolina sector. One of the reasons for that is to deal with what will essentially be lethal discards of hogfish, anyway.

In these areas we note that most of the hogfish have come from North Carolina that has been recorded, very few in South Carolina or Georgia. For North Carolina they are basically out 30 miles or so. Any fish that comes up from 90 to 120 feet of water, Kenny Fex told us last time that the ones that he's seen are pretty ragged.

There is a chance they aren't going to live, anyway; so for the hook-and-line sector a release of a hogfish is probably not going to work in Georgia to North Carolina. We're going to have a lot of lethal discards. With respect to diving, a short fish is lethal and you've got to watch you're not asking the divers to high grade.

What does a diver do with a fish that comes up to the surface short? The MRIP data shows that based mostly in North Carolina few of the fish that are landed are under 21 inches, anyway, so 17 kind of works. It also gives you a 65 or 75 percent reduction in take, anyways. For that purpose, again my main thing is not throwing away good fish. I would like to make the motion. That motion is I would like to make a motion to recommend to the council adoption of Subalternative 2B; 17-inch minimum for Georgia and North Carolina.

MR. ATACK: Does anybody second the motion?

MR. JOHNSON: I'll second it.

MR. ATACK: You're not from North Carolina.

MR. JOHNSON: I can still second it.

MR. HUDSON: As a discussion point, Wes Covington, who is not here, did actually ask for the same thing that Bob Lorenz has asked for.

MR. ATACK: Any other discussion? Kenny?

MR. FEX: Yes, 17 is pretty small; I'm almost against that. But also to your rationale, you said the reduction was pretty high, and I don't believe it was that much; to your point. You are talking a big percentage, 65 percent at 17 inches?

MR. LORENZ: I thought that is what I saw. I'm looking at that private. Maybe I looked at the wrong sector.

MR. ATACK: Well, yes, we questioned – the data is not right, we don't think, on that table for North Carolina.

MR. FEX: Yes, but to that point it was more the commercial, because we're the ones getting the biggest allocation in that area, I believe. But the commercial, is it 45? No, they ain't even up there, but they had the actual samples and very few were below 20 inches. There was a smaller percentage and a lot of them were about 25. I probably won't go along with your motion, just a rationale to your point.

MR. MUNDEN: Myra, could you give us the council's recommendation or rationale for going with the 20-inch minimum size limit?

MS. BROUWER: Sorry, I can't Red, I don't remember; but there are council members present, so maybe one of them can maybe speak to that; I'm not sure.

MR. BOWEN: Zack Bowen; council member. From my memory, I supported 20 inches, and I think the reason we did that was because it was mainly a spearfishing effort and not hook and line. We didn't have a lot of data or intercepts. That was the rationale from what I can remember.

MR. LORENZ: Just to defend my motion; the main focus of this is to reduce what I would call lethal discards. These fish are going to be brought up from the depths by a hook-and-line fisherman. Classically some of them; the pros may be real good at this. You run a charter business; you are probably good at catching hogfish off North Carolina. I am not.

I've caught one in 12 years. Anything we bring up as hook and line is going to be thrown back and is going to die. A spear fisherman by nature, just the nature of the sport is to go for the largest fish, so they are going to selectively go for the larger ones, anyway. Again, the data shows nobody is taking much under 21 inches, anyway.

That is where earlier I had mentioned that I sure would love to see at least in the recreational area this be a target fish or a test fish to look at two gears, to eventually divide them into those taken

by spearfishing and those taken by hook and line where believe it or not then we could possibly regulate them under two different size limits that takes into account the way you procure fish with each gear and the result when you bring a fish up that is undersized. That is my defense of the 17 inch.

MR. ATACK: In the amendment book it shows the commercial landings in Georgia/North Carolina for the last two years. There is quite a few below 20 inches. A 20-inch hogfish is really only about a 5-pound fish. When you drop to 17 inches, it becomes a 3-pound fish. If the majority of the landings are by spear and most of them by commercial in this zone, we really would help the stock by not taking fish smaller than 20 inches.

I understand the concern with hook and line, but that percent that you are going to be discarding versus the much bigger benefit of the commercial sector and the spear sector, leaving the females out there to breed more before they get to 20 inches will I think more than offset the negative associated with the discards.

MR. BROWN: The only reason that I would support a smaller size limit is because the fish that I've caught are usually in pretty bad shape. When you bring them up, they've already bloated and they've got the air bladder out their mouth, so they are not going to survive, anyway. They usually look pretty bad. I would tend to lead towards the 17-inch size limit just because of the survivability. Obviously, spearing them, there are not going to be too many left after that, anyway.

MR. ATACK: Right, but the intent is on the speared side, for those people to just let those fish pass and grow and breed versus taking them.

MR. BROWN: I'm just going from the hook-and-line side of it.

MR. FEX: Can I ask you how many you think you've caught below 17 inches, below three and a half pounds?

MR. BROWN: Not many, probably a handful.

MR. ATACK: If there is no more discussion, we'll vote on the motion. **The motion is make preferred Alternative 2 as the council preferred motion, which is a 17-inch fork length. All in favor of the motion raise your hand. I think I got six. All opposed raise your right hand. I guess the motion carries six to five.** The next one we need to weigh in on is the Florida preferred minimum size. Would anybody like to make a motion on that one?

MR. JOHNSON: I'm going to make a motion for all the south Florida people that aren't here. We don't catch hog snapper in north Florida. They do shoot some of them and they are usually large; but I would make a motion to – can I see the alternatives? Never mind, here they are, Rusty has got them. Preferred Subalternative 3C, which increases the size limit from 12 to 14 inches in year one and to 16 inches in year three; yes, 3E, I'm sorry.

The reason I would say that is you've already got a very restrictive ACL that is going to go into place. You're just going to allow that little boy, as Richard says, that comes to the Keys to shoot his fish. But you're still going to rebuild the stock, because you're going to have a very

restricted fishery, period. I think you are going to accomplish both goals and alleviate a little bit of the pain up front.

MR. ATACK: Does anybody want to second the motion?

AP MEMBER: I'll second it.

MR. ATACK: Any other discussion? All right, we'll go ahead and read the motion.

MR. STIGLITZ: Has there been any thought or talk about closing hogfish down for six months of the year?

MS. BROUWER: There is an action, Richard, that looks at a recreational season; but that has been the only discussion about that.

MR. STIGLITZ: The 9 percent for the commercial side; I mean who cares with that one there? I am concerned about what happens to little boys and little girls that go diving. When my grandkids go spearfishing, they go hog fishing; and all their buddies, they go spearing hogfish. I would rather close the season from the end of September to the first of April and let them kids have their summer dive.

I don't even know what their limit is, 5 per person or whatever; cut them down to 2 per person, but let them kids go diving. I'm telling you if it goes to 16 inches, down near where I live there will be hardly any hog snappers that they're going to shoot. When it went to 12 inches, it was bad enough. I'm not saying leave it wide open to 5 fish for them. Let them shoot a couple fish.

Even an age limit, if you're under 16, you can't shoot a hog snapper under 14 inches long. But let these little kids – I mean we want them to get out there. This is what we want our children to go do; and if we take them hog snappers away from those kids in the Keys, you're just saying go do something else. They are not going to go spearing black groupers and that kind of stuff. They go target hog snappers.

MR. JOHNSON: I don't know if there is anyone here that can answer this question, but is there a cryptic biomass when it comes to hog snapper? I know these fish that are killed in the Carolinas; those fish are all coming out of deeper water. The fish that Richard is talking about are being harvested on very shallow reef. I am just curious if anybody knows that.

MR. ATACK: Well, one thing I would say is I don't know if they are all coming out of deeper water. We see hogfish, small juvenile fish, one year olds, in 50, 60 feet of water around the shoal areas. I don't know if they're all coming up from the deep water. There are grassy areas there, there is habitat, and there is live bottom. There is all that habitat for them to live in the 90, 60 foot area.

DR. KELLISON: Captain Rob, I'm looking at a paper right now published by some FWC scientists. I mean it is from the Gulf, but it definitely shows that mean age and size increase with depth on that size.

MR. JOHNSON: I think that drives home Richard's point. These fish, you're talking about, what, at 30 feet or less depth?

MR. STIGLITZ: You're talking about ten-year-old boys, and it ain't going to work.

MR. JOHNSON: I'm not saying to leave it wide open; I'm just saying I think that is where he's coming from. You're talking about shallow water, kids snorkeling where a lot of these fish are being harvested by definitely not professional divers, by any means. I don't know how you would address all that. That is the only reason I went with what I went with. It seemed like it would at least alleviate some of it.

MR. HUDSON: When I was at the MRIP meeting, they did a nice presentation on that east Gulf and the shallow water hogfish in the deep, the bigger ones; but they don't have the same problem there as they have in the Keys. When you get into the depth, you've got that Gulf Stream there and it probably makes it very difficult for the divers at that point.

MR. BOWEN: When I got back to the table, I had further thought. There was also some discussion at which point these fish go from males to females. There was some deliberation on size limits and some things as far as that subject goes; so I wanted to mention that as well so not only what I said earlier, but when they transfer females to males.

MR. ATACK: Yes, I think the table shows that up to about 24 inches in the Georgia/North Carolina, they are pretty much all females and then beyond that size they start to switch over.

MR. LORENZ: Therefore, just for our education, I just want to bring something up about there may be papers out there. Someone brought it into me and to Jim that these hogfish may turn over from females to males based on a social system. You don't have any males; a female comes in to take the place.

I was just wondering how the scientific folks feel about that. I think I would like to know also – always thinking this would have been a size change, but there apparently may be evidence out there that they are social. Take the male out and a female within about six months comes and takes the place.

DR. KELLISON: I am not familiar with hogfish, but I know they are in the wrasse family; and other wrasses, it has definitely been documented. If you take the male out, then maybe the largest female tends to initiate the physiological changes to change to a male. Other members of that family it does occur.

MR. ATACK: Okay, we'll go ahead and read the motion, I guess. **The motion is we recommend Alternative 3 as preferred for Action 8, which is increase minimum size from 12 to 14 in year one and 16 inches in year three. All in favor of the motion raise your hand; all opposed to the motion raise your hand. None opposed, it is unanimous; the motion carries.**

MR. STIGLITZ: I would like to make a recommendation to the council to look into a slot limit for hogfish from 12 to 16 inches that they can take; and if it goes over 16 inches, they have to leave it alone at least in South Florida. I would at least like that to be looked into; a slot limit for

hogfish, make the slot limit 12 to 16 inches that they could take; and if it is over 16 inches or under 12 inches, they have to leave it alone. That would leave it so that the kids could still dive. That is a better answer for me, because when you start kicking kids out of a fishery.

MR. ATACK: Okay, does anybody want to second that motion.

MR. FEX: It's a recommendation.

MR. ATACK: Recommendation; okay, we don't have to. All right, we're going to take a ten-minute break and we'll come back at 3:50. Action 9; we'll start going over that, which has to do with trip limits.

MR. LORENZ: Mr. Chairman, learning from Mr. Stiglitz's teachings here, may I make a recommendation at this time. It might be appropriate? I would like to recommend that for the North Carolina stock of hogfish, the council should consider regulating hogfish, commercial and recreational, based upon two separate gears.

The gears will be hook and line and the gears will be diver and spear. The commercials will have their umbrella ACL – they won't divide the ACLs – and the recreationals will have their umbrella ACLs. I think over the next few years there are strategic reasons is why I would like to make that recommendation.

MR. BRAME: I would just point out you already have PSEs in excess of 6.6; and if you further divide the fishery into two components, that will only get worse. You have little faith in the estimates you have now, and you'll have even less faith in those estimates. This is not only warning about that.

MR. ATACK: Yes, I was trying to think of saying something like that because right now the recreational ACL is already we think lower than what it should be, which has both gear types in it. If you want to divide that up in half and have the hook and line even lower than what it is now; it may not be good as far as that goes.

MR. LORENZ: Just in defense, no, I would like the recommendation to be clear that there is essentially one master ACL for commercial, one for recreational. You would not divide the ACL within the two gears; they would stay combined. The gears would be combined under each sector.

MR. ATACK: What is your goal?

MR. LORENZ: Okay, the goal is we – it is a lot here; but again based on these fisheries from Georgia to North Carolina are the peculiarities that exist between the two fisheries. Potentially some day you could have a larger limit for divers versus hook and line, because they can select their fish; hook and line cannot.

The hook and line will bring them up; it is a lethal discard for many of them here. Then the divers, they can pick and choose a little more and shooting undersized fish for them is lethal. I think there are ways to manage the fishery different between the two gears, which could have different size limits and maybe even some day different number limits, depending on the gear

you're using. Again, in this area how difficult it is for the average recreational angler to pursue this fish due to the distance and just the difficulty to get the fish to bite on a hook.

MR. MERSHON: To add to that, the divers that come fish for us, it is not like they just dive and that is all they do. When they're not diving, they're hook and lining, so how is that going to play on their boat? Say, the water is black in one area; so part of their trip they are hook and lining because they haven't got any visibility while they're swimming down there; but yet then they move into a clearer area. When they come in, they're going to be looked at as – I mean that is going to be tough for me to write it all down on a piece of paper when I've got to do my reporting for them. How is the law going to figure that out?

MR. LORENZ: Just to respond to that; again, the ACL is combined for the two gears and how the law can deal with it is a fish with a big hole in the middle of the body or the head was obviously taken by a spear.

MR. ATACK: I guess they didn't have to gaff it to get it in the boat. All right, let's go on to Action 9.

MS. BROUWER: Okay, Action 9 looks at commercial trip limits for each of the two stocks. Currently there is no commercial trip limit for hogfish anywhere in the South Atlantic. Alternative 2 would establish one for Georgia/North Carolina; and we have a range of things to consider from 100 pounds per trip to 750 pounds per trip.

Then for the Florida Keys/East Florida stock, the subalternatives range from 25 pounds per trip to 200 pounds per trip. In the highlighted text over here, just as a reminder, the commercial ACL for the Georgia/North Carolina stock, based on the alternatives the council is considering, would range from 24,000 to 22,000 pounds; and the preferred ACL for 2017 for the Florida Keys/East Florida stock is 3,697 pounds.

To put that into perspective, there are several figures in here. This one looks at the distribution of commercially harvested hogfish per trip by year from 2012 through 2014. You can see the number of trips by year broken down and pounds whole weight is along the bottom. Here is by gear, so you've got hook and line, spear and other. This is for the whole South Atlantic.

This one splits it out for North Carolina/Georgia and East Florida/Florida Keys. This is just straight poundage per trip. Here are some analyses that show you the estimated percent decrease in landings by gear for all gears for various commercial hogfish trip limits for Georgia/North Carolina.

You've got for the hook-and-line sector, under Subalternative 2A you are looking at an expected reduction in landings of 1.7 percent. For spear you're looking at 38.5 percent, and for all gears combined it is 40.8 percent. That is how you read this table. Then this one presents the same kind of information for the Florida stock for those subalternatives.

You are looking at smaller reductions in harvest here. Of course, this one is just 25 pounds; 3A. The council does not have preferreds for the trip limit action. This is where you guys can weigh in.

MR. FEX: Yes, go back to the North Carolina trip limits, please. I would like to put some subalternatives in there; 150 pound and 250 pound trip limits in there, please – 150 and 200 pounds.

MS. BROUWER: You're recommending that the council consider two additional subalternatives?

MR. FEX: Yes.

MS. BROUWER: Is that in the way of a motion?

MR. FEX: Yes, correct.

MR. JOHNSON: I'll second.

MR. FEX: I would like to make some rationale for that. As we see the actual quota or whatever, it is going to be like 22, 23, 24,000 pounds. The season starts in January. Commercially hook and line, I personally don't really throw grouper baits until May. If you start the season in January and you have too high of a trip limit, by the time May comes I am just saying the spear fishermen might meet the trip limit, which will in turn from May until the end of the year the commercial guys, hook and line, will be taking them fish home recreationally, under the recreational bag limit, and selling them on whatever market; and I don't support that at all. If you go with too high of a trip limit, you will meet that ACL before May, which will turn into a lot of sold fish on the black market. That is my rationale.

MR. ATACK: Yes; and if you look at the landings like for the last two years, which we talked about earlier, depending on what year you want to calculate the percent reduction; but you could be anywhere from a 33 percent reduction to a 20 percent reduction in order to not hit the ACL. Given these other options of 150 and 200 pound trip limits, you'll be able to see what percent reduction you'll have between 40 and 17 percent.

At 250 pounds, that is a 17 percent reduction. At the 100 pound trip limit, you are talking about a 41 percent reduction. If we need to reduce the landings by a third or 25 percent or 20 percent, then you really need the other alternatives to look at to calculate what percent reduction you'll have if you use those trip limits.

MR. JOHNSON: Doesn't North Carolina already have some kind of landings' limit; and if so, what is it?

MR. ATACK: Yes, it is not federal. That is why I said there are no trip limits federally; but North Carolina has a possession limit; so when the boats come back in, they can't possess more than 150 pounds for the first day; and it's geared towards multiple-day trips. If they go out for three days, each additional day past the first day they can add 100 pounds. If they are out for two days it is 250; if it is three days, it is 350, but the first day is 150.

That was considered I guess but rejected earlier maybe by council. I think the concern there was hail-out/hail-ins, or how do you know how many days they've really been out was one of the concerns. Some people like that system; because the boats that go out for multiple days then can



get more fish instead of having to do just day trips and run out 50 miles, 60 miles in order to land more than 150 pounds. I know some of the trip boats do that.

MR. JOHNSON: Just one more point, though; this is not a targeted fishery. They shoot them when they see them, but they are not making a trip specifically for hog snapper. These guys are going fishing, they are shooting scamps, gags, whatever. If a hog snapper swims in front of them, they shoot it. I am not sure why some of them make a day trip for 150 pounds and come back in and go make another one the next day; is that what you were –

MR. ATACK: No; I didn't really mean it that way. I'm just saying the boats that just do a day trip would be – say, they're at 150 and a boat that stays out for more days, they can have a bigger trip limit for multiple days. They'll go out; I know ones that go out three or four days. They are targeting hogfish, they're targeting grouper, and they are targeting lots of fish, not just hogfish. Is there any more discussion?

**The motion reads that the council considers adding two subalternatives; one for 150 pounds per trip and the other 200 pounds per trip. All in favor of the motion raise your hand; all opposed raise your hand. One opposed. The motion carries.**

MR. JOHNSON: Just a question; Kenny, do you have a preferred in light of North Carolina having 150 pound landing? Is that something that is reasonable; is that not enough?

MR. FEX: Yes, I just wanted it up there. I personally think 200 rationale because at 200 pounds at \$5.00 a pound; that is \$1,000. That is not the only fish somebody is going to catch on a trip; and also the fact that it will extend the season long enough so that most of us can get a chance at it. That is my rationale. I actually would like 200, but I'm not going to make the motion, because I've done enough.

MR. ATACK: Yes; and the ones I've talked to would prefer to have the season longer rather than a higher trip limit.

MR. COX: I was going to say right now it is 150 pound per day trip limit not to exceed 750 pounds for multiple-day trips. What you are doing here is, what, just trying to increase it to a 200 pound trip limit per day? What is the intent?

MR. ATACK: Do the analysis for the 150 trip limit and a 200 pound trip limit, because it is a jump from 100 to 250; and if we have to do a reduction of 30 percent to keep the season open for the year; what's your trip limit go to be? We don't know.

MR. THOMPSON: Currently the dive boats aren't operating until grouper opens up May 1<sup>st</sup>, anyway. This myth that they're going to come up here and go diving during B-liner season, they don't do it. You are restricting them from potential good trip;, and we have guys with 4 or 500 pound trips regular.

Now you're restricting them with 200 pounds; you're cutting them off. You've got a total allowable catch, you've got a quota. I just don't understand why you're restricting them to be able to make money arbitrarily. I mean, there is nothing really behind it to say we're going to cut them down to 200 pounds per trip. I just don't understand that.

MR. ATACK: No; there is data. They've done the analysis for 250 pounds and it is a 17 percent reduction. There are boats that are up here in the spring targeting hogfish and lionfish, making trips. They are targeting and selling hogfish prior to May 1st.

MR. THOMPSON: Exactly; very rarely do you have that. They are not coming and taking up all the quota. They need that grouper and also what we've been saying. Yes, they are targeting hogfish because that is the only thing available to them. They are not really coming up here to get 1,000 pounds of jacks, also. They wait until it's all open where it is worth their while.

If they have to go jacks, they have to go lionfish, they have to go hogfish; what is there. Like Wayne mentioned earlier, sometimes the conditions when you dive, you've got to run another day and a half trying to get up in decent enough water. Now you're just making it harder on a guy to make a living. I just don't understand when you've got only a certain amount of fish you are going to kill anyway and it is incidental catch on a hook and line.

MR. FEX: Yes, to that point, if you look up there, there are not many vessels that do much above 200 pound trip limits; I don't think. Also, when you jump it up to 500 pounds, at 22,000 pounds you're only talking 44 trips. Think about that. You're trying to give the whole fishery to the spearfish from my perspective. That is what hurts me.

I've caught a lot of hogfish in my time. The landings, Jack knows them. For you to sit there and want to give – I personally think you want to give the fishery to the spear fishermen. It hurts me, because it wasn't always spearfishing. I mean it didn't start until 2009 that it really jumped up. I am just trying to keep the fish on the market, because what happens is we lose fish to dead discards when they close the season early commercially.

MR. THOMPSON: I see your point.

MR. FEX: The spear fishermen – right now I'm not fishing because it is hard to catch grouper; but I bet those spear fishermen are out there fishing still. I took the last month and a half off. Express your concern for the spear fishermen, but it hurts me to see that you're going to give it to them.

MR. THOMPSON: It was passed, anyway; it is just a moot point.

MR. ATACK: The only other point I want to make is that this was for consideration. They'll run the numbers, it will be an alternative. We're not saying it is our preferred alternative. That will be another vote. But in order to cut the catch down by 30 percent or whatever we're going to need to, you need to have those options there. Everybody I am talking to would rather the season stay open and not close September 1st or October 1st or whatever it is. Any more discussion? We'll read the motion.

MR. FEX: No, we're done with that.

MS. BROUWER: Okay, Action 10 is to modify or establish –

MR. ATACK: I think we need to address the Florida trip limit, if anybody wants to weigh in on that. If we don't want to weigh in on a preferred alternative, then we'll just let it roll.

MS. BROUWER: Action 10 addresses recreational bag limits for each of the stocks. Right now the bag limit is five per person per day off of Florida and there is no bag limit off of Georgia, South Carolina and North Carolina. Alternative 2 would establish one for Georgia/North Carolina stock; and the range is two fish per person per day, one fish per person per day or one fish per vessel per day.

Alternative 3 would put one in for Florida; and there we're looking at three fish per person per day down to one fish per person per day and also a consideration of one fish per vessel per day. The council had a couple of alternatives under this action. The reason they're crossed out is because we are going to suggest that they be included as a separate action.

Those would establish a season, so we're going to discuss those in the next action. Then at the very bottom under the note it reminds you of the recreational ACL ranges. For the Georgia/North Carolina stock it ranges from 1,040 to 936 fish. The preferred recreational ACL for the Florida Keys/East Florida stock for 2017 is 20,576 fish.

MR. HUDSON: Myra, could you remind me or Mike Errigo; this Wave 2 where we had this giant spike with the recreational; was that a quarter million fish?

MS. BROUWER: I believe it was on the order of like 243,000 or something like that that were attributed to Wave 2.

MR. HUDSON: Was that numbers or --

MS. BROUWER: That was pounds.

MR. ATACK: Yes, it was like 224,000 pounds.

MR. HUDSON: And that is using that 1.68 pound average down there?

MS. BROUWER: No; that is the landings straight from MRIP. Are you talking about --

MR. HUDSON: Well, the MRIP numbers are usually in numbers; but the weight that is assigned down there is 1.68 pounds.

MS. BROUWER: The 1.68 pounds average weight is the one that we are using to convert the recreational ACL in pounds to recreational ACL in numbers. The weight conversion that is used to convert -- the MRIP estimates is different. That is done through the Science Center. I don't know exactly how they are doing that; so two different things. Here are a few figures.

This shows you the distribution of hogfish harvested per person from the two recreational datasets, MRIP and the headboat sector. Then this one shows the harvest per vessel. This is data for 2012 through 2014. Here you have the estimated percent decrease in recreational landings for the various bag limit alternatives, and it is broken down by mode. This one is North Carolina to Georgia. Here is your three alternatives and these are the percent decrease in landings and headboats on the far right; and then same thing down here for Florida.

MR. ATACK: Okay, so now if we want to give the council a preferred subalternative on Alternative 2; it would be a good time to make a motion.

**MR. LORENZ: I would like to make a motion to establish the recreational bag limit for Georgia/North Carolina stock of hogfish at Subalternative 2A, two fish per person per day.**

MR. ATACK: Does anybody second it; seconded by Kenny? Any discussion? I guess right now it is five fish per day; so based on what we're looking at, I think it is probably good to go with the two fish per person per day as a good alternative. If there is no discussion, we'll go ahead and call a vote on the motion. **All in favor of the motion raise your hand; anybody opposed raise your hand. Motion carries unanimous.** Now for the Alternative 3 for Florida; does anybody want to weigh in on that?

MR. JOHNSON: I would pick two per person, Subalternative 3B as a preferred.

MR. ATACK: Does anybody second it? Richard seconded it. Any discussion? All right, if there is no discussion, we'll vote on the motion. **The motion is to recommend the council consider Subalternative 3B, which is two fish per person per day for the Florida/East Florida stock of hogfish. All in favor of the motion raise your hand; anybody opposed raise your hand. The motion carries unanimous.**

MS. BROUWER: Okay, so now we have this Action 11. As I mentioned, this is one that the council hasn't yet approved for inclusion in the document. We are suggesting that we analyze this as a separate action and look at establishing a recreational fishing season for each of the two stocks.

You have Alternative 2 that has subalternatives for Georgia/North Carolina and Alternative 3 that has subalternatives for Florida Keys/East Florida; and you can certainly recommend any particular one or you can recommend that the range of subalternatives be expanded; anything you want to do about that.

MR. LORENZ: I would like to state kind of a reverse of the logic on Alternative 2. Instead of having essentially an open season that is so small, why don't we have the open season most of the year and close for what the hogfish spawning season would be, which would be May/June? I would go the other way. Instead of opening a season, I would look at having it opened most of the time and closing it during the spawning season.

MR. ATACK: Bob, what you probably want to do is make a motion to have an alternative. I don't know if you need to make an Alternative 4, because this really wouldn't be a subalternative for Alternative 2, which is a small season. I guess you could do a season say open July through May 1st. What would be a better way to handle that? Do you think we should recommend a ten-month season or should we recommend a two-month closing season?

MR. LORENZ: I would like to make a motion that beginning January to December 31<sup>st</sup>; that the hogfish open January 1st and run from January 1st to December 31<sup>st</sup>, but be closed during the hogfish spawning season, which I believe is May and June. I think the recommendations would have to come based on what the science says when to close it; close it for a spawning season, a minimum of two months.

MR. ATACK: Is this for the recreational and commercial or just for the recreational side?

MR. LORENZ: I can only intelligently make this recommendation for the recreational side. It sounds like it would make sense from the commercial side. Action 2.1.1 is recreational.

MR. FEX: I see your rationale. I would throw a little bit of concern in there just for the fact that for some reason MRIP intercepts happen in February, March or something and then you would lose your whole summertime fishery. I don't think we're getting that many fish recreationally in North Carolina.

We're going to numbers of fish. I would just throw that up there; because if you did start it in January and you wanted a fishing season in the summer past the spawn, you might not get it. Just figured I would throw that out there.

MR. ATACK: Well, first thing we need to address is this is a motion. Did anybody second the motion?

MR. JOHNSON: I'll second just for conversation. I need a couple clarifications, though. This stock is not overfished.

MS. BROUWER: Status is unknown.

MR. JOHNSON: It is not subject to in-season closures, accountability measures; but the Florida stock is.

MS. BROUWER: No; the accountability measures are applicable to this stock as well. We just don't know whether overfishing is occurring or whether it is overfished.

MR. ATACK: Right; so I think the reason they are looking at the two-month season is because they are worried about the low number of fish that could be taken recreationally. The recreational sector has looked at it and said, well, rather than have it open right then, we would like to close it then; and then with the two-fish bag limit that the landings might be low enough to then keep the season open the rest of the year. That is where I think they are coming from with their proposal.

MR. LORENZ: Just further logic on this recommendation is that consider in the area in the winter; there is a large season where it is very difficult to go get these fish. Going off a long distance, 30 miles or more, during that kind of weather is basically one control that is out there. Also, fisheries' people would almost have to admit that if you are getting so many large fish, you are almost exclusively fish 20 inches and up in the fishery from Georgia to North Carolina, particularly off North Carolina. That is pretty indicative of a healthy fishery right now.

MR. ATACK: All right, if there is no other discussion then we'll go ahead and vote on the motion. **The motion reads recommend the council consider a spawning season closure for Georgia/North Carolina in the month of May and June and keep the calendar year as the fishing year for the recreational sector. All in favor of the motion raise your hand; all opposed raise your hand. All right, the motion carries unanimous.**

MR. HUDSON: I just had a question. In this Action 11 we have analysis that shows the recreational landings for Florida but nothing in the two-month waves for North Carolina to Georgia. Is it possible to create something like that?

MS. BROUWER: Yes, of course, it is just this action, as I said, hasn't been yet approved for inclusion in the document; so we have very preliminary stuff. We just haven't gotten around to gathering more.

MR. ATACK: Then the next question is whether or not we want to make one of these alternatives as a preferred, whether we can say the motion is our preferred or if one of the other subalternatives is our preferred.

MR. JOHNSON: I'm not sure you can do that without seeing the analysis. That would be a little bit –

MR. ATACK: Okay, now what about Alternative 3 for Florida? Go ahead, Richard.

MR. STIGLITZ: We just passed a motion to close the season. Now the way I'm reading that for Alternative 3, the season would be two months' long. May and June; is that to be closed or is that to be just the open part of it? It says there is no recreational season for hogfish January through December. Now it says establish a fishing season for the Florida Keys and Alternative 1 is May and June. Is that the fishing season or is that what they want to close?

MR. ATACK: Alternative 3 is for Florida. We just talked about North Carolina/Georgia. Alternative 3 is a season to be open for fishing; the rest of the year is closed. They are talking about a May/June or a July/August season is what the Alternative 3 is.

MR. HUDSON: Is the spawn cycle the same in Florida as it is up there? What is the two months for the spawn in Florida then?

MR. ATACK: The hogfish in Florida tend to spawn year round. I think in North Carolina, South Carolina, up that way, the water is colder, so it appears that they're holding their roe; and then once May rolls around and the water warms up, then the initial spawn is like the first month or two. Then after that it is kind of sporadic; but by closing those first two months, they think they will get the best bang for their buck.

MR. HUDSON: Okay, that explains the extended spawning season statement that they made is for Florida.

MR. STIGLITZ: I would like to make a Subalternative 3C. If they want to make a season, make it May through September, because that is the summer months when kids would be diving. If we're going to go from five fish to two fish and close it down for seven months of the year; that is a pretty good given.

MR. ATACK: Okay, anybody want to second the motion?

MR. JOHNSON: I'll second it, but again a question. With the size limit restrictions and the bag limit restrictions, you may not harvest your ACL. You may not even get it; I don't know.

MR. HUDSON: Since this is monitored by waves and we're on two-month waves and not one-month waves, you have now split a wave in half, Richard. You would almost want to truncate it at August 31st and catch the two waves. But based on that graph, you also have a huge spike in July/August as far as your average, so that may affect stuff, too.

MR. STIGLITZ: I'm going for the summer months when the kids will be diving, when they're out of school. They start back in school in August. You've got Labor Day weekend. You've got Memorial Day weekend in May. That is all I'm looking at.

MR. ATACK: Has anybody seconded? Robert did. Historically when you look at the MRIP data, the biggest landings for hogfish have been the first wave or the second wave for the last two years. In 2014 you had 84,000 pounds in the first two waves and then you had 227,000 pounds the first two waves this year; but in the months he's talking about, last year the landings were down. That might be all right.

They'll just have to run the numbers on it when they run the analysis on it. If there is no other discussion, we'll vote on the motion. **The motion is to recommend an additional Subalternative 3C under Action 11 for a recreational season for Florida hogfish, May 1 through September 30. All in favor of the motion raise your hand; all opposed raise your hand. Unanimous approved.**

MS. FEX: Myra, are we going to be seeing this document again at the next AP before it gets voted on by the council?

MS. BROUWER: Right; the timing of this document is in December the council will look at the preliminary analyses and approve it for public hearings. Then we've scheduled public hearings to take place at the end of January and February. You guys would have another chance to look at this in the spring before the council approves it for final submission in June.

This is the last action in this amendment, and it would establish commercial and recreational accountability measures for Georgia/North Carolina and Florida/Florida Keys. In this action there was already accountability measures for the entire stock of hogfish; but because we're splitting it out, there needs to be an action to apply those same accountability measures for each of the stocks.

The council is not looking at changing any of the accountability measures. We just need to make sure that once this amendment is approved then the regulations will be rewritten so that the accountability measures apply to the two separate stocks of hogfish. It is kind of a formality; nothing is changing as far as accountability for hogfish.

The same preferred alternatives that they have picked in Amendment 34, which is the one that I told you basically makes everything consistent across the board for all managed species is the same thing that we have here for hogfish. You still have your in-season closures and you have paybacks when the total ACL is exceeded and the species is overfished. That is Amendment 37.

MR. ATACK: Any other discussion or comments on this amendment before we move on to the next one?

MS. VON HARTEN: I'm Amber, the outreach specialist for council staff; if you haven't met me yet. I am just going to give you a brief update about the vision blueprint, which the council has been working on for the snapper grouper fishery since December of 2012, and talk to you a little bit about what happened at the October Council Member Visioning Workshop held about a month ago.

If you recall, we had a series of public input opportunities in July and August to get more input on kind of this draft version of the vision blueprint, which is all focused around these four goal areas of science, management, communication and governance; and you have heard me talk about this previously so I am not going to go into the full details of it.

We've got lots of great public input. We had 22 different opportunities for the public to participate via webinar or comment stations, which is this new approach that we've been using to have in-person meetings with council members and then council staff are here in Charleston at the office running webinars to talk to folks.

Then also we had an additional opportunity for folks to talk with us at the public hearings in August as well. We had about 360 stakeholders participate in that whole process and over 130 written comments submitted and heard loud and clear that most stakeholders do not support catch shares, electronic monitoring systems such as VMS, and marine protected areas.

We did get some limited feedback about some of the approaches that they did like in the blueprint. The council members got together in October, after the September council meeting, to kind of review all this public input and start prioritizing some of the objectives and strategies and action items in the blueprint to move forward with, hopefully adopting it in December; and then moving forward with actually applying some of these management actions in 2016 and beyond.

At this workshop – and it was truly a workshop – it was very much an interactive facilitated workshop where we had the council members in breakout groups and small group discussions, and also we got our infamous sticky wall out and used dots and things like that to walk them through some discussions about how they wanted to prioritize some of these objectives.

We also gave them a survey between the September council meeting and the October workshop to kind of give us as a staff a better idea of maybe some of these objectives that were kind of rising to the top as more of a priority for them moving forward. What you see before you are some of the priority objectives and strategies that the survey produced from the council members.

In management there were six objectives and these were the top three. The objective dealing with subregional differences in the fishery as well as maximizing social and economic opportunity; those tied as their highest ranked priority of objectives for the management goal. Then the next one was access to the fishery, and it was closely followed by the one that talked about reducing discards and mitigating bycatch.

Those are kind of interconnected with all these that you see before you, anyway. The subregional differences' objective dealt with quota-based management strategies, so things like state by state. This is where the one mention of catch shares was in there and that was removed to the appendix of items that will not be considered at this time.



That is the other thing that council did at the workshop was kind of address anything that they felt just didn't have enough stakeholder support right now and put it in the appendix as a record of the blueprint process, but will not be considering at this time. Then they also considered any new ideas that were put forth during the public input process and added those to the blueprint.

There were several items added based on public input to all four of the goals. Other things in that objective, we're looking at the design elements for quota-based management and then other non quota-based management strategies, things like looking at staggered spawning season closures or adjusting that, and size limits, bag limits, adjustments and things of that nature.

The second objective is maximizing social and economic opportunities. That was focusing on looking at making sure fishery-dependent businesses are operating profitably and efficiently; and then there was also a strategy in there that dealt specifically with just recreational fishing opportunity and trip satisfaction.

Then the access to the fishery objective dealt primarily with all these different strategies that addressed retention, effort, seasonality in the fishery, flexibility in setting ACLs and other approaches to allow access to the fishery. These were the priorities that came out of the survey; and what we did with the council is we walked them through this process where we used the sticky dots and asked them to go around.

They each had a limited number of dots for each exercise; and they could go around and place their dots wherever they wanted on these three priority objective areas. We did that for items that they thought were really hot topics, so they could choose from across not just those three priority objectives but also the full six objectives that were in the management goal.

This is kind of what came out of that exercise. The action level items; there was literally ten, twenty, thirty, forty different actions within the management goal areas. This is kind of the top – in this case top 10 or 12. The first ones that kind of tied was looking at – this is a new item that was added at the workshop; Alternative Approaches to Managing Traditional Multiday Snapper Grouper Bandit Boats.

We heard a lot of input from some folks about the idea of permit stacking, voluntary – that should say sector shares and not catch shares. Then the other thing that tied as a priority there was looking at the idea of a recreational fishing stamp or license for the snapper grouper fishery. We heard a lot of support for that throughout the public input as well. Then the other ones kind of fell out – these are in order of priority. I am not going to read them all.

You have a copy of this presentation in your briefing book so you can go back and reference it; but looking at permits that also kind of rose to the top, adjusting the seasonal spawning closure for shallow water grouper and so on and so forth. These were the priority action items that were specific just to that first objective about subregional differences.

Some of the things that rose to the top there, we're looking at regulations based on designated subregions and not on quota allocations; and then also using staggered spawning season closures to address latitudinal differences. We heard a lot during the port meetings that the shallow water grouper spawning season closure needed to be kind of like a rolling closure that was based on when the fish were actually spawning in each region of our region.

Perhaps it started in Florida and then rolled over into Georgia and further north as those different fish were spawning. There was also a lot of interest about state-by-state quotas maybe for specific species and things of that nature. Please, if you could, I have some homework for you tonight. If you could go back and look at this presentation – and I have another handout for you, which is what Myra passed around, because we would like to get your feedback on some of these ideas.

The second objective was the one dealing with access to the fishery and again that idea of a recreational stamp or license for the fishery rose to the top as well as looking at the two-for-one permit requirement in the commercial sector, kind of evaluating that again, and possibly implementing a charterboat limit instead of a per person limit on charter trips, so that is talking about bag limits.

Then the last objective is the one about maximizing social and economic opportunity and things about effort control, predictability in the for-hire business planning when making management decisions, aggregate daily bag limits and all these different ways to kind of maximize those different opportunities.

The next thing we did with the council was we said, okay, you've kind of identified some of these priority action items; once you adopt the blueprint, what are you going to do with it? This is not going to just be another thing that sits on a shelf; you are actually going to apply that. That is what we've been telling stakeholders from the beginning is there is going to be something that comes out of the visioning project in an amendment form more than likely.

We figured out there are four different approaches that the council can apply to the blueprint; and the first one is looking at any current amendments we have in the process, like this hogfish one you just discussed, and figuring out where the actions in an amendment like that fit in with the blueprint, what objective does it address in the blueprint and making sure that it does address things in the blueprint.

The second approach would just be focusing on one of those objectives that I just showed you, one of those three, and council would direct development of a comprehensive amendment that would just focus on a single objective, so something like subregional differences in the fishery. I have some examples to show you.

The third approach is talking about a comprehensive amendment that would focus on several of those priorities action items from across those objectives, so something that may be specifically dealt with recreational fisheries but included different action items across those objectives. Then the last approach would be to look at those hot topic items, things that maybe didn't rise to the top as a priority for everybody, but topics that the council felt like needed to be addressed more quickly.

Here are some examples. The idea of the approach that would deal with a hot topic item, we walked the council through another breakout group session where we asked them to consider these three different types of approaches; the hot topics, the objective-based amendment approach, and come up with some ideas based on these actions that they had just prioritized. These are some examples. These are not the actual amendments that would come out.

These are just examples of what the council talked about in October that they are going to be reviewing at their December council meeting. They haven't even seen this yet. This is what we want to get your feedback on is what do you think of these example ideas? Are they something that you feel are worthwhile, would be of interest to stakeholders, because some of this came directly from the port meetings. Then based on these ideas that you see before you, what kind of input do we need to get from stakeholders about how to move forward with that? Yes, go ahead, Rusty.

MR. HUDSON: The permit stacking; at HMS we went through two years with Amendment 6 and permit stacking, and the rationale was the people that already own multiple permits were in the best position or the ones with the deep pockets to buy them or lease them. The people that only had the one permit were disadvantaged and that was why NMFS chose not to go with permit stacking; so I just wanted to put that out there.

MS. MARHEFKA: The one fisheries' term I actually don't understand and don't know what it is, so I would love an explanation of what permit stacking is.

MR. ATACK: Well, you beat me to the question.

MS. VON HARTEN: It is my understanding that with these trip limits that are kind of small; there are these other multiday boats that go out and are limited by how long they can stay out based on their trip limits, so they would like to be able to stack permits on one boat so that they can have higher trip limits.

MR. ATACK: In other words, if they have three permits on one boat, they can get three times the trip limit on that boat; is that what permit stacking is?

MS. VON HARTEN: The other idea was this multiday trip endorsement. Then it would be a different kind of endorsement program that would not be permit stacking, but somehow you would qualify for this endorsement, similar to some of the other endorsement programs that we have in place. Again, these are all the details that would have to be ironed out. These were just some of the examples of a way to manage for traditional multiday bandit boat amendments that the council discussed at the workshop.

MS. MARHEFKA: Did that come from the permit-stacking idea; did you hear a lot at your visioning workshops? Were you hearing a lot of people asking for that?

MS. VON HARTEN: Well, we heard it from a small group in Florida and then they were tuning into every webinar. When other fishermen from other states were hearing about it, they were like that is intriguing; yes, maybe we do support that. Then we started getting some written comments about it as well.

MR. MERSHON: Maybe for those that don't understand it, could you kind of explain what the term traditional multiday snapper grouper bandit boat means; and also if I have a whole bunch of money and I buy up a whole bunch of permits, isn't that just another form, and I could stack them up – isn't that just another form of catch shares? That is my opinion, and I believe if you look at it, because you are going to need money to buy shares – if a catch share system went in, well, hey, we're going to take the words catch share out of the system, but yet we're going to let

somebody stack their permits; so if I just buy up everybody's permits, I pretty well am doing the same thing as a catch share system. Isn't that correct or am I kind of looking at that wrong?

MS. VON HARTEN: Again, those are the devil is in the details and I don't know. I am going to ask. There are several council members in the room; if any of you would like to comment on what you meant by traditional multiday bandit boat, I welcome you to come to the table.

MR. FEX: Yes, I just want to make a point about permit stacking. Sure, you could stick all your permits on one vessel but you've still got to go out there and catch those fish. Where catch shares, you had the share to that fish; so even if you stack all your permits on your one vessel, you are still going to have to compete with me and everybody else in this room to go catch them fish; whereas catch shares you are allowed an allotted amount and then you catch it as you will. There is a difference with that.

MR. MERSHON: But when you got to go home when you've got a thousand pounds, I'll stay; and before you can get back, I'll have three or four more thousand pounds and turn around and leave back when you come back. That is the way I look at it, guys, in the real world of fishing not just on paper.

MR. JOHNSON: It is interesting in one way, but then I see multiple issues with it other than the ones that Wayne has mentioned. Right now we're in a two-for-one system where if somebody gets in the fishery, they have to buy two or a corporate permit. You would eliminate that. No one would do that; and then what would you do with the guy – and some people don't have a problem with this, but I've been on the record before.

I do have a problem with the fact that there are a lot of guys that have permits that are leasing boats that they've never been on, never ran. It is rampant throughout the southeast. You've got somebody sitting there holding a permit that has been on the same boat for six years. The guy has never been on the boat, doesn't intend to go on the boat; he gets paid X amount of dollars every year to lease the boat.

What is to keep somebody from putting a bunch of lease permits on a boat? You've done away with your two-for-one completely. I don't know if you're following my thought process here, but it just doesn't – it is not going to work. I couldn't support it. I bought two permits to make one, okay. I invested in a fishery. If you want to be in the fishery, financial invest in a fishery.

MR. COX: Yes; we voted on this twice on the hot topics and trying to preserve the traditional snapper grouper boat came up as a top priority. I know in Morehead City, in my area there were 25 boats that carried crews of anywhere from 2 to 5 people back in the eighties. There were 25 boats and now we're down to 5 boats.

What we're trying to do is figure out a way to preserve the boats that stay at sea two to ten days; and there is value in those boats because they come in with so many species that we manage. The consumer is looking to get their hands on these different types of fish. It takes a lot of these boats a day to get out and a day to get in.

What is happening – what we're seeing happen is these boats are going to the wayside because other interests are buying into the fishery. I think a lot of the outboards are buying into it, so

we're becoming more of a day boat fishery. What we're trying to do is protect these boats that stay at sea, these long-range boats that really bring a lot of product to the consumer and the restaurants, and you know all these different types of people in the retail markets.

To put a definition on what a bandit boat is or a traditional boat is something I think we're going to all have to figure out how to do together, because we don't really have an answer for it. We just know where we've been and where we're trying to get to; and if we want to preserve those boats, then we've got to figure out how to do it. With all that said, we're looking for input from you guys.

MR. STIGLITZ: I believe the permit stacking is coming from the Upper Keys. There is a boat up there that has permits for amberjack fishing. I think he's got three of them, and he's got them on jet skis; one big boat and two jet skis. He carries the jet skis on the boat with him. They are federally permitted and he can catch three limits when you can go out there and catch a 1,000 or 1,200 pounds. I believe this is where this permit stacking is coming from.

Most everybody I know is totally against it. I know I am totally against it. I agree with Robert that if you lease a permit, the guy that owns the permit needs to be on the boat. In that kingfish fishery, in the gillnet fishery, I can't even give you my permit; but I can lease your boat and you can go king fishing all you want. I think the whole federal system needs to change.

There are only so many of these permits that are out there. If somebody has a permit and he wants to go fishing and he doesn't have enough money to buy a boat and he wants to lease a boat, I think he ought to – if he owns the permit, he ought to be on the boat that goes fishing. He should not be able to just lease the boat and say here. Like you said, six, seven years and the guy has never seen the boat; and he collects a paycheck every year from it.

MS. MARHEFKA: I am torn, because I actually appreciate what Jack is saying. I am the owner of a traditional goes out for many days at a time snapper grouper bandit boat. The idea of someone trying to look out for us and preserve us obviously makes me feel good and comfortable.

What makes me nervous is when you do talk about people outside of the fishery using it as an investment or the people with the most money in the fishery are the ones that are going to succeed, not the ones that work the hardest. To me that is what made me uncomfortable about catch shares and that is what makes me uncomfortable about this.

The question that has bothered me for a really long time, and I probably beat this drum every time we come here, is we don't have an idea of what this fishery can handle capacity-wise; and until that is addressed, until someone can say this is how many boats that this fishery can handle where those numbers of boats can make a decent full-time living; why are we managing these things without even knowing the answer to that?

I think that you need to have an idea of what the capacity of this fishery truly is and then figure out permits and how to manage it; but I think you have to be very, very careful of people speculating. That is what makes me incredibly nervous. I would just hope that council members would hear me say that. The only thing about the people being on the boat, who own the permit, we're lucky enough now where we have someone who can take the boat out every other trip, like

a captain or share time with Mark so Mark can actually be home every now and then and that is lovely. I don't want to see that go away. Somewhere there is a difference between a complete absentee owner and a captain and a boat owner sort of working together, and I don't know how you flesh that out either. I say all that just so that it is on the record and council members can sort of take that to heart.

MS. VON HARTEN: Actually that is an action in one of the management strategies; it is Number 13 down there on the list. It says overcapitalization in the fishery; but when we had this discussion at the October 2014 workshop with the council members, what they were talking about is the care and capacity of the fishery and exactly what Kerry is getting at. That did kind of come out as one of their priority items.

Let me finish going through the last little bit of this, because that was just the hot topic approaches. Let me look at the next idea, which was taking several actions from across those three objectives and coming up with an amendment. There were a lot of priority actions that looked at fishery seasonality and retention; something to address access to the fishery, subregional differences in the fishery, and also maybe some discard issues that could use actions such as looking at seasons, spawning by species, subregional, different types of bag and trip limits; whether they're aggregates or daily or multiday trip limits, and then also looking at size limits, in particular for deepwater species.

Then this approach could also – you could break it down by sector, so you could do a sector-based amendment. I think for me that is one of the things that gets so confusing with a lot of amendments that get put on the table is that you've got commercial and recreational actions in the same amendment and it can get very, very confusing; so possibly picking a specific objective and then developing a sector-based amendment around that specific action item.

For commercial they could look at an amendment that would address split seasons and start dates of fishing years and trip limit adjustments and permit banks, which were some of those items that came to the top. For recreational it could be something about bag limits, seasons, this recreational stamp idea; also limited entry for the for-hire sector came up as well.

Then the last approach is this comprehensive amendment that would be focused on just one of those objectives. The one that kind of seemed to rise to the top during our breakout sessions was looking at some way to address subregional management. Again, the idea of state-by-state quotas was discussed at length at all the public input meetings as well as with the council; and then also looking at the staggered spawning season closure adjustments and possibly setting regulations on specific subregions were some other ideas that came out.

Again, these are all just ideas that came out from their brainstorming session that they will be taking a look at the results in December. Like I said, what I would like for your homework tonight is maybe in the morning if you could come back and say I read these examples, I don't really like this, I don't think it is a good idea; you know, I think this would be better suited for addressing some of these more immediate needs.

Then your idea about, okay, so the council will review the final version of the blueprint in December and adopt it and then look at these example ideas that came out of their brainstorming session, and then talk about how they want to move forward with developing something; so how

should we get some input on that? There has been discussion of like a stakeholder survey that would present some of these ideas and ask stakeholders what they think about them and kind of what would be a priority. I just ask that you think about those things tonight. That little handout should help you, because it is all this summarized into one sheet.

MR. MERSHON: As a matter of fact, I've got two; but if you would like me to wait until later, I can come up with it. As you know, I was on every webinar. I didn't miss a one and I was very vocal on most of them. Why wasn't the workshop you just had on a webinar, because I would have been there? Hey, I had fish to pack that day, I could not get away. Why was that not on any kind of a webinar or on something that I could sit down and read what everybody said so I could keep up with it and share with the stakeholders that rely on me and my area to let them know what went on?

MS. VON HARTEN: Well, like I explained, it was a workshop. It was not a traditional meeting that we have like this formal meeting; and just the way that it was being facilitated, it wasn't conducive to being broadcast via webinar. You can't capture group conversations on a microphone when everybody is spread out across the room.

MR. MERSHON: I understand.

MS. VON HARTEN: I mean we literally had every wall space covered with sticky walls and printouts of the entire blueprint.

MR. MERSHON: Just like the other meetings that we attended when you came to our areas; I stood there –

MS. VON HARTEN: Yes, and we didn't webinar those.

MR. MERSHON: As a matter of fact, I was the only one in my region to stand there and start at Point A and go to Point B, was I not?

MS. VON HARTEN: Yes, you did, you were the only one.

MR. MERSHON: Okay, and my next question is I believe 97 percent of the stakeholders said no form of catch shares. Why did I just see up on that board up there voluntary catch shares, when you said it was going to come out?

MS. VON HARTEN: Well, it was a typo. I had copied and pasted it from somewhere; but the idea of catch shares as what everybody was so adamantly opposed to is being removed to the appendix.

MR. MERSHON: But voluntary catch shares has been moved in; am I correct?

MS. VON HARTEN: There is the idea. The idea came at the October Workshop that under this traditional multiday boat permit, our bandit boat fishery, that some type of voluntary sector share or something like that or community-based quota.

MR. MERSHON: Will that go out for public comment before you make your final version?

MS. VON HARTEN: Yes, all of this would go through the normal – yes, absolutely. I mean again, these are just ideas and some different ways that the council could choose to address that. All of this, whatever comes out of this would be an amendment that would go through the normal council amendment process, yes.

MR. BUFF: I would like to see – I know at two of the workshops that I went to that there were people there that had no stake in any of the business. I think that every bit of this ought to be stockholder – the person that has the stakeholders or whatever you want to call it in the industry; that is the people that needs to be discussing what is happening and not people that are just there just to voice their opinion. If you don't have any business in the business, I don't think you ought to be able to comment. You can come and listen all you want. I don't think you ought to be able to stand up and make the comments, because you have no interest in the business to start with.

MS. VON HARTEN: Thanks, Scott, I appreciate that. Council Chairman Michelle Duval is listening in and she just wanted to make a point that she thinks folks need to understand that these were just examples that came forward of how a traditional multiday vessel might be preserved. It could just as easily be trip limits based on vessel length or some other iteration. That is just one idea, one option, I guess; so thanks, Mike, for pulling that out.

MR. PHILLIPS: We were trying to keep a lot of tools in the toolbox. We understand we work with the fishermen. I just took my oath again in September, and the oath was to the people of the nation. We get a lot of input from fishermen and we really need your input to help us travel a path; but the path is to help get the resource to the public, and I think we can all agree with that.

The public has told us they want the resource as much of the year as possible. We look at a lot of tools of how to do that. We look at trip limits, small trip limits, big trip limits, seasons, split seasons; and so we're trying to keep everything in the toolbox that is even like permits stacking. Right off the bat, we think, mmm, we don't really like that; and we probably don't.

But we left a lot of stuff in just because there may be iterations or ways to tweak it where we can use the good parts, mitigate the bad parts. That is what we need to do and that is what we want to hear from you. Tell us what you like about this option and that option the next option and what you don't like. It gives the council a chance to work with fishermen and the other stakeholders on how do we get there from here?

That is the goal. When you see stuff that you have seen not work in other places; that is a chance to learn what not to do. But if there is anything that you like from it, maybe it is time to say we can tweak this, we can make it better; maybe we can and maybe we can't; but still leave the things in the toolbox, and let's everybody sit down together and figure out the best way to run the railroad.

The last two trips that came in at my dock, the crewmen, one trip the crew made \$78.00 and the next trip the crew made \$98.00; and I think the Captain made like \$250.00. You can't keep good people like that. I had a captain quit a month and a half ago, went to construction. He was a pretty good captain, but he couldn't make a living doing what we do; and you all hear it every day. We've got to figure out a way to keep some good people in this industry so we can get the product to the public, and that is our goal.



That is what we depend on you to help us figure out how to get there from here. We appreciate the fact that you take your time out and you come and you give us your input. Any time you want to catch us in the hall and just talk about some options, that is what we want to hear. When you see a big range, that is why we leave the big range, because there is a little bit of good almost in any of these options, but how do we narrow it down, tweak it, twist it and make something that works? That is why we leave the big box. Thank you.

MS. MARHEFKA: Since you gave us homework, I am going to return the favor. How difficult would it be in light of sort of ideas you guys want from us to see, I'm sure pretty easy to see how many full permits there are, how many 225s there are, and is there a way to find out how many of those permits don't have any landings, say, in the past so many years or something like that? How hard would that be? I know the first two should be right on the internet and fairly easy, but the last one is the one I'm really curious about.

MR. WAUGH: The last part is going to be tricky to document landings to the permit. We can see what we might have; but unless we have something already in the office, then we wouldn't be able to provide that for you at this meeting. It is certainly something that we could look into.

MS. MARHEFKA: Robert is saying he asked the same thing. I was wondering maybe if we can't have it at this meeting; could we formally request that. As Robert had said, he had made the suggestion of maybe how many with 100 pounds, how many with 500 pounds, it is like radiated out. That would be really great.

MR. ATACK: Yes, Gregg, I think we asked for that a couple three meetings back and I don't think we ever got it; but I think maybe if somebody has that information; it is not maybe up to date, but it would probably be close. It would be good to look at.

MR. WAUGH: We'll check it. Brian may have done something like that and Kari may have done something like that, too. We'll check and I will have an answer for you tomorrow morning.

MR. FEX: I think there was an analysis done about how many poundage vessels caught, how many were above 50,000 pounds and stuff like that. I think that is somewhere in the documents. I've seen it before.

MS. VON HARTEN: Yes, I think Brian Chevront might have done it from one of our other visioning workshops at some point in the last year, so I will see if I can dig that up.

MR. HUDSON: Yes; one of the things that I've been trying to promote for several years now is the elimination of the two-for-one. When that amendment started that, it wound up being several thousand permits. In a lot of cases we had quotas on nothing. Now you've got 500 unlimited, roughly speaking. You've got 100 225 permits out there.

The idea of subregional, whether it is just down to the state as a for instance, you could probably look at those numbers for those active permits by state. But when you go into Coral Amendment 8 – the last version I think was November of 2014 or something like that – you can break down to the county every permit that is owned. Where we had scores of bandit boats back in the seventies, before there were permits in Volusia County, we have 16 snapper grouper permits unlimited right now.

Those are held in part by charterboats, so we really have no serious fleet. In fact, a lot of our fishing community fish houses are no longer in existence and are now private facilities. I am certain that is happening in a lot of places. We've got to get rid of the two-for-one I think up front before you go into any of these other choices, because otherwise you are going to wind up marginalizing some people pretty seriously by region.

MR. BUFF: I agree with Rusty; me and Jack talked about this a lot in the last couple months. The fish houses in this industry and the traditional boat is going by the wayside. It is like he said earlier, these day boats, we all have one of them or some of us do and the day boats don't catch the fish that the traditional boats catch.

The traditional boats are going by the wayside. I think you said your name was Charlie. As he said, we're losing all of our good crew members and our captains because our system is broke. We can all set here and split hairs and look at these boards and charts and make decisions, but at the end of the day there is not enough fish to run all these boats.

And the people that are vested in it; I've been in this business since '99. I've been really fortunate; I own six of these boats. They are mine; they belong to me. The permits belong to me. Back to whoever said it a while ago, I've never been on one of them but I own every one of them and I'm at that fish house every day.

Somebody has got to manage what is going on and make it all operate and get rid of the fish and so on. But our system is broke; and it don't matter who you talk to, the people that operate these things, unless they have another source of income; these guys are going to the construction or they're going to do something else because they can't survive on working seven, eight, nine, ten days for \$75.00 or \$80.00. It happens every single day.

It don't matter what state you're in, it don't matter where you're at, what boat it is. The bottom line is still the same and there is not enough income for them guys to fish that boat all year round. That is why I think that if we could get our trip limits down a little bit, we might could stretch that out a little bit more and make that more close to a 10-month season.

I know nobody wants to hear the trip limits being smaller; but at the end of the day if we could have that last a little longer and keep the guys more happy that are running the boats; and at some point in time guys we're either going to have to decide – I've got big boats and small boats.

At some point in time we're going to have to decide which side of the tracks we're going to get on or we're all going to die slowly and we're dying slowly now. Until we correct that and figure out which direction we're going to take, I agree with them 100 percent. Until we figure out how many boats that this will sustain and we figure out the direction that we're going to go with the size of the boats that are going to operate it; the permit stacking, the catch shares, all of that stuff is irrelevant. The same amount of fish is there to catch no matter how you catch them. At the end of the day, we need to figure out the direction to go and fix the system before we split the other hairs.

MR. HUDSON: One thing I should have mentioned is that since 2011, when the ACLs were mandated by Magnuson, all these quota ACL situations are driven by science. We're supposed

to be a science-driven thing. Unfortunately, it's a snail's pace that we're working at. It takes a year and a half generally just to do a full benchmark assessment. It takes another year and a half for an amendment. 2011 wasn't that long ago. If you get at an important fish in the queue with the science, it is three years before we can even see a change in any of these allocations.

Whether it is a recreational allocation or a commercial, that science is extremely important to us. Unfortunately, NMFS cannot keep up; the state of Florida can't keep up. It is that many fish down here in the southeast. How we change it; I mean we've tried and we have actually established some industry science and stuff like that.

There are some fish that are extremely important to the recreational that they should somehow be able to step up and help NMFS and help the state of Florida and North Carolina and everybody in between accomplish this; because if we don't have the science, we cannot increase the quotas. It is just that simple.

MR. STIGLITZ: I made a comment a little bit ago about leasing. If you own the boat and you own the permit, I don't think you need to be on it. That is what I meant, and maybe I was misunderstood by what I said; but the people that own just a permit and say, here, lease my permit and he can lease it to any Tom, Dick and Harry; I am against that.

But if you own the boat, you own the boat and you own the permit; I don't care who you put on it, it's yours. You can do as you danged well please with it. But just because these investors own a permit, that is what I'm against; and if I was misunderstood, I am sorry about that.

MR. FEX: I want to make a point to Scott about your trip limits. I understand trip limits downsizing might be a good idea to extend the fishery; but the problem we do have is the majority of the boats are one-day boats. The analysis shows that 1.5 day average, so a majority of the fishery is done by one-day boats.

Even if we did drop the vermilion trip limit lower, they could still go out there in the one day and catch 500 pounds of B-liners and then they could the next day and the next day. It is a good idea and I've heard one of the other guys say that last time at the AP meeting; but that also hurts me, because I am losing my profitability on my trips. I am in the same boat you are, our boats are about the same size; so even downsizing the trip limit you think would extend the season, but it might not just because of the trip limit being so small. I just make that point.

MR. BUFF: Back to what you just said; I think that it would slow that process down a little bit if we cut the trip limits to 750. That would slow that; it would gain 25 percent. The reason there are so many of those day boats is because of that trip limit; they can run out there and do it in a day. If we slowed that down, we have all created that.

They are just taking advantage. It is not their fault. We have created the situation and they are making 100 percent of it; but if we cut that back 25 percent even with the triggerfish, it would last, and we only need a little bit to gain a couple more months. It would take a lot of pressure off the grouper fishery as well.

MR. COX: I'm in my last year of my first term, I should say. I can tell you from being a council member, one of the frustrating things is how long it takes to get an amendment in place and

actually be fishing and get it working on the water for us. I know one of the first things that I wanted to see us do, and you guys did, too, is do something with the Almaco trip limit; and we still are not there yet. That is what is so frustrating.

But to Scott's point and Rusty's point about how long it takes to get things done as smaller trip limits; I think what we're going to have to do really is take these pilot programs or work under existing fishing permits that can be put in place pretty quick and try different things. We need to stay all open minded and look and try to figure out what works and then take that back to the council.

We really shouldn't beat up one idea over another idea until we have an opportunity to get some of the stakeholders to try some things and kind of take these things. You could take a group of your multiday boats like we're talking about, traditional snapper grouper boats, and have those guys in this room right here. I really think that they could put their heads together and come up with something and go through an exempted fishing permit process and come out with something good.

It could be working within a year under that program. It would only last for two to three years, but I think that is what we're going to have to do is try these things; because like Scott said, time is of the essence. We don't have three, five, six years to get an amendment in place and try something that may not work.

As you go through scoping and public comment and you get beat up on all these things by possibly people that don't have stake in that particular business or that fishery; so we have to identify who these stakeholders are and how they would like to see the fishery managed and moved forward.

MR. BUFF: I agree with Jack, until we try some stuff, whether it be right or wrong, we know where we're at is wrong because we're all starving to death. Just like with me, if I've got six boats and I want to donate one or Jack has got four or Johnny has got three and we want to donate one of those boats to a pilot program; I think that between the people; that if that was offered to five or six people – let's don't call it catch shares – let's have a pilot program to where we try to figure out something that might work better for everybody else, and let five or six boat owners that have multiple boats that want to put their boat into that and donate it to that pilot program.

I think we need to try something. We're just dying a slow death where we're at today. Everybody sitting at this table knows what I'm talking about that is in my business. Until we try something – and like Rusty said, when we do the science and the studies and to get something changed, and like Jack said, it takes three years; we don't have three to five years.

We've gone three to five years past broke already. It is broke. We need help and we need help now, and that is one of the worse parts for me is just watching what goes on with the people that operate these boats and that work on the boats and watching them lose their house or they don't have a car or they're living on the boat.

They don't have three to five years, they need something now. It takes too long. Also, while we're on the subject, the B-liners are one of the biggest parts of our fishery. There is no reason

why that fishery ought to go five years without having an assessment. It is one of the most important parts of our fishery, and I think that ought to be done more often than five years.

MS. VON HARTEN: Okay, so you have your homework assignment and we will revisit this again in the morning. I think before we break, Gregg wants to make an announcement.

MR. WAUGH: Yes, I just started to look for some of that material; and there were a couple of documents I will send to you in a few minutes so you can look at it overnight. It will have the poundage landed by groups of vessels. There will also be something that is called the potential optimum yield. This was presented during our visioning workshop.

That looks at what available yield might be there when everything is rebuilt. We'll send that to you; and we can answer some questions tomorrow if you have a chance to look at that. Also, since we're webinaring our AP meetings now, any AP members that are not here, they can sign in and participate.

They can raise their hand just like on one of our other webinars and we can have them comment and even vote. I am going to send that around in the e-mail as well. If you talk to any other AP members that aren't here, let them know that if they sign in tomorrow we can accommodate them having their input during the meeting and voting. Thanks.

MR. ATACK: Okay, so what we'll do is recess for today and we'll start tomorrow at 9:00 a.m. sharp. Thank you.

The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council reconvened in the Crowne Plaza Hotel, North Charleston, South Carolina, Wednesday morning, November 4, 2015, and was called to order at 9:00 o'clock a.m. by Chairman Jim Atack.

MR. ATACK: Good morning, everybody. We're going to try and get started here. Hopefully everybody did their homework last night. Amber is ready to rock and roll on this.

MS. VON HARTEN: Yes, I would just like to hear what you guys are thinking about some of these approaches and some of the ideas under those approaches, pros/cons. We don't want to do like any formal recommendations where you are like voting. We're just having a discussion. Then also your thoughts on gathering input from folks in early 2016.

MR. JOHNSON: I gave the permit stacking some thought; and I'm not saying I support or not support, just some thoughts. Perhaps you could look at something like that and put a maximum number of permits that could be stacked, which I would say a maximum of two added to one. I am trying to look at it still achieving the two-for-one so we're eliminating permits.

Once you stack them, you're done, you can't unstack them. Say, example if I have a boat and I have a permit and then I have two additional permits; I could combine them with my existing permit; but the stipulation would be I wouldn't get the same value. Say, if B-liners, the trip limit is 1,000 pounds; for each additional permit I add to mine, I will only get 500 pounds.

My maximum allowed would be two basic trip limits for three permits. I've achieved the two-for-one; I've eliminated a permit. If I only had one permit, then I would be at 1,500 pounds, but

that would be the cap. You couldn't have somebody stack six or seven permits and get that. That is just one thought.

You could apply a control date to that if you wanted to, to keep somebody from going out and buying up a bunch of latent permits. I do feel like the latent permit issue needs to be attacked first. We need to look at these permits that are held that are not being used. I'm not trying to pick on anybody that did it as an investment.

I know in the Pacific they did a buyout. Maybe that is something that could happen in the South Atlantic, and that was shouldered by the users. They paid for it; the participants in the fishery got together and said this is what we want to do. We want to make our fishery more viable so we're going to buy some of these permits out that aren't being used. That is just a couple thoughts that I had.

MS. VON HARTEN: I meant to say Gregg sent around that information that you were asking about yesterday. Hopefully, that was kind of enlightening if you had a chance to look at that. Then also Vincent Banora, who is the gentlemen that was talking about permit stacking during the visioning input, he e-mailed you his visioning comments. That might have outlined a little bit more of what he was talking about if you had a chance to look at that.

MR. MUNDEN: I disagree with Robert relative to permit stacking. In North Carolina, years ago back in the eighties, the General Assembly allowed the summer flounder fishery to be a limited entry fishery; and to qualify for a limited entry summer flounder permit, you had to have certain landings over a time period.

Those permits were issued to individuals, but they are transferrable. We have one seafood dealer in North Carolina who procured as many summer flounder permits as he could get; the last time I talked with one of his representatives, more than a dozen. Instead of putting those permits on 12 different vessels, as was the intent of the General Assembly, he bought a super trawler and he wanted to stack all of those permits on that one trawler.

The vessel was too big to get into most North Carolina ports, so it would have to go to Virginia to offload his catch. If the North Carolina season is open, then that can be done, but the state of North Carolina has to transfer summer flounder to Virginia to offset those catches, because that will not penalize the Virginia fishermen. This is what could happen if you allow permit stacking. I mean this guy fully intended to put all the permits on one big vessel.

MR. JOHNSON: Just to that; that is why I was saying a maximum. In other words, you couldn't just go buy a bunch of them; you could only get two more. I am not saying I support it. I am just saying in conversations around the room yesterday afternoon, I was told keep an open mind, look at it, just give some thoughts to it; so that is what I'm doing.

MR. HUDSON: Just as an update, I looked at the SERO Website for the current permits for the unlimited. There are 553 out of which are valid, 522. On the 225 permits, 117 total and 106 that are currently valid. That total is 670 for the totals or 628 for the valid; that is over on the SERO Website.

MS. MARHEFKA: I spent a lot of time thinking about this last night and going over the information that Gregg provided. The first thing, I agree with Robert, there is a ton of latent effort; and I know we keep saying it, but I'm not going to shut up until we address it. That is what visioning should be about.

That is what we should be doing right now; and I just really hope that this AP can come together and make a very strong statement to the council to really look at latent effort. Because, what is going to happen now, if people are out there able to buy – some of these guys that have a thousand pounds aren't making enough money off of those permits.

But if someone can stack them, if someone could go buy them from that person, they could make a ton of money; and then the person who bought the permit, they only have to buy the permit. They don't have to buy a boat. It is such a low barrier of entry to catch more fish in the fishery. One of the things that we all I think are trying to achieve in the commercial fishery is have a year-round fishery.

Well, if there are guys out there with three or four permits that can rush out and do those trips, the fishery is going to be over in a very short period of time; and that only does a disservice to all of us. It disrupts our markets; it puts more guys out of business. I just think the whole idea of permit stacking in general is a very, very bad idea.

I think if you look at what they sent last night; I think we really need to have a discussion about what to do with these people. I was thinking the people who have less than 5,000 pounds of landing in the fishery, but I would be willing to go to the people who have less than 1,000 pounds. I think we need to address them.

Those are permits out there just waiting for something to happen. I would like to point out if anyone looked at this Table 2 that Gregg sent last night, where you're comparing sort of what each vessel could get, depending on the number of vessels in the fishery with the current ACL versus this POY, which is basically the potential if the fishery recovers; the POY is a huge number. I don't know that we'll ever reach it. I would love it if we did, it would be great.

But who are the people who should be able to reap the benefit if that happens; because my argument is the people who should reap the benefit if and when this fishery rebuilds and recovers are not the people who have been sitting on the sidelines collecting permits; but the guys like my husband who has been in this fishery since 1979, whose father was in this fishery before him, and those of us who have really paid the price over the years, been at the table, taken the hits and have survived, not some armchair person who is sitting around collecting permits.

I want to hear what the council wants for that. I want the council to sort of have the vision of who the participants in the fishery should be. I just really – and I know I'm going off, but it is a very passionate subject for me. I just really, really think that this advisory panel needs to strongly recommend that the council for once, after all these years, deal with these permits that are not being used. Then I just have one question really quick.

If you're looking at the Attachment 6C that we got last night with all the permits; for an example 2009, there were 783 permitted vessels but 936 vessels that landed snapper grouper species. There are 200 something vessels that are landings snapper grouper species without permits. Are

those like Mid-Atlantic people who don't have to – there are 200 extra vessels that are landing snapper grouper that do not have a South Atlantic permit. Then, also, are the golden tile endorsement and the black sea bass endorsement people included in these numbers? I'm off my soapbox.

MS. VON HARTEN: I'll have to check with Brian. Brian is the one that pulled this together, and I think we had some information about the discrepancies in the permits. I'll have to check back; Gregg is saying they're not from unpermitted vessels.

MR. WAUGH: My recollection is that has to do with when you determined how many permits are in place. The number shown, where you have number of permits; that is a static number at one point in time; that may be at the end of the year or the start of the year. We can get the complete explanation from Brian for you. But then when you look at the numbers that have landings; that could be permits that were active, that renewed after the date in which you got that first number. We raised this question before. It is not from unpermitted vessels.

MR. ATACK: Right; but as you go to like 2013, those numbers kind of match up, so like the difference – so it could be how the number of permits is kind of going away, there is a leading lag; you know what I mean?

MR. FEX: I just want to go through some of these things. If you look up here, one addresses subregional differences. As the AP, we've tried to get the Keys to have their own management; because as you know, they are a different group of people down there, specific quota-based management state-by-state stuff.

I made that question last time about those state-by-state allocations; and as Rob had said, Florida wouldn't get as much, because traditionally North Carolina and South Carolina had a bunch of the landings for snapper grouper. We discussed that staggered spawning closures. I'm fine with the four-month spawning closure. I've heard people from Florida are mad about it.

It was not designed to hurt anybody. It was designed to grasp the spawning of most of those groupers. I won't support any kind of staggering; because then it is just going to make effort shift as groupers open up the coast. Trip limit adjustments; back when we were talking about trip limits, I tried to get the AP to agree on some kind of rational trip limits because of historical landings.

My vessel historically lands 2,000 pounds a trip; maybe give the trip limit half of what they historically landed, so I would only get 1,000 pounds of B-liners. That kind of would give an idea to the people with the long vessels that spend multiday trips or the day boat that only catches 500 pounds in a day. That was something I tried to get the AP to agree on, but that was a big argument.

The license management; we've been looking to try to get the recreational fisherman on a license just to know who is fishing. We're looking at trying to get logbooks for the charter for-hire. A comment earlier was, well, then they'll really know what we're catching. Well, as I hear the general public say, well, man, there are so many fish out there, they really don't know what is going on. Well, if you have a logbook that says what is really going on, then there is your data that we all complained about. I just figured I would throw them around to you guys.



MR. BUFF: I would just like to say that I agree with Kerry that we need to have a direction that this is the visionary project. Everybody needs to have a direction that this is the way we're going to go at some point in time. We can kick the can down the road for years and years and years. The bottom line is we don't have enough fish to support the amount of boats and permits.

For all these people that sit on the sidelines until it recovers, why should they reap the benefits when we're here day to day trying to beat it out and try to make it work year after year? I agree with her 100 percent. I think in all this stuff we need a direction that we're going to go and we need to follow that direction to start with before we get all of this stuff.

This is kind of like getting the horse before the cart. I would also like to throw in some of the things that I would like to see is such as the sea bass fishery, which they're saying is recovering, is giving back some of the pot endorsements that were taken to the people that were participating in the pot fishery to start with.

As that stuff recovers, I think that there ought to be some stuff that is given back to the people that lost it that were using it and not just giving it out to everybody that wants one, but the people that actually missed it by two, three, four hundred pounds. I would also like to say that I would like to get rid of the recreational catch for the commercial boats. That is a huge, huge problem; and if the fishery is in such bad shape, why do we want to let these guys catch this fish?

Let's put that back in our stock and do away with it. It causes tremendous amount of problems for the boat owners and for the people that operate the boats at the fish house and for the captains on the boat; because they could try to control it as best they can, but you can put that back in your catch and not letting them take it. There ought to have to be one or the other.

MR. LORENZ: I wanted to just make a small comment on the recreational fishing stamp and license amendment. I wholeheartedly endorse it. One of the things the stamp and license will immediately do, of course, will generate some revenue for management with respect to recreational takes of the species.

It will also very obvious will tell you how many folks of us are out there recreationally fishing for these things. I think there is a third leg that is critically important to try to bake in and it would probably be under license management; and that is somehow bake in a way that when we have the license, you get the data on the catches.

In other words, try to bake in something in there that assures you get equivalently the MRIP data. That may be able to be done with the structure. What I had is that initially it could be higher price to get in. I'll use the example \$25.00 when you first get in. Of course, you give some of us – we get an identifying number or license.

In subsequent years to renew it, it could be considerably less; say \$5.00; but in order to do it, maybe when we renew you are asking for how many times we fished and you could do a check based on our number in the recording system on whether we actually did report our catch. If we haven't recorded it, we go back each time to the higher fee like we're starting over again.

If we have done our homework in recording, then we get to renew at the lower fee, and that would keep it from being considered punitive to compliant fishermen. One area where I might

worry about would be like with black sea bass, but you can deal with that. The permit I presume would be from three miles out. I would like to see that kind of thought baked in to use this not just for revenue and counting the numbers, but really a way to pressure folks like me to give you the data.

MR. ATACK: To add to that, I would have gear type. It would be good to have on that when they get the recreational license what kind of gear types they plan on using. When you go back into your surveys, you know which people to call for certain gear types. It would be good to have like a snapper grouper; and then if you're in the dolphin wahoo, it would be good to know that those people are participating in those fisheries.

MR. MUNDEN: I would like to go on record as saying that I totally support state-by-state shares of quotas. I will say that having worked in North Carolina with state shares and dealt with the other states, it is very doable but it is a lot of work. One of the things that is different with the Mid-Atlantic and the South Atlantic is that the Mid-Atlantic has a number of its fishery management plans that are joint or complementary plans with the Atlantic States Marine Fisheries Commission.

I don't see that on the South Atlantic particularly for snapper grouper; but the most difficult thing about state-by-state shares is determining what share each state gets. In the case of North Carolina with bluefish and summer flounder, the state shares were determined based on historical landings when the original FMPs went in place.

I was very much involved with the black sea bass changes in the state from NMFS management of black sea bass with ASMFC involved with the state management. The National Marine Fisheries Service finally said, okay, for black sea bass we'll set the quota or the amount that can be landed, so then the states can divide that up any way they want to.

What happened with black sea bass, we looked at historical landings and there was a lot of give and take. Three states, Virginia, Maryland and Massachusetts, I believe got 20 percent of the commercial quota. Then the other states got 7 percent; and there were three states that hardly any landings at all and they shared 1 percent. But it was given and take.

The good thing about state quota shares, you can transfer quota from state to state. I was involved with that many, many times for summer flounder landings. If a North Carolina vessel had summer flounder, our inlets were in such poor condition that the vessel could not safely navigate those vessels, we would allow them to land in Virginia, but then we had to transfer quota to them.

It has a lot of positives, but it takes a tremendous amount of effort on the part of the states, and also the National Marine Fisheries Service Regional Administrator has to be very supportive of the program. If NMFS doesn't go along with it, then we're wasting our time. I strongly encourage everybody to strongly consider state-by-state shares.

MS. MARHEFKA: It might be a dumb question, but is it based on where you land the fish and not where you catch the fish? In other words, like Mark will fish in North Carolina but always lands in South Carolina. Would he be fishing on just the South Carolina quota?

MR. MUNDEN: If the fish are caught in the EEZ, then they count against whatever state's quota that they're landed in. If it is in state waters, most of the Mid-Atlantic States now, particularly for summer flounder, have a state permit requirement. If a vessel from New Jersey is fishing in North Carolina during an open season, it can land in North Carolina if it has that permit. But, as I say, most states have an agreement where they can land in each other's states.

MR. FEX: Yes, Red, question to that; did you see a lot of effort shifts; so as one state was closed, did you see other vessels going into that other state that was opened? That would be a concern to me, because as we all look at managing our fisheries different, I noticed that if North Carolina was closed, could vessels come when North Carolina opened; you mean vice versa, because that would pretty much eliminate the rationale of trying to manage it state by state and thinking you could do better than the other states when in fact really you might not.

MR. MUNDEN: The answer is, yes, a lot of effort share. You have to keep in mind with the summer flounder fishery we're talking about generally trawlers 60 feet plus in length; and North Carolina vessels would fish all the way from North Carolina to the Gulf of Maine. But again the key there is whether or not those vessels had the permits, the state permits.

MR. HUDSON: Just as information, the Coral Amendment 8 with the tables on the breakdown of the states for snapper grouper permits by county; North Carolina in 2012 had 111 snapper grouper permits, South Carolina had 43, Georgia had 6 and Florida had 462 of which 217 were in Monroe County. I know those numbers have changed a little bit, but it would be great to update these tables from Coral Amendment 8.

MR. ATACK: Yes, but all that says is where the boat is registered. It doesn't really say where the boat is fishing. I know some of those Florida boats are fishing North Carolina, so that really doesn't give you that picture. But, really, it is a matter of I guess how far is that boat going to travel from the time it fishes to where it lands.

All the day boats would probably be landing the state they fished in. The multiday boats could be gone from one state to the next and shifting. Then you could have the fleet moving up the coast as Georgia closes or Florida closes. More boats could shift to a different state.

MR. HUDSON: Yes, we've historically seen that. I mean, Florida is mentioned in the source book of the South Atlantic Council from 1983 saying that in the seventies we fished from Florida all the way to North Carolina and back, yes, we did with bandit reels before there was ever bottom longline. At the same time, we have a transient mackerel fleet that follows the king mackerel around. Basically these permits are all the port of call where they are assigned; so wherever they are living and fishing, that is further analysis.

MR. COX: Red, I appreciate your insight into the state management because you've got so much experience and you've got a wealth of knowledge from that; and I see value in that as well and something to really help us get to a better place. I just had a few questions to ask you on some of that.

With our summer flounder fishery in North Carolina, can you recall – I'm just going to ask you these questions and then just let you answer about three of them. But in that summer flounder

fishery, how many years did it take for us to get that fishery in place, because we know time is of the essence in some of our fisheries here. We've got to get moving pretty fast.

The other question would be as you go through historical allocation, how do you keep – like Florida is going to have the lion's share of the fishery; how do you keep them from walking away with most of the, say, vermilion fishery, which would hurt the other states? Then as boats all flowed and one state catches its fish; how do you protect the other states from getting the impacts of the boats coming and fishing off of those grounds?

MR. MUNDEN: Again, with summer flounder, when the fishery management plan was initially put in place, based on historical landings North Carolina received 28 percent of the total commercial quota. Right now there is an effort underway primarily by the northern states, being New York and Connecticut, Massachusetts, and New Jersey; they are considering amending the FMP to change those quota share allocations, because it seems that the summer flounder stocks have been moving north and the fish are larger up there than they are in the southern part of the state due to their normal migration patterns.

A lot of our boats now, the North Carolina boats are having to fish off New Jersey and New York to go and catch their quota. Because they were specified in the FMP, the quota shares can be changed. With bluefish as an example, North Carolina gets 32 percent primarily because our fishermen worked the whole coast historically. When bluefish show up off of North Carolina, it is common for North Carolina to contact Virginia and ask for a quota transfer from Virginia to North Carolina because Virginia has rarely harvested its share of the bluefish quota.

Based on my recollection, the best way to try to keep one of the state's vessels from catching up all the quota is to not only look at trying to come to allocations that the states can agree to; so Florida may have to give up some of its quota in order for North Carolina and South Carolina to have enough quotas to work on. But with the state permit systems, that pretty much can limit who can come in and harvest the fish that are allocated to your state. If they have to land in your state, they can always fish in the EEZ and go to another state to land.

MR. COX: Do you recall how long it took to get the system in place, North Carolina, for summer flounder for state quota?

MR. MUNDEN: It was implemented I'm going to say in the late eighties or early nineties when the FMP was approved for summer flounder. That was one of the first FMPs that went in place for the Mid-Atlantic. Again, it was a complementary plan with ASMFC; and through ASMFC the states are more obligated to work together than when the Feds are calling the shots as to who catches the fish.

MR. COX: I just recall it seems like it was some time back in the eighties when we went through summer flounder allocations and it seems like it took a long time. I can't remember how long, but I remember just a lot of going back and forth. It seems like it almost took eight or nine years to get that program in place; does that sound right?

MR. MUNDEN: That is true, because they looked at a number of different options; and a lot of the northern states claimed that they didn't have good records and North Carolina had good records. A lot of our quota – and I'm talking summer flounder – resulted from the North

Carolina vessels landing up north. At that time, we made the quota shares for a lot of the northern states, because they didn't have the vessels that were fishing on summer flounder like our guys were. They were decimating cod and haddock at the time.

MR. BUFF: It has been a while since Michelle pulled this, but somebody in here has got it. I had her pull a five-year view of the vermilion and what state they were caught in about a year ago. You would be really surprised; it is not that much difference from state to state. I am sure Florida is going to be higher than what it was then. I was really surprised at how close it was. Somebody in here has got that, I'm sure, but you could pull it up and it had a five-year state by state on what state caught how many pounds; and I was really surprised how close it was.

MS. VON HARTEN: Again, this is great discussion and these are all the details that would need to be worked out through the amendment process. If you have any last thoughts about any of these approaches and then also any thoughts on once the council is ready to kind of take some of these ideas to the public, how we should do that, I would appreciate any comments on that.

What do you think about some kind of survey that would propose some of these example ideas to the public? Would that be useful, whether it was online? That is one of the things that have been thrown around, a web-based survey, something that is mailed to permits. One thing that we need to ensure is that we're reaching all of the stakeholders in the fishery and not just the commercial sector.

MR. FEX: I think it depends on what you're trying to regulate. I would hope that maybe you are trying to regulate the commercial guys, get their ideas, and maybe send it to permit holders. I wouldn't want the recreational to regulate me or vice versa. If you want to get the commercials, I would send it to permit holders, because they're the ones vested in it financially and commercially.

MR. ATACK: Then I guess if you're doing the recreational side, you would definitely send it to all the for-hire, the snapper grouper for-hire permits plus the recreational sector itself, right?

MS. VON HARTEN: Well, and that is the challenge is how to reach them.

MR. LORENZ: One area might be to just go through and get all the various large well-known advocacy organizations, the RFA, the CCA and things like that. You may even just reach out sending a little bit of this information to certain publications. George Poveromo down with Saltwater Sportsmen could just do a tremendous thing if you just got that out on one little blog editorial for you and mentioned a comment.

Then a long referencing probably your website that will have a survey that they can go to and complete; and then banking off what Kenny said, maybe if there is some type of public outreach in each state at an appropriate time in a good area, hold a session specifically for the recreational community particularly with respect to the license. You might want to do that and how it is received and you can sell it a little better. Then again with the other comments, the real important thing impressing upon them is you also want to get data from us.

MR. ATACK: Okay, I think we're moving into Regulatory Amendment 25.

MS. BROUWER: There were two versions of this document sent out. The first summary was not very complete at the time I sent it. I was still putting together and gathering some more information, so I'm going to walk you through the document that is dated October 30<sup>th</sup>; and it is the public hearing summary for this amendment.

That one includes a lot more information than the previous version. Again to orient you to what is included in here, there are actions addressing blueline tilefish; and this arose as a result of a new ABC recommendation for the stock. The SSC got together in September, right before the council meeting, and issued a different ABC recommendation than what is currently in place that was implemented back in March of this year.

The council needs to take action to adopt that recommendation and then adjust the ACLs based on that accordingly. Then they are also considering management measures to go along with that. There are a couple of actions dealing with yellowtail snapper. This is something that the AP had recommended a couple meetings ago.

I believe it was Richard that brought it up and the AP made a motion that was approved to look at changing the fishing year particularly for the commercial sector so that if there is a closure of that fishery resulting from the landings reaching the commercial ACL; that it would coincide with the spawning season for yellowtail, which also happens to be when the price per pound for yellowtail is lowest. That would benefit the fish and the fishermen.

The council is taking action in this amendment to look at how to go about implementing that and changing the fishing year. Another thing they're doing is there is some interest in managing yellowtail jointly under a joint ACL with the Gulf. Now the Gulf of Mexico Council does not have sector ACLs for their fisheries, at least not for yellowtail.

They would have to take action to put in place a commercial ACL for yellowtail before we could look at how to adjust the accountability measures so that there would only be an in-season closure when the total ACL, meaning the ACL for the South Atlantic and the Gulf combined was reached. We'll talk about that in this amendment, too.

Then there is, of course, an action dealing with possibly increasing the bag limit for black sea bass. This table here shows you what is currently in place for blueline tilefish. If the council did not take action, the ABC that would go into place in 2016 is 53,457 pounds, split about halfway between the two sectors.

The SSC recommended setting the ABC at the equilibrium yield at 75 percent of Fmsy, which is 225,100 pounds. That is a good bit of an increase from what is currently in place. Action 1 looks at adopting that ABC. This ABC, however, is for the entire U.S. East Coast for blueline. It spans the range of the species along the east coast.

What the council is looking at doing is setting an ABC just for the South Atlantic by diminishing it by the appropriate percentage to account for landings north of the council's area of jurisdiction. That is what the alternatives here show you. That 224,100 pounds is what we're calling the stock ABC. In the South Atlantic, based on the ratio of landings between our region and the Greater Atlantic Region, so north of North Carolina/Virginia Border that is how these alternatives were developed. We looked at landings over a range of years.

For Alternative 2 you would keep what is currently in place, which is the ACL is 98 percent of the ABC. Of course, we would replace that ABC with a new recommendation, and I'll show you the numbers for this in just a second. Alternative 3 would set the ACL at 96 percent of the stock ABC; and that is based on the ratio of landings between the two regions for 2005 through 2010.

Alternative 4 looks at 93 percent based on landings between '05 and 2013; Alternative 4, 89; Alternative 6, 88; and Alternative 7, 78 percent. This is the range that the council requested that we analyze. I've already showed you that so here is what the numbers would look like. Okay, so along the row where it says total ACL, it has been stepped down by the appropriate amount by alternative; then you apply the sector allocations, which would not change.

Then we would have to recalculate that recreational ACT. Again, the formula would not change, just the numbers. Currently the council does not have a preferred for this action. I should tell you that Regulatory Amendment 25, we got guidance from the council to develop the amendment in September; and they want to go ahead and approve it for final review in December.

It is moving quite quickly; you are not going to see this one again. This is the only time you are going to get to see it. We had a question-and-answer webinar on Monday night. We're going to have public hearings via webinar and comment stations on November 9th and November 12th and then another public hearing during the December council meeting in Atlantic Beach. Then the council will vote it up to send it to the Secretary at that meeting.

Some more info here for you; here is the annual commercial landings of blueline for the South Atlantic between '05 and 2014. You can see that in 2011 the landings dipped down, and that is because of the 240-foot closure that prohibited harvest of the six deepwater species, including blueline tilefish. That closure then went away in 2012 so the landings go back up.

This one is kind of interesting because it shows you how the fishery for blueline tilefish responds to snowy grouper and how the landings are related to those of snowy. Then here is by year, the annual commercial landings by month for those four years. Recall that blueline tilefish was part of the deepwater complex until March of this year.

That is because prior to SEDAR 32 there was no stock assessment for that stock. The council has these various complexes with many species included and blueline was included in the deepwater complex. When it became an assessed species, it was removed. Then here is what the recreational landings look like in the South Atlantic and 2015, of course, is very preliminary.

All of the proposed alternatives under this action, of course, would increase the ACLs. Then this shows you the expected increase in the value for that fishery under each of the alternatives. Of course, Alternative 2 is the one that would have the highest value, because it is the highest ACL of the alternatives that they're considering.

The Mid-Atlantic Council is moving forward with their own amendment. Their plan is to include blueline tilefish in their management unit because currently it isn't managed in the Mid-Atlantic. They are going to incorporate it under their Golden Tilefish Fishery Management Plan, so they are moving forward to do that. There are also underway genetic studies to try to sort out the structure of that stock to see if there are two different stocks that could be managed

separately. The results of those studies, at least one of them will be presented to the council at the December meeting so we'll have a little bit more information about that. That is Action 1.

MR. ATACK: Myra, can we go back up to the Alternatives 2 through 7. In looking at it, I guess I was wondering what was the rationale for the range of alternatives? It looks like you got different years, like one is '05 to '10; '05 to '13; '11 to '13; '05 to '14; '11 to '14 and then the different percentages, which none of them are even numbers. They kind of jump from 93 to 89 to 88 to 78, so is there any rationale for how they came up with these alternatives?

MS. BROUWER: Well, the council wanted to have the full range of options. There are issues with some of these years. For example, 2011 is when the closure was in place; so they may not want to include that year in the percentage. For example, Alternative 5 includes it. I see Mike coming to the table. He is the one that actually came up with these percentages. He can probably explain it better.

DR. ERRIGO: Yes, there is a reason for each of the alternatives. If you look at the landings' streams from the Mid-Atlantic and the South Atlantic for blueline over these years, there are a lot of different changes that goes on. Before a certain year, the for-hire VTRs start in a certain year in the Mid-Atlantic. The landings for the recreational sector up there are higher, because we have more data. That is the rationale for one of the breaks.

The other one is the ramp-up in the commercial sector in North Carolina happens around '07ish or '06ish. That is another one. They wanted to see what if we did it before the ramp-up, after the ramp-up, with 2011, without 2011. If we included 2014, which is when we put in a very restrictive ACL, and so a lot of the boats that typically would land in North Carolina started landing in the Mid-Atlantic.

Because they didn't have any restrictions on landing blueline tilefish up there, their landings went up by like an order of magnitude in 2014; but that was an artifact of the fact that we had a very, very low ACL. What happens if we included 2014, if we didn't include 2014; that is why there is a very large range of weird years in here. It is a very dynamic time period for landings for blueline tilefish in both the Mid-Atlantic and the South Atlantic.

MR. FEX: Yes, and to that point; aren't they under an emergency rule that closed them, so now no longer are blueline being landed in Virginia waters?

DR. ERRIGO: Now they are under an emergency rule in 2015. They can still land blueline, but they have a very restrictive commercial trip limit. I think it is a 300 pound trip limit for the commercial sector; and they have a 7 fish per person bag limit in the recreational, which is actually quite a bit larger than what we had in place originally for blueline. They are tending towards a more recreational fishery than we originally had been managing for here.

MR. MUNDEN: It is my understanding that the Mid-Atlantic has acted to include blueline tilefish in a Golden Tilefish FMP; but like any plan amendment, that is going to take time. The Mid-Atlantic decided to go ahead and address blueline tilefish landings primarily because of the North Carolina fishermen who were landing in the Mid-Atlantic to avoid the South Atlantic restrictions.



MR. ATACK: I guess if we want to give them a preferred; if not, we can move on to the next item.

MR. PILAND: Is there any reason that we would not want to use the 98 percent, Number 2? **I'll make a motion to use preferred being Alternative 2.**

MR. JOHNSON: I'll second.

MR. ATACK: Any discussion?

MR. WAUGH: Just for you to have this information because the council will be talking about this, the Mid-Atlantic has to come up with an ACL for their area. What we're doing is we're taking the high road and using the ABC that comes from the coast-wide stock assessment. We will select a portion of that for our council area ACL.

The council is going to finish this and submit it in December. That will be under review by NMFS. Then as the Mid-Atlantic continues to work on their amendment, they have to set an ACL for their area. One option for them is to use the remaining portion from the coast-wide stock assessment.

Another would be to come up with a totally different way of estimating their ACL until there is another stock assessment. One argument for using some of these lower percentages is that would leave more on the table then and make it more likely that the Mid-Atlantic would select as their ACL the remaining portion of the stock ABC.

I'm not trying to say this to make you change your position, but just so you understand that is some of the discussion and weighting that the council is going to do in December. The more we take for the South Atlantic ACL; it is less likely that the Mid-Atlantic will stay within the ABC from the stock assessment. I just wanted you to have that understanding. That is something the council will be weighing in December.

MR. ATACK: All right, if there is no other discussion I guess we can vote on the motion. **All in favor of the motion raise your hand; all opposed raise your hand. I think 8 for and 1 opposed, the motion carries.** Jimmy, did you want to vote on this? You just need to unmute and then maybe you can talk. Then Action 2 will be revise the commercial trip limit for blueline tilefish; what we're going to talk about now.

MS. BROUWER: Action 2 looks at commercial trip limits. This is the same range of alternatives that the council considered when they were developing Amendment 32. Currently what's in place is a 100 pounds gutted weight trip limit. They have Alternatives 2 and 3, which look at 200 and 300 pounds gutted weight.

This table here shows you the number of trips and the percentage of trips of blueline tilefish landings by gutted weight in 2010 through 2014. There was an average of 543 trips that 33 percent of those trips had blueline tilefish. Then this one looks at the number of vessels by most pounds landed of blueline tilefish. This table here includes the revenue information for those trips; your average price per pound for blueline, \$2.47. Then here is the percentage of trips, a projected increase in harvest under those proposed trip limits.

There is a wider range here. These are analysis that were conducted more in developing Amendment 32 and that just got updated. That shows you the percent increase in commercial harvest for each of those. Now, it doesn't look like any of the alternatives for the trip limit action is going to make the landings come close to the ACL.

The ACL will get adjusted based on the alternatives under Action 1; but under the current trip limits, none of those trip limits are going to cause the entire ACL to be landed. This table shows you the average number of trips that were below the poundage for each of the alternatives and the percentage that was above.

For Alternative 1, for example over here we had 64 percent of trips that took place between 2010 and 2014 that landed below that amount; 36 percent were above. For Alternative 2, 74 percent were below; and for Alternative 3, 77 percent were below. That sort of gives you a frame of reference.

Then finally we have this other table that shows you based on the proposed Action 1 alternatives and the various poundages how many more additional trips could be taken. Under Alternative 1, if we stay at the 100 pound trip limit; under Action 2, Alternative 1 meaning we keep the ACL that is currently in place; that 35,000 pound total ACL.

Then we would still have 17,826 pounds left, which could allow an additional 178 trips. That is how you read this table. It needs to be adjusted a little bit. I think Brian Chevront put this together and he was saying the other day that he used whole weight instead of gutted weight, so the numbers are going to change slightly; but still none of the trip limit alternatives are going to get you close to meeting any of the ACLs. That is what I've got for Action 2.

MR. FEX: It kind of concerns me if we've got trip limits so low that they are not even going to meet the ACL. Originally I thought the blueline tile up there off Hatteras was a longline fishery, I thought. I feel bad for them if the trip limit is going to be 300 pounds, because that is really not hitting on anything. Just figured I'd make that comment.

MS. BROUWER: Yes, keep in mind though that it is currently 100 pounds. It has turned more into a bycatch fishery. I should also mention that these changes would be temporary pending an assessment of the blueline tilefish stock. I don't know if I mentioned that; but there is an assessment coming up.

The council would get the results of that stock assessment in June of 2017. Hopefully, that assessment will include more information on landings, will include whatever genetic information we have. If there are two stocks of blueline and we can split them out and manage just the blueline in the South Atlantic separate from the Mid-Atlantic; that would be a good thing. All those things are sort of in flux and that is why it is kind of difficult for the council at this point.

MR. ATACK: And the other thing to keep in mind when you look at this, this is just based on historical landings with the 100 pound trip limit in place. If there is a 300 pound trip limit, then other people may make trips that aren't now targeting those. It is not given that you're only going to land one-third of the ACL if you go to a 300 pound trip limit.

MR. JOHNSON: Why weren't there any other alternatives looked at? This fishery; my understanding is it is conducted at extreme ends of the EEZ, basically South Florida and North Carolina. There is not a whole lot of effort in a lot of other places for blueline tilefish. That is where I think the majority are being caught. I don't know if you have a bunch of boats jumping into the fishery. Why didn't they just run some numbers on 400 and 500 pounds to see what that did to the ACL?

MS. BROUWER: I can't really speak for the council; but my feeling is that the stock assessment results showed that there is overfishing going on; that they need to take steps towards ending overfishing. They just simply said let's analyze what was done for Amendment 32 and see how that would play out. They didn't give us any direction to increase the trip limit alternatives. They didn't think that was necessary. There are council members present; they could probably provide a rational better than me.

MR. BUFF: If we're not going to reach the ACL at 300, why can we not set it at 300 if we're not going to reach the ACL? For us, for where we're at, the golden tile and the blueline all go together. It would be really nice to have that 300 pound; that would give you an 800 pound trip. It is really hard to go and catch just 100 pounds of those fish, because you've got to go so far to catch them. It is not really worth the trip. It was the same thing with the snowies. Unless you could go do it all together, it is not worth making that trip; so just food for thought.

MR. ATACK: Yes, so you could make the motion for the council to make that their preferred option.

MR. BUFF: I make a motion we go with the 300 pound trip limit.

AP MEMBER: I'll second.

MR. ATACK: Any other discussion on that? Okay, I'll go ahead and read the motion then. **The motion is recommend Alternative 3, the 300 pound commercial trip limit under Action 2, as the preferred alternative. All in favor of the motion raise your hand; anybody opposed raise your hand. Unanimous approved, thank you.** The next one will be looking at the bag limit for blueline tilefish.

MS. BROUWER: Okay, Action 3 then looks at adjusting management measures for the recreational sector. Currently the recreational bag limit for blueline is one per vessel per day during May through August; and it is within the aggregate bag limit. You can see what the aggregate species are there.

Then the council gave us guidance to also analyze a one fish per person per day year round, one fish per vessel per day year round, and one fish per person per day May through August. These are what the alternatives are for the bag limit. Here is the number of blueline tilefish harvested in March and April and May/June.

Then here we have some preliminary – if I make this any smaller, you probably can't see it, but it doesn't all fit on the page. It's a long table. You have for each of the sectors the percent of trips with blueline, the percent of trips that discarded blueline. This was done for years 2010 through 2014. Then down here you have the percent, the expected percent reduction in harvest

by sector for each of the alternatives. Now this analysis is looking at your three fish bag limit as your baseline.

That was done because the one fish per vessel per day May through August went into place in March of this year. By that time, the recreational landings were already above the recreational ACL, but the fishery remained open at that three fish bag limit. Then it went down to the one fish per vessel per day in May and it closed in June.

There was never really a time where we could go back and look at what that one fish per vessel per day between May and August did. That is what this analysis is based on. Then you can see that the reduction in harvest. For example, under Alternative 2, one per person per day year round would be 53 percent. We're looking at the average without 2011, because that is when the deepwater closure took place. That is how you interpret this table.

MR. ATACK: What will the recreational ACL be if we go with the new ACL increase?

MS. BROUWER: Okay, so then you go back to the table under Action 1. If the council goes with your suggested preferred, which is Alternative 2, your recreational ACL would be 109,655 pounds whole weight.

MR. ATACK: The target is 69,000, right, the ACT?

MS. BROUWER: Right; but the ACT, as I said yesterday, there is no management measures that are tied to that target at this point.

MR. JOHNSON: Wouldn't we want to have the season sort of mirror the snowy. I mean these are comingling stocks; and if we're going to have a two-month or whatever the snowy season is, wouldn't it just make sort of common sense to have blueline open at the same time and then close at the same time; because if not, you're going to have a lot of dead discards. I don't know what number we need to pick to get the biggest bang to the recreational angler for that season, but I think that is where we need to look.

MR. ATACK: Yes, and I would think we would want to have not a one fish per vessel because then you have a lot of discard. If we can have one fish per person and then have that season and then what do those numbers look like as far what percent of the ACL do you think they'll hit? I don't know if I see that in here with the newer ACL.

MS. BROUWER: Those percentages are shown under Alternative 4. You look at this column here for charterboat; it would be an 89 percent reduction in harvest based on the average landings between 2010 and 2014. For private under Alternative 4, it would be a 63 percent reduction. For headboat it would be a 75 percent reduction in harvest, and that is based on the – I'm not sure which ACL that is based on.

MR. ATACK: That is percent reduction; but how does that equate to hitting the ACL? Are we going to blow through the ACL or are we going to leave 90 percent of it out there?

MR. JOHNSON: Does reduction mean we're not even coming close to the ACL; is that what I understand?

MS. BROUWER: I'm going to let Chip explain, because he prepared this table for us.

MR. COLLIER: You are right; I should include what percent of the ACL it was going to reach. I was looking at the percent reduction due to the management measures from the average harvest of 2010 to 2014. We'll get that put in there. But if you are looking at a 50 percent reduction in 2014, it was 90,000 pounds; so at that point you would be looking at a 40,000 pound harvest for the recreational fishermen.

MR. ATACK: But our ACL is going to be 106, right, if we go with the alternative that we're looking at.

MR. COLLIER: Well, the ACL is going to be one of the alternatives that were listed in Action 1.

MR. ATACK: Right; if the preferred is 106, then you wouldn't need a 50 percent reduction to stay within the ACL, right? You wouldn't need any reduction to stay within the ACL, right?

MR. COLLIER: That is correct.

MR. ATACK: If we go with one fish per person per day or per trip, then I think your landings will be 50,000 pounds for the three months?

MR. COLLIER: That is what the numbers tell us. This is a deepwater recreational fishery that basically is a rare-event species. It is not seen all that often. You have to take the analysis as well as the data that it's based on. You guys have to use some judgment on that.

MS. BROUWER: I just want to make sure that I touch on what Robert brought up. The council, during their visioning process, has talked about how it is important – and stakeholders have also brought this up how it is important that there be a season for deepwater species and that co-occurring species be managed together. That is the rationale for why the council went with the one per vessel per day May through August, because that is what is in place for snowy that just got put in under Regulatory Amendment 20.

MR. PILAND: If I understood the numbers right, we could have two fish per person per day and still be under the ACL. Did I understand that right?

MR. COLLIER: I didn't analyze two fish per person. You can't just automatically count if they had one fish and then increase from there. You would have to look at the actual catches on the trips and determine how many of the trips had actually two fish on there; because if they only caught one fish per person, we don't want to give them two fish because that would be a change in behavior.

If they were out on a trip normally, because at this point they had a three fish bag limit and they went out there and they only caught one fish per person, we don't want to automatically assume that they would get two fish per person. What we would want to do is look at the discards or some other factor in there since they were able to catch three fish at that time point. It is very confusing because management has changed and we haven't been able to analyze the data based

on the current management, which is one fish per person. We could talk offline and I can give you a much better explanation; but working through it here is going to be a little difficult.

MR. BRAME: I would just further amplify what Chip said. I've looked at the PSEs on these landings and they are 40, 50, and 60 percent. Just to understand that, if it says you landed 100,000 pounds and you have a PSE of 50; that means we're 95 percent certain that the landings are between 0 and 200,000 pounds. That is the level of precision that we have here. Trying to bump up right against the ACL is not the smartest thing to do here.

MR. ATACK: I wasn't really recommending that. I was just trying to understand where we were versus the ACL.

MR. JOHNSON: To that point; the other concern that I have is if we set that bag limit too high on blueline tilefish and we have a one fish per vessel snowy limit, people are going to fish to catch their limit of whatever and they're going to be throwing back all these snowies, because in a lot of places they are comingling, I know there are some places I think in North Carolina they catch just blueline; but in Florida you're going to catch a half a dozen snowies probably for one blueline in my area. It wouldn't be a viable fishery.

MR. ATACK: Okay, does anybody want to make a recommendation on the preferred alternative for this action?

MR. JOHNSON: I'll make a motion. You would have to put them back up there, but I want the timeframe and the limit to mirror the snowy season and then I would just go with probably one per person I guess per day.

MS. BROUWER: Alternative 4?

MR. JOHNSON: Right, Alternative 4.

MR. ATACK: Kenny seconds it. I'll read the motion. **It is recommend Alternative 4 under Action 3 as preferred, which is basically establishing a one fish per person per day May through August for the blueline tile and prohibit retention the rest of the year. All in favor of the motion raise your hand; all opposed raise your hand. Motion carries unanimous.** Now we'll look at the recreational bag limit for black sea bass is the next action, I guess.

MS. BROUWER: Action 4 looks at increasing the bag limit for black sea bass. These are the same alternatives that you guys saw last time; and remember you had made a recommendation to the council of a seven fish per person per day bag limit, which is Alternative 3. They have not yet picked a preferred; and we do have some preliminary analyses besides what is currently in the document.

Mike Errigo is going to come up here and walk you through that to explain to you how this was analyzed. Here are some preliminary statistics just to show you – this is the recreational catch for all modes and all areas and then the percent harvested, which you can see the average percent harvested was just under 10 percent. That tells you the level of discarding that is currently happening in the fishery. Here is a breakdown of numbers of black sea bass harvested by state. Here are your averages and then you've got the states across the top.

The majority, of course, are coming from Florida. Then here is the percent of private and charter trips that harvested black sea bass that harvested the bag limit, the percent of trips that hit the bag limit, the percent of trips that did not by mode. Then here is the same information for headboat. Some of this information will be repeated when Mike gets up here and does his presentation. You can see over here that there is a lot of discarding going on. You want to go ahead and do your thing? Okay, I'm going to turn it over to Mike.

DR. ERRIGO: I figured it would be easier just to walk you guys through this this way and hopefully answer most of your questions in a little short presentation of how we went through this bag limit. I looked at data from 2013 and 2014, which is after the new intercept survey was implemented.

MRIP changed the way they run their dockside intercept survey in 2013, starting in Wave 2, so that is why I chose 2013 and '14. Also, that is when the 13-inch minimum size limit was put into place. I analyzed the data from MRIP, which is the charter and the private vessel trips and also headboat data from the Southeast Region Headboat Survey.

If a trip did not reach the bag limit, it was assumed that all the black sea bass that were discarded on that trip were below the size limit. Otherwise, they would have most likely retained those black sea bass. If a trip did hit the bag limit, then it tried to figure out how many of the discarded fish were above the size limit versus those that were below the size limit, which was a complicated process.

As we analyzed different bag limits that went up from the current, which is five; those fish that were discarded that were above the minimum size were added to the landings. The landings increased until the trip either hit the new bag limit or they ran out of discards that were above the minimum size limit that they could have landed.

Please feel free to stop me and ask questions as I'm going to clarify as we go; because if I lose you right off the bat, then there is no reason for me to keep on going. This right here estimated the total landing under each of the different bag limit alternatives, the change in the landings; and the black line is the ACL, the recreational ACL. There is hardly any change from the current, which is five fish per person. and then all the way up to a bag limit of ten fish per person per day, using the 2013 and 2014 information and all that.

MR. JOHNSON: I have a question, Mike. Dead discards added into these landings?

DR. ERRIGO: No, these are just landings because the ACL is in landings and not in killed fish. There are graphs with percentage discards and also dead discards and things like that. There is very little change in landings with an increase in bag limit, which suggests that a lot of the discards are below the size limit whether you're hitting the bag limit or not.

I looked at a bunch of different things to figure out what is going on; the percentage of trips that reached the bag limit, percentage of black sea bass that are landed versus those that were reported discarded, and the estimated percent of discards below the minimum size, because it had to go through a complicated process to estimate those below the minimum size. If few trips were reaching the bag limit, then increasing the bag limit would have a small impact, because only the trips that reached the bag limit would have an increase in landings if you increase the bag limit.

Also, if anglers are discarding far more black sea bass than they are landing and those discards are below the minimum size; that will also cause an increase in the bag limit to have a small affect. This is the percentage of trips that are reaching the bag limit versus those that are not. The blue are the percentage of trips not reaching the bag limit. The red are the percentage of trips that are reaching the bag limit.

The left bar is MRIP, so that is private and charter mode. The middle bar is headboat and the right bar is everything together. Almost all trips are not reaching their bag limit. This is the ratios of discarded black sea bass to landed or retained black sea bass. The left bar is the MRIP, private and charter. The middle is headboat and the right is all the data put together. Again, the vast majority of black sea bass are being discarded.

Blue is discards, red is landed or retained, so the vast majority is being discarded on trips that are encountering any black sea bass at all, a lot of discards. This shows what the average landings per angler were on the percentage of trips. If you were in the bar that is all the way on the right that says five or more; if you are in that bar, it means you reached the bag limit. Anything other than that; so four means you're on a trip where on average the anglers only caught about four black sea bass each.

The bar that has one means you only caught about one black sea bass each; and then there is a less than one, which means if you had like three anglers on the trip you only caught like one or two black sea bass between all three of you; or you only landed, these are retained. The vast majority of trips that landed any black sea bass at all are in that one or less than one category.

They are not landing very much; and these are all trips, including ones that had no landings of black sea bass, they just discarded. You see almost all the trips fall into the less than one category. This is the estimated discards above and below the minimum size of 13 inches, so blue is the discards that were below 13 inches, red are the discards above 13 inches.

Only 5 percent of the discards were above 13 inches, which is why when we did the increase in the bag limit it was very, very few fish to add to the landings as we increased the bag limit, which is why there was very, very little effect of increasing the bag limits. Only the trips and the anglers that hit the current bag limit are assumed that their landings would increase under any of the higher bag limits; and there were very few of those and most of the trips are only landing one or less black sea bass per angler on average.

They are discarding over 12 times more black sea bass on average than they are landing; and also over 95 percent of the black sea bass are estimated to be below the minimum size of 13 inches. This is the reason why the bag limit changes are having no impact. What we're seeing is the landings are currently limited by the size limit and not the bag limit.

Why haven't more black sea bass gotten above those 13 inches? There is a lot of discarding; so if you apply the 7 percent discard mortality rate that SEDAR 25 estimated and then the killed fish on average from discards, 319 to 320,000 fish on average is about the same as the average landings from 2013 and 2014 of about 370ish thousand pounds; or fish, that is numbers of fish.

Sorry, we can't estimate the discard in pounds really. That is numbers of fish. There are about the same numbers of fish being killed through discards as being landed by the fishery, so there



are a lot of that effort. The fishing pressure is pretty high and a lot of the fish are being removed as they're hitting their 13-inch minimum size. It is estimated that only about 1 percent of the population is greater than 13 inches and available to the recreational sector. The recreational sector is harvesting about 50ish percent of those fish that are above 13 inches.

MR. HUDSON: SEDAR 25 estimating 7 percent dead discards; that was using – remind me if I'm correct or not – 11-inch minimum size at that time and now we have a lot larger size. I would say that dead discard rate might be a little bit higher than 7 percent; wouldn't you think?

MR. COLLIER: I worked on estimating that dead discard with a group of recreational and commercial fishermen. Some of the research that we had used was a tagging study that was done off North Carolina, and it was regardless of size. We used just one overall estimated dead discard, and it was a preliminary analysis when we used it.

They were doing a tagging study and assuming all tagged that were released at the surface survived. Since then they've done an actual caging study with divers, and they found that their estimate was a little bit low and it is probably higher, around 15 to 20 percent for discard mortality for the recreational fishery or for hook-and-line fishery.

MR. HUDSON: Thank you, Chip, because having participated in SEDAR 25; that was in 2011. A lot has changed since with all these changes with increases of allocation as well as increases of the size limits.

DR. ERRIGO: I will say that the information that I used for this analysis came from the update, which was completed in 2013 with data through 2012.

MR. JOHNSON: Question for Chip; was that using circle hooks, Chip? I know from Judy – I can't recall her last name – the last AP meeting complaining about circle hooks and the amount of black sea bass she felt they were killing, so I was just curious.

MR. COLLIER: I don't think they separated out the discard mortality based on hook type. I will have to look at the study again. It has been a while since I've looked at it.

MR. ATACK: But wasn't the circle hook the gear type you have to use?

MR. COLLIER: I can't remember when the circle hook regulation went in place, but the study started prior to 2011. It took a while to get it all completed. There were several different aspects that they worked on within it.

MR. MUNDEN: Mike, explain the next to the last bullet on that slide.

DR. ERRIGO: Is that the one that says the 1 percent of the population available to the recreational sector?

MR. MUNDEN: Yes, does that mean that 1.1 percent of the fish are greater than 13 inches?

DR. ERRIGO: That takes into account the estimated population of fish that are greater than 13 inches and the selectivity of the recreational sector; and all of those estimates came from the SEDAR 25 update.

MR. FEX: I just want this for my clarification. If we increase the bag limit and we're really not going to increase the landings, then we'll probably only increase the dead discards. Am I getting that drift?

DR. ERRIGO: That is a possibility, yes, because if people continue to fish until they hit their bag limit, then that would increase fishing time and pressure. That is a possibility.

MR. LORENZ: Then, Mike, kind of in the so-what category, next step; we can increase the bag limit, may increase the discards; anglers probably aren't going to get any more fish. If we increase the bag limit, what has it done versus – and the next obvious question is a decrease in the length limit if you want to give more fishing opportunity and have more dead fish means more than being discarded in the ocean.

DR. ERRIGO: That is the next logical thing to look at. We have not done that analysis because that was not part of this amendment. The council will have to give us direction for that, which they could do in December. However, for this particular amendment which they'll take final action on in December, I'm assuming they'll either pull this out or decide on a bag limit and have it go through and then have another amendment to analyze a size limit, if I had to guess.

MR. MUNDEN: I have a question for staff just to get it on the record. This amendment does not allow us relative to black sea bass to do anything except consider increasing the recreational bag limit. It has nothing to do with increasing or decreasing the size limit. Based on all of the e-mails that went back and forth from AP members, the common thread was we need to decrease the size limit below 13 inches. We can't do that.

To go back to Bob Lorenz' question of what does this do, I don't think it does anything other than increase the expectation of the fishermen that they will be able to catch more black sea bass. But if the size limit stays 13 inches, information that Mike just presented doesn't support that and it is going to result in more dead discards. I think that the best option for this advisory panel is to recommend no action. I will be willing to make that motion when you're ready for a motion, Mr. Chairman.

MR. HUDSON: Just as information, March 3, 2011, the non-stainless steel circle hooks became effective north of 28 degrees.

MR. THOMPSON: This is basically taking into account and making all trips are equal. Like what Red said, the expectation, you have a half-day headboat fisherman, five fish is a fine expectation, because they're not going to get five fish inshore. When they have the three-quarter and all-day trips they certainly can get more than five fish, and they can count on a lot bigger fish out there. They want that expectation of more fish on those trips. Myrtle Beach is called the Redneck Riviera for a reason.

We've got rednecks that want meat fish. That is what they want, they want the expectation of being able to catch fish, and they don't want to go fishing if they can't get but five fish this big.

They want ten fish that big or more of it. They just want the expectation of potential. That is why the half-day trip has always been booked on us, the potential of somebody catching a good fish, not necessarily they're all going to do it.

Like I said, a lot more effort has gone inside of 60 feet of water for sea bass by the general charter and recreational. You can catch plenty of sea bass at the jetties, but you're not going to catch every one 13 inches. A lot more fishing goes inshore than goes offshore. There is the potential for much more fish off there for the more than five fish; and if you're not going to get the ACL anywhere close, I think those people need that potential.

DR. ERRIGO: I will say as I was doing my analysis I did analyze the data. The MRIP data is very limited in how well you can do inshore/offshore, but you can look at it in state waters and federal waters. There is more success in deeper water, and the headboat sector does have a lot more success in finding larger fish. If you look at the headboat grids, they are getting their sea bass in the offshore grids. The data does support what Robert is saying.

MR. ATACK: The other so what-if is why isn't there more 13-inch fish for the recreational sector; 1.1 percent of the population is not a lot. Has it got to do with commercial size being 11, recreational being 13, pots coming through the area and taking everything that is bigger than 11 inches out of the area, and then there is nothing bigger than that for them to catch?

That is the other what-if is why are we where we are now? In two years I think it takes for the fish to go from 11 to 13 is what I think John Carmichael told me yesterday, so these fish should be getting bigger. The 1.1 percent should be higher than 1 percent as time goes on. That is the other so what-if when you run the numbers.

If we're looking at reducing the minimum size, we need to look at that and what that does to the biomass and what that does to the spawning and what that does to MSY. Part of the reason it is 13 was to try to get the bigger females to breed more times. If you're going to take them out two years sooner, those half a million fish per year; that is going to affect the stock. I hate to get back to where we were when we had to close the fishery and take all the pots out of the water and the recreational didn't have any winter trips. I hate to go back to where we were.

MR. WAUGH: In answer to Red's question; within Regulatory Amendment 25 the only option is to change the bag limit, so you should provide that input. But if it is your opinion that the real problem needs to be addressed by changing the minimum size limit, you can go ahead and provide a motion to guide the council. That action just would have to be taken either in a different regulatory amendment or it would delay this Regulatory Amendment 25, which I don't think is likely to happen.

MR. JOHNSON: Yes, I agree completely with Red as far as the bag limit. Obviously, we see from this that this is a size limit issue. I do disagree with Mr. Chairman that I don't think that decreasing the size – we're already removing these fish. I mean we just heard that the discard rate is probably higher than 7 percent, and so we're removing these fish trying to reach a five fish per person bag limit. We're killing a lot of fish.

Time and time again at different meetings and at this AP, we've heard about dead discards; we've got to do something about dead discards. We're creating through a size limit a dead

discard issue here with this fish. Obviously, raising the bag limit is just going to increase your dead discards. If Red wanted to make a motion, I would definitely support to keep it at status quo, but I would like to make a motion to look at addressing that size limit as well.

MR. MUNDEN: I have a question for Gregg. Should the advisory panel and the council take no action on this amendment relative to bag limit increases; are there provisions that the council and NMFS could take to initiate an emergency action to get this thing in place? Because if we leave the size limit where it is for the next three years, all we're going to do is have more dead discards. Is there any way this could be fast tracked if the AP and the council felt like that was a viable option?

MR. WAUGH: There are requirements that have to be met for an emergency action, and I doubt this would be one. But if your objective is to get something in place fast, remember this regulatory amendment that we're working on now, the council gave us direction at their September meeting and we're looking to finalize it in December. That is fast.

If you all provide your input back to the council and the council decides, well, we really need to change that minimum size limit; that is something that could be done through the framework. They could give us direction to begin another regulatory amendment to change the size limit. That would have to be factored into our workload and priorities, which they'll be talking about at the December meeting as well. But that would be I think a more appropriate approach than considering an emergency; but they could do it through the framework and just be from one council meeting to the next.

MR. LORENZ: This is sort of a blue sky idea; but in coming just as a private recreational fisherman, to give headboats, say, a little relief and certain types of recreational anglers – those that use headboats are probably little lower economic strata – is there any ability within the council to potentially allow some preference to a headboat? Could there be something developed where licensed headboats – and only licensed headboats would be allowed a larger bag limit or is that way too complex and do some people consider that unfair to others?

MR. FEX: I would consider it unfair and hard to argue in cases with other recreational fishermen, so that would be hard to support that one. I do support some kind of size limit reduction so we can get away from those dead discards.

MR. BRAME: I share the chairman's concern that there is something going on here. When you only have 1 percent of the population available and you've had the regulations in effect for a couple of years; you would expect the fishery to grow into that minimum size limit. I would want an analysis. Even before we consider changing the minimum size, I would want an analysis to try to figure out what is going on there, because you could be exacerbating the problem by reducing the minimum size.

MR. MUNDEN: On Action 4, I recommend Alternative 1, no action.

MR. JOHNSON: I'll second.

MR. ATACK: Any other discussion while she's typing it? **All right, I'll go ahead and read the motion then: recommend Alternative 1, no action, under Action 4 for the no change in**

**the black sea bass bag limit, so basically a five fish per person. All in favor of the motion raise your hand. I see 10 for. All opposed raise your hand; two opposed. The motion carries 10/2.**

We could make a recommendation the council look at minimum sizes, run the numbers on what might happen. They could look at analysis if somebody wants to look at that. You could be looking at changing the recreational down or you could look at changing the commercial up. Then you could also be looking at changing the mesh size on the pots to make sure that they have no discards if you increase the commercial size.

MR. BUFF: That's what I would like to know is why couldn't the size limits be the same? Just in my opinion, it should be maybe 12 across the board and give them their seven fish; everybody kind of wins a little bit. Why should we get 11-inch fish instead of the charter guys having a 13, because at the end of the day even on an 11-inch fish there is nothing there? We're just killing fish that shouldn't be killed.

MR. HUDSON: Since the black sea bass pots have been changed as far as the endorsements, removal from the waters, the closures for the wintertime when they mostly catch; they would also have to change the panels in order to allow those less than 12 inches to escape. Most of those escapes anyway are alive.

The best that I can say is that the half a dozen pot fishermen in Florida and Georgia and South Carolina, North Carolina component of that 32 boats with 30 something pots, most of them fish 15 or 20 maybe. The pressure has been off the last couple years. The best that I can say is that they recommend and our headboats in our region would like to go back to the 11 inch.

Our headboats, of course, have to discard 90 some percent, because they can't hit that 13 inch. From what I understand by reading Gary Shepherd's stuff, which in the North Carolina area you share a lot of stuff between north of you and south of you, a couple different genetic types and the trawls and everything else that is going on up there; the black sea bass situation is a little bit different down off of Florida.

That has been the request of the headboats and charterboats for our region would like to see a return to the 11 inch. The best I can say is that circle hook has been in place since 2011 and it is a type of thing I have to agree with Dick; we need some analysis; and that according to Gregg is going to have to be a new amendment, a regulatory amendment.

I don't know if that analysis could be available for a framework, but framework sounds like the faster way to solve the problem for the recreational. Because if we're talking 15 or 20 percent, like Chip mentioned, as opposed to 7 percent dead discard; you've got a lot of dead fish going in the water from the recreational. It would be nice to remedy that situation. I think it would be a win-win for all the sectors.

MR. BUFF: I would just like to say that I have to agree with the guy before. The headboats, the half-day headboats, you can't compare what those guys are doing to what the all-day fishermen are doing. The half-day headboats are the guys that just want to take the family and have a good time and catch a handful of fish. I ran one for ten years; I know how that business works.

But the guys that are on the charterboat that are paying \$1,000 to go fishing, they expect to catch more than five fish. They can catch a lot bigger fish than the 10-, 11-, 12-inch fish. I grouper fish a lot, and we're catching two- to five-pound fish all the time grouper fishing. The fish are there and they are there where the headboats are not going. The way I see it there are two different fisheries there for what the headboats are doing and what the charterboats are doing.

MR. ATACK: Yes; I guess the only thing up our way; we see headboats that are 30, 40 miles offshore. They are not just inshore. They are fishing the same areas. The ones out of Carolina Beach, they're running; so there is a mix. I think up at Morehead, they go out past the inlet. I know Terrell hits the offshore waters.

AP MEMBER: That is what Mike mentioned in the grids that you have to put where you fish. They do both types of trips. The moneymaker is the half-day trip. The more people that go on the half-day trips; you are going to have elevated numbers, a number of people, a number of trips and all that stuff.

There are less three-quarter and less all-day trips, which will get to the 30, 50, 60 miles from the inlet. The blocks where they're catching the 13 plus size fish are coming in that 75 feet to 120 feet of water where they are catching the sea bass. We know that and we're not sticking our head in the sand, I admit it.

That is what he said when he pointed out the grids; that those fish are there. Those are most all – when you get to 90 feet of water, those sea bass are going to die. That is probably 100 percent mortality when you're throwing those back; if you want to consider on that. But you are not catching as many 11- and 12-inch fish.

MR. ATACK: Yes; and then just one thing to remind everybody when we did the size limit a few years ago, the commercial low was supposed to ramp up to 12 inches was the original intent of the AP. We've been talking about mesh sizes on pots for years, about research, NC grants, looking at changing the mesh from a 2, 2.25, or 2.5.

Pots do get replaced and we said we could faze them out, so it wouldn't be a big expense for the potters to change over to that different mesh size or part of the pot, anyway, so the fish can swim out and have no discards. But if we want some motions to give council guidance, we need to go ahead and formulate what we would like them to look at, analyze going forward for some type of frame amendment.

MR. LORENZ: I would like to make a motion that an analysis be done on decreasing sea bass size limit to 12 inches; analyze that against the current five fish bag limit up to maybe ten. I call it rationalizing, equilibrating the commercial size limit with the recreational size limit. The intention is – the control is how we'll look at the data against the five-inch limit – I'm sorry, the five-fish limit. Then we would see how far up we can go. I think ten is going to be a lot, but that seems to be what the headboats want.

MR. ATACK: Does anybody second the motion?

MR. JOHNSON: I'll second it. Just for something to say here, I think sometimes we try to micromanage too much. We've had this size limit in effect how long; two years, not even three

years yet. It takes a fish time to grow. We may see in the next couple years a lot of these bigger sea bass. I don't know the answer to that question. That is what we really need to know. We need to know why we don't have more 13-inch sea bass, why only 1 percent or whatever that number was. We can sit here and have all this discussion; but until we figure that one out, to me that is the real gist of the problem here.

MR. BOWEN: I just wanted to just kind of remind everybody that one reason this amendment is being brought forth is because from the recreational side we weren't seeing our ACL. I think we were at 57 percent last year. From the commercial side, when you go into talking about changing size limits and things of this nature, just keep in mind that the commercial side of the ACL is being met. 97 percent I think is where we were at last year, 97 percent.

MR. MUNDEN: I have a question for the maker of the motion; and that is, Bob, would you consider removing the 12 inches and we would give the council an option of looking at various sizes; because once again if we're locked into 12 inches, I think we are trying to micromanage. A lot of the correspondence that I saw relative to the bag limit suggests 11 inches. The motion would be more acceptable to me if we did not lock in the council to 12 inches.

MR. LORENZ: I would agree with that. I would amend the motion to recommend the council look at decreasing the size limit for recreationally caught black sea bass; but then I think I would like to also amend it under bag limits ranging from five and then decrease it to seven fish, since we did vote on seven last time based on what we knew and thought.

MR. ATACK: I guess what I would like to see if the motion maker would let the council look at making the limits the same size for both sectors and looking at if they were both at 11, both at 12, both at 13; what does that do to the biomass, the MSY? What does that do to the rebuilding plan?

Then when you get a higher MSY and a higher ACL down the road; at which size limit is the right one to maximize this fishery? If they could run the numbers on those three sizes, since we're kind of looking at those type sizes; one sector is at 13 now, one is at 11. If they both went to 11, if they both went to 12 or 13, what would the numbers look like? They could run the analysis and then we're not micromanaging it. They can give us the options.

MS. BROUWER: Right, so just to remind you when the council intends to take action on something, they have to by law analyze a range of alternatives, anyway. Even if you don't feel like you're being prescriptive in your motions; it just sort of gives the council a little bit more insight. But they still have to go through and run the numbers, as Jim says, and provide all this information and do all these analyses, anyway.

MR. HUDSON: Amendment 18A, effective July 1, 2012, was the changes to both sectors on the minimum sizes.

MR. ATACK: All right, so any more discussion on this motion then?

MR. LORENZ: Based on the suggestions, I would be happy to amend it or Mr. Munden may want to speak better than I can on this; I would withdraw it.

MR. MUNDEN: Speaking to the motion; I have mixed emotions about putting in the bag limit changes. I almost think it would be better off to go back and reconsider the motion where we say, well, we recommend no action on the bag limit and vote on a seven-fish bag limit. That would be cleaner than going forward with this motion, which both wraps in size limit and bag limit. We could go back and revisit the previous motion we made. I would like some comments on that.

MR. HUDSON: With that said, there needs to be some serious analysis. Tom Burgess I believe has already done some with such a change to the panels and stuff on the pots. That is the type of thing that is going to be totally separate. I would like to see this just kept cleaner just with the size limit analysis and the range, if you wish, and then just see where we are at that point, because it would be better to make a simple decision instead of complicate it with all the micromanaging.

MR. LORENZ: All right, I will amend my motion to recommend that the council look at decreasing the recreational size limit and make the size limit for both the commercial and recreational sectors the same.

MR. ATACK: Does somebody have to second that since we reworded it such? Any more discussion, comment? All right, we'll vote on the motion. **All in favor of the motion that council look at decreasing recreational size limits and making the size limits for both sectors the same; all in favor raise your hand. Okay, anybody opposed raise your hand. Motion carries unanimous.**

MR. BRAME: The way it was worded; was the intent just to reduce the recreational size to 11 inches and do that analysis of them being the same, which is not much of an analysis, or was the intent to have it 11, 12, and 13 both being the same?

MS. BROUWER: I think the way it is worded, we would have to come up with all the various iterations and develop alternatives as such. We would match it up within whatever range the council wants to look at 11 through 13, if that is what they want. Then we would match it up to make it the same for both sectors at each of those size limits. Is that what you're getting at?

MR. BRAME: Yes; I wanted to make sure it just wasn't reducing recreational sizes.

MR. ATACK: Right, in other words, recreational is at 13 now. We would make both sectors 13, then we would look at 12, then we would look at 11; and they would run the three different analyses I guess is what I was hoping for.

MR. WAUGH: But if your intent is to decrease the recreational size limit, then why do you want to analyze increasing the commercial size limit to 13? It seems what you want to do is focus in on what is the problem you are trying to address? The recreational sector isn't reaching their ACL. You see that increasing the bag limit doesn't get you there.

What you need to do is decrease the recreational size limit. How I would interpret this so that we don't have a bunch of useless alternatives is you would first start with 12; look at both sectors at 12 inches and then both sectors at 11 inches. I think you have to be careful. You don't want to talk about decreasing the size limit and increasing the bag limit. I think you want to look at



decreasing the size limit; and that is what it says here; because then you're going to shift dead discards into landings on the recreational side and then you could start seeing what you're really catching.

You may get a lot closer to your recreational ACL really without any overall increase in mortality; because you're just landing fish that were previously discarded and died. How I would read this is that you want us to analyze both sectors at 12 inches and both sectors at 11 inches; and if that is your intent, make that clear so then we don't have to analyze a bunch of other alternatives.

MR. ATACK: Gregg, but I guess that is my intent. I don't know what everybody else's intent is. I think I would like to see the 13-inch evaluation. If the commercial increases to 13, you are going to have more females out there larger than what you do now before they're taken. That affects the biomass, the spawning, the recruitment, the fishery; that is one scenario.

Then when you drop everything to 12, it is a whole 'nother scenario, because now you have less of them between 12 and 13 inch breeding for another year; and if you drop it to 11, it is another year they are not out there breeding and spawning. That is where I think if they have the science and they can predict that and run those models; it would be good to see those numbers. If they can't do that, well then –

MR. WAUGH: Right, but then you're tackling a totally different problem. That has nothing to do with the recreational sector not reaching their ACL. Your premise then is we have a stock problem, so you want to increase the reproduction to build a higher stock. Our stock status now is it is not overfished; it is not overfishing.

That is bringing in a whole different – and that is a valid approach. If you want to look at increasing recruitment, sure, you raise the commercial size limit, you are going to increase that spawning and recruitment. You are also going to increase discards. That would all have to be analyzed, but that is a totally different issue than addressing why the recreational sector isn't reaching their ACL.

MR. ATACK: Right, and you would increase discards on the hook and line side of it; but if the pots were changed, then there would be no discards there when you make that increase. What percentage of the commercial is by pot? It is not real simple.

MR. WAUGH: We've got two different interpretations as to what this motion means; and you guys need to get straight and provide us guidance as to what you're trying to tackle.

MR. LORENZ: The reason for my motion initially was with respect to the recreational size limit. Using the five fish, 13 inch as the control for evaluation, we will see what could be done to increase the potential to provide more opportunity for the recreational fisherman and address the dead discard issue; and instead those fish would be taken. The size limit is the same for both sectors would be to try to gain some simplicity in that area; and obviously the control would be what is being done today; it would be compared against that.

MR. HUDSON: The no actions, Alternative 1 usually have at least a status quo scenario. I would believe that the actions that would be demonstrated here for commercial and recreational

would be two separate situations with two separate analyses. That is what I am trying to sort of say. If we want to just keep it clean, we just keep it as recreational on that one. If you want to go and look at the other situations, but remember we used to be at a 10 inch, I believe, and then it went up to the 11.

If we're going to drop back to reduce this mortality that was alluded to at 15 to 20 percent from the recreational in dead discards, that is a big deal. We haven't incorporated that into an update or a full benchmark stock assessment; so we've got to be careful what we're asking for. I like the analysis of being able to just look at the recreational at this point in time.

I do know that it has been brought up that there were some panel issues on trying to be able to make that transition. Now Tom is not here, so I can't go and pick his brain on it at the moment; but that is something we will follow up with before we get to a point to comment on all this stuff.

MR. FEX: Can I ask the maker of the motion to put 12 inches on that recreational size limit analysis? That way we get it in your motion; because I know we want to eliminate –

MR. ATACK: We can't redo the motion because it is already approved unless you want to make another motion.

MS. BROUWER: I think what you need to do is clarify your intent; because if you start mucking with the motion, then we have to do a substitute motion, we have to approve the substitute motion, we have to make a different – it is going to get complicated. But if you tell me how you want to clarify that, I will type that under the motion, and then we'll all be on the same page.

MR. LORENZ: Okay, for clarification, my intent – and then what I am speaking for is the recreational sector of which I wanted to see what effect there would be on decreasing the recreational size limit. I would be happy to just remove as my recommendation – it could be a separate recommendation – anything related to the commercial sector. I would eliminate at this point in my motion making the size limit the same for both sectors. I would limit mine just to recreational.

MR. ATACK: I don't think you can remove that from the motion, because in the motion it says that you're making a size limit for both. That is what everybody voted on.

MS. BROUWER: What you can do is then say that a different action would look at making changes to the commercial size limit; that be addressed as a separate action.

MR. LORENZ: Well, the best intent of the motion would be to pick a size limit and just have it at 12 inches, do my motion under a 12-inch size limit; that the target size limit be 12 inches. That's simple.

MR. FEX: Yes, I support bringing it to the 12 rationale. We're about ready to try to open the trap season year round, which we know we're close to the ACL now commercially. We'll be meeting it if we open it year round. Twelve inches is fair, because then we're both there, recreational and commercial, because that seems to be the argument why one or the other. I know the rationale, but I think I would support 12 inches across the board just for rationale.

MR. ATACK: Do you guys want to take a short break or carry through until lunch time? Short break, ten minutes. We talked to Gregg at break and he suggested we make one more motion to clarify this up. I think Kenny is going to make it.

MR. FEX: I would like to make a motion to analyze 12 inches on the commercial sector for the black sea bass size limit.

MR. ATACK: Does anybody second?

AP MEMBER: I'll second it.

MR. ATACK: Okay, I think we kind of talked around this already; any other comments on this? That way, council will look at that along with the recreational side and will do the analysis. Go ahead, Richard.

MR. STIGLITZ: If the commercial side is right in close to their ACL, why do you want to mess with it?

MR. FEX: As you know, we're going to an amendment to try to allow black sea bass open year round and traditionally black sea bass are caught more prevalently in the wintertime; so when you allow it year round, your landings are going to be more dominant then, so that would be the rationale.

If you look at the landing schemes of the landings by wave commercially; traditionally they are landing a lot more in the wintertime when they are all bunched up and spawning in aggregations. That is why we've always complained from North Carolina that Florida got the best of the bunch because the season opened in May or June when we traditionally would catch them in the winter months.

That is my rationale, because if we open it year round we are going to meet the ACL, then me personally will not be able to catch them in certain times of the year, the trappers won't be able to catch them certain times of the year. That is my rationale.

MR. THOMPSON: Richard, just on the 12-inch bass, most of the guys aren't trapping any more around us. They don't get paid much on the little bass, anyway, they want the bigger fish. If you are going to have the ACL met, they would rather have bigger fish in the ACL.

MR. STIGLITZ: I just asked the question. The ACL was right there where everything was supposed to be. It looks like we had a fishery that was like almost perfect and here you want to mess with it. I don't catch them so I don't care, but it was just a question.

MR. MERSHON: I would like to just add on a dealer's perspective; just like Robert mentioned, we don't get a whole lot for the smaller ones, but now I've got places for the 11 inch ones to go; but yet when that place gets flooded out, New York, they're not allowed to even sell a sea bass that is smaller than 12 inches. When I ship my fish up there, I've had the buyers call me and say, hey. I throw them in there, like mix them in. I believe that the 12 inch is not really going to hurt the commercial fishermen if it went to that.

MR. ATACK: Yes, I agree, because you've got an ACL and we're going to open up supposedly the pots longer; they will hit the ACL. If you increase the size to 12, the smaller fish will come through the pot, change the mesh. You won't have the discards. They'll get a higher price per pound for the pounds that they have per year, so it is like a win-win, plus you are going to leave more of the 11 to 12s out there for breeding so it will help your recruitment down the road. Then everybody is at 12; and across the board it seems like a very logical thing to do and more sustainable.

MR. MERSHON: A 12 inch across the board would be very acceptable; and for the bass trapper men, it is not changing your mesh so much as just changing the size of your escape panels. If a trapper was griping that he's got to change his traps, you're talking about a couple of escape panels on each trap. You've got 25, 30 traps; that is not going to break the bank.

MR. COX: I was going to say I am a black sea bass pot fisherman; so bigger is not always better in the black sea bass market. I know here in the last couple of weeks New Jersey has been open, and up north they catch a lot of large and jumbos trawling for them, and so there has been a lot more demand for the smaller fish, the medium fish. It is nice to have that range of medium large fish on the market. I don't think a 12-inch size limit would hurt us, going from 11 to 12.

MR. BRAME: I just wanted on the record that if indeed 1 percent of the population is available to the recreational over 13 inches, then there is a stock problem or there is a likelihood of a stock problem. It may not be overfished and overfishing, but that certainly screams growth overfishing to me.

MR. ATACK: Okay, we're going to move on to yellowtail. We're going to vote on this motion. **All in favor of this motion to have council look at the 12-inch minimum size limit for the commercial black sea bass raise your hand; anybody opposed? Motion carries unanimous, thank you.** Now we'll move into yellowtail.

MS. BROUWER: Okay, Action 5 of Regulatory Amendment 25 looks at modifying the fishing year for yellowtail snapper. We have three alternatives. Alternative 2 looks at a commercial fishing year change with subalternatives ranging from June through May to September through August. Subalternatives 2D and 3D are highlighted because those have not yet been approved for inclusion in the analysis. Those are being suggested by council and NMFS staff.

That is the range; and then Alternative 3 would do the same thing for the recreational sector; and that is just to give the council the option for changing the fishing year for the recreational sector as well if they so choose. Here are the commercial landings, the distribution by month. You can see that obviously the landings are peaking here in May/June.

Here are the annual commercial landings '03 through 2012. Average monthly commercial landings of yellowtail snapper; and then there is your average, and this is in pounds. Here is your number of trips with yellowtail snapper landings in pounds from 2010 through 2014. There is your poundage across the top and then your total and then your average at the very bottom.

We have the number of vessels that landed yellowtail snapper per trip; again 2010 through 2014. Then we did some analysis looking at what would happen if you imposed these various fishing year alternatives on the average landings from I believe 2010 through 2014 again. None of the

alternatives looks like the ACL will be reached. The ACL for the commercial side for yellowtail right now is about 1.5 million pounds.

But again, as we said earlier, changing the fishing year, the intent is to move it so that if the commercial ACL is met, then the in-season closure would happen in the spring and early summer; away from the most profitable time of the year for fishermen who use this resource and also to coincide with when yellowtail snapper are spawning.

Then again here are the figures for the recreational sector. We have the distribution of landings by year. It is a little bit more spread out for the recreational sector, and this is in numbers. There is no bag limit currently for yellowtail; it is included in the 10 fish per person per day aggregate. Here is the same sort of analysis that we presented for the commercial side where you just superimpose the fishing year on the average landings; and I believe the recreational ACL for yellowtail right now is 1.4 million pounds.

Again, the recreational ACL has never been met, doesn't look like it is going to be getting close to being met. Here are some figures on the average price per pound. As you know, commercial harvest of yellowtail closed on Saturday for the first time. There are a lot of folks that are very concerned. Certainly, there is nothing that the council can do at this point to alleviate what those folks are going through right now; but taking action for future years to affect the fishing years in the future would be beneficial for those folks. That is what I have for Action 5.

MR. STIGLITZ: Could you bring it back to the alternatives, Myra, please. I would like to make a motion for Alternative 2, Subalternative 2C; opening the season August 1<sup>st</sup> and ending July 31<sup>st</sup>. The rationale behind that, the two months before that June and July, the smaller fish would have roe in them.

If it becomes another closure like we have this year, our fish would have roe in them, so it would be a spawning closure to go along with it. Usually June and July are the two months that they get paid the least amount of money for them, so I prefer the fish to swim and get paid something for them.

This year come Thanksgiving, when they can get good money for them, come the holidays between Christmas and New Years, they're going to be sitting at the dock; they'll probably get six, seven dollars a pound for them between the holidays. This year they're going to sit at the dock, which is terrible. Then we have a lobster season closure March 31<sup>st</sup>.

There are a lot of guys down there that lobster fish August through March; and then as soon as March is over, lobster season is over, then they take their yellowtail boxes out and they get into the yellowtail fishery. I would prefer to take care of my full-time fishermen and make sure they're fishing.

The guys that are sidelining; that is the reasoning for August 1<sup>st</sup>, because August 1<sup>st</sup> is our lobster season opening; and the guys that are part-timing it, I much prefer taking care of my full-time fishermen than my part-time fishermen. I make the motion August 1<sup>st</sup> through July 31<sup>st</sup>.

MR. ATACK: Any questions, discussion? **Seeing none; then we'll go ahead and read the motion and vote on it: Recommend Alternative 2, Subalternative 2C, as the preferred for**

**Action 5, fishing for yellowtail. Basically you have a season, I guess it is fishing year August 1st through July 31st. All in favor of the motion raise your hand; anybody opposed raise your hand. Motion carries unanimous.** Go ahead, Robert.

MR. JOHNSON: Did we need to put commercial in there somewhere?

MR. ATACK: Well, 2C is commercial; recreational would be 3C. If you want to make a motion on the recreational, it would be good for somebody to do that.

MR. STIGLITZ: I make a motion for 3C, the same.

MR. ATACK: Somebody second it? Any discussion? I think it makes sense to mirror one to the other.

MR. STIGLITZ: At our last meeting it was brought up to give the recreational sector for the yellowtail fishery to the state of Florida; whatever became of that?

MS. BROUWER: That action is currently I believe still in the Joint South Florida Amendment, and Gregg is going to give you an update on that shortly. I can't quite remember whether that remained in there or not. That amendment got picked apart; and who knows if it is going to survive. Here is Gregg.

MR. WAUGH: The two councils were talking about coming up with a joint amendment that would deal with yellowtail and a couple of other species. You have that document in there. I'll talk about that just briefly this afternoon; but basically, as Myra said, the two councils have picked items out of that. I suspect that Joint South Florida Amendment will likely remain dormant for a while, because the main item left is sort of dealing with whether the councils were going to delegate management responsibility to the state of Florida for making changes.

We picked most of the other stuff out of it. There was also talk about doing a joint amendment with the Gulf Council to deal with yellowtail to ensure that both the commercial ACL in the South Atlantic and the commercial ACL in the Gulf were met. When we get to the accountability measure action; that explains how we're trying to approach that without having to do a joint amendment. Right now the intent of our council is we're going to continue to manage yellowtail; and maybe at some point in the future go back to that joint amendment and talk about delegation. Right now there are no plans to do that in the short term.

MR. ATACK: Okay, I'll go ahead and read the motion. **It is to recommend Alternative 3, Subalternative 3C as preferred for Action 5. Basically for the recreational sector, the fishing year August 1st through July 31st, which would pretty much mirror the commercial. All in favor of the motion raise your hand; anybody opposed? Motion carries unanimous.**

MS. BROUWER: Okay, so the last action in this amendment deals with the revision of commercial accountability measures for yellowtail snapper. As I explained to you earlier, currently what is in the books is there is an in-season closure. If the landings are projected to reach the ACL, then only the bag limit is allowed.

Then if the landings exceed the ACL, there is a payback only if the total ACL is exceeded, meaning commercial and recreational, and yellowtail is overfished. The proposal, as it is right now, is to change it so that there is a closure when the total ACL of the commercial sector for the South Atlantic and the Gulf of Mexico is met.

As I explained earlier, the first thing that needs to happen is the Gulf of Mexico Fishery Management Council needs to first establish sectors for their fishery. Currently yellowtail is managed as an overall ACL for both sectors, recreational and commercial. First they would have to split that out like the South Atlantic Council has it; and then we would have to have similar regulations with the Gulf. That is what has been proposed to alleviate or to try to prevent a closure like happened this year.

MR. ATACK: I guess the reasoning behind that is I guess these fish are the same stock that is being targeted in both ACLs.

MS. BROUWER: Right; yellowtail is assessed as a single stock. The recommendations that come from the stock assessment, the latest stock assessments for the entire South Atlantic and Gulf combined; so what the councils did to manage it is back in 2011 when we developed the ACL amendments, there was a formula that was used to split out the ABC between the two councils.

I think the split was 75 percent for our council and 25 percent for the Gulf. Once the ABC was split, then each council could go forward and set the ACL wherever they wanted. Our council chose to set it at the same level as the ABC. That is where we are right now.

MR. WAUGH: One question for Richard, too. It was our understanding that basically the fishermen that are harvesting yellowtail in the South Atlantic, many of those same fishermen are the ones that harvest yellowtail in the Gulf. I was wondering if you could tell us if that was correct or not, because as it has been stated it is the same stock. The stock assessment is done by Florida. What we're trying to do is ensure that should the Gulf split and separates the commercial ACL, that both ACLs are met. Part of the rationale was, well, basically it is the same group of fishermen. Is that the case as far as you know?

MR. STIGLITZ: As far as I know. At certain times of the year they move up and down the reefs. I know in the summer times they will go down there west to the Tortugas; and I believe that is the Gulf; you know, west of the Bank down there. That would be in the Gulf group, but it is the same fish that move up and down these reefs.

MR. WAUGH: Is it the same fishermen that are harvesting them, basically?

MR. STIGLITZ: Yes.

MR. ATACK: Okay, any other discussion or does somebody want to weigh in on the alternatives?

MR. MERSHON: You're talking about like a payback if they go over their ACL and stuff; did you not just say that or did I hear wrong, like if they go over –

MR. ATACK: What they're talking about is only closing it if – like this year they closed it because the South Atlantic met their ACL. This will allow you to keep fishing until both ACLs are met, the Gulf and the South Atlantic, because it is one common stock.

MR. MERSHON: When it comes to the payback scenario and all that; could they not be like we are with vermilion snapper and gag – could they not have a clause in there for a warning for them to drop down to 500 pounds to stop them from going over their ACLs and stuff? Am I saying that correct?

MS. BROUWER: You're talking about a trip limit step-down; is that what you're talking about?

MR. MERSHON: They don't have a trip limit right now; but yet once they've met 75 percent of their quota or 80, 90, whatever they wanted; I mean, we don't catch yellowtails that much up here. It has not affected me. I am looking at it when you are talking about if you go over your ACL, which we see a lot of times even with our new improved electronic data reporting; that it seems to me as if, hey, they reached 80 percent, 90, whatever they feel are deemed necessary; well, go to 500 pounds to save from the next year maybe losing 100,000 pounds or something. I hope I am making myself clear.

MS. BROUWER: It does make sense; but yellowtail is not overfished, it is not undergoing overfishing. The payback would only occur if the stock assessment said that yellowtail was overfished and the total ACL was reached. I showed you the numbers; the recreational landings are not coming anywhere near meeting the ACL. It is very unlikely that a payback situation would arise. But what you're talking about as far as a step-down trip limit; that it is certainly something that if fishermen think that is a good idea; that is something the council could consider.

MR. STIGLITZ: If we do this, lump it together, there is a million pounds that the recreational sector is not catching. We have a buffer there. It is a long time coming that we would ever catch the ACL. I feel very comfortable with this.

MR. ATACK: Does somebody want to give direction to council for their preferred alternative?

MR. STIGLITZ: I would make a motion that we accept Alternative 2.

MR. ATACK: Anybody second it; okay, seconded. Any discussion? **Motion reads that we recommend Alternative 2 under Action 6 as preferred alternative to basically lump the South Atlantic and Gulf of Mexico ACL together before the fisheries close. All in favor of the motion raise your hand; anybody opposed? Motion carries unanimous.** I think that is our last action under this topic. What we have now on the agenda is Amendment 36. I'm sure Gregg can go through that in probably 15 minutes, right, Gregg?

MR. WAUGH: What I was going to do; we have some new AP members so I wanted to just quickly run through the public hearing presentation. I won't go through everything but run through a part of this. It also shows what the AP's current position is. We used a lot of the work that Will Heyman did and Nick Farmer's analyses are included in the amendment. The amendment has a lot of detail in it, and I will get into that a little bit more after lunch. How did we get here? The council's intent was to protect spawning habitat and fish.



We had a 240 closure that went in place January 1, 2011. There was a lot of concern over the unanticipated socioeconomic impacts and we removed that effective May 10, 2012. We were sued by the NRDC and the Ocean Conservancy. In defending that we indicated – we being the National Marine Fisheries Service and NOAA indicated that the council was considering additional action; that action being Amendment 36.

We convened an MPA Expert Workgroup and had some suggestions for larger areas. We scaled those down. Coral Amendment 8 increased the amount of coral habitat areas of particular concern; and based on some limited analysis, those were deemed to be 50 percent as effective as an MPA. Those came online in August. The judge ruled in the council's favor. The council has indicated that they are still going to take additional action.

The purpose and need, again to identify important spawning habitat, protect that habitat, reduce bycatch, bycatch mortality. We had suggestions for more MPAs and this triggered an examination of our existing MPAs. We haven't done the job we should have in enforcing and monitoring those, so there was a lot of resistance to moving forward.

We tried a different approach, which you all have endorsed looking at that approach. It is based on our special management zones that we've used since 1983. This was geared to address use of certain gear on artificial reefs, fish-attracting devices or other modified areas of habitat. The intent was, artificial reefs are expensive to create, so we wanted it to have an incentive to create these artificial reefs and fish-attraction devices, increase biological production, create fishing opportunities; and we did that by restricting certain types of gear.

We prohibited fishing in SMZs except with handheld hook-and-line gear. We started in '87. I'm not going to go through this in detail. The important point is this has been a successful program. We've established these SMZs off of South Carolina, Georgia, and Florida. North Carolina has never requested one yet.

Initially it was just limiting gear types, prohibiting use of powerheads in SMZs off of South Carolina. Then in 2000 we revised the boundaries of existing SMZs off of Georgia, and we also limited possession to the bag limit in the special management zones off of Georgia. We did the same thing in South Carolina, limited to the bag limits for snapper grouper and coastal migratory pelagics, which are the mackerel species.

We felt since this type of approach has worked, let's approach the need to protect spawning from that aspect. We're looking at spawning sites, groups of fish at above normal densities for reproduction. Most groupers and snappers migrate to specific places at specific times. This is linked to the lunar cycle.

We'll talk first about Riley's Hump and then talk about the Georgetown Hole here; but these areas, you find where there is like an elbow sticking out into the stream. These are important for lots of species. You've got muttons and triggers spawning in the same area here. By minimizing impacts from a closure, you can get a lot more bang for your buck by picking these areas, making them smaller so fishermen aren't giving up a lot of area, and protect a lot of spawning fish. Within Riley's, initially there was mutton snapper spawning there; and then you've got different areas where black and scamp grouper and cubera snapper are spawning.

This is a sonic-tagging study that was done in Florida looking at mutton snapper, where they move from these protected areas down the Tortugas South Reserve. Red is in May, and they repeat this process in June and July. What you're seeing is the fish are moving down, spawning in the Tortugas South area, and then going back up into these protected areas. This is where the spawning is occurring. You get what is called a spawning corridor here where the fish are moving through.

A tagging study done by the Rosenstiel School – and this is not working on this computer now for some reason, but I can describe what happens. They modeled if the eggs are released down here in Riley's Hump, then all those eggs and larvae move up around the curve. Some are lost up to the north but others are entrained in the current system here.

We showed this at the previous AP meeting, I think April of last year. Fishermen along the Florida East Coast were remarking that they're seeing more and more mutton snapper. It shows how you protect a small area, you can get a lot of bang for the buck; and so that is what we're looking at.

Moving up into our area, Dr. Will Heyman had a project, had some funding from Pew, from other groups. We chipped in \$28,000 and he made some cooperative research trips with fishermen. Looking at the Devil's Hole area here and these different marks, it is hard to see on this but we've got blueline tile, gag, greater amberjack, mutton, scamp, snowy, Warsaw, and yellowedge grouper spawning.

This just looks at two species. We're especially concerned about speckled hind and Warsaw grouper, so with very limited sampling Dr. Heyman was able to identify spawning of Warsaw grouper and speckled hind. We went through two rounds of public hearings with this approach to specify a process for identifying spawning sites to protect snapper grouper species, included speckled hind and Warsaw grouper, based on the characteristics of the sites.

Jumping ahead a little bit, we've ended up with smaller areas than we may have hoped we would end up with; but the important part is we've got this process in there and we're going to study these sites, demonstrate to the public that we will monitor them. We'll understand the ocean current systems, where those larvae are going, involve fishermen in that monitoring; and we feel that will then show whether these areas are working or not.

The current SMZ procedure needs to be expanded to provide for addressing spawning SMZs, targeting natural habitat, and we do that in Actions 1 and 2. We're only prohibiting fishing and/or possession for snapper grouper species. You can fish for other species, billfish, tunas, mackerels and those things.

Now, one important point that we want to make sure people understand; for instance, if we end up with the area of Georgetown Hole, you can go in there and fish for pelagics and then go fish for snapper grouper; but you can't fish within that area if you have snapper grouper onboard. We got into this discussion a lot at the Murrells Inlet hearing.

There are fishermen that right now go fish snapper grouper and then want to stop in and fish for pelagics. The way it is structured now you would not be able to do; but you could go and fish in one of these areas before you have snapper grouper onboard and then go fish snapper grouper.

The spawning SMZ approach would not make any changes to existing Deepwater MPAs or SMZs. In terms of analyzing the impacts of these alternatives, you all remember we've brought you different analyses over the past couple of years. The problem is our commercial data is available over these large grids that are useless when you do this type of analysis.

Headboat is a little bit better. But, anyway, Nick Farmer did an analysis and he shows the impacts on fishing are less than 1 percent for all the species. If you sum up the total of all the preferreds it is 12 square miles. That is not going to be a significant impact to your fishing. Certainly, a prime area like Devil's Hole/Georgetown Hole; that is going to impact people; but overall the impacts are not significant at all.

Just to run through the actions quickly; the council's preferred is Alternative 2 for Action 1, which would modify the SMZ procedure to include protection of natural bottom important for spawning by designating spawning SMZs. Action 2 is we will modify the framework so that we can establish and modify new spawning SMZs through the framework. That allows us to do it a little faster.

Alternative 3 would have required a plan amendment. You all have been supportive of this new approach. In considering these sites, the council has taken your input, input from scientists, all our MARMAP information. We had lots of input from MARMAP; and they have been critical to this process to work up the samples that have been collected through the work.

They will be integral to the future monitoring and evaluation of this, as will Todd's group and others within NMFS that are doing some of the monitoring of existing MPAs now. Artificial reefs to improve habitat; we'll consider that within existing MPAs, we do that with Action 7. We have an action that deals with transit and anchoring. The council added a sunset provision, so this wasn't in here the last time you saw this.

Chip will go over the outreach and monitoring or our system management plan. This slide is in here to show – people ask, well, can you do this seasonally? The issue is at any time in the South Atlantic there is some species spawning; so it makes it very difficult to just look at these seasonally. What I'll do is run through quickly from north to south showing you the alternatives.

On these slides we've got the latitude and longitude of the sites. We've got the names of them here, the subalternatives, the distance from a prominent location onshore. This is available from our website, too, if anybody wants to look at it. This same information is in the attachment for Amendment 36 that you have.

It has got the size, the depth on the inshore side and the depth on the offshore side, and Snapper Grouper AP's recommendations. You have supported 2B and 3B; and 2B was looking at the Malchase Wreck area; and 3B was looking at an area in the 780 Bottom. You wanted that as an alternative to the 780 Bottom.

Now, the council chose as their preferred this Alternative 5, and that is reflected in your document. After lunch we'll come back and get your input. We'll walk through the alternatives. South Cape Lookout, here are the coordinates for it again. That is the council's preferred. That is the only one for North Carolina. Again, this information is in your document.

Looking at species that we can document spawning, we had some in the 780 Bottom. South Cape Lookout we've got red grouper; and that was a lot of the justification for that site was red grouper. We've got some concerns about the stock status of red grouper. We've got habitat information for that area.

We've got evidence that vermilion snapper are spawning in that area as well. Then moving down to South Carolina – and this is a site that most closely resembles what is going on down in Riley's Hump. This is Devil's Hole or Georgetown Hole. We had alternatives ranging from one square mile up to 15.2 square miles – again, the same type of information.

You had approved a motion that you support the Georgetown Hole as long as it was no larger than 3.1 square miles and you support inclusion of Areas 51 and 53. Those are the council's preferreds right now is the 3.1 square mile area for Devil's Hole and they support Areas 51 and 53.

The AP also recommended we look at an area expanding the northern South Carolina MPA as an alternative to Georgetown Hole. The council looked at that. The species composition, species mix looking at somewhere up in this area – here is the northern South Carolina – the species mix just isn't as beneficial in terms of multiple species as you can see here.

These are the alternatives. Within this slide, we don't have the Alternative 43.1 square miles. Well, yes, we do actually. No, it wasn't in at this stage. The council added that at the last meeting. You can see the big diversity of species that are spawning in that area, particularly speckled hind and Warsaw grouper.

If you look at that area south of the existing MPA, you've got some snowy grouper and yellowedge grouper. That was part of the council's rationale for not going with that. Georgia, we were looking at an area off of St. Simons. You recommended 2A, 2B; and 2D at that time was something smaller.

The council looked at this; and there was concern that the Georgia coast is so narrow, so short, that we've already got existing MPA there. They felt that the impacts would have just been too much to consider closing more area. Right now their preferred alternative is not to have one off of Georgia.

Then in Florida we were looking at the Daytona Steeples. This is the area that we had the least amount of information on. If you look at the bottom topography, it is very supportive that this would be a good area to close, but we don't have any direct observation of spawning activity. The fishermen pointed that out; the AP pointed that out in the past.

This is within that expanded Oculina Habitat Area of Particular Concern. The council weighed all that input and decided not to go forward with the suggestion for the Daytona Steeples. Looking at Warsaw Hole, they looked at three alternatives. The AP suggested 2A as your preferred, which was two square miles.

During the public hearing process, we got input from fishermen, and there is one boat in particular that fishes around the Warsaw Hole targeting greater amberjack. They provided some of their detailed catch location information. The alternatives for two square miles and four

square miles would have impacted their fishing significantly. The council chose to go forward with Alternative 2B with a one square mile area as their preferred.

This Warsaw Hole is a really interesting area; and we've got some information from fishermen accounts that in the past you had spawning in this area. Then Action 7 was to move the Charleston Deep Artificial Reef. This site originally was permitted by the state of South Carolina and we used those same coordinates to create an MPA.

In placing some material there, wind, current situations, not being able to use as much explosives to ensure that the material gets down quickly; the material that was dropped, one was right inside and one was right on the line or outside the area. What the state did was went to the Corps of Engineers, got new permitted areas from the Corps of Engineers, and what we're doing now is just sliding that existing MPA to cover what is the current coordinates of the artificial reef. You all supported that.

Transit and anchoring provisions, we've got some additional detail that I'll go over after lunch within the action; but the council is interested in allowing transit and prohibiting anchoring, and you all were supportive of that and then a sunset provision. I've got some additional details there on what the council has asked for.

They don't have a preferred here, so this is a good place for you to weigh in on your expertise. But the intent is that at some specified time period, these spawning SMZs would go away unless the council took action to extend them. Then as I said, Chip will get into the system management plan. That is a quick overview; and then after lunch we can come back and look at the amendment and get your input. I would be glad to answer any questions that anybody has right now.

MR. ATACK: I guess there was some concern from people in the Key West area. I know Don wrote a little e-mail on it and some other people weighed in; Scott Osborne and Rob Harris. Their concern is about the Warsaw Hole being one square mile. Don and them are I guess concerned that it is such a small area you dilute the effort down. You are greatly reducing the probability of success for what you're trying to do there. I think Kenny is prepared to make a motion regarding their thoughts on that.

MR. WAUGH: Are we going to take that up now or do you want to do that after lunch when we go through the amendment itself?

MR. ATACK: Well, we can do that after lunch then.

MR. MERSHON: When it comes up to my area around the Georgetown Hole and the alternative that I showed you; was that given as much study because you're just showing a couple fish that breed in that area. I've fished that area; I know what's there. You guys already know it is a snowy and yellowedge spawning area. Was any more study done? I know Mark went up there and took the scientist up there to Georgetown Hole numerous times. Was any more study done in the alternative I gave you before you threw it out?

MR. WAUGH: We looked at the existing data that we have for that area; but the amount of research that was done over these last two years was limited, and none of that research activity

occurred in this area. There just weren't the available resources to have someone go up and look at that area in the timeframe we were dealing with.

MR. MERSHON: Because of money and everything else, we're getting ready to eliminate one of the hottest spots off of South Carolina when there is already a closed area that could just be expanded a little bit that everybody is already used to staying out of?

MR. WAUGH: Well, obviously I wouldn't characterize it like that. If you look at the species' composition, we've got years and years of MARMAP data collection from that area. Over all of those years, all of that work here are the species that they found spawning in that area; snowy grouper and yellowedge grouper.

When you contrast that with the intent of this is to look at a number of species, but in particular speckled hind and Warsaw grouper. When you look at just with I think a total of maybe four or five trips, what we've been able to add to the MARMAP sampling over the years and particularly show we've got Warsaw grouper and speckled hind spawning in that area; the council weighed that and a 3.1 square mile area – they talked about others.

There was an alternative for over 15 square miles. To moderate some of that social and economic impact, they went with a 3.1 square mile area; because by closing that area, you get a lot more bang for the buck. You get protection. We can demonstrate right off the bat that we're closing an area that has spawning for speckled hind and Warsaw grouper.

Remember, those are two species that had been petitioned in the past to be listed as threatened or endangered. We have to be very careful with that. The reason the council decided not to go forward with that recommendation for the alternative area, and chose the area in the Georgetown Hole was you are protecting a lot more species.

We feel if you look in parallel what has happened in Florida with Riley's Hump, how much benefit you got for many species, they felt that it was much more beneficial to go with the Georgetown Hole alternative than the other.

MR. MERSHON: I would just like to go on record as saying that I do not feel enough study was done in that area because I've lived it. I know the same fish are there that are in the Georgetown Hole. I showed on the charts it has got your little elbows and stuff like that you are looking for. I just do not feel enough time was involved to study that spot.

Mark could have made that 10-mile jump up there to it; I mean right from the Georgetown Hole, or they could have hired someone else to take them out there that knows the bottom just like probably Mark does the Georgetown Hole. Well, I could have taken them right out there to that spot and we could have caught our Warsaws. We could have caught our Kitty Mitchells – excuse me, speckled hind. The same thing could have been shown. I just feel like Georgetown Hole is getting thrown under the bus because of lack of scientific data.

MR. COX: We do know our shallow water grouper complex is having some issues. This thing started out as a protection for the speckled hind and for the Warsaws. Last year commercial fishermen and restaurant stakeholders have asked the council to try to do something and to take note of these declines.

We did; I feel like we're behind the eight ball on some of these species. We're trying to do something to rectify it. Personally nobody wants to give up anything. I certainly don't because I make 100 percent of my living from the ocean; but I think that this amendment, what we're trying to do is not take something but to give something back by increasing the biomass.

As of the end of October, the red grouper ACL is only at 22 percent; and it is not because we're not trying to catch them. The scamps are at 61 percent. The other shallow water grouper, the red hinds, the rock hinds and the graysby is at 26 percent. The CPU for the gags is increasing every year trying to meet its ACL.

We have in North Carolina – it was hard to do this. We took a prime location and council members agreed to take a four square mile area; because if you do anything less than about four square miles, you are really not doing anything to increase the biomass of the fishery. You do a one or two square mile area; it is just a feel good measure.

We're trying to make an effort in North Carolina to increase our biomass on these species. Just think about that; we're not trying to take something, but give something back through this amendment. We don't want to get ourselves in a situation especially on red grouper like we have with other species where we've had to close the fishery.

The four-month spawning season has been in place for six year now, and it is just not doing enough to keep up with the fish that is coming out of the water. As far as a sunset, as you think about a sunset clause, which I think is important – I was on the Expert Working Group. What we learned from that, if you do anything really less than about 10 years, you're not giving yourself adequate time for this thing to take place and do what it's supposed to do. As we go into this citizen science, this is where fishermen and scientists are going to work together, so we're going to have flexibility to be able to find places that may be better than what we have now; but we have to start somewhere and start monitoring these places.

MR. ATACK: What we'll do is go and look at the actions on this amendment and try to get through this before we go to lunch. I know we're running behind and look at what we've got left to do here. Action 1 is to modify the SMZ zone procedure.

MR. WAUGH: Your current position is you support Actions 1 and 2. I would assume unless you want to change your position we're not going to do motions. Your current position is you support Action 1 and the council hasn't changed that preferred alternative. Action 2, the council hasn't changed their preferred alternative; that is to modify the framework so that we can add or modify areas. You had supported that.

Action 3 is North Carolina. Again, the preferred alternative now is to establish a spawning SMZ in the South Cape Lookout area of five square miles that prohibits fishing for, harvest and/or possession of species in the snapper grouper fishery management unit year round. That is a new alternative, a new preferred. It was in there before.

MR. FEX: Gregg, I would like to make a motion to choose Alternative 5, the council's preferred, as our preferred for North Carolina.

MR. ATACK: Okay, Red seconded it. Any discussion? Now, Alternative 5 is that area south of Cape Lookout?

MR. WAUGH: That is correct.

MR. ATACK: Then we also have Malchase and 780 Bottom in addition to or is this instead of when you do Alternative 5?

MR. WAUGH: Alternative 5 would only do Alternative 5. It would not include – and the council's preferred alternative now is not to have any other areas up there.

MR. ATACK: Okay, any other discussion? All right, I guess we'll read the motion then and vote on it. Recommend Alternative 2, Subalternative – Jack, did you want to talk to why they have done away with the Malchase and the 780 in place of the South of Cape Lookout?

MR. COX: We know the Warsaws and the speckled hinds do live on those wrecks that are off of Ocracoke, the Malchase and that Cape Lookout Area. Anyway, we did some research; we had some folks go up there, and they worked with Will. There just was not a whole lot of documented Warsaws or species in that particular 780 Bottom. That was done last year.

Looking at that place south of Cape Lookout, that five square mile area, it kind of got a little bit of everything. I mean it goes from 200 feet out to 450, 60 feet of water and it is in a prime location. It is going to be a tough area for fishermen to live with in the beginning, but in the long term it is going to do what it needs to do.

We used to catch 3 or 4, 500 pounds of yellowtail in that area; not yellowtail but yelloweye snapper. It is going to help increase that biomass hopefully; because that is an area that they predominantly live in that we don't catch them like that anymore. It is just going to get a whole lot more of the species that we're trying to protect, the red groupers in that particular bottom. There are documented amberjacks, vermilion and other species. It is just a lot better area to do what we're trying to do. The wrecks are just not quite big enough. Even though they have those species living on it; they're just not big enough to do what you need to do.

MR. MUNDEN: Jack, what do the local fishermen call this area? We refer to it as South Cape Lookout, but I think the fishermen call it something else, don't they?

MR. COX: Most commercial fishermen are still living in the days of TDs and Loran coordinates. It starts in about the – we have an area that we call the Wall, where there is a sheer drop-off that goes from about 200 feet right on down to about 400 feet, so it starts in that particular area and goes kind of towards the Swansboro Hole. It is going to be right in the high 300s – from about the Loran TD – the bottom line; the 39 line would be about a 400 to about 350. I really wouldn't know how to describe it to a fisherman any other way than that.

MR. ATACK: I'll go ahead and read the motion then. **Choose Alternative 5 for Action 3 as preferred alternative; establish the spawning SMZ in the South Cape Lookout that prohibits for fishing, harvest, possession of species in the snapper grouper fishery management unit year round. All in favor of the motion raise your hand; all opposed raise your hand. Motion carries with one opposed.**



MR. WAUGH: Move down to South Carolina; and again there is a lot more analysis in the amendment that we're not going through here that you I am sure have looked at. South Carolina, the preferred alternative is Alternative 3; Alternative 4 and Preferred Alternative 2, Subalternative 2F; which is for Devil's Hole/Georgetown Hole, 3.1 square miles.

Your previous motion was to approve Areas 51 and 53 and an area in Georgetown Hole not larger than 3.1; and then you also suggested that area of the northern South Carolina MPA as an alternative to the Devil's Hole/Georgetown Hole Area.

MR. ATACK: Okay, we've got preferred alternatives up there three of them. If we're going to go with that, then we can just move to the next unless somebody wants to change something. Let's move to Action 5 then.

MR. WAUGH: Action 5 deals with Georgia and the council has chosen no action there. Your previous preferred, you had suggested some areas east of St. Simons and the Georgia MPA and then removing a similar area. The council has chosen no action as their preferred alternative.

MR. JOHNSON: I just have a question of why? There is no habitat worth protecting off of Georgia? What was the reasoning behind no SMZs off the state of Georgia?

MR. WAUGH: The concern was that the Georgia coast is relatively short and there is already a large MPA there; and the council felt that it wasn't justified to put any more in that area at this time.

MR. ATACK: If there is no other comment or discussion of that, we'll move to Action 6.

MR. WAUGH: Okay, off of Florida, the preferred alternative is Preferred Alternative 2, Preferred Subalternative 2B, which is the Warsaw Hole for one square mile. Your previous preferred was 2A.

MR. FEX: I'm making a motion for Don DeMaria since he is not here. He would actually like Alternative 2C for four square miles on the Warsaw Hole.

MR. ATACK: Does anybody second that motion?

MR. JOHNSON: I'll second it for the sake of discussion. I guess my question is the council changed their mind after input from local fishermen, which I am always hesitant to vote on anything that is not in my yard and doesn't affect me. It is easy to close somebody else's fishing spots. But my question is if it was good enough to change the council's mind, I would like somebody that was there to tell me what was so good about his argument?

MR. ATACK: I can read Don's comment as to why he would like to go back to the four and then maybe somebody can comment after that. Don says, "It seems that we often start out with good proposals like spawning site protections that make sense for the long-term health of the fishery and those that are depending on that resource for either recreational or their livelihoods. Then we go through a series of public hearings and end up watering down the original proposal in an attempt to please anyone that protests to the point where it isn't effective.

“Years later we hear from fishermen that reserves don’t work. Of course, many of our reserves have not worked as they were set up to fail from the beginning. We are repeating the process all over again with the Warsaw Hole Spawning Reserve. It started as a good proposal, properly located of acceptable size with a reasonable chance of being successful. Now after a few public hearings, it is down to one square mile; this is a joke.

“Anglers fishing along the perimeter for amberjack will easily draw Warsaws over from the reserve. These Warsaws, although protected, will still be brought to the surface and bloated, cut loose and die. Years later when a survey is done of this site, there will be very few Warsaws, no spawning activity will be recorded and it will be concluded by some the reserve was ineffective.

“I suggest the council does not have the backbone to initiate a proposal; a proper set of spawning reserves of reasonable size and correct locations with a reasonable chance of success that just drop the spawning reserve option and go back to traditional management measures, i.e. size limits, bag limits, quotas and shortened seasons, 240-foot closures and beyond, endangered species status Warsaw, speckled hind, et cetera.

“The spawning reserve concept was intended to provide reef fish for a place to spawn unmolested as a measure to keep fishermen fishing year round with reasonable restrictions outside the reserve areas. Obviously, this is not what some council members or fishermen want. If it can’t be done right like we did in Tortugas, then just don’t do it at all.” Don DeMaria. Can somebody answer his concern or why has it changed from four to one square mile?

MR. WAUGH: Well, I explained that. Yes, it went from two – and we’ve got council members that can elaborate; but we received extensive public comment at hearings, in letters, and from the individual fishermen that are fishing in this area, and they provided their individual fishing location information.

The alternatives for two square mile and four square mile would significantly impact their fishing, if not most or all of their greater amberjack fishing in that area; whereas, the one square mile area would protect the core of the Warsaw Hole and would not impact their fishing. We’ve got council members who can elaborate on that.

MR. PHILLIPS: Gregg explained it well. Ben had a lot of conversations with the fishermen. He felt like they could still work on that amberjack fishery without affecting Warsaw and the other things they were trying to protect.

I understand they may have to agree to disagree on the size, but there was a good bit of conversation with Ben on how that guy could still work or those people could still work and still make the Warsaw Hole do what it needed to do. I think Zack may have something.

MR. BOWEN: No; that is pretty much it.

MR. JOHNSON: You felt it would still be effective even in that reduced size?

MR. BOWEN: We did.

MR. ATACK: One question I have is if we're allowing them to fish for amberjack; won't they be catching them with the top water gear and not bottom fishing; so therefore if we closed the four miles, we're still not closing it for amberjack fishing, right?

MR. BOWEN: Well, it would be closed to all snapper grouper species and amberjack is included in those species. Now that being said, we've had letters from the fishermen down there that have on their own volunteered to change their fishing methods to try to avoid the interaction with these fish that are protected, such as fishing up off the bottom a little bit. But, yes, amberjack is in the snapper grouper species.

MR. ATACK: Right; so if you closed the four mile square to bottom fishing gear, right?

MR. BOWEN: No, the proposal is to close it to all snapper grouper fishing; whether you're fishing for snapper grouper on the bottom or 20 feet off the bottom or on the top, all snapper grouper species.

MR. JOHNSON: Correct me if I'm wrong, Jim, but when we started down this path, this isn't just directed at Warsaw grouper and speckled hind. This was supposedly these special places where multiple species of reef fish spawn. Even though maybe Warsaw grouper and speckled hind were the focus, it is all of the fish in the snapper grouper complex.

MR. LORENZ: I don't really want to interfere with areas that really nothing to do with me or my state; but one concept I had with these spawning management zones, they were going to be considered these hot spots that the fish can produce fry and young well.

They can actually leave to populate other areas, so kind of a hot spot to get the ball rolling to increase biomass. What you showed on the yellowtail snapper was how fry, eggs and that sort of thing could move out with the Gulf Stream or with the current to somewhere else. Does that concept apply here?

MR. WAUGH: Yes; and, Bob, it was for mutton snapper, you had said yellowtail; but, yes, the hope is that it would. That is a part of this process is to characterize these sites. We haven't had a detailed analysis of the currents in and around each of these sites. That is part of what would be done in the research and monitoring. But certainly the expectation is if you've got an area that is just to the east of Riley's Hump, the expectation is that egg and larvae would travel the similar path that it does from Riley's Hump for the mutton.

MR. LORENZ: Then for me that makes these alternatives like 2 and 2C so much more palatable and intelligent to support the motion.

MR. COX: Unfortunately, Don couldn't be here; this is in Don's backyard. He had to attend a funeral. This is kind of his expertise and he spent a lot of time working at that Warsaw Hole Area, but I just recall the vote on the council. It was a close vote. We had quite a few letters from fishermen in that area that do amberjack fishing; and the council is very sensitive to not trying to interfere with fishermen's livelihoods but at the same time manage the fishery.

It is a hard thing to do. We are kind of counting on the AP here to help us with this. It is hard. I wish Don were here. I will tell you that the scientists and our administrator have a hard time

supporting what we're trying to do here unless it is bigger than one square mile just because with their experience in it, it is not going to get a whole lot done; so keep that in mind.

MR. STIGLITZ: I'm against going to four miles. I'm against the whole Warsaw Hole, because we have so many of them down there that we don't have places to go fish any more. They have closed off Tortugas. They've closed off Riley's Hump. They've got Sambos; they've got the Dry Rocks. We have miles and miles and miles of no-take zones, SMZs; it is crazy.

If you've got to take something, take the Hole. If you're going in there amberjack fishing, you're not going to the bottom catching groupers off the bottom. You're not catching amberjacks on the bottom. Let them guys go in there and go to work every day. If that Hole is where they're spawning, then so be it. Take the one mile square; but to take four miles just because Don wants to have his heart bleeding a little bit; I'm totally against it.

MS. MARHEFKA: Well, it sounds like we're on the same page. I don't know this area and it makes me uncomfortable to speak to it; but the idea of not having any of them makes me very nervous. I would like to reiterate the fact that there was a lawsuit; that these are species that could be very close, whether it is justified or not, to being listed; and if that happens and just one of these species is taken, we're all staying home completely.

I think all of us have to give up a little so that if something happens and we get back in front of a judge, we can say at least we did something. I would just like you to keep that in mind. It makes me really, really nervous that we could see ourselves back in court if we are not proactive in this situation.

MR. HUDSON: Having submitted written comments on the petitions for speckled hind and Warsaw grouper and seeing that feedback, realizing that the genetic signal from these animals are the same all the way to Central America throughout the Gulf of Mexico, and they still have a take on speckled hind and Warsaw grouper in the Gulf; being that the trends analysis that was utilized to determine overfishing – one is from the early nineties, the other is just as you get to 2000 is extremely dated. That is not the best scientific information available.

To me the National Marine Fisheries Service needs to step up and get some science on the table that people can work with. As far as the threat of litigation, I've been through a lot of litigation through and helping in assist and against National Marine Fisheries Service through the years. It is a drawn-out process; and, yes, NRDC and them failed. The judge made his decision.

The council is moving forward doing some things; and if they want to file again, then they will be tied up in court for another couple of years and National Marine Fisheries Service will have to deal with it. But again, the simple answer is that we could get better information on these Warsaw groupers and speckled hind.

We can utilize what is going on in the Gulf and we can wind up continuing the no take that has been going on since 1994 here. There is zero take in the South Atlantic Council Region. There are less people out there putting the pressure on these animals. I believe that they are probably in far better shape and overfishing is probably not occurring. The overfished status means you need some population dynamics and a trends analysis is not a full benchmark stock assessment. It never was, never will be. I just wanted to put that on the record.

MR. FEX: I just want to make a point from law enforcement. One mile square mile is really hard to enforce. I know we talked about MPAs. We're all worried about everybody fishing in them. When you put one square mile in there, I guarantee it is hard for the Coast Guard or any enforcement agents to keep that monitored; just making a point.

MR. MUNDEN: One thing that we have to keep in mind is that this is an advisory panel. We have a lot of knowledge and expertise sitting around the table; but our role is to advise the Snapper Grouper Committee. Any recommendation we make has to go through the committee and through the full council, and then ultimately ruled on by National Marine Fisheries Service. But having said that, I think the whole concept of these spawning management zones was to give the fish some protection. It has been said before, one square mile is not very large; so I support the proposal or the motion up on the board for 2C.

MR. BUFF: Could the amberjacks be taken out of that; I'm just asking? You don't fish for grouper the way you fish for amberjacks, so could that be eliminated for that specific area?

MR. WAUGH: Initially I had a similar thought and I talked to Ben, because Ben has done a lot of fishing for amberjack and Warsaw. He said that the way they fish for amberjack down there, they start trying to pull them up off the bottom. He said in his fishing he has had a bycatch of Warsaw in particular; not speckled hind, but definitely Warsaw. He said that in his opinion that wouldn't be a good approach just to exclude greater amberjack, because there is some bycatch of Warsaw when they're fishing for amberjack.

MR. ATACK: Okay, I'm going to go ahead and vote on this then if no more discussion. Now via e-mails, I got Scott Osborne, Rob Harris and Don DeMaria wanting this motion to go through. I don't know how we count them.

MR. WAUGH: If they were on the webinar, they could vote. We're not voting via e-mail.

MR. ATACK: Okay, we'll go ahead and vote by who is present. **The motion is to select Alternative 2C as preferred, Alternative 2; establish an SMZ in the Warsaw Hole; and we've added back Subalternative 2C as a four square mile Warsaw Hole. All in favor of the motion raise your hand; all opposed raise your hand. The motion does not carry; four for and five against.**

MR. WAUGH: That leaves you back at your original position, which was supporting 2A and 3C.

MR. STIGLITZ: I would like to make a motion we do the Preferred Subalternative 2B.

AP MEMBER: I'll second.

MR. ATACK: All right, any other discussion?

MR. JOHNSON: I'm just curious why would we not go back with our first preferred, the two square miles? Again, I am hesitant to vote on anything that is not in my backyard, and I feel badly because I know it needs to be done. I have to be sensitive to what the council members

heard and the decision they made as well; but originally this group chose a two square mile area. I'm just curious, Richard, why are we going down to one now?

MR. STIGLITZ: Obviously, they had meetings and obviously the personal commercial fishermen that were there doing it sat down and talked to the council and they even swayed the thought of the council that this is an area that we fish and we need it. Why would you take it away from them? You're not taking the spawning hole away from them.

I mean you are taking the spawning hole away from them. Where the fish go in there and spawn, you are taking that away from them. But the areas around it, they are leaving that open so they can go in there and fish. That is sort of what we're trying to do to make these spawning areas as small and as tight as we possibly can and leave as much bottom open.

If you're worried about somebody catching a Warsaw grouper, there are wrecks – the Wilkes-Barre up there off American Shoals, it is loaded with them. All you've got to do is drop live bait down there and you can pull a Warsaw grouper out. What is the difference if you catch one up there on the Wilkes-Barre or if you catch one over there at the Warsaw Hole? But if you shut it down, there are a whole bunch of these guys that aren't getting to go fishing in that area any more.

MR. ATACK: But I think the question was if the council and those local fishermen agreed that rather to have four square miles; that the two square miles is what we need and they've agreed to it, then why reduce it from two to one?

MR. STIKLITZ: The council's preferred alternative is one square mile.

MR. ATACK: Do you want to vote on the motion then? **The motion reads select Subalternative 2B as preferred and 2B is one square mile. Did anybody second it? Yes, it has been seconded. We'll go ahead and vote on the motion then. All in favor of the motion to select 2B as preferred, which is the Warsaw one square mile, raise your hand; all opposed to the motion raise your hand. Five against; six for; motion carries.**

MR. WAUGH: The next action is moving the Deep Charleston Reef; you were supportive of that before; any interest in changing your position on that?

MR. ATACK: The preferred alternative is to move the Charleston Deep 1.4 miles to the northwest. That is what we voted on before. If there is no other discussion, we'll move on to Action 8.

MR. WAUGH: Preferred Alternative 2 would allow transit with snapper grouper species aboard a vessel when fishing gear is appropriately stowed; and we define gear as being appropriately stowed. One thing that changed in this is we clarified for trawl doors. This certainly isn't applicable here; but I know Rusty in particular was interested in what we had done in the shrimp fishery.

For trawl, trawl doors and nets must be out of the water but the doors are not required to be on deck or secured on deck or below deck. Anyway, you can see what it means when we say gear appropriately stowed. The council's preferred alternative is to allow transit. They also want to

prohibit anchoring by fishing vessels in the proposed area. They want to allow anchoring by some vessels within Areas 51 and 53.

We had some discussion about this and there was some disagreement on whether when we just say fishing vessel that would apply to a research vessel or a dive vessel, because the state of South Carolina is interested in being able to anchor in Areas 51 and 53 to do work out there. They also feel that is a good place – since that is artificial reef material in sandy bottom, it is a good place to allow dive boats to anchor within that area, so that people can see what is going on in an artificial reef area, so more important to do the research.

The council's preferred is for anchoring by fishing vessels, but we're going to have some more discussion to clarify how we deal with research vessels and perhaps dive boats that are non-consumptive, not spearing. You all were supportive of both prohibiting anchoring and the transit.

MR. ATACK: Would you consider allowing those vessels with special permits to just anchor there and all other vessels not? Like the state of South Carolina could issue a permit or somebody that wants to anchor in that area? That way you would know who can anchor and who can't?

MR. WAUGH: That is certainly something the council could consider doing.

MR. ATACK: If there is not any discussion or questions on this, then I think this is our last action for this amendment, right?

MR. WAUGH: One more; we've got the sunset provision. Like I said, the council doesn't have a preferred on this now; but they've added some additional alternatives. Before we were looking at 10 and 7, I think; they've added 5. We've also added subalternatives under here. Given that Areas 51 and 53 are artificial reef sites that we're now giving spawning SMZ status; the state of South Carolina wasn't interested in having those sunset and the council agreed with that.

They are going to talk about this some more, but there is certainly a strong argument for not allowing those areas to sunset versus the other areas where we're grabbing natural bottom, have the sunset apply to those. The idea is we'll look at 10 years, 7 years, and 5 years; and they want us to add discussion about what needs to be done.

A lot of that detail is in the appendix that Chip is going to go over. We want to add wording to alternatives that discuss what specifically allows a site to sunset. We've got some species, but Chip will get into that in his. Your previous position – well, you didn't have one, you haven't seen this yet. We need your input.

MS. MARHEFKA: I would like to go ahead and make a motion that the advisory panel supports Alternative 2B. Personally I would like to just make the statement that I actually wish there was no sunset clause at all. I think politically there is a lot of support for the sunset clause, so I would like to go with the longer one; because these are long-lived species and it is going to take a while before we can see what is really happening in there.

MR. ATACK: All right, any discussion?

MR. HUDSON: I guess between MARMAP and the NMFS vessels and a few other choices; are they already investigating any of these SMZs besides what Will Heyman did or are they still just working on the MPAs and the HAPCs and stuff? Is there going to be a report from this year on some of their work? I know that they've been annually trying to do something.

MR. WAUGH: There is some work in some of these; and I don't know if Chip can touch on that. We had an IPT meeting last week where there was some indication as I recall, Chip, that there was some work done in some of these areas that we're considering for spawning SMZs. I don't know that we'll get a separate report this year, but there is some work I think that has been done.

MR. COLLIER: Information was provided to me on the species' list that was captured in the SMZs and that was with the remote-operated vehicles. I've been in conversation with SEFIS to see if we can get some of that information, the species list. Some of these are in deep water so it is very difficult to put a trap out in greater than 300 foot of water. They generally don't do it, so there might not be data in some of these SMZs.

MR. THOMPSON: I've got a question on just one of the parameters of the sunset provisions. If it is just proving spawning, I think you're never going to have a sunset because fish spawn in the water; you're out there looking in the water, and you're going to find that. What would cause it to be opened back up; but what would you do?

MR. WAUGH: We'll have more indication of exactly what that was after the December council meeting when the council looks at this more. The way we had approached it was that we would have annual status reports going to the council and then periodically have a sort of a major review.

If the sunset was ten years, then we'd look at it annually, but you may want to have a big review in Year 5, Year 7. To me, the way we had approached it was the council would look at the bulk of the information that has been collected, how much of those areas have been mapped, what species do we have documenting spawning in there, how many years have we documented spawning in there?

Then when they became comfortable with a site, that the site should be continued, then we would take a framework action and add it. They wanted more detail laid out, and so we're working on that for them for the December meeting. They will talk about some of those specific measures, what it is going to take to sort of tip the scale, and, yes, we want to extend this one; no, we don't.

MR. THOMPSON: Okay, that is what I've said before; don't want to put the cart before the horse. We're closing before we did the research. Now we're at least saying we're going to do the research once it's closed, unlike the MPA program.

DR. KELLISON: Rusty, to your question about I guess data collection, just a clarification on what is happening from maybe a NMFS-funded perspective, and that is there is a region-wide trap video survey. Historically that is a MARMAP survey starting in 2010. Our Southeast Fishery Independent Survey Group, SEFIS, out of the Beaufort Lab started working with MARMAP and that is when video cameras were added.



That is about 1,500 trap video deployments across the region a year on average; and a small proportion of those end up in or around the Deepwater MPAs. That is where some of the sample sites are. Part of the survey isn't specifically focused on assessing the performance of the MPAs. Presumably the same would be true for the SMZ zones.

Then the other effort of which I'm aware is the annual RV surveys that occur out of the NMFS Panama City Lab; Andy David and Stacey Harter. Those are focused on the Deepwater MPAs and outside of them in I believe in the last couple of years. I don't know this definitively, but I think it is a case that they've also been doing some surveys in SMZs or the potential SMZ zones.

MR. HUDSON: With that said, as you know, Todd, we've tried to help you out with places to go and stuff for the speckle hind and Warsaw groupers since, whenever, 2010/11, stuff like that. But because Amendment 14 to the Deepwater MPAs, NMFS had decided they couldn't afford or whatever finance research and monitoring. Then we kind of got into the MPA Expert meetings.

Stacey was part of that. We've gotten into the multibeam stuff. We're getting into mapping; we're getting into trying to sample the animals that are inside and outside. All of that is good, but it takes a while to get all that work done. Likewise it is going to take a little while to do the SMZs that are going to be put in place.

This HAPC I believe also falls under this, the expanded HAPC and things. There is a lot of work out there. That is just the main thing. There are people worried about it. They hate giving up the bottom and they want to make sure that you have animals at least in spawning condition. Sometimes those traps won't work in some of these circumstances.

DR. KELLISON: Fully agree, Rusty, there are a lot of data gaps out there. Partially in thinking about that earlier this year, in April of this year, we held a workshop at the NOAA Beaufort Laboratory, which was fishermen, scientists, survey people, and stock assessment scientists; just thinking about particularly for the South Atlantic Deepwater Complex, species like speckled hind and Warsaw, snowies, which they don't get sampled really well in any of our surveys; how we would design a survey for those species, if we could, if we had the resources and those kinds of things.

A final report from that workshop should be available soon. It is almost finished. The results from that workshop or the guidance from it helped us put together a blueline tilefish sampling effort, which is just wrapped up a couple of days ago for this year; but just do recognize that there is a lot more that we need to be doing if resources were available for them.

MR. HUDSON: And to respond; MARMAP got their funding cut at one point, as you know. They lost the ability to use their 20-hook vertical, their 100-hook longline. That is all now getting reestablished last year or two. That is an important feature, because they had gaps there, too. You don't do those longline surveys, I guess. Maybe you have started that with the blueline. Maybe that is part of it; but traditionally you had chevron traps and cameras and multibeam and stuff like that with SEFIS.

DR. KELLISON: That's correct; that SEFIS group has not done the longlining work.

MR. ATACK: I have one question for clarification on the motion. I support the motion, but your motion is for Alternative 2, 2A and 2B, right, which is not just Alternative 2, right?

MS. MARHEFKA: It is 2B. It was the one that has the 10-year sunset for everything except for Areas 51 and Area 53. Isn't that 2B?

MR. WAUGH: That would be Subalternative 2A, right, apply the sunset provision.

MS. MARHEFKA: No, 2B.

MR. WAUGH: Sorry, 2B; you're right, 2B.

MS. MARHEFKA: I mean to exclude the two artificial SMZs from the sunset provision.

MR. ATACK: Right, so you want 2B. My other question to Gregg is if we do the reauthorization, how long does that take? In other words, if we have a 10 year, does that mean in Year 5 we have to start the reauthorization in order to get it done before –

MR. WAUGH: No, through the framework it can happen very quickly. For instance, Regulatory Amendment 25, we got direction from the council at the last council meeting and they're finalizing it here. It can go as fast as over two council meetings.

MR. ATACK: In year nine we better decide what we want to do.

MR. WAUGH: Well, the plan is to do it a little bit before that; but, yes, to at least give us – that is for us to finish it. Then it needs to go to the National Marine Fisheries Service and they generally take six months to get regulations in place, so we have to build that in.

MR. ATACK: Is ten years long enough then?

MS. MARHEFKA: I wonder was there a discussion – and maybe a council member can answer this – about it being the way Oculina used to be if I recall correctly as a ten year review. Was that a ten-year review without a sunset provision, but it had to be reviewed, so therefore you could take no action and it would stay in place versus you had to take action to keep it in place. Was there discussion about doing it the other way where if the council did nothing, it would stay in place, but was obligated to review it?

MR. WAUGH: The way this was offered at the June meeting, it was just straight as a sunset; not with a review, because we had been talking about having a review component; but obviously our trust level with the public on monitoring and research and enforcing is not high. To address that, the council felt that it would be good just to do a sunset like we had originally with Oculina.

It puts the onus on the scientific community and on the agency to get this work done. The council is also stepping up to the plate. We have committed \$30,000 to hold a Citizen Science Workshop in January. We intend to ensure that this work gets done, but obviously it is expensive work. We're going to work with Todd and others, but obviously the federal budget is limited. We feel that cooperative research is a way to go.

The intent is to have a lot of work done way before we get out to ten years. It was pointed out in the discussion that what happened with Riley's is the first couple of years you didn't see a whole lot, and then you really start to see it take off. That was the argument for going with ten years, to give us enough time to document something happening.

**MR. ATACK: All right, if there is no other discussion, we'll go ahead and vote on the motion. The motion is support Alternative 2, Subalternative 2B, for preferred, which is apply the sunset provision to all spawning SMZs except 51 and 53 areas with a ten-year sunset. All in favor of the motion raise your hand; anybody opposed? Motion carries unanimous.** I think that is our last action so we're going to break for lunch. I guess be back in an hour.

MR. ATACK: We're going to move in here to Chip Collier with Amendment 14 MPAs.

MR. COLLIER: I know that Gregg said that we were going to go over the system management plan for the spawning management zones; but we're going to go over the Deepwater MPAs. It is very similar; and it would get confusing if I gave you both documents at one time, because they are actually framed after each other because it is a science document, an outreach document, resource protection, enforcement document and also administrative.

When we came up with this, we realized that we didn't really have a good plan in order to, one, see what was going on in the Deepwater MPAs; and, two, to evaluate if they are actually being effective and reaching the goals of the amendment. The system management plans are designed to look at the goals that are actually mentioned in the amendment under the purpose and need.

For the Deepwater MPAs, the design of them is to protect large areas for where deepwater grouper species are found and protect them from juveniles to adults. They are a little bit larger than what the spawning SMZs are. In both of these we have a section where there are actually action items; and in those action items there are actually little objectives within those action items of what could be accomplished in order to meet the goals of the plan.

Then after that there is an evaluation section; and within the evaluation section, that is still being developed as far as what information we're trying to collect, what information would be most beneficial in order to evaluate if this is actually meeting the goals of the MPA and of the amendment.

If we go to, in Attachment 6, if you guys go to PDF Page 6, if you are following along online or in your computer – well, actually before we get to Page 6; the goals and objectives, it is probably important to go over real quick. The first one is to adopt and utilize an effective process to evaluate and refine management of the Deepwater MPAs.

That is basically the creation of the SMP, the system management plan. It is important that you create yourself, so we got that done or we're developing it. This should be accepted in December for the Deepwater MPAs and then in March for the SMZs. We're going to look at biological benefits maximized. You can see the species' list there for the Deepwater MPAs, and that species' list includes speckled hind, snowy grouper, Warsaw grouper, yellowedge grouper, misty grouper, golden tilefish, and blue-line tilefish.

That species' list is different from the SMZs, and that list is actually in the SMZ document if you want to look at that. Goal 3 was to minimize adverse social and economic effects. Goal 4 is enforceability and compliance; and Goal 5 deals with research and monitoring to capitalize on the capacities we currently had.

Then Goal 6 is looking at research and monitoring of invasive species. That was added because at the visioning meeting and also through 36 we heard several comments on lionfish, and we didn't want the MPAs to be protected areas for lionfish. If the only thing they're doing is protecting lionfish, it is not doing what we want them to do. That was included in this as well.

Then Goal 7 gets to outreach. We want to make sure that we're communicating with the fishermen and they are gaining knowledge on why the SMZs and MPAs are important and dealing with that information and promoting it. Going on to the resource protection action items, one thing that has changed for the Deepwater MPAs is Florida has actually changed the area where some of their vessels are located; some of their assets.

In Amendment 14 they had a moderate to low ranking for some of the MPAs. In 2015, when we interviewed them, they had changed all the ratings for their Deepwater MPAs from either low to moderate to high. We also included in the new ranking the U.S. Coast Guard, because they have been enforcing some of the Deepwater MPAs.

That changed the Snowy Grouper Wreck off North Carolina; that changed the rating from a low to a moderate for the Coast Guard. Looking at the action items for the Deepwater MPAs, as far as the resource protection, that goes into looking at actually developing cooperative patrols for marine patrol; also training for officers, purchasing vessels, potentially number of times an area gets visited and different items that would be included in a resource protection.

If you guys have any questions on this, I am kind of flying through it. It is very important to patrol the Deepwater MPAs and make sure we have at-sea assets. Do you guys have a feeling for how many patrols should be done per year, any comments on the patrolling that is currently done? We would love to hear any comments on the deepwater.

MR. FEX: Where I'm at, usually I do see the Coast Guard cutters out there off the break and also Coast Guard planes. I don't know if they come out of Charleston or where they come out of, but I'll be out there offshore and inshore of that MPA or I'm at the Snowy Wreck. It is, from my understanding, definitely well enforced.

The commercial guys, I never see them out there; recreational guys, I see them out there trolling. It is a hot spot for them. I think it is done pretty well from my perspective, since I do fish inshore. I've seen some of the largest B-liners I've ever seen inshore.

MR. MERSHON: Also down our way, we've got the northern South Carolina MPA there. It is probably the same vessel that Kenny is talking about; they travel up and down right there. We've got two of them, two MPAs there, the one off of Charleston, also. It is pretty regular that my guys are there; and they've even seen drones.

We've had two sightings of drones and it is a pretty large drone. Where it came from, we don't really know; whether it was from a Coast Guard boat or whatever; but one guy has even got a

video on his phone of it flying around. It came over and it got on top of his boat so they could see the numbers on top of the boat and all that stuff. But we have had two sightings, but the guy has got it on his phone, so I can say it is documented. There is enforcement going on to it.

I can't really say that they are not fished regularly, but it would be one of those situations that you would kind of be telling on people and I am not in that position to do that. When they get caught, I do believe that there should be some severe punishment for it. They are active out there.

MR. ATACK: Do you have a feel for how often you would like to see them patrol the area for it to be effective?

MR. MERSHON: From my understanding from my fishermen and talking with the other ones; it is probably maybe once a month that they see them down through there. But now you've got to remember weather conditions and whether or not they are in that area and everything, because they may be there a lot more patrolling the area; but yet if you're ten miles from it you are never going to see the cutter coming. He might be sitting right in the middle of it waiting to see if anybody is coming; but that is what is going on right off of our coast right there.

MR. JOHNSON: Is there cooperation between the U.S. Navy assets and the Coast Guard? I mean, off Jacksonville you have Mayport Naval Station. I mean you've got tons of flights taking place by Air Force. You've got the Navy out there constantly. The last time I think I asked this question there is none, there is not any cooperation. It seems like that some assets could be utilized.

MR. COLLIER: I'm actually really curious about the drone; that would be great.

MR. FEX: I was just saying it probably could be Navy, because I know they probably utilize them. I won't say the Coast Guard does, but you might be able to find that out.

MR. MERSHON: I definitely do not feel it was just somebody – I mean I could go out there on my boat and take these drones that you see nowadays and fly over there to see what you're catching. I don't think any of my fishermen could afford this drone, the one that we were looking at on film, I mean on the guy's phone, because it was pretty large and it was holding some equipment on it. It wasn't just holding a GoPro.

MR. COLLIER: All right, going on from there, it is very encouraging to hear that you guys are seeing some of the enforcement officers out there. I think that is a really good thing. It is also important to not consider this telling on other fishermen; that if they are in the area, they are basically stealing fish from you guys.

These areas are there for the fish to reproduce and produce more progeny in the future. If they are taking them out of these Deepwater MPAs and not letting them grow, it is taking it from the honest fishermen; and that is problematic. Don't consider it telling; consider you are doing the thing for a better fishery.

MR. SYKES: I've got a quick question. We do have a problem with a lot of people fishing some of our MPAs in my area. One of the things we talked about was putting in a buoy system

with cameras or something that would announce that it is an MPA. Is that anything you guys have talked about?

MR. COLLIER: We've talked about potentially putting a buoy in there trying to detect if fishermen are in the area and not necessarily to announce that this is an MPA, because it would be very difficult. Do you put it on every edge of the MPA? Some of these are pretty large and just trying to figure out different ways to do it.

One of the approaches that we're trying to take is instead of necessarily putting a buoy out there is maybe contacting some of the GPS manufacturers and getting them put on maps. That way fishermen, if they're in the area, they would notice that the area is highlighted. Hopefully, the regulations would show up on there. GPS shocks them.

MR. MERSHON: That is one thing like in our area it is the fishermen. It is like somebody mentioned earlier, a lot of us we get GP32, Furuno, and we still live the Loran-C lines. When they put out where these MPAs are, of course, it is in GPS. You are talking about a pretty fine line. I did have one of my boats that was boarded by the Coast Guard, and he proved to them that he wasn't in I, but they wrote him up and they were about to escort him back to the dock.

He did show them on his stuff while they were on the boat, and they took pictures of his map coordinates and everything else while they were on there. He did win and was able to show that he was not in the MPA; but it is a fine line. When you start talking about if I'm sitting over there where she's sitting against that wall out of that box; on a Loran-C now, numbers, you know, you've got about a 25 foot square.

GPS; you can break that down to about a three to six foot nowadays. When the Coast Guard is on there saying you're in the square, but yet he doesn't think he is because his machine is telling him he is not. Like you say, a chart or something like that would surely help. I hate to say it, put both lines on there; I mean both systems, GPS and Loran-C.

I will be the first to tell you, you tell me to go back over these GPS numbers and I won't know where you are talking about; but you say you go to the 59/600 and the 45/245, I will know exactly where you're talking about. That is just from a fisherman's standpoint. If they are in there, some of them might not even know that they are.

MR. FEX: To that point; we've got SD cards for a lot of our machines, our GPSs and different type of cards. Maybe if you guys formulate a system where we could download that onto our card and then we could interject it into our GPS – I mean I use a small micro SD card right now into my Garmin. That might be an alternative. Different machines have different cards, but that might help.

MR. COLLIER: Going on from the resource protection and more into the resource monitoring; there are several different actions into the resource monitoring. That starts on Page 12. A lot of these are kind of ongoing right now where we're looking at predetermine closure distribution and abundance of dominant-harvested species inside and outside of MPAs.

There has been data collected either through MARMAP or SEFIS ROVs, so we do have some data collected on each of the sites, whether it is a Deepwater MPA or if it is a spawning SMZ.

All that data is going to be worked up. The second part is to maintain an annual monitoring program to collect data inside and outside of the MPAs. Currently that is going on, one with the ROV survey that was mentioned earlier and also with the SERF survey, which is MARMAP, and they collect some of the biological information. That has been very important. Todd, if you want to jump in.

DR. KELLISON: Yes, I would just say both of those annually ROV surveys occur, and they get in as many, I think, of the MPAs as they can; outside them as well. The trap video survey – and Wally was just saying a little while ago in a conversation I had with him that the MARMAP short bottom longline survey and maybe the long bottom longline gets into some of those MPAs as well.

I would just clarify that in my opinion like none of those ongoing efforts are really sufficient to do a good job of annual monitoring of them. It is the focus of the ROV surveys, but the amount of time that they have is pretty limited. It is not the focus of the trap video survey, although we do collect some data. If someone were to ask me to design an effort to effectively monitor what is happening inside versus outside these MPAs, it would look very different from anything that is happening right now.

MR. COLLIER: I think that gets into what is going to be likely a component of this, which is the Citizen Science Program. I think it is going to be very important for fishermen to get up with scientists and also NMFS and South Atlantic staff to try to develop a really good program in order to monitor some of these Deepwater MPAs and SMZs, so we can augment some of the data that is being collected and some of the other surveys.

Action Item 3 is to identify fish population demographics, size, age structure, sex. With the Deepwater MPAs, once again that was really to allow some of the fish to grow to a larger size, so it is going to be important to be able to track that over time. Some of these fish are very long lived; yellowedge grouper up to 100 years old.

When we're talking to get a good age structure, it could take a long time for some of these to materialize and we just need to be aware that it could take a while. We might not see it in two or three years. It could be on the order of decades in order for us to see a difference. Action Item 5 is to track movements of adult fish. I think that could become important.

It is probably going to be low as far as priority, but we do need to figure out the home range of these species and see how they're moving around in the MPAs and also for spawning if they are moving to different areas. I think that is going to be very important, and that is something that the fishermen can help out with.

One of the hard parts with a tagging program, whether it is a sonic tagging – sonic tagging is going to be collecting data from acoustic buoys; but if it is going to be a traditional tagging program, it is very important for the fishermen to report all the fish that they catch with those tags and have fairly accurate reporting of the location where they caught those fish.

One thing that Gregg had mentioned with the Tortugas -- I believe that was the area; but you could potentially map the locations where the spawning could occur and the ending site for the nursery areas. There are potential models that can be used to develop these; either the potential

nursery sites or even beneficial spawning sites, so the connectivity along the South Atlantic to figure out where it is going to be and better prioritize, potentially, some of the spawning aggregation areas.

The next part is going to be getting into habitat monitoring. Within each of these MPAs and spawning SMZs, we do need multibeam maps to figure out are there certain habitats that these fish prefer. If we're comparing amongst each other, it is always best to compare similar habitats. If you're looking at a very productive, high-relief habitat, you don't want to compare that to a low-rubble habitat.

You could have one different species' assemblage, but they might not be as effective for retaining larvae. Now going on into the outreach component; outreach we've been working on, and this is very similar to the Oculina outreach that has been developed. One of the first thing that I had mentioned was get up with the fishing chart manufacturers and try to get these MPAs put on the charts. That has been in progress for a while.

We are going to continue working on that. We're also going to develop area-specific rack cards for the northern and southern MPAs. SMZ rack cards will also be developed for those. If you guys have any questions on these action items for the outreach or you have any suggestions, please let us know and we would definitely add in your suggestions.

Both of these system management plans are living documents. Even though they might be accepting them in December for the Deepwater MPA and then in March for the SMZs, it doesn't mean that is the final version of the document. Every five years it is going to be reviewed and it is going to change.

We welcome any comments you have and any ways we can improve these. Administrative action items, like I said there are going to be reviews of these SMPs. Ideally we're going to have a yearly meeting with a team for the system management plans, and so we're going to develop an advisory panel for them.

They will meet yearly and go over the progress and then every five years will have a full, complete report done at least for the Deepwater MPAs. For the SMZs that is going to vary, depending on the sunset. What we would like to do is have a first review done halfway before the sunset comes into effect and then maybe a year or two before the sunset is going to take effect.

That way we can make sure, one, if we have huge gaps within the SMZs and we need more research done, we can get that done; and then the second review would be to accumulate all the information that has been gathered over the time the SMZ has been in place. Then we would be able to report it to the council and hopefully they will be able to evaluate it better.

As far as membership for the System Management Plan AP, we came up with two potential different ways to do it; two members from each AP and MPA scientists. Another way we could do it is have four members from the Snapper Grouper Committee and two from each of the Coral Habitat and Environment Protection, Law Enforcement, and Information and Education, along with three MPA scientists. Since you guys are nominated to have four people on the SMP, do you guys have any comments on membership?



MS. MARHEFKA: I would just wonder, it might be cost prohibitive, but that the AP was divided by state; because if you only have four AP members total on an advisory panel, you are really only getting a very small perspective of what is going on out there. I think that if you had, say, a South Carolina Marine Protected Area Advisory Panel and you were able to draw from a couple of recreational guys, a couple commercial guys, whoever it may be, you are going to get a lot better idea of what is happening out there than if you only have one person from each state.

MR. COLLIER: Potentially maybe change the four snapper grouper down to two and then have a representative from each state, recreational and commercial?

MR. ATACK: No, what I think she was saying is kind of evaluate each state by itself; so like meet about North Carolina and go over North Carolina and then have an AP for SMP for South Carolina and then have an SMP for Florida to go over the Florida MPAs and SMZs is what I think she is suggesting.

MS. MARHEFKA: That is correct. I know that is very expensive and it is time-intensive; but we want these things to work and we want to make sure we're doing this properly, so I don't think that there is a lot of room to skimp on this; and I really think it is important. You saw today there wasn't enough input from South Florida here when we were looking at South Florida.

I just think it is very important if not just for stakeholder buy-in, but also you are going to get better information the more people that are included in that part of the process. I just think even if you have the Florida people meeting half a day, the Georgia people meet, I think you have to do it that way. Four people are not enough.

MR. ATACK: Yes; and if you can meet in that state I think would be good, too, because then you could get more local people show up, if you want to. I'm hearing people, well, I don't want to vote on what Florida is doing as far as how big Warsaw Hole should be. You know what I mean? When you're trying to evaluate what is going on with that state's MPAs and SMZs, the out-of-state people probably don't want to really weigh in on that; let the local people.

MR. WAUGH: A question for Kerry; our thought was that the Snapper Grouper AP would still have a big role in this; and this was in addition to the Snapper Grouper AP. Even with that in mind, you still feel this System Management Plan AP should have more participation from each state?

MR. ATACK: I can see you wanting to spend a lot more time on this than what the AP can do for snapper grouper. We meet for a day and a half; but when you're evaluating the five-year thing; this is the data, this is what we've learned, this is what we need to do to make sure when year eight comes up we've got what we need. I can see that meeting being a day or two all by itself by state; I don't know.

MR. COLLIER: One thing to consider is let's take North Carolina. If we're going to have a meeting up there, they would be discussing the Snowy Wreck. That is the MPA they have.

AP MEMBER: How about Cape Lookout?

MR. COLLIER: That hasn't been established yet and that could be established. We would have a full meeting just to go over data that is being collected at one location.

MS. MARHEFKA: Yes, and you guys are up there in December, anyway. I know you guys travel a lot. I'm not trying to give you more travel. We used to have an MPA Advisory Panel. We're here a lot and spending a lot of time on a lot of different issues. If you want this to be a successful management tool, then I just think it has to be treated that way.

I think half a day before a council meeting or if you are up there anyway for a public hearing; if you pull in people from North Carolina from one site, yes, because you know what. maybe that gets you a second site down the road when they start seeing that it is working or you get a little less heck as you go. But we have ten years to do this, right, ten, it is not a lot.

MR. COLLIER: It could be less than ten years. And so continuing on with the administrative action items, it is basically to form an AP for the SMP and also have meetings. Those are all very important. The next part beginning at 3.5 – I believe that is Page 27, 28 – is looking at management effectiveness evaluation.

Within that, we have them broken up similarly to how we had the action items broken up where there is a section for resource protection, research and monitoring, outreach and education, and also the administrative. What we are looking for in there is potentially looking at ways to evaluate things that are going on.

Some of the items that we have; we are looking at the abundance of fish in the MPAs. I have a list of potential metrics for abundance to consider. One is to evaluate species' stock status. That is just to look at overall how the complex is doing that you are trying to improve through MPAs. It is not saying that MPAs are the one factor that is improving things, but it is good to get an overall picture of what is going on.

Another potential metric could be density of a target species within an MPA; that could be a percentage or number of samples within the MPA that have sightings of it. Then you could compare densities inside and outside of MPAs. Once again, it could be difficult to do D, comparing inside and outside. As Todd mentioned, the sample size is pretty low.

We're going to have to have a pretty good sampling program or a change in sampling programs in order to accomplish D; but some of the other ones could be beneficial for evaluating the MPAs. Another way to consider it is looking at the population structure. For population structure what we're referring to with that is maybe a percentage of males that are available in the population. It could be based on the size of individuals within the MPA.

It could be based on the size of individuals that are greater than the size of maturity or age at maturity. It would be data-dependent; and depending on the data stream we had, we might have to evaluate different ways. If you guys can think of another way to evaluate, we welcome any ideas that you have.

Within both the abundance and structure, I'm looking at time blocks as opposed to yearly; recognizing the fact that it is going to be low sample sizes and it is going to be better to aggregate over time, looking at four or five years at a time as opposed to a single event.

MR. ATACK: Would you be looking at, when you're looking at the size, like how big the males are or how big the females are? In other words, some fish species switch from female to male based on social or if there are other males are around. If there are already larger males around, the females may get larger and not switch so would you be looking at that?

MR. COLLIER: We could look at that. One of the items that I have up there is it is actually numbers of males that is a percent of the population or males within the MPA. Some of these populations are at low levels; so removing them and trying to determine what sex they are could actually hamper what is going on in the MPA; and so we might not want to have everything based on removals.

Length might be a good option where you select something like maximum length of the fish. You are looking at number of fish or percent of fish greater than 75 percent of the average maximum length or you could be looking at percent of fish greater than the size of maturity; and that way you can just look at sizes. You don't necessarily have to kill the individual to get to that.

MR. FEX: I've got a question. You've got the speckled hind, snowy, Warsaw and all that; do any of those fish switch like gag and hogfish?

MR. COLLIER: Yes, some of them do switch. I don't have size at transition; how is your memory, Todd?

DR. KELLISON: It is poor and getting poorer by the day. I'm confident that a number of those are hermaphroditic.

MR. COLLIER: Yes, there are even questions on whether or not golden tilefish actually switch.

DR. KELLISON: I'll just say that we talked about what data are being collected now and that optimally we would be doing more. I'll just say this is going to be a challenge, these deep areas. To get at some of these questions, you need to take the fish out of the system, cut them open; and when you do that; you are obviously removing some of the species that you wanted to protect.

Some of the less invasive assessment methods or monitoring methods we would have might be video; but it is challenging to get really good lengths on a lot of species with video. There are different acoustic approaches that can be used, but it is going to be a challenge to do it well. It can be done.

MR. COLLIER: With mapping, we also have metrics for that. Ideally we're going to get all the areas mapped for the MPAs and also for the SMZs. Just looking at the total area mapped, the percent of the area that is being mapped, and also percent likely snapper grouper habitat that is being mapped within the MPA; all that information is going to be very important.

The socioeconomic information is being developed. We've been working on that for a little while, but we're not leaving it out. It is a very important part of this process, and it is going to be included in the final draft. Then finally looking at governance; once again forming the SMP is very important and conducting evaluations. Then we also have items that we're going to complete for outreach, also looking at number of patrols per year potentially.

You guys had mentioned maybe doing it once per month would be a good idea for patrols. I had five patrols per year. That added up very quickly. It is about \$2,500 for each patrol, so it does add up quickly for limited resource protection officers that we have. Going into the financial plan, you can see the cost of these. We've developed some of the cost estimates. It is expensive.

When you get into the fishery-independent studies, it gets more expensive. We know we're not going to be able to accomplish everything, but hopefully we will accomplish some things. Citizen science I think is going to be an important aspect helping us to accomplish some of these items at a little bit cheaper of a cost.

The final part is site characterizations; and that section is really rough right now and that is going to be further developed as I get more information. That is all I have for the Deepwater MPAs and also I covered the SMZs trying to make it as fast as possible. With that, I will take any additional questions or suggestions.

MR. FEX: I want to make a comment. I have been working with NOAA down in Miami on the electronic logbook, the tablet. It is not cost-invasive; I mean we all could buy this tablet. It has been talking about tracking me going offshore and everything, come back in, it downloads the information. It is pretty intrusive because you have got to put a lot of data into it.

I kind of worry about it, because sometimes I don't believe all that data are going to be used in stock assessments, so it is going to be so intrusive on me. I am for it because of the tracking. I know we sit here and talk about these MPAs, and I want them to work. I think we need it. It isn't a VMS like you guys opposed, it is a simple tablet.

When you come in, it downloads off the internet. I think it would be good for the MPAs, but also we've questioned where our landings go. We've sat here and said, well, dang, I don't know who is catching all these gags, is there somebody writing down this information incorrectly or whatever; just to worry about catch shares or something?

I just figured I would give you guys a heads up, because it is going on; so if all of a sudden you hear electronic logbooks, oh, it's a VMS, blah, blah, blah, it is happening. I'm part of it. I support it for certain reasons and other reasons I don't. I just figured I would give you a heads up on it.

MR. ATACK: If there are no other questions, thanks. I think we're up to you, Gregg, on the Joint South Atlantic Gulf of Mexico Amendment on South Florida.

MR. WAUGH: I can go through that if you want, but again it is sort of left – it has the remnants of items in it, and we have pulled and the Gulf has pulled from it. I don't really think it is worth your time to go through it. I would be glad to answer any questions. Sort of the big thing that is left hanging that you weighed in on before was the delegation issue.

There doesn't seem to be a lot of support for delegating management measures to the state of Florida. I suspect that is just going to sit on the sidelines. We don't have any plans right now to pick that Joint South Florida Amendment up again. The important points have been incorporated into other amendments. I would be glad to answer any questions that you might have.

MR. HUDSON: Gregg, do you see this amendment going forward anywhere to speak of in the next year or two?

MR. WAUGH: I really don't. I mean our council has given us our preliminary sort of guidance at the September meeting. They will look at their priorities at the December meeting. The big items in this were pulled out. You talked about it, the yellowtail fishing year, the accountability measures.

One of the items in this Joint South Florida Amendment was looking at some way of combining the recreational and commercial to get an overall ACL. The Gulf right now has an overall stock ACL; we have is separated recreational and commercial. Our council hasn't expressed much interest in combining that.

We have a way to combine the commercial if the Gulf is willing to split their yellowtail into recreational and commercial. The big items in there have all been addressed or are being addressed. I don't see anything happening definitely within the next year. If anything changes, we'll know about it at the December meeting and we'll be back in touch with you guys. We wanted to bring this back to you, because you weighed in on it before; and just let you know where we stood.

MR. HUDSON: Wasn't there an effort to coordinate like the shallow water grouper sizes and stuff between the two councils and things like that?

MR. WAUGH: Yes, and that is one of the items that is still in there. I think the councils are falling back into the mode of, well, it would be better if we can get some agreement on what this regulation should be and then let each council amend their own plans to do that.

MR. ATACK: Gregg, when we read the document here, I guess we don't know what has been pulled out. This is really the whole document still, right?

MR. WAUGH: Yes, this is the whole document; and frankly my advice to you is just ignore it. It is back burner, you've got enough on your plate, and we've got enough on ours. You dealt with the items that were pulled out in the other amendment.

MR. ATACK: Well, I guess I was wondering if it might be – maybe not right now, but to update it or send something out so that when we look at it we know what hasn't been covered' you know what I mean, versus us trying to – if things have been pulled out, maybe we can delete those items from this paper; and then you'll have a condensed sheet of action items that we thought they might handle, which aren't going anywhere. Then we would know what to be concerned about and what not to be concerned about.

MR. WAUGH: We'll add that to the list, but it is a very low priority.

MR. HUDSON: Originally I heard 28 degrees latitude north bantered around from both sides, and south of that was South Florida, but it seemed like that got compressed on down. Is that pretty much the case?

MR. WAUGH: We've set a line -- there were some boundary issues to talk about creating a South Florida Area, and that got kicked around for a while. What we did settle on was a boundary to separate for hogfish. We're using a boundary on the southwest coast for hogfish, to separate the Gulf stock from the Florida/Florida Keys stock.

Nobody on either side of the councils has expressed any desire to create a South Florida Area. That was in there; it was talked about. The state of Florida representatives, they are the ones that are saddled with having in some cases three different regulations, so they are still interested in getting things consolidated; but I think you will probably see that surface in an amendment. We might do an amendment to bring our size limits in agreement with Florida or to get Florida to come in agreement with us and then the Gulf follows suit.

MR. HUDSON: That was probably part of the reason for the 14-inch triggerfish we're saddled with versus the 12 up the line, but that was to match us up with the Gulf as a preliminary effort.

MR. ATACK: Okay, if there are no other questions. Gregg, did you want to just move into the next thing on your list here, the charterboat?

MR. WAUGH: No, I'll let Mike do his.

DR. ERRIGO: Well, there is not too much to say. Well, anyway, an update on the electronic reporting proposal that we put in for ACCSP; we do have information finally. The ACCSP Operations Committee met. Both the Operations Committee and the ACCSP Advisors ranked that proposal Number 1 in terms of new programs coming in.

It will be funded for the next fiscal year, the next year. Starting next year we will have funding for that program. It is a pilot study to look at using tablet-based electronic logbook for charterboats to record and report their catches. We will hopefully be getting the funding for that in the next fiscal year. That is all I have for that. We haven't started anything yet.

We just found out about that like two days ago. They just met; they just voted on that. Their budget and everything hasn't come though and been approved so there is lots of red tape in everything that has to go through first. It is ranked Number 1; so even if their budget is cut some, it should still go through, which is great news. That is all I have. If anybody has questions on it, I would be happy to try and answer them.

MR. FEX: I have a question. Is it going to be on a tablet or is it going to be able to be on a smart phone? I think the Gulf has utilized Smart Phones now. It is a common expense; normally everybody has got one now.

DR. ERRIGO: Initially we are going to pilot two types of tablet-based logbooks. One of them is going to be a ruggedized tablet, which is specially designed to resist dropping and getting wet and stuff like that; and another one is going to be basic like an iPad or something that is encased in an otter box kind of thing.

We're going to test each of those as well as electronic measuring boards and things like that. We can hopefully get some information on lengths of discards and things on a small subset of the charterboats that have volunteered to be a part of the process. That doesn't preclude this being

modified for Smart Phones and things. It is just that this particular project is going to focus on a tablet-base, because that is what we have developed currently.

MR. ATACK: How long do you think your project will go?

DR. ERRIGO: I think the pilot was going to be for a year; yes, for a year. The funding, we put in for just a year just to see how it works on the charterboats and then get feedback from all the captains on how it worked, what needs to change, what needs improvement, what does work, and what doesn't work.

MR. HUDSON: Rick Bellavance's work, the one button; is that pretty much what we're talking about, making it user friendly for the fishermen?

DR. ERRIGO: Yes, it is based off of that program that was developed up in Rhode Island, so, yes, it will have like a menu of the commonly encountered South Atlantic species, so it will have like the federal species there. We're going to pilot it on federally permitted charterboats, because the new charterboat amendment is going to be for federal charterboats. It should have like a menu of all the federal snapper grouper species, let's say; actually I think snapper grouper, probably the coastal pelagics like the mackerels and things. You would just hit the species that was caught and you just put in how many.

MR. HUDSON: Rick was showing me some of that where they also incorporated the sharks and stuff like that. I made a point about some of them being prohibited and they needed to add that kind of information. I think we've got some similar issues with our snapper grouper and stuff like that, too, that should be in there.

DR. ERRIGO: Yes, and so we're going to work together with the Regional Office and the Science Center and people like that to create hopefully a comprehensive – the database itself is very comprehensive. Then there will be like a quick list of the most commonly encountered things that will be easier; but you can search and find anything in the database is how I understand it works. But, yes, hopefully, we'll be able to put in for regulations so if these species are prohibited or whatever, it would say that they were.

MR. ATACK: Are there any other questions?

DR. ERRIGO: I did mention there will be some electronic measuring boards; a subset of the captains will have them onboard. That will be for measuring discarded fish. Currently the only data we have on discards is from the headboat sector. This will be a great opportunity to see if we can get any useable information on discards from the charter fleet, which will be fantastic for the assessment.

MR. WAUGH: On the charter, at the last meeting the council – this was a joint amendment with the Gulf Council and at the last meeting our council gave us direction to develop this as a separate amendment just for the South Atlantic. But keeping in mind that we've got mackerel includes the Mid-Atlantic and dolphin wahoo goes right up to New England; it will cover that area as well. I will get to the actual measures that we'll walk through and get your input. The council doesn't have any preferences yet. What they are looking to do is bring the charterboat electronic reporting up to and in alignment with what is being done for headboats.

Basically we're looking at electronic reporting and weekly reporting. Now there are still some alternatives in here that look at daily. That was in there because the Gulf was interested in daily reporting. We may remove that. In some cases it may be left in there to analyze; but the overall council's intent is to get the charter vessels on the same weekly electronic reporting as the headboats are.

In that way we'll have a weekly update of our for-hire sector and that can be used to help inform the projections when you're looking at the total recreational catch, because the MRFSS/MRIP stuff would still be coming in by two-month waves. If we know what is going on with the for-hire sector weekly; that will give you an idea of what is going on with the recreational sector.

It may help us prevent some of these recreational overages. Again, you don't have any positions on this. The council in terms of timing will be looking at this at the December meeting, picking preferreds and approving it to go out to public hearing. Then we've got public hearings scheduled for the last week in January/first week in February.

Then they would be reviewing that input at their March meeting, making any changes. Then the final review would be at the June meeting. Their intention is to submit it in June so that could then be in place starting January 1, 2017. Overall our intent is to have, as I said, this aligned with the headboat and then to work with our states – South Carolina already has state reporting – and then work with our states to try and get a similar program at the state level.

Before we can have MRIP stop collecting information from the charter sector, we need to have some way of getting that charterboat information for the other states as well. This will run for a period of time before you see any change to the MRIP sampling; and, of course, they will run both side by side and do the verification; and you will be kept abreast of those activities.

The first action is to change the frequency and mechanism of reporting. The alternatives we're looking at is to require federally permitted charter vessels submit fishing records to the Science and Research Director weekly or at intervals shorter than a week if notified by the SRD via electronic reporting using some approved NMFS hardware and software.

Weekly would be the Tuesday following each fishing week. You would need to submit this information to NMFS weekly by Tuesday, for instance, by yesterday for last week's fishing activities. Alternative 3 would be the daily. Again, that is something that the Gulf was interested in. We've pared out some of the alternatives that apply strictly to the Gulf.

Administratively they like us to have more than two alternatives. What is in place right now is that the charterboats are sampled with MRIP. You get effort surveys that you're asked to complete. Also for South Atlantic snapper grouper charter vessels, if they are selected to report by the SRD, must participate in a NMFS-monitored electronic logbook and/or video monitoring program.

There are no plans right now to do video monitoring, but that is in place. We're not proposing to change that. Obviously, we're changing the electronic reporting part. It would probably be better if we deal with motions going through each action. I would be glad to answer any question. This just deals with changing the reporting requirements for charter vessels. We'll talk about headboats in a minute.



MR. ATACK: Does anybody want to make a comment, suggestion?

MR. JOHNSON: Are you looking for ideas on the reporting?

MR. WAUGH: Well, which of these alternatives do you favor?

MR. JOHNSON: I favor the weekly simply because that would be easier for me when I write their check. I make sure that all the reporting is done before they get their money.

MR. WAUGH: Robert, you prefer the weekly. I think it would be good to get the AP to pass a motion indicating which ones they prefer.

MR. JOHNSON: I can make that in the form of a motion that weekly reporting, Alternative 2.

MR. ATACK: All right, motion to make Alternative 2 the preferred motion. It has been seconded. Any discussion, comments?

MR. THOMPSON: I've got a question. Would you be sending in weekly no fishing reports also? Okay, I can live with that instead of daily. I think they have to send – every day you can't go out of town without sending in a I didn't go fishing today.

MR. WAUGH: Yes, the no fishing would be weekly as well.

MR. THOMPSON: Okay, that's fine. I do spend time where electronic equipment does not work.

MR. WAUGH: There is a provision in there that should we get massive hurricanes, other acts of God, that paper can be used at the discretion of the NMFS Regional Administrator.

MR. STIGLITZ: Gregg, what happens if guy takes a month off of work and nobody is around the boat?

MR. WAUGH: They can send in a notification that I am not going to be fishing. The dealers can do that now; that they are not going to be fishing for a period of time.

MR. HUDSON: Tuesdays just like the dealers, the charterboats and the headboats; that is the big day.

MR. WAUGH: Yes, and we're going to change that for headboats in the next action.

MR. ATACK: Will they be able to handle all of them coming in at one time?

MR. WAUGH: That's why if it is electronic you don't have to. That is no problem.

MR. ATACK: Are there any other alternatives? Well, we can go ahead and vote on this if there is no other discussion, but then the other thing to think about is if there are any alternatives besides this that you want to consider, right? That is what you're asking for? You've got to have at least two alternatives?

MR. WAUGH: We've got three. We're not asking for any more; but, of course, if you want to suggest them, that is in your purview.

MR. ATACK: **All right, so the motion reads make Alternative 2 the preferred alternative for Action 1, which is weekly reporting, which is due by noon of Tuesday the following fishing week. All in favor of the motion raise your hand; anybody opposed? Motion carries unanimous.** I guess the next action is for the headboats and this is where you're going to change that right?

MR. WAUGH: Yes.

MR. ATACK: It is really the same two alternatives, right, the weekly by Tuesday or daily by noon, right?

MR. WAUGH: The alternatives are the same. Alternative 2 is weekly Tuesday of the following week. Alternative 3 would require them via electronic reporting daily. Headboats remember are already under weekly reporting. We're just changing the day that it has to be turned in; and we're not changing the requirement to participate in video monitoring if they were selected.

Currently electronic fishing reports must be submitted at weekly intervals or shorter than a week if notified by 11:59 p.m. local time the Sunday following a reporting week. We've got the same provisions that you can notify ahead of time in place for the headboats and paper if we get into a problem.

MR. JOHNSON: I just have a question, Mr. Chairman. What is the definition of a headboat in the South Atlantic? One of my boats is a multi-passenger boat. I have my license for 14 people but I do not sell like per individual tickets. They tell me I'm not a headboat. I've never been treated as a headboat.

MR. WAUGH: Here is a definition that we're operating under with this amendment. This is in Section 1. A charter vessel is less than 100 gross tons, it meets the requirements of U.S. Coast Guard, carries six or fewer passengers on a for-hire trip and it engages in charter fishing at any time during the calendar year.

This is a little bit of a fuzzy distinction, and we're working with NOAA GC and NMFS to get this resolved some. Headboats are generally defined as vessels that hold a valid certificate of inspection issued by the Coast Guard to carry more than six passengers. However, the Southeast Fisheries Science Center; their headboat program includes only large-capacity vessels that sell passage to recreational anglers primarily as headboat; that is charged by the head.

Currently a vessel is selected by the Science and Research Director to participate in the existing headboat logbook program if it meets all or a combination of these criteria; so carry 15 or more passengers in the Gulf, six or greater than six in the Atlantic, fish in the EEZ or state and adjoining waters for federally managed species, charge primarily by the angler; that is by the head.

MR. ATACK: Why is that different in the Gulf and the South Atlantic?

MR. WAUGH: As I said, we're working with NMFS to try to resolve these things. The headboat part is because this evolved over time. The headboat/logbook program started in the Atlantic and then moved to the Gulf.

MR. HUDSON: If I may say, I've been routing for the 15 again, the greater than 15, because we do have headboats for decades that charter. They will get chartered by church groups and corporations and stuff like that; carry 40 people out and what have you, dive crews, whatever. I just think that six is ridiculous. I personally would like to see us go to 15 over here on the headboat.

MR. WAUGH: Now that we're talking about logbook reporting for the charter vessels, too, that distinction is less important. Regardless of what you're called you are going to be on the same basic reporting program.

MR. HUDSON: But we have an observer program on the headboats.

MR. WAUGH: That is correct, some.

MR. ATACK: It sounds like you have a headboat, Robert.

MR. JOHNSON: Well, I've never been surveyed as a headboat; and I'm assuming it is because I do not sell open trips. I don't charge by the head. I am assuming that is why; but I have had a current COI for years for 14 passengers.

MR. ATACK: Would anybody like a motion; make a preferred alternative for this action?

MR. JOHNSON: I would like to choose Alternative 2 as our preferred.

MR. ATACK: **Okay, if there is no other discussion, I will read the motion – I think we've been through this – make Alternative 2 as the preferred alternative for Action 2, which requires headboats submit the fishing records weekly, due on noon on Tuesday of the following fishing week. All in favor of this motion raise your hand; anybody opposed? It passes unanimous.** Action 3 will be to modify electronic reporting requirements to require vessel or catch location reporting.

MR. WAUGH: Here we've got just two alternatives. We had other alternatives when we were talking about this with the Gulf, because they wanted to go to some sort of system that collects catch information and submits that report prior to hitting the dock. What we've got in here is Alternative 2 would require federally permitted charter vessels to report location manually by latitude and longitude in degrees and minutes or by clicking on a headboat grid.

This is exactly what the headboats do now. When you go online, you can select on which grid you did your fishing in or you can provide the latitude and longitude if you wanted to. It parallels exactly what is being done for the headboat sector. Let me mention here, too, we're extending this through the Mid-Atlantic and New England area so we're working to get that resolved up there. NMFS is going to develop the specific details of how this system would operate and provide the councils the opportunity to have input into this system design. The design would include the following items as recommended by the technical subcommittee.

There was a technical subcommittee that Mike Errigo served on that came up with a lot of the specifics of how to design a system for the charter vessels. We're very interested in ultimately having this system meet these requirements; logbook data collected via authorized platform, this could be the web, a tablet, phone or the VMS part would apply to the Gulf; yes, just to the Gulf. Data submitted to ACCSP or Gulf FIN.

Our interest is to have the data go to ACCSP first. There needs to be some flexibility with this, because, for instance, the state of South Carolina has their own system and so they want to be able to clean that data up first before they then submit it to ACCSP; but we want to have rapid access to this.

Right now the headboat data, the fishermen get a notice that they are late with reporting if they don't provide this information weekly. Then it sits around and is combined with the recreational data two months after a wave ends. We would just like to have access to that data much sooner, so our interest is to have this data go to ACCSP first. That way the council can pull it, NMFS can pull it.

The official website would still be NMFS for any closures; but then we would have access to the data. The fishermen could see what is going on weekly rather than having to wait so long on the recreational side. You can see the other items there. We have to develop validation methods, and that is going to be a part of this test project that we will be working on.

Then NMFS is to require and maintain a comprehensive permit e-mail database of participants and to include procedures for expanding estimates for non-reporting. Of course, if you get your compliance up there, then you don't need to deal with non-reporting. NMFS is to allow multiple authorized applications or devices that can transmit data. What we want to do is make sure we're specifying what data need to be provided, but then leave it up to the private sector to come up with what the tools are to provide that; as long as it collects the data and provides it. I think that is everything I wanted to mention.

MR. HUDSON: That was Action 3?

MR. WAUGH: I thought that was Action 2; yes, it was Action 3.

MR. HUDSON: With that said, what is the buy-in chance of Mid-Atlantic and New England Councils to get onboard with all of this reporting?

MR. WAUGH: They don't have to. The Mid-Atlantic and the New England Council have seats on our mackerel and dolphin wahoo committees. We have true lead just as they do for things like bluefish and summer flounder. They have the opportunity to have input into how we design this system.

We would obviously work with them and work with NMFS In the northeast. We don't want to have any duplicate reporting. We'll work on that; and, of course, we will give fishermen in the Mid-Atlantic and New England the opportunity to comment during the public comment period. But those councils; they have their input through their members that represent them on our mackerel and dolphin wahoo committees. Our council's intent is for any of our managed species that are harvested up there; we want to make sure that they are being reported.

Now snapper grouper, which is one where we obviously have an interest in, those snapper grouper requirements would just apply to our area. That is something that needs to be looked at in the Mid-Atlantic and New England. They are looking at ways to collect that information. They have a vessel trip reporting program that is already in place, and fishermen report data, but that is not what is used to track the recreational ACLs in the Mid-Atlantic and New England. They still use MRIP which shows no landings, and you've got the VTR reports that are showing landings.

MR. HUDSON: With that said, I know that we've got people up in the Mid-Atlantic and the New England area that do have dolphin wahoo permits, do have coastal migratory pelagic permits. Do you have a sense of how many snapper grouper permits are north of North Carolina?

MR. WAUGH: Not off the top of my head, and I don't think it is in the document now, but we plan on adding that to the document.

MR. ATACK: You can look right online and see what state the permits are issued from.

MR. HUDSON: Yes, I know, it is right there on the SERO Website. I just was wondering if they knew offhand out of the 5 or 600 permits.

DR. ERRIGO: I just have some extra information about requirements for logbooks and things that are going on now on the Atlantic Coast. Currently MRIP is looking at doing pilot studies and things to look at using logbooks for the for-hire fleet; so for charterboats rather than using the current survey that is in place now. I'm part of the team that is putting together the initial pilot study.

They were originally going to implement that in North Carolina but ran into some political issues. They are actually looking at doing a study like that in South Carolina but also up in New England, I think. As Gregg said, New England and Mid-Atlantic Regions, all of their federally permitted charter and headboats are required to fill out a VTR.

This is basically a logbook for all species that they land; which is some of the reason why we have some data on blueline tilefish landings recreationally. If you just look at MRIP, it shows no landings; however, if you look at the VTRs, it shows significant landings. We chose to use the VTRs when we were looking at some of those allocation issues between the Mid-Atlantic and the South Atlantic.

MR. ATACK: Does anybody want to make a motion to make Alternative 2 our preferred or Alternative 1?

MR. JOHNSON: Yes, I'll make a motion that we check Alternative 2 as our preferred.

MR. ATACK: Any discussion? **I'll read the motion to make Alternative 2 preferred alternative for Action 3; require a federally permitted charter vessel to report location manually by latitude/longitude in degrees and minutes or by clicking on a headboat grid. All in favor of the motion raise your hand; anybody opposed? Motion carries unanimous.**

MR. WAUGH: Thank you; that's it. It is a pretty simple amendment for us, three actions. Again, we've got hearings scheduled for the last week in January and the first week in February, and we'll have specific locations up before too long. We'll have a revised amendment out after our council meeting. Just so you know, too, all of our briefing material for our council meetings is posted to our website. You can go on and see what is being discussed.

I know at times it can be overwhelming. There is a lot of stuff; but if you focus on the overviews, the material anyone should really look at if they're interested in finding out what is going on is the agenda for any committee, the overview for that committee. Then for the important amendments, there is a decision document; and that is the stuff to look at.

All the other material provides a lot of the detail analysis, and it can be confusing trying to read through all of that. But if you look at the decision document, that has got the alternatives; and that, of course, will reflect the alternatives that you approved. Thanks for the input and we'll keep you posted on this one.

MR. ATACK: I guess the next thing on the agenda is the presentation on fishing portfolios of black sea bass pots.

DR. MacLAUHLIN: I'm Kari MacLauchlin; I am council staff. This presentation I provided at the September meeting to kind of accompany Regulatory Amendment 16. This presentation is kind of part of a bigger project where during the public comment period I went around and spoke with folks who had the black sea bass endorsements and other people who are associated with that to get a little more information about how that winter closure that is in place for black sea bass pots right now is affecting them and how their yearly fishing plans have changed since that winter fishery is not available.

Then I found that it was able to fit into the context of fishing portfolios; and so Gregg asked me if I would present this to you guys, because it is an approach that we want to start really looking at when we're doing the analysis of the potential effects on the fishermen, commercial and some of the for-hire folks who work in both commercial and for-hire.

I talked to about 30 people over a couple of weeks, some in person some on the phone. I traveled up to Sneads Ferry and on the way stopped in Little River and around that area in North Carolina; and then the next week I went down to Port Orange and talked to everyone down there. I covered 27 of the 32 black sea bass endorsements.

There were some folks that either I couldn't get in touch with or they didn't call me back. These included endorsement holders, some people who were fishing those endorsements and then some folks involved with the dealers. Some general information about the black sea bass pot endorsement holders; there are 32, six of them are in Florida and are being fished in Florida, mostly around Port Orange.

There are two in Georgia around Townsend. There are ten in South Carolina. Two of those, the actual endorsement holders are in Florida, but they are being fished in South Carolina, mostly up around Little River and Murrells Inlet; and then 14 in North Carolina. Most of those are in Sneads Ferry, but there are others kind of spread out around the state. There were 21 endorsements that had landings in 2015 and that is it.

From the discussions, at least eight of the respondents said they only fished a few trips in 2015 with the pots and it just wasn't worth it. That is kind of how we started to really get into the difference between the winter and the summer pot fishery. There have been several recent transfers for a couple years after the endorsement program went into place.

They didn't really move around, but just in the past couple months there have been several transfers; and then we have a range of vessel sizes that people were working with. As far as their permit portfolios – and by this I mean they all have several different portfolios for a vessel and we call these permit portfolios; so they all have multiple permits.

You can look this up online on the Regional Office Website at any time and see who has what permits. The typical permit portfolio that they have, of course, is their snapper grouper permit and then most people had a dolphin wahoo and a Spanish mackerel and then some folks had the king mackerel permit.

Most people that were participating in snapper grouper were also targeting vermilion, triggerfish, jacks and groupers. Then some also participated in Spanish and king mackerel and then shark. Some were shrimpers, some shellfish folks, and then some even fishing charter, and then some had other things that they did in the summer, non-fishery income.

An overview of the comments that I got when I went and talked to folks is that the winter pot fishery is not the same as the summer pot fishery. This kind of came up a lot with Regulatory Amendment 16 that, well, they can fish in the summer. Even though they can't fish in the winter, they still have six months in the summer. I wanted to really dig into why this worked or didn't work.

And then also they can still participate in the hook and line; why folks were doing that or not doing that. Black sea bass pot fishermen participate in lots of other fisheries; and also the outcome of Regulatory Amendment 16 is going to affect their decision if they are going to keep or sell those endorsements, and they did feel it would affect the value of the endorsement.

MR. FEX: I had to stop you on this question, because it kind of got to me. If I'm correct, we don't regulate to the value of the endorsements or permits; am I correct?

DR. MacLAUHLIN: Correct; that would be completely controlled by the demand for the endorsement.

MR. FEX: Yes, I just wanted to make that because I know that was one of their cries, because now they were worried about the value of the endorsement. We did get them an endorsement now that I can't take advantage of and other people can't take advantage of, so it is hard for me to say, okay, well, I am really concerned about you worried about the value of that endorsement, because they became pretty expensive, I think \$60,000 on some. I think the longline one is way up there. I just wanted to make that comment while we're on the subject.

DR. MacLAUHLIN: Okay, and then the benefits of modifying that closure really depends on the vessel size and location. When I went out and talked to folks, I would ask them about what depths would work instead of going through all the many alternatives that you guys know were in that amendment; asking them specifically about depth and if that would benefit them.

It kind of depended on if you are in North Carolina and Florida or around South Carolina. You guys have seen this before. The blue represents the black sea bass pot effort by season. The blue is November through April, and the red is June through October and May; so the blue is what is currently now that closed season.

You can see that a large majority of the black sea bass pot landings in recent years before the lower ACL went into place and this closure went into place was primarily in the wintertime. Then also the catch per trap by month, the blue is the winter months, which is currently with a closure; and it is much higher than it is in the summer, which you can see in the red line.

MR. ATACK: Can you back up to the previous effort by season. I was trying to understand that bar graph. What do you mean by percent traps and trips there in the red? I guess the percent trips is 31 percent of the trips are in the fishing season, the red?

DR. ERRIGO: Okay, if you look at the total number of trips across the years or the percentage of the trips that occurred of what is now the closed season versus what is now the open fishing season, the number of traps; that is the number of traps that are fished. We went through and looked at how many traps does each fisherman fish in a season; how many traps are used to fish within a given season.

If there is a total number of traps, however many it is, 5,000; well, if this is limited to the endorsement holders and there are limited traps, then there is whatever, I can't remember what the – anyway, it is like 1,000 traps. Then 700 of them are fished during what is now the closed season versus 280 would be fished during the fishing season.

A percent of the permits; so how many of the permits are active during each season and then what percentage of the total landings came out of each season for years when that closed season was open by those endorsement holders. When that time of year was open and you looked back in time; you looked at who holds an endorsement now; back in time when the winter months were open, 80 percent of their landings were coming out of the winter months back then and most of their effort was in the winter months.

MR. ATACK: Yes, I guess it is pretty consistent. You've got 31 percent of the trips, 28 percent of the traps and 29 percent of the permits were in the existing open season. The others were in the current closed season. The landings are down because there are less landings per trap that is in the water.

DR. MacLAUHLIN: Of course, you can comment and provide recommendations to the council on Regulatory Amendment 16 specifically if you want to. What I'm really trying to do more is provide contacts that a lot of you are probably pretty familiar with for the portfolio approach, which I get into here shortly; because it is something that we're kind of starting to get into. I guess a little more forest and not so much trees right now.

Getting back, this is from detailed discussions with the black sea bass pot fishermen and endorsement holders. My question was what is the difference between the winter and the summer pot fishery? There were several reasons why the winter pot fishery was different. There was less search time so you had lower trip costs. It is easier to pot black sea bass. The fish return to the same locations.



The pots are more efficient, because the black sea bass congregate during the winter. You have shorter soak time, you have less sets to get your trip limit. Your trip characteristics are you have a shorter distance, they're safer. Some folks talked about you don't have to anchor during that time; you don't have to do a multiday trip, you do a day trip.

They are very efficient and you are supplying your local markets with fresh fish and there is less user conflict. This also came up because of fewer recreational folks in the winter. This came up in talking to folks in Florida. Then the market is a little different because the fish are larger and darker, so you get a higher price per pound and supplying that local fish supply for the winter tourism in Florida, and then also that other species are closed in winter.

MR. ATACK: Now there are no multiday trips regardless now, right, winter or summer?

DR. MacLAUHLIN: With the pots?

MR. ATACK: Right.

DR. MacLAUHLIN: Not that I know of; not with anybody I talked to. I mean we were kind of comparing this to if you were hook and lining maybe you would do a multiday trip. Then the summer pot fishery; the black sea bass are more spread out so they're a little harder to find. They don't stay in the same location.

This came up that in the winter you know that you can go back to the same location multiple times and in the summer this doesn't happen with the fish, so you have a longer soak time for fewer fish and your pots have a little less efficiency. Then some folks brought up that you have more regulatory discards because the fish are smaller in the summer.

For the market, the fish are smaller and not as dark in color. I guess there is a market for the darker, bigger fish. The biggest one probably was that there are other species that are more desirable to target in the summer, like vermilion and gray triggerfish. That is what a lot of folks said that they were targeting instead of black sea bass.

Some folks did talk about that; because there were less black sea bass coming into the market, the price in the summer is fine and it actually helped the price. When we talked about those years where there was a high summer catch when the black sea bass commercial opened in June and then it was closed in just a few months; some of them brought that up and said, yes, we know that happened but it is more of a cycle.

You can see this year; they talked a lot about that this year wasn't a very good year in the summer. I guess it is all about where the fish move and different environmental factors. Then we talked about, okay, so you can't fish with pots in the winter, so can you just hook-and-line black sea bass if you want to tap into that market?

We talked a little bit about that. The pots are more efficient, not as much time to get your trip limit. Some folks said there are more input to get to that trip limit or you have that 300 pound trip limit from March through April. It is a shorter distance to fish; with pots you have single-day fishing. With hook and line you may require multiday. One thing that came up a few times was that for the pots you have less specialized crew that you need.

With hook and line you have to have somebody who knows what they're doing and a little more experienced. Another one that came up was that some folks said they didn't have the vessel size or the gear capability to fish hook and line in the winter, and they are just not geared up for those or maybe they do like a combo trip in the summer.

Then some folks brought up that the pots have fewer dead discards and the hook and line has higher discards. Getting a little more into this fishing portfolio approach, you guys know commercial fishermen commonly have several permits and they are working their different fisheries throughout the year.

There are lots of reasons why people switch; environmental, economic, and regulatory. You can compare this to financial portfolios like stocks and bonds – maybe you guys have some of that, not me – where you minimize your risk and you maximize your return. That is what you want to do; you diversify. It is the same kind of thing with fishing portfolios.

Some people look at this in the context of ecosystem-based fishery management where you're looking at an entire system not just a single species. It is not unique to the South Atlantic; the Gulf has it, the Caribbean definitely has it, a lot of smaller fishing businesses; but it is pretty characteristic of this region and it is something that the council can use for management.

MR. ATACK: One thing I didn't notice when you were comparing the winter to the summer pot fishery is that you are saying the fish aggregate in the winter and they are easier to catch; but don't they also aggregate to spawn in February and March? I think that is kind of a negative, because you're catching them while they are aggregating to spawn. That should be listed as one of the differences in the pot fishery of winter versus summer, too.

DR. MacLAUHLIN: We can definitely add that in there. Any more questions? Moving on with the portfolios, basically this is taking multispecies ecosystem approach. It is the same thing as multi-fishery participation here. Portfolio fishing, there are a lot of benefits to it. It allows fishermen to respond to changes in the market.

If something has a new market, it has a better price, you can switch. The environment, if there is some kind of environmental factor, weather, et cetera, you can switch. It reduces the regulatory impact if you have something else to switch to. If there is a closure in one fishery, you can switch to another one, you are not just out right away.

You can maximize your profit with a variety of products and improve resilience of the fishing businesses and communities. It is all about diversifying and having lots of options and opportunities to fish. The black sea bass pot fishery represents a really ideal application of this portfolio approach. That is why we put this together and brought it to the council in September.

When it comes to the black sea bass endorsement holders' fishing portfolios and their yearly business plans, they want to maximize returns, of course. They are going to target species based on higher periods of demand or periods with less competition from other species. They are going to go for the fish when the fish are more available.

They wanted to have the lowest input, the most efficient trips when they are talking about any of their trip costs, the efficiency of the gear; basically the least amount of effort for the most amount

of money, and they want to have efficient trips for vessel size. Then you want to minimize risk also. By risk we're talking about any kind of variation in the asset's ability to make or lose money. Your asset in this portfolio would be access to the fishery.

For the black sea bass endorsement holders, they are the only ones who have access to that fishery; so they are the only ones who have that asset. All the variation and how much money you can make off that is going to depend on the environmental, the availability of the species, and weather.

You are not going to make a trip or you are going to go do something else, target another species if the fish are not there or easy to get to or the weather makes it unsafe. You are going to take a look at the market when there is a larger supply or a lower demand. You may switch to another species or competition from a lot of other species and then you may not make a trip.

The regulatory; the trip limit may be too low, the fishery is closed, size limit, increasing discards, there are lots of factors with regulatory. When I asked the black sea bass endorsement holders, the folks who were fishing, kind of tell me what would be like your ideal plan or what were you doing before 2009.

They said. okay, in January through April you black sea bass pot as much as you can, weather permitting. In May you target the groupers; in June it is vermilion and triggerfish; summer/fall is jacks, some grouper, and maybe king mackerel. Then starting late October through the end of the year all the way into April. you are back to black sea bass pots. That was kind of their best money-making portfolio yearly business plan.

There were some other folks who participated in other fisheries. Again, at the beginning of the year they would black sea bass pot as the weather permits; and then starting in the summer – there was a group in Little River and they all charter fish or they are all chartering in the summer; because they live near Myrtle Beach and that is when you charter and that is what you're going to make the most money at in that area.

Of course, they are not going to stop everything and go black sea bass pot. They are going to go charter because that is their moneymaker for the summer. The same thing with shrimp, king mackerel if that is the time of year that they are going through; maybe have a break in the fall, and then start in late October and start fishing black sea bass pots.

What we were really trying to get at is you have all these different assets and they are not always interchangeable. It is not always going to be perfect every year where you can fish for what you want to fish for at that time of year. However, the fishermen, all of you want to have the biggest bang for your buck.

You want to be able to fish what is going to make you the most money with the most efficient trips possible at that time of year; and if that is not what it is, you are going to switch to something else. When it comes to this and how the closure currently affects the portfolios, there is no access to the black sea bass pot fishery when the black sea bass are most available, accessible, and marketable; according to the folks that I talked to. To utilize that endorsement that they have, they have to fish during a less ideal time of year or when they want to fish for something else or do something else.

Most people didn't want to fish for black sea bass in the summer. They wanted to fish for vermilion and triggerfish, because that was their moneymaker during that time of year. For some endorsement holders they said, you know, the pot endorsement, being able to fish black sea bass pots in the winter was the most important part of my yearly business plan.

No matter what happened in the summer, if things didn't work out or the fish weren't there and I didn't make any money, I always knew I could make money in the winter; and it was kind of the anchor of their yearly business plan. That is how the closure has kind of messed this up. Almost everybody that I talked to – just a couple folks said no or maybe, I don't know; but almost everybody said they would definitely participate in the winter black sea bass pot fishery if it was open.

That is what they would do in the winter if they could; that the efficient winter pot fishery keeps a consistent supply in the market when there are other species that aren't available, and that could have some effects on the fish houses. The endorsements may lose value in the winter. The smaller vessels – this came up a couple of times – some folks have moved to smaller vessels in recent years to kind of adapt to regulatory changes.

Not having that winter pot fishery that really helps them out has affected their ability to participate in some of the other winter fisheries. It can also affect their ability to have steady work for a crew. If you tell your crew, well, I can't use you six months out of the year – this is like your pot fishermen crew – they have to go find something else to do, and they may just go find a totally different job.

Basically maximize a profitable fishing portfolios; that is what we have to build efficient and stable fishing businesses. We did have a few other comments, and all of those will go into the Regulatory Amendment 16. The council also knows about this. There were some that didn't support a winter opening. They felt like there would be some conflict or they felt like some of them participated in hook-and-line black sea bass in the winter or they felt like it was going to affect the commercial ACL.

There was this perception of unfairness for the pot fishermen. They already have a lot of regulations to minimize their risk of interacting with the whales or having an entanglement. Most of them said they haven't seen any whales or maybe they've seen one or two, but they are always close to inshore.

Some mentioned that there was illegal trapping going on; then also that this amendment has taken a very long time and is still going through the process and so that is having negative effects on them also. That's it. I do want to say that we hopefully can start to integrate this into the effects' analysis for a lot of the regulations and kind of talk about the bigger picture for folks and how it affects their whole fishing business.

MR. ATACK: Was there any discussion on if there is more bycatch in the winter versus the summer, catch discards in the pot fishery?

MR. JOHNSON: Well, I have a question about that Jim, because I have pot fished. I will go ahead and tell you it is the easiest fishing there is, in my opinion. I mean really you have one crew member, you pull up there, and you set your pot. By the time I would get done with my

string. I would turn around and go back and start pulling my pots. There really isn't any discards other than small triggerfish you pick out of there and unwanted, because the whole nature of the trap is the mesh size lets the small fish go out.

I am not sure why there would be more discards. I don't really understand discards in a pot fishery. That is supposed to be the beauty of a pot fishery, there are no discards simply because of the gear. It is like a net fishery, your mesh size determines your catch. This is sour grapes for me. Any of you who don't know me, I used to have an endorsement; I lost it.

Never have I ever seen so much done for so few fishermen. It is amazing to me, really. The reason we had to have this endorsement is because they couldn't make a living because there were too many trap holders in; and there were only 50. We had to get rid of some of them because they couldn't make a living.

As soon as it went into implementation, I mean it was just a matter of weeks some of them came up for sale. I would be curious to know how many have been sold since it has been implemented. How many of these people that had to have it sold it? It is a sore spot for me. The reason, by the way, I ever got in the fishery is because 17A was looming over my head in Florida, and I was looking for a way to feed my family.

When you talk about closing all bottom fishing, and we came very close to that, I was told by the council, well, you can pot fish. But, anyway, then I see on here in their business plan some of them charter fish when it is profitable. That is why I didn't get my endorsement. I was charter fishing because it was profitable. I see all this and I'm scratching my head, I'm thinking, really?

What else are we going to do; I really don't get it. Again, I'm sour grapes here, but I'm thinking this was a lot of effort to show that with an additional endorsement you can make more money. We all know the black sea bass spawn in the wintertime. Heck, yes, that is when the fishing is the best; we know that. There is not a person in this room that has ever sea bass fished doesn't know that. I just wanted to put that on the record. If we were going to do anything to help harvest this ACL, how about letting the few people you put out back in? That is just my thoughts on it.

MR. BUFF: I'm with Robert on this; I got put out of it, too. I missed it by about 1,000 pounds. At the time we were doing something that was more profitable in the fishery to survive, not because it was more or less. It was we had to do what we had to do to survive. I thought about this the whole time we've been here and when to bring this up. You just opened the door.

I think as this stuff rebuilds and the stocks reassess that there ought to be some way for the people that lost it, that participated in it, to gain these endorsements back. I am not saying to give it to every single person that had one. But like mine, I missed mine by 1,000 pounds in one year; that is how I missed the endorsement.

As this stuff recovers, there ought to be some sort of assessment to give back some of the stuff that was taken away. When I bought my first permits, I bought the ones that had a sea bass stamp on it just for that endorsement. I thought forever, well, we'll never lose it, we'll never lose it. Well, hey, you know what, it's gone? Then I am with him on this. Here I am now with part of mine if I still had it; I could use it now to make those winter months or the summer months. I

think at some point there needs to be a little give back for the people that participated now, not the people that just had it, but the people that actually used it.

MR. ATACK: I don't have any problem with that other than really the spawning season. I don't really think we should be trying to target these fish as they aggregate to spawn if we open back up the winter fishery. I think we should be looking at February and March, being careful about not taking out a lot of the breeders before they spawn.

DR. MacLAUCHLIN: We have some council members here; but then we can also bring that back and it will be part of the AP report or did you want to make any motions or anything like that or just put that in the discussion of the AP report?

MR. ATACK: Yes; so if you guys want to make some motions.

MR. BUFF: I would like to make a motion that some of us get our endorsements back.

MR. ATACK: How do you want to word that motion?

MR. BUFF: I would just like to say that as the stocks reassess and get back to where they are sustainable; that maybe we have a program that lets those people back in to give them back what they had. A lot of this, if you listen to what we all talk about all day, it is take, take, take, take, take and there is never any give back.

At some point in time when you lose the stuff that you worked for, then it comes back, you should have a chance to get that back. I am not saying to give it to every single person that had one but the people that actually participated. There are a double handful of people that lost it by 500 to 1,000 pounds. It is like Robert said, you know, it is not that we weren't fishing. We were doing something else that was profitable at the time. It is not that we just didn't participate in the fishery.

MR. ATACK: Is that wording good up there; consider a program to allow fishermen back into the black sea bass pot fishery as the black sea bass stock rebuilds?

MR. BUFF: Yes.

MR. ATACK: Any more discussion on the motion?

MR. JOHNSON: I second it.

MR. ATACK: Any discussion on it or are we ready to vote? I will read the motion again. Go ahead.

MR. MERSHON: I think this is a very good thing you are talking about, but I think it should be in this motion. I had a bunch of fishermen who lost their endorsements; but they never used them. It is like he was saying; he lost his by a thousand pounds. I've got two or three fishermen – I mean I pulled out every piece of bookwork I've got for them over so many years back just to help them. Honestly, a few of them just reported wrong, but yet my reporting was right. They just put down sea bass.

They didn't put down trapping and all that because they grouper fished and all that so it all kind of fell in the same thing. But now, I think there should be on there to say the ones who lost it by a certain amount; because, hey, if you just start letting them back in, I mean the guy who never used it before, well, all of a sudden now my endorsement is going to be worth a lot of money. I want mine back; but yet I never used it before, but yet I had it on there. Am I making sense what I'm saying there, guys?

MR. ATACK: Yes, I would think what you want the council to do is to look at how many there were and what level they had landings at; and then if we did a cutoff here, how many would come back in. It is what you are kind of asking for is an evaluation. Then that would come back through the AP and we would do some votes on alternatives where you have cutoffs on different historical landings. By considering a program to allow them back in, you are not just letting them all back in. The clarification is for fishermen who participated in the pot fishery before the endorsement.

MR. JOHNSON: I don't think we're talking about that many. I am trying to remember, but I don't think there were maybe 60 guys. It wasn't like there were 2 or 300. You are not talking about that many people that had an endorsement that lost it. They whittled the fishery down to about 50 percent of what it was. I think it might have been 60 something. I'm sure they have a record of how many it was; but it wasn't like every other guy that had a snapper grouper permit had a bass endorsement.

MR. ATACK: Right, so we're just trying to clarify the intent as to whether you want every fisherman that had an endorsement back in or if you want some that didn't have quite enough landings to get back in.

MR. JOHNSON: The first two years and then the third year I had no landings at all. Of course, I had a boat issue and then I got it fixed and it was charter season. That is when it opened up in June. When it opened up in June, we're going every day; we're taking people fishing; we're not throwing sea bass pots.

MR. MUNDEN: Throughout my career I've heard fishermen complain about using their snapper grouper permits; hook-and-line fishermen from North Carolina bring it up frequently. But as a member of the Atlantic Large Whale Take Reduction Team, you just have to keep in mind that we're walking a very fine line with marine mammals, particularly right whales with vertical lines.

I've argued against this at the Take Reduction Team Level. One size doesn't fit all, but it does in NMFS' mindset. The focus should be on the New England lobster pot fishermen. One fisherman will fish as much vertical line as all the fishermen in the South Atlantic, but the rules are you have to abide by the vertical line requirements there. Just be careful about going on this, because it can be a very slippery slope.

MR. COX: I wasn't part of the council when the endorsements were put into place. I surely hate to see fishermen lose, like a lot of you guys are saying, by just a little bit. I lost by 200 pounds; it was an average over ten years. I lost by 200 pounds a year over that course of ten years because I had a few zeros, but then I had some 15,000 pound years. Anyway, I bought back into the fishery at a very high cost, because I believe in the fishery and I participated for a long time.

I just want to go on record and tell you that understand that an ITQ Program is much more flexible than an endorsement program. Folks that lost by just a little bit like you were saying, had it been an ITQ program you would still be fishing today, maybe not on what you would want to, but it is for future reference looking at endorsement programs, which I wouldn't look at. When you look at a small fishery like a black sea bass fishery or a longline fishery where there are only a few participants in it; an ITQ Program could be a perfect example of how that fishery could work to keep fishermen fishing.

MR. ATACK: Okay, any more discussion? We haven't voted on the motion yet, right? Okay, that is what I thought. **I will read the motion to consider a program to allow fishermen back into the black sea bass pot fishery as the black sea bass stock rebuilds. All in favor of the motion raise your hand; anybody opposed? One opposed; the motion carries.**

MR. JOHNSON: Just for information; she just pulled it up, it was 54 vessels; that is how many.

MS. MARHEFKA: I was going to say we're one of the people who we bought tags every year and didn't even have traps. This speaks to the portfolio of fishing. We had it just in case we needed to pot fish; but we didn't have any landings so we weren't even in the running. That certainly hasn't affected us. We haven't lost anything other than the imaginary thing in my portfolio that was on paper that is no longer there.

MR. HUDSON: With that said, some of the people like you indicated with no landings versus somebody that came up just shy of the minimum threshold, there needs to be some analysis to see what is going to be there. Of course, we've got a lot of people, I think half a dozen or more that has already sold their endorsements as a result of this shift, so they are out of the business, anyway.

MR. ATACK: Is anybody else concerned about like the spawning season, with the pots coming back in during the spawning season?

MR. HUDSON: Two things were brought up. Spawning season is different down on our end plus you have a couple of genetic types of black sea bass up your way of which we only share the one. Also, you brought up bycatch earlier, small trigs on our end. From what we did with some ACCSP bycatch matrix that we're working on, some white grunt up on your end. Again, we have reduced the amount of pressure and people by this endorsement program. You don't have 100 pots being left out there day after day after day like had been done.

MR. ATACK: Yes, I guess I am not concerned about that. It is taking the spawners out where they've aggregated. Whether or not you've got 100 people or 30 people, you are still taking X amount out during the spawning season.

MR. HUDSON: But so is the hook and line.

MR. ATACK: Yes, but not at the volume that the black sea bass pots will be is what I'm hearing when you look at the report.

MR. BUFF: If we leave this open in the wintertime; is it a 300 pound trip limit? I didn't hear that clarified.



DR. MacLAUCHLIN: It is just the hook and line is 300 pound trip limit January through April.

MR. BUFF: What would be the trip limit on the pots or has that got to be established as well?

DR. MacLAUCHLIN: It is 1,000 pounds all year.

MR. BUFF: On the traps, so that would follow through the winter months as well. Will that not reach the ACL really quick if we leave that like that?

MR. ATACK: Currently; and then as ACLs change or what not. If we want to change it later, it takes a couple or three years to make an amendment change.

MR. BUFF: But will that not close that earlier if we do that now? At the rate we're at now, will that close the season early?

DR. MacLAUCHLIN: In the Regulatory Amendment 16 analysis there is some projections for when it will close. Considering where people fish and how many people fishing and everything like that and the trip limit; it is projected to close in the fall, October or November, so it would last almost all year but not quite all the way through.

MR. FEX: You said October and November; don't we start the year count in like May or something or June on the numbers?

DR. MacLAUCHLIN: It starts in January 1st now, the fishing year.

MR. ATACK: Right; so if the fishing year starts in January, you would be open through the whole spawning season with the pots, right?

MR. THOMPSON: I believe before we got to give any permits back, we would look at and readjust the year to try to have it ending before the major spawning season or whatever. That could be worked out through the meetings. At this point, I think we're just trying to hopefully give a few guys a little bit of business back.

MR. ATACK: Okay, so that pretty much finishes up what is on the agenda other than other business.

MR. STIGLITZ: I heard talk about taking snapper grouper permits away. I just heard you lost your permits and now you want your black sea bass permits back. I probably have been fishing longer than anybody in this room. I've got an original snapper grouper permit. Now I haven't used it in the last four or five years; and I don't know what you want to go back on years.

My portfolio holds it in there so I can make a living if something happens in my lobster fishery. If you want to take permits away, take them away from people that have bought them and transferred them and are not using them. Original people that hold a permit, I still fish and I still have plans of fishing.

I would really resent losing my snapper grouper permit because I've made a lot of money the last few years lobster fishing, and I don't need to go catch them snappers. If I don't need to go catch

them, I leave them alone. I want the privilege, if I have a hurricane next year and I lose all my lobster year, that I still have a way of feeding the dog and the wife. You notice the dog was first. No, you get what I'm talking about. I am telling you, I own an original. It has never been transferred.

I have kept it up since day one and years back it's got lots of numbers on it, and I'm 62 years old. I don't want to have to go out there and do it, but I don't want to lose it. Be careful of what you're asking. I get what you're asking; there is a lot of potential out there that sits there. What I mentioned before, I think if you stop the leasing – do like I said, if you own the permit and you lease a boat, the permit holder needs to be on the boat.

If you own the boat, you own the permit. I think that would eliminate a lot of pressure, because there are people that own the permit but don't want to fish. Somebody in my part right here, I could lease somebody's boat and let them go fishing, and they could pay me \$5,000 a year to use my permit. It would be a little bit of income. I resent that; I won't do it.

I really wish that you would work at that part of it first as up and take somebody's stuff away from him, because I've earned it. I've earned it. I started in 1969; that is 47 years of being out there, and I earned it. I did my job to have it and I really don't want you to take that away from me. I'll see you in the springtime.

MR HUDSON: With that said, I concur that trying to eliminate permits at this time I think is back to what was said earlier cart in front of the horse. I would like to see a motion made to do a sunset on the snapper grouper two-for-one so that we can stabilize the situation. We've already bled off over 1,500 plus permits since that two-for-one started.

We're down to 500 Number 1 snapper grouper permits. If anybody likes that thought, I think that would help people's portfolio instead of constantly reducing it down to where at some point we're going to be at a low level of snapper grouper permits.

MR. BUFF: I would like to know what number of permits would make the whole fishery work. That is what I would like to know; how many permits does it take to make what fish we have today a business model that works?

MS. MARHEFKA: I'll second Rusty for the sake of discussion. I have a point I want to make to that. If you saw what Gregg sent you last night in Table 2, it tells you exactly that. You can look at it and decide what you think is a sustainable amount of money for a boat. There are 75 boats in the fishery and that is allocating the catch equally among all the boats.

Using the current ACL at – we'll go the middle \$3.00 a pound; you can do 2, 3, or \$4.00. That is \$71,000 per boat. That is before expenses. I don't know, to each your own as far as what you think making a living on a boat or with a boat is. I suppose if you own multiple boats, that might be okay.

But if you are a single boat owner and you need to support a family, \$71,000 before expenses is not a lot for the kind of hard work you're doing. If you go up to only 25 boats in the fishery at \$3.00 a pound, you are looking at \$143,000, again before expenses. I did the math on that last

night; because that seemed fun, and I think if you took away – I thought I did, I can't find it – but I estimated sort of what the expenses would be at that level.

By the time you pay taxes and everything, I think you are down to – I don't know that \$143,000, put it this way, looks a lot bigger than what you would actually take home at the end of the day. I think this is a really good chart for everyone to look at for the next meeting based on this. The only thing I want to say to Rusty's motion is I would have a hard time supporting that while the permit stacking issue is still on the table; because if people only have to buy one permit and then they can stack them; that is going to make that a lot more trouble, in my mind. But other than that, I agree with you.

MR. ATACK: I guess I question if you look at the current ACLs; how many pounds of B-liners are we getting a year? That is 1.1 million pounds, right, current ACLs? Yes, but how many pounds of B-liners do we get, how many pounds of black sea do we get?

MR. THOMPSON: Yes, it seems a little off to me. It's not correct.

MR. ATACK: That doesn't seem right.

MR. WAUGH: This was done in March of this year. We can update it and provide it to you; that is not a problem.

MR. ATACK: Yes, it just seems between all the grouper –

MR. WAUGH: But again that is current, so if the current is a little higher, that is fine; but what you should look at is over here. This is long-term, likely long-term yield; somewhere around 8 to 9 million pounds.

MR. ATACK: Yes, but if the current is not right – we need to recheck those numbers, because I think the current ACLs should be more like a couple million pounds or something; but we would have to add them all up. That might be good to actually use the weight per species or dollar per species if you want to make it accurate. If the grouper is going for \$5.00 a pound and the amberjacks are a buck twenty-five; then we could multiply this on out and get a much more accurate number.

MR. HUDSON: When you look at the 500 – and let's just think the unlimited permits – let's say by the time you got the two-for-one eliminated in sunset; that is probably about where you're at is the number of vessels. Now, the ACLs, we're already in efforts to try to increase certain things like red snapper and other types of stuff; bring it back in from a closed situation.

We're looking at maybe modifying the shallow water grouper thing so there is a little bit more refinement to the actual spawning cycle of those animals. Like red grouper and speckled hind is more a summertime or late spring type thing; whereas, our gags are already done in our region but they are moving.

That is something that has been put on the table a little bit and I think the South Florida stuff also had that in there. To me, I look at the 500, and then I just start thinking about, you are right, Mr. Chairman; that the totals up there for the current ACLs, all that needs to be updated and gives us

a chance to flesh it out. As I said, with our HMS Amendment 6; that permit stacking went through a couple of years of stuff, and it disenfranchises the person that can't afford to buy, lease or otherwise.

Also I've got to say that there are people that own more than one boat and have to hire a captain, so it is not going to always be an owner/operator situation. There are mostly out of the 500 boats single owner/operator; but there are times they take off or do something else and then they have somebody run their boat for them.

I know coming up I never owned a boat; I ran other people's boats. That is how you bring in the new people later on. As a motion I would just like to see a sunset on the two-for-one. Permit stacking; I've already issued my opinion. I think that is not a good thing particularly at this time.

MR. ATACK: Are you making a motion then, sunset the two-for-one? Has anyone seconded it? Seconded. Comment or discussion?

MR. FEX: Yes, I just say that we're sitting here thinking about trying to get people out of the fishery because the fishery is not productive at X amount of permits; and we have a thing right there that I know is not working because we still lease them and everything; but it is still slowly dwindling them down.

I'm not trying to take anything from anybody that doesn't want to be in it, but this is one of the things we put there to try to slowly dwindle the system down so that if somebody wanted to get out they could sell their permit. Permits are worth more than the vessels are nowadays. I won't agree with it, but you can throw it out there.

AP MEMBER: I know this isn't exact; but if you look at this as a whole, 250 permits is pretty much where I think we're going to need to be to make this work; and we're at 500 and I think 50 some now. I just don't understand the logic behind that. We still need half of what we have now gone to get it sustainable for everybody to operate.

MR. HUDSON: With that said, the same document that Gregg sent out last night indicated 100 pounds or less of landings down to zero were only 15 percent of the total permits. Right now we're at 550 unlimited and 100 and some odd 20 of the nontransferable 225s. When you look at that; that is 600 and something permits.

You take 15 percent off of that, you are down to the 500 and something. That is the people that haven't had anything, but that also is Richard that doesn't have landings within that bracket of time that was used for that analysis. Then you have to think real hard about where he was and is still involved and yet he chose not to use that.

There is another person that wasn't able to go and catch enough black sea bass pot under those restrictions. When we go back to revisit that, we're going to have to lower that threshold a little bit to requalify those same people that were disqualified at that time, the 22 people. I'm sure there is probably about 5, 10, maybe 15 that might fall in that range. The rest of them will have zeros associated with those pot landings.

MR. BUFF: Richard said he's had his permit his whole life and he's not going to sell that permit; so that eliminates Richard. The two-for-one was done to take two permits and turn them into one permit to eliminate that one. If he never sells that permit, he is never going to lose it. That eliminates him out of the equation.

MR. HUDSON: Now in my 40-something years being around the fishery, I've seen the 3,000 plus vessels that were involved; and then I saw it get down to where that amendment was done that brought it down into the 2,000; and then the two-for-one then started bringing it right on down across the years. There has definitely been an elimination of a lot of effort, a lot of effort over here on this side. Honestly, I don't see the fishing communities that we had; I don't see them ever coming back. That is just my feeling.

MR. BROWN: Well, I'm one of the ones that lost his black sea bass permit, too. What happened was that I shifted – I wanted to get a bigger boat and so around the late nineties or something, I went ahead and built a new boat. I was still commercial fishing some, but I built the boat so that I could move more in the for-hire business and carry 20 passengers and try to fit a niche that I saw here in this area.

But as time went on the ACLs and everything were kicking in, and so my business was growing with the for-hire; but every time I wanted to go commercial fishing, there were a lot of things that were starting to close; and so that just kind of eliminated me from being able to commercial fish as much as I wanted to. It kind of put me in that bracket with Richard not being able to go commercial fishing; but yet I can depend on that for-hire business, but I don't want to lose my permit either.

MS. MARHEFKA: I hate that this is coming up at the end of this meeting, because I think we have a lot to talk about with this. I don't know if this would work, Gregg, but my suggestion might be – this is a very complicated thing and clearly this is important to all of us and it always comes up at the end of a meeting.

Is there any way that we could ask council members to direct you or we could maybe suggest that you could make it a very high item on the next agenda with some supporting information as far as updating and that we take the time to begin developing this permit issue and what we want this fishery to look like and have the time to really talk about it; not the last five minutes of the meeting.

MR. WAUGH: Yes, and I will consider that request having been made. We'll add early on in the meeting as an agenda item to talk about what the fishery should look like; specifically in terms of number of vessels. Let me mention that Amber just researched this figure; and when we use it, this is the problem of going back several meetings and grabbing something out of a briefing book. That figure for the current ACL should be about 7 million pounds.

That figure that is up there is really the difference at that time between the current ACL and the potential OY. That was a mistake that we made when we were putting this together. We'll update this and have this as a part of the briefing material for you at your next AP meeting, because we're not talking about the nontransferable permits. If you look right now as of 2013, there were about 130 of those. When we first put this in place; that was to address older fishermen at that time who had snapper grouper as a part of their retirement plan.

Those nontransferable permits; the intent was that those would decrease over time. There shouldn't be anybody young with a nontransferable permit. That is something we intend to look at and we can provide that information for you, too. We'll add that to your next agenda item for discussion.

MR. HUDSON: As a final discussion point, either I can go ahead and withdraw my motion to set up the stage for the next level where we have the information – Scott brought up an interesting point. He threw out a number that he thought might be sufficient, but remember we've got 200 permits down in Monroe County alone.

We've got 100 and something in North Carolina and you've got this paucity in between. I would suggest that once we get this type of analysis available to us; that it might make it easier for a discussion as a priority at the beginning of a meeting instead of at the end. How do you go about withdrawing the motion?

MR. BUFF: I just want to clarify I don't want to see anybody lose their permits, okay, but I think the two-for-one has got us where we're at now. I don't think it is the time or the place to take that away. I just want to make sure everybody understands that. I don't want to see anybody lose their permit, because I know what that is like.

MR. HUDSON: Final thought on that. You've got almost 300 dealer permits, and so how do you want to fit those dealers into the same equation; because you may be eliminating them when you eliminate even more permits.

MR. BUFF: But the dealer permits are not the problem. The dealers can't sell no more than we can catch.

MR. HUDSON: But they need a fleet; they need a fleet. Whatever dealers there are, I wouldn't want to see Wayne compromised. I wouldn't want to see any of my dealers down my way compromise. There are just too few of them now.

MR. BUFF: I agree with that, but I don't think the two-for-one has nothing to do with the dealers.

MR. ATACK: Okay, any other subjects here?

MR. JOHNSON: I've got a couple some people brought to my attention. The state of Florida, just for background, has a two fish per boat. It is one fish per person max, two fish per boat limit on African pompano. No other states in the EEZ have any kind of African pompano limits. There are no commercial limits, period, on African pompano.

I would like to make a motion that the council – I know the fish is not in even their management plan, but I guess they need, if possible maybe it could be looked at adding that fish into the management plan and setting recreational bag limits and commercial trip limits. I've asked the question of the state of Florida what science did they use to come up with the two fish per boat limit. I have not gotten an answer. Obviously, they thought there was a problem.

MR. ATACK: Kenny seconded it. Any discussion or more input on this?

MR. WAUGH: Robert, the state isn't encumbered with a lot of the requirements that the councils are. They can use their informed judgment and put in precautionary management measures. Just so you are aware, with this comes the full suite of what the federal system brings; ACLs, the lack of an assessment. We in all likelihood would not see an African pompano assessment in our lifetime. It will be the ORCS method or something else looking at landings. It is going to be a relatively low ACL and very low bag limits and trip limits.

MR. BRAME: Like weakfish, in the absence of a federal plan, state regulations can extend out to 200 miles so the state could regulate it in the EEZ.

MR. JOHNSON: That would be fine as long as there is something in place; because right now Florida is the only place where there is any kind of regulation.

MR. ATACK: Yes, I know up our way I know some people that are concerned about it. For years we never saw any African pompano, if I go back to the nineties. I know there used to be a fishery for them. I guess it will come up in the landings when they do the research. Then there was a period where there were no African pompano.

Now they have kind of come back. It is a pretty good fishery right now. We see 30, 40 pounders. I think they have breeding aggregations off the coast. I think some of the concern is that people start targeting it and you could wipe this fishery back out again; because why was it wiped out back in the nineties?

This would be an opportunity for council to be proactive on a fishery to put in some good management plans before the fishery gets in an overfished state or overfishing occurring. Most people I've talked to would be happy with some bag limits up in the recreational side, also. If there is no other discussion, I guess we'll vote on the motion.

**The motion is have council consider adding African pompano to the Snapper Grouper FMP and adding recreational bag limits and personal trip limits. All in favor of the motion raise your hand; any opposed. One opposed, motion carries. Any other subjects?**

DR. KELLISON: I just want to give a brief – I'll try to make it like 45 seconds or less – update on a data collection effort that we just completed. It wrapped up on October 31<sup>st</sup>. It was focused on blueline tilefish, the last assessment. It was really lacking in life history data so our Center Director was able to acquire some funds this year.

We worked with seven fishermen ranging from about New York/New Jersey down to the Florida Keys. It spanned the range of distribution along the east coast to collect age growth, reproductive and genetic data that should be available for the next assessment, which is I think planned to start sometime in 2016. Julia would have more details of that.

I just wanted to offer that up as one. It was a great working relationship with a number of people on the water; and it is just a good example of cooperative research that helps us all to fill management needs. I would encourage us to think about other examples like with Mark and Will having worked together, just a lot of things that we can tackle by working together. I encourage us when things arise at these meetings or when you're on the water thinking that is

something that I think we could put some more effort into. Cooperative research is a good way to tackle it. I'm always happy to talk about ways to make that happen.

MR. ATACK: There was one other thing I wanted to talk about just a little bit. We did hogfish yesterday; and since then, last night we talked about the spawning season closure for the recreational. The idea was brought up to change the fishing year for hogfish in the amendment from July 1st to July 1<sup>st</sup>; and the reasoning behind that is if the commercial ACL is met, it will close before the spawning season of the following year for like May and June.

If the recreational season starts July 1st and rolls around, then both sectors wouldn't be fishing for the hogfish in May and June and protect that species during the spawn. That is one way to do it and then not have anybody landing those fish in that same period of time; because it looks like the ACL will be met based on the ACLs that we're looking at versus the fishing pressure. I don't know if anybody agreed with that or disagreed with that.

MR. JOHNSON: You were looking at basically wanting to start the recreational season the same time as the commercial season. I would like to make a motion that the recreational season for hogfish opens up July 1st.

MR. ATACK: That would be the fishing year for commercial and recreational on July 1<sup>st</sup>?

MR. JOHNSON: Right, they would be the same.

MR. ATACK: Kenny seconded it. The motion is to start the fishing year for hogfish July 1st.

MR. HUDSON: I believe that puts us at the beginning of Wave 3; is that correct? It doesn't put it out of cycle with MRIP while we're on the two-month cycles; that is good.

MR. ATACK: Any other discussion on that? **I'll read the motion then to start the hogfish commercial and recreational, so really it is recommend the council start the hogfish commercial and recreational fishing year on July 1st. All in favor of the motion raise your hand; anybody opposed? All right, motion carries unanimous. Does anybody have anything else they want to talk about or bring up?**

MR. MERSHON: Yes, I've spoke with Mel about this once before. I've got the recreational and commercial fishermen, you know, I am an advisory panel member, bring it up about the bang stick situation in South Carolina. We can go to every state and land a fish that has been shot with a bang stick, but you can't in South Carolina.

I talked with Mel about it. I think we were up in Little River or North Myrtle Beach or something like that and I asked him how does it start? He says it starts here and say something about it, Wayne. Well, I said something about it at that meeting. Has anybody else ever heard anything about it? This was over a year ago I talked with Mel about it. Where does it start?

I am doing my job. My constituents, the people I know say, hey, go down here and say something about it. How do you get something started about it? I can go to Florida, I can go to Georgia, I can go to North Carolina and I can bang stick a fish and land it. I can shoot them off of South Carolina, but I cannot bring them into South Carolina and land them.



Like I said, it is not that I personally do it. Do you all understand where I am going with this? I mean the ball has to start rolling somewhere. I thought I started the ball, but yet I guess I kicked it into a corner. I'm done.

MR. ATACK: I think Florida has – you can't be shooting fish with powerheads in Florida either so it is not all four states.

AP MEMBER: You can.

MR. ATACK: You can, okay. One way to I guess try to get something moving on it would be you could make a motion. I guess your motion is to allow – but it is a state law, though, right? Mel, can you talk about this?

MR. BELL: I have also talked to a few of the fishermen about it. It is odd; we're an exception for whatever reason. The whole bang-stick prohibition thing started back with SMZs and artificial reefs. That was the initial request, the initial focus. That sort of evolved in the council process at some time to a prohibition in the federal waters off of South Carolina only.

Personally, I don't have a problem with spear them, bang stick them, dead is dead. I've talked to the divers. I'm a diver. I get the whole safety thing. Remember when this all came up, this was back before ACLs and all, too. Since then things have changed to the point where it is simply an imposed gear inefficiency, if you will, and it is only off of South Carolina.

I don't personally have a problem with the use of bang stick versus spear; it doesn't really matter. What would have to happen is that change in the federal side – this is the federal side would have to be incorporated into an appropriate plan amendment somehow to basically just make it an even-playing field across all the states.

MR. ATACK: Yes, but isn't it a state law? It's a federal law, it's in CFR?

MR. BELL: The state law would apply for state waters. The state doesn't have jurisdiction in federal waters. What we're talking about, the fishery we're talking about, the snapper grouper fishery is in federal waters. It is a federal regulation that prohibits what Wayne is talking about. That would have to be changed in a plan amendment.

It is odd; South Carolina is an exception; and how that all came about, I'm not sure. I wasn't on the council at that time. The original request and the original desire was to protect the artificial reefs from overexploitation by a very efficient gear. That is where it all started and it carried over into all bottoms off of South Carolina only.

MR. MERSHON: As it stands right now, you can shoot all of them you want off of South Carolina with a bang stick. You're just now allowed to bring it to the dock; that is recreational and commercial.

MR. WAUGH: That is not correct; you can't use bang sticks in federal waters off the state of South Carolina. That is a federal regulation.

MR. MERSHON: I'm not disputing that. I'm just disputing that a lot of it happens. It's just like if a diver comes from Florida, comes up here and on his way he is bouncing his way up the coast and he used the bang stick and then turned around and went to Florida and unloaded. In my opinion, there would be some pretty gray areas there. What if he shot a bunch of fish off of Florida, off of Georgia, and then say he got boarded out here and he had shot fish on the boat.

MR. WAUGH: He would get a ticket.

MR. MERSHON: I understand that; but why is it just South Carolina? I mean the way this case is so set up –

MR. WAUGH: John Floyd that is why. John Floyd; yes, it was council member John Floyd. Mel is right; this started with a concern in the artificial reefs where powerheaders – spent cartridges were strewn over the artificial reefs. The state of Carolina had a prohibited powerheads in state waters.

We prohibited them around artificial reef, and John Floyd, who was a council member from Florida, Governor Campbell's brother, he made it his mission to prohibit powerheads in federal waters off the state of South Carolina. Everybody told him, you can't do that. Well, he pursued it, it was in the amendment, it got submitted and it got approved.

In the federal waters off the state of South Carolina you cannot powerhead fish. A powerhead and power-headed fish, I believe how the regulations read, is prima fascia evidence that you harvested those fish with a powerhead, so you will get a ticket.

MR. MERSHON: Okay, I understand that; but we've got four states in our South Atlantic region; three of them, I can go blow the hell out of fish; not that I do it, I'm not a diver or anything; but yet I'm speaking for those who have asked me to. Where does the ball start rolling to change that to where what is good for the goose is good for the gander?

MR. WAUGH: Just like we've done; you guys approve a motion requesting the council to allow powerheads in the EEZ off of South Carolina.

MR. MERSHON: Well, I would like to make that motion; I mean for a change to be made.

MR. ATACK: Does anybody want to second that motion? Okay, Scott seconded. Any further discussion? All right, I'll read the motion. **The motion is to request the council to allow powerheads in the EEZ off South Carolina. All in favor of the motion raise your hand; any opposed raise your hand. The motion carries with I think 10 for and 2 against.** Any other topics anybody wants to talk about here before we get out of here? Seeing none; then I would like to thank everybody for coming.

MR. BOWEN: I just want to thank everybody for attending. Regardless of what you all may think sometimes, we as the council do listen and not only listen but respect your comments and questions and concerns. There are I think six of us here, so just want to let you know that we do listen. I am going to speak for the council and want to tell you thank you for your effort and your being here and your hard work; so thank you very much.

MR. ATACK: I thank everybody for coming. I hope you have a good trip back. See you next time.

(Whereupon, the meeting was adjourned November 4, 2015.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

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