

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

AD HOC DATA COLLECTION COMMITTEE

**Hilton Wilmington Riverside Hotel
Wilmington, NC**

December 5, 2012

SUMMARY MINUTES

Ad Hoc Data Collection Committee:

Michelle Duval, Chair
Steve Amick
Ben Hartig
Charlie Phillips

Martha Bademan, Vice-Chair
Tom Burgess
Dr. Wilson Laney
Tom Swatzel

Council Members:

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John Jolley
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Gregg Waugh
John Carmichael
Amber Von Harten
Dr. Mike Errigo
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Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Patrick O'Shaughnessy
Capt. Jim Kelley
Phil Steele
Scott Sandorf
Mike Merrifield

Dr. Jack McGovern
Kenny Fex
Otha Easley
Pres Pate
Dr. Nick Farmer
Doug Boyd
Karen Raine

Additional Observers Attached

The Ad Hoc Data Collection Committee of the South Atlantic Fishery Management Council convened in the Hilton Wilmington Riverside Hotel, Wilmington, North Carolina, December 5, 2012, and was called to order at 1:30 o'clock p.m. by Chairman Michelle Duval.

DR. DUVAL: This is the Ad Hoc Data Collection Committee Meeting. We have a fairly full agenda today, and I think we're properly going to require all of our time for discussion. Are there any other items to add to the agenda under other business? I have not heard of any; so seeing none, the agenda is approved.

Are there any changes to the September meeting minutes? Seeing none, the minutes stand approved. The next item on our agenda is a presentation of the post-stratification methodology that is used for the recreational landings estimates. This was something that was requested at our last meeting. I think it might have actually been within snapper grouper, but it made more sense to have the presentation here. It looks like Dr. Ponwith maybe giving the presentation or did she have someone else in mind to do this presentation?

DR. PONWITH: This is a presentation that the Southeast Fisheries Science Center and the regional office collaborated on. Dr. Nick Farmer was going to present this.

DR. DUVAL: Bonnie, what we could do actually is in order to allow Dr. Farmer time to get in here, we could actually have Gregg go over the results of the live demonstration; why we go ahead and do that.

MR. WAUGH: We had the live demonstration on November 27th, and this was run by Steve Turner from the Southeast Fisheries Science Center. He had some of his staff there and their contractor was there as well. This was done via webinar. The region participated as did our staff, those that have access to confidential data.

I'm going to give just as short overview. I think it would be very helpful at a future meeting to have this system demonstrated. Certainly, we can't show confidential data but they could show a lot of this. The system was turned on in June 2012. Major improvement had been made to the dealer identification and that was implemented in August.

That dealt with the yellowtail snapper. We had some issues with some of the multiple dealer identifications, so a system for unifying multiple dealer identities has been updated and integrated into the system. They receive daily updates from the Atlantic Coast Cooperative Statistics Program, the Gulf States Marine Fisheries Commission, the Northeast Fisheries Science Center, the Southeast Region Permits Office; and then twice daily from Bluefin Data, Inc., that collects some of the data in the Gulf and I think maybe some in North Carolina as well. In terms of outreach, the Southeast Fisheries Science Center sent letters to delinquent snapper grouper dealers in October. The Southeast Regional Office is sending notification of reporting requirements with new and renewed permits. The Center has approximately one staff person working on the dealer trip ticket monitoring system that handles the South Atlantic and the Gulf. This system was developed with Fisheries Information System National Funding.

In terms of the system and the presentation, it was fantastic. We were very impressed with what the system can do. It has all the capabilities that we need in the system. The first part was an overview of what went into developing the system and then a live demonstration of the system. They showed us how you can track individual dealer reports and changes to what they have submitted over time using cobia to demonstrate the system.

We were able to track compliance with reporting and dates as required, again using cobia. You can go into the system and look at subsequent reports where a dealer might modify data previously submitted. It really is comprehensive. The ability to project; they have five different methods that are used to project, and we were particularly pleased to see that one of those methods looks at what an individual dealer did last year and then looking at what they have reported thus far this year in comparison to last year to scale up their projections.

They have other ones but in terms of the dynamics changing in the fishery, we certainly were very pleased to see that method. We think that is one that would keep up very well with changes to the system. After that, we said, well, this is a very powerful system; can we look at a different species and forensically analyze why we went over, and so we asked them can we look at the second six-month period in vermilion snapper.

They pulled that up; we looked at dealer reporting and a lot of the dealers are reporting on time. It is really good to see that. They were able to demonstrate to us how a dealer may have reported in September landings that occurred in July, so you can really go into the system and see exactly what is going on, when data are reported and how that affects a projection at any one time as you move forward.

It really is fantastic and I think it would be good to have them, as I said, at some point come and give the council a demonstration. What are the next steps? The Center continues to resolve issues, improve reports to ensure smooth functioning. We expressed the need for access to summary reports at some point in the near future.

Obviously, you don't want a lot of different people running around the innards of this type of system and we don't feel like we need to, but it would be nice to be able to get some of these summary reports and look at some of the projections. We would, of course, need to deal with how we would or would not disseminate that information, because this feeds into the website that is operated out of the Southeast Regional Office. We are continue to discuss that with them.

Implementation of the South Atlantic/Gulf Generic Dealer Amendment as soon as possible should lead to more timely reporting and increase the number of dealers reporting. I will cover this in a little more detail on a slide in a moment. Once that amendment is fully implemented, the uncertainty should be substantially reduced from present levels. The more you have to project, there is more uncertainty associated with that.

The more you get dealers required to report and start reporting and there is some law enforcement activity if they don't report, all that will help ensure that the data you have in hand are more current; so then when you do your projections, there is less uncertainty with those projections.

In terms of resources this system and the staff to manage it are critical to successful ACL management. The council staff put together some points for you all to consider. Certainly, we had some misunderstanding about the timing for the Joint Generic Dealer Amendment to be implemented and we got clarification from Phil yesterday during snapper grouper that all reporting requirements, the electronic, the weekly purchase information, what species, how much are purchased or if you don't purchase, all of those reporting requirements become effective 30 days after publication of the final rule.

Thirty days after the final rule the region will start issuing generic dealer permits. Then four months after the final rule is published everyone will have to have either the dealer permit or the new generic dealer permit and be subject to the reporting requirements. This is very exciting because what this will do is four months after the final rule publishes – and as Monica said, this assumes the amendment gets approved – then all the dealers will be required to report electronically weekly.

The Center will be able to go into this system and look and see who is reporting, who hasn't reported and then work with law enforcement to notify them that they haven't met the reporting requirements. Remember, one of the key issues that we included in this Generic Dealer Amendment tracks the HMS requirement that in order for a dealer to be authorized to purchase they have to have turned in their previous weeks' reporting.

It gives you the ability to write tickets forensically almost like if you get a speeding ticket by a camera, so this provides a tremendous capability and hats off to the Center and their staff for putting this system together.

In terms of resources what we would offer for your consideration is – again the Center indicated that this system has been developed thus far with FIS money from HQ, and they have one staff person dedicated to this – perhaps the council could indicate in a letter or a motion that sufficient financial support should be identified to continue implementation and to continue to maintain the system.

The system is fantastic but somebody has to go in there and look at the level of non-compliance, and the more monitoring we have, the more followup with law enforcement, then it will reduce the uncertainty and make us better able to prevent these ACL overages. The only final thing would be to encourage, Bonnie, at some point to have someone come and give a demonstration at the council. It really is fantastic and you all have done a super job putting this together. I'll be glad to answer any questions.

DR. LANEY: Gregg, in view of our discussions earlier this morning about the speckled hind and Warsaw and the geography and the percentage of the catch that comes from certain areas; does this system include the geographic data on the origin of the landings? In other words, Bonnie or Gregg, either one, could you determine what percentage of the ACL is coming from a given area within the ocean? Is that data in the system also?

DR. PONWITH: I need to try and keep my reporting systems straight. I know that the location of fishing is reported, but I believe that is on the trip tickets that the fishermen fill out rather than

the dealer reports. The value of those data is immense as you can see by the presentation that we had.

When we originally started collecting these data, I'm sure none of us envisioned how critical that information can be for making future decisions. That is a really, really endorsement for please be accurate in this information. Don't treat it as a cast-off square that needs to be checked, that these data are really, really critical.

DR. LANEY: I agree and what I was thinking here in terms of practical application is if those of us in the habitat end of things are looking at just hypothetically some sort of an oil and gas lease area off the coast of North Carolina; and if you could document that 50 percent of an ACL or some significant fraction comes from that particular area, then it gives us a more powerful comment to make back to the BOEHM folks and say, hey, this particular lease site if problematic for the council because 50 percent of our ACL is coming from this zone.

MR. HAYMANS: I was just curious about its application on a nation-wide basis and would that help in funding long term.

DR. DUVAL: So maybe you're asking Bonnie if other regions and centers have a similar system such as the –

MR. HAYMANS: Not a similar system but the same system. If the bugs are worked out of this, will other regions want to pick it up and will it become a funding priority to maintain it?

DR. PONWITH: That's a really good point. You noticed that the original bunch of funds for creating the system in the first place came from FIS, which is a national program, and they get a pot of money that they distribute by competitive awards. Basically scientists from within the center working in collaboration with partners in the data world put forward a proposal, demonstrate what they can do and what the bang for the buck is for that.

One of the things you can do to improve the bang for the buck is technology transfer. Basically everything we learn from the development of this system that has utility in other regions can be carried to those other regions to help them avoid reinventing the wheel. From that standpoint, the FIS Program is a wonderful program to do exactly that, to generate national-scale interest in the methodology. There is strength in numbers by having a unified approach so that is certainly within the realm of possibility.

DR. DUVAL: Just a followup to Doug's question; do you know if the northeast region, for example, has a system that is similar to what you all have developed down here?

DR. PONWITH: Yes, the northeast has a very, very strong system and we cribbed heavily from things that they learned through the development of their system.

DR. DUVAL: And this is what you used to basically parse out the issue with the yellowtail snapper landings that we heard about last meeting?

DR. PONWITH: That is exactly correct and Gregg actually touched on that. The situation that we ran into was a combination of reports that came in late. When reports come in late, you not only need to project going forward, you need to project going forward based on data that are missing. You need to first create what you have in hand because there are unknowns there, and then use that to project what is going forward. Whenever you use an unknown to project an unknown, it compounds, and so that was part of it. The other of it was that we have multiple codes from dealers and multiple codes for vessels.

We are working on a matching system that either creates one code that is unique to every dealer and every vessel or a cross-walk capability that can match perfectly; so that if we see a state number on a ticket, we recognize that state number as being the equivalent of this for the federal number, so we don't accidentally believe we missed a ticket when we really didn't. Again, this is the beauty of one unified system for the entire region so we can avoid situations where we end up with multiple codes and multiple systems and either missing data or double-counting data.

DR. DUVAL: Are there other questions for Bonnie or Gregg with regard the new system? I would say that Gregg suggested that the council might want to pass on through a letter perhaps to Sam Rauch or Eric Schwaab or some combination our support of the system and strongly urge that funds be available to continue to maintain the system.

The way I see it this is really critical for meeting the mandates under the Magnuson Act. I don't know if anyone on the committee would like to make a motion in that regard to send such a letter or to recommend that the full council express its support for the system and continued funding of the system. It is up to the committee. Well, hopefully, your silence doesn't mean you are not supportive of the system and all the effort and blood, sweat and tears that has gone into developing it. David.

MR. CUPKA: Madam Chairman, I'm not on your committee so I can't make a motion, but I would urge you to do something along those lines to send in a letter of support. It doesn't guarantee anything but it certainly doesn't hurt anything. There has been a tremendous amount of work done on this system, and we need to try and do all we can to try and maintain it and foster it and continue it.

DR. LANEY: Madam Chairman, I will make a motion then that the chair, yourself, work with the council chairman and staff to prepare an appropriate letter for transmittal to I guess NMFS Headquarters, Eric Schwaab or Sam Rauch to encourage provision of adequate resources to make sure that this system is maintained and also point out how critical it is to the council for monitoring quotas, to the council and partners for monitoring quotas.

DR. DUVAL: Motion by Wilson; seconded by John Jolley. **The motion reads that the chair work with the council chair and staff to prepare an appropriate letter to NMFS Headquarters to encourage provision of adequate resources to maintain this system and to highlight the importance of this system. Any comments on that motion? Any opposition to that motion? Seeing none; that motion stands approved.**

So now I think we will jump back to our first agenda item, which was actually a presentation on the post-stratification methodology for estimating recreational landing, and I think Dr. Farmer is going to take care of that for us.

DR. FARMER: I have been asked to come and talk about how the science center and the regional office estimate recreational landings for ACL monitoring. As an outline for this presentation we will talk about the various data sources that we used to monitor recreational catch. We will talk about why those data sources may result in estimates that are different from the MRIP Website.

We will talk about the process of post-stratifying data to deal with Monroe County for certain stocks and we will talk about various data processing that the science center does before they give us the data and things that we do at the regional office to match it up with jurisdictional and other management type considerations and future improvements to the process.

In terms of the data sources, currently for ACL monitoring we're using the MRFSS unweighted estimates from science and technology from 2004 forward. We have got the official for-hire survey charterboat estimates that come from the Florida East Region for all years and then Georgia and the states north of Georgia from 2005 forward.

We also used the Georgia and north unofficial for-hire survey charterboat estimates from 2004. That is a slight difference from the MRFSS Website is that use of the for-hire survey charterboat estimates from Georgia and north from '04, and that is a decision that has been made in several different SEDAR processes.

The Southeast Headboat Survey from 2004 through 2011 is also used; 2012 landings are then requested in season for select species like black sea bass where we believe we may have the risk if an overage basically. The MRIP Website provides recreational landings but those are going to be different from the ones that we use for ACL monitoring currently.

The differences are due to a few things. Some of them are obvious; some are less obvious. The first is for the ACL monitoring right now we're using MRFSS landings still for monitoring ACLs. The reason for that is – and you have taken now in Regulatory Amendment 13 to try to put this back on track – the ACLs are currently specified in terms of MRFSS.

For the assessed species, they're still specified in terms of MRFSS so we're going to have to find ways of dealing with that, and I will talk more about that at the end of this presentation. We also include Southeast Headboat Landings. I then provide you with headboat landings from the headboat survey.

We assign landings to management jurisdiction, including post-stratifying landings in Florida for stocks where we take the Gulf Monroe County landings and we add them to Florida estimates and also for North Carolina for black sea bass and a few other species where we take the landings north of Hatteras and we assign those to the Mid-Atlantic because they manage from Hatteras north for those stocks.

We also assign landings to fishing year. The MRIP Website doesn't do that. Some of your stocks in the South Atlantic don't have a calendar year fishing year, so we deal with that. And then the science center also has a statistically robust weight estimation procedure. Basically from the MRIP Website and also from the previous MRFSS Website, you could in some instances get a number of fish greater than zero within a certain strata that would have no weight estimate assigned to it.

The reason for that is they didn't have any survey of biological sampling taken from that and so the weight that was assigned to it was zero. The science center has recognized that as a problem and has dealt with it in many different SEDAR processes over the past few years, and they have developed a weight estimation procedure where basically they make sure that you reach a total of 30 fish sampled in order to apply an appropriate weight.

What they will do is they will look outside that strata so, say, outside of a state, mode, area, wave level, maybe they will then go to the state mode area level and look for a weight estimate; and if they get 30, then they will stop there. Otherwise, they will go to an even broader spectrum of strata and try to get a robust estimate.

Now, I'm sure you guys have seen in the past when you look at the MRFSS Website for a species that is not heavily targeted, you may get a weight coming out, a landings estimate where maybe there were only two or three biological samples that were obtained within a certain strata and you get this huge weight because some of those fish that were intercepted were a lot bigger than the norm.

So then that large average weight gets blown up and then you get this really high probably erroneous outlier estimate of weight. Anyway, this weight estimation procedure attempts to control for that. In terms of post-stratification, we use MRFSS unweighted post-stratified estimates using a program that was developed by S&T and tweaked by the science center and the regional office to work with our region's needs.

It is used in North Carolina to divide landings at Cape Hatteras for certain stocks, including black sea bass. It is used in Florida to assign Florida Keys landings to the Atlantic for certain stocks. The process was developed by NMFS Science and Technology, who are the guys that run the MRFSS Program and now the MRIP Program.

It basically proportionally distributes the effort and catch rates based on the county of origin in the angler's fishing trip, which is the access point, which is sampled by Angler Intercept Survey, and then it parses that out and reassigns an expanded estimate of catch to that. The stocks that we apply this to currently are gag, greater amberjack, mutton snapper, and black grouper for the Keys and then black sea bass for North Carolina.

In terms of data handling that is done at the science center, basically they delete the MRFSS and MRIP headboat estimates in the South Atlantic and they replace all the headboat landings with landings coming out of the Southeast Headboat Survey, which is more robust for the headboat. Then the gutted weight estimates that we need for certain stocks whose quotas are specified in gutted weight are used by converting whole to gutted weight, using conversions that have been

developed by the science center over the past few years, and most of them have been review by SEDAR.

The Southeast Fisheries Science Center has, as I said, a weight estimation procedure that is slightly different than that used by MRFSS in certain instances, and this is detailed in SEDAR 22 Data Workshop Document 16. The MRFSS weights are converted from kilograms to pounds because our ACLs are specified in pounds for the most part. Then MRFSS weights are used when the MRFSS survey provides a weight estimate. If there is an estimate of fish landed in numbers but not in weight, then the science center fills in those holes using the procedure I discussed with you.

The holes are filled using average weights in the sample data collapsed across strata and the hierarchy of the strata goes like this. It goes species, region, year, state, mode and wave. If you don't have 30 within that highly refined strata, then you strike out wave and look and see if you have 30 now. If you get to 30 then, you strike out mode and then you look at species, region, year or state if you don't have 30 and so on.

It is a hierarchy of consideration and it tries to provide a robust weight estimate. A minimum of 30 fish is required at each level in order to use that average weight. At the species level the minimum number of fish required is one. Basically if you don't have 30 once you condense it all the way across, then you just use the estimate that you have.

The science center then cleans up the MRFSS-sampled data by applying a maximum weight and length by species plus a 5 percent buffer, so basically this is an attempt to eliminate outliers in the data that are the result of somebody typing in the wrong number or omitting a decimal point when there should have been one.

Basically any weights or lengths greater than the maximum plus the buffer or less than the buffer or less than 25.4 millimeters are excluded. What that is doing is that is keeping a typographical error in the data base from giving you a 250 pound black sea bass, for example. Then in terms of data handling we do at the regional office, the first thing we do is we assign landings to fishing year. You can see on this slide that a lot of your fishing years are not calendar years.

Basically if part of a MRFSS wave is closed to fishing, then we assign all the landings from that wave to the part of the wave that is open to fishing. In terms of fishing area, we assign landings to area consistent with the ACLs, so mackerel, king and Spanish, have relatively complicated geographic areas for their management.

Dolphin and wahoo we manage all the way to New England, so we include all those in our landings. Black sea bass we manage through of south of Cape Hatteras, North Carolina. Mutton, yellowtail, gag, black grouper, and greater amberjack, again we include the Keys landings. Then all other species are the standard that you would usually think of, which is just East Florida through North Carolina.

In terms of units of measure, we do have some ACLs, snowy grouper and golden tilefish, that are in numbers, so we put everything in the appropriate unit of measure. We convert to gutted

weight for black sea bass, gag and vermilion snapper to be consistent with the ACLs. All the other stocks are monitored in whole weight. The landings are posted to the SERO Webpage every two to three months, which is the time at which we get the updates from MRFSS or MRIP.

In terms of future changes, MRFSS unweighted estimates will not be available in 2013. You guys have already taken action in Regulatory Amendment 13 to recompute the ACLs for 37 unassessed stocks using the MRIP weighted estimates, so those species ACLs will be monitored using MRIP from 2013 on. For the other stocks the MRIP weighted estimates will have to be adjusted to MRFSS units to monitor the ACL until such time as the assessments are updated for those species.

For most of the assessed stocks, what we will do next year is we will take the MRIP landings and we will put those in MRFSS terms. We're using the same scalars that we used to convert between MRIP and MRFSS in Regulatory Amendment 13. We will be using that same type of approach for scalars to take the MRIP estimates from 2013 and put them in terms of MRFSS for monitoring ACLs.

Obviously, this is less than desirable, but it is the best we can do, and the sooner we can get those assessments redone using MRIP data the better. The weight estimation procedure will also change as we begin to use MRIP-weighted estimates in 2013 instead of MRFSS.

DR. DUVAL: Thank you, Nick. Are there questions for Nick about the procedures that are used for handling MRIP data? Ben.

MR. HARTIG: I'm sorry to belabor this point every time I see it, but the conversion from whole weight to gutted weight on black sea bass; why is that ever done because neither one of the sectors guts black sea bass?

DR. FARMER: I'm not entirely sure on that. I know that we get the ABC recommendation from black sea bass out of the SEDAR process. I guess it is in gutted weight so that could be a recommendation to SEDAR to get that on whole weight if it is not in whole weight.

MR. HARTIG: It is in whole weight.

DR. CRABTREE: I believe a couple of years ago we had a long discussion about quotas and ACLs. At that time we had a mishmash. Some were gutted, were whole and it was confusing. I think there was some effort to get everything in a common unit, and the common unit was gutted weight. I think most of our things are gutted weight, now, right, Jack. Well, they're telling me that all of our ACLs are in whole weight so we didn't succeed very well, but I think our intent was to get them all on one unit.

DR. DUVAL: Well, we did have this conversation at this meeting last year. I remember as we were getting ready to approve Amendment 18A for black sea bass we did have this discussion about why are we measuring this in gutted weight when it is whole weight? I think there was actually a motion made in some regard to try to – the next time there was an opportunity to change that, to go ahead and do so. Nick.

DR. FARMER: Yes, I was just going to say we had a strong recommendation from the IPT – I know because I made it – and then also from the science center that whenever possible, given that most fish are at some point in their life whole and not all fish are gutted, that would be the better unit of measure to use if we wanted to go to a consistent one. Certainly, from an analytical standpoint it makes it a lot easier when everything is being dealt with in the same unit because you don't have to rewrite a bunch of stuff each time.

DR. DUVAL: Are there other questions or comments about the procedure? Okay, seeing none, thank you very much, Nick, we really appreciate that. The next agenda item just refers to the Joint Dealer Amendment which Jack updated us on that was sent for formal secretarial review on October 30th. It has just been submitted October 30th and it is just making its way through the process right now. The next item is CE-BA 3, and I think Gregg is going to go over some of the Gulf Council actions. The Gulf Council saw this at their last meeting, which I think was in October, if I'm correct.

MR. WAUGH: You all can follow along. This is part of the overview and it begins on Page 2 of the Data Collection Committee. CE-BA 3 was not presented to the Gulf for their final review and approval because there are two actions with no preferred alternatives. We are scheduled to pick preferred alternatives here.

If we approve it for formal review at this meeting, the intent would be that the Gulf would look at it at their February meeting and approve those actions affecting the mackerel plan. They approved a number of motions here which I would like to go through and then we need some guidance from you on how to proceed.

They approved creating a subcommittee with a member of the South Atlantic – and I think from listening to it, that should be the South Atlantic Council, HMS which is highly migratory species, the Gulf Council, the Southeast Fisheries Science Center and MRIP to coordinate and bring back a complementary document to deal with headboat data collection system.

The second motion that they approved was to split electronic reporting for headboats into a separate amendment and work cooperatively with the South Atlantic Council and to work on a separate amendment to address electronic reporting for charterboats. If you remember in our CE-BA 3 now, our preferred is to implement the headboat portion because the center is ready to move forward that.

The charterboat portion, we need to work with MRIP because that is currently included in MRIP, and so the Gulf said that they would deal with those in two separate amendments. Their third motion was when meeting with the South Atlantic Council they include in the discussion electronic logbook reporting and timing of those reports as well. We do include discussion of that.

The fourth was to begin work on an amendment for electronic reporting for charterboats and to make the South Atlantic Council aware they are developing the amendment. Then, finally, they charged an Ad Hoc Private Recreational Data Collection AP to work with different experts to evaluate the merit of using offshore fishing permits, vessel registration information and satellite

imaging to gauge fishing effort; work with staff from the Southeast Science Center to evaluate the utility of self-reported angler data.

This concern has been expressed and we have beefed up the document extensively, adding in results of the pilot surveys and results of a joint workshop that ASMFC held looking at self-reported data. They want to suggest possible citizen scientists' projects that can be used to supplement current recreational data and to critique the MRIP Strategic Communication Plan for recreational data collection; provide feedback on clarity and effectiveness of the message; and advise the council on which pathways should be used to connect with anglers.

At the top of Page 3 of the overview we have got three options laid out and you're certainly free to add more, but as an outcome from those motions we need to decide whether we are going to move forward with the headboat reporting and commercial logbook reporting in CE-BA 3 or are we going to wait for the Gulf.

They are just going out to scoping and so they would be working on their headboat amendment during 2013. If we do decide to defer the commercial logbook reporting, we would need to get them to add that to their amendment looking at preferably the headboat reporting. Option 2 would be to continue with CE-BA 3, finalize it at the December meeting, but agree to work with Gulf Council on a Joint Headboat Amendment, because there are a couple of items that we do need to add.

The teeth that we put into the dealer reporting is not included in headboats because we weren't clear that we could do that at that stage. We do have that in our options for the commercial logbook reporting. We need at some point to add that compliance requirement, and we also have to put in a provision that while we're requiring electronic logbooks from the headboats in event of a natural disaster, extreme circumstances, that you can use a paper logbook similar to what is done in the dealer amendment.

Option 3 would be to agree to work with the Gulf Council on a Joint Charterboat Amendment. We have got potentially two joint amendments with the Gulf coming out of this that we would need to address in Executive Finance if this committee recommends moving in that direction to add those to our activities schedule. We just need some guidance.

DR. DUVAL: Just to remind everyone, right now there are four actions in CE-BA 3. The first one deals with electronic reporting by headboats and charterboats. As Gregg stated, we have a preferred alternative to only require electronic reporting of headboats at this time with the understanding that the science center was ready to implement this.

Our second action dealt with modifications to the commercial logbook reporting. If you recall, the commercial representatives on the committee had indicated some difficulty at times in filling out all the different logbooks, particularly the economic information, and so had made some suggestions to go from a seven-day reporting requirement to a 21-day reporting requirement. The third action deals with bycatch reporting and adopting the ACCSP methodology for multiple fisheries, and then our fourth action deals with vessel monitoring systems.

The Gulf Council has expressed its desire to work with us jointly on headboat reporting and then they would also like to address electronic reporting by charterboats in a separate amendment. I guess, Bonnie, if I might ask you a question. I know that you guys are fully prepared to pull the trigger on electronic reporting for headboats. Is it your intent to go ahead and implement that starting in 2013?

DR. PONWITH: That is correct; we are working on the coding right now; and once it has been adequately tested and peer reviewed we will be ready to go ahead and implement that. Right now the target is to begin doing that in early February.

DR. DUVAL: And so it is my understanding that even though the science center is going to start implementing this in early February, if we don't have regulations on the books that require it, it is very difficult to make an enforcement case out of this; difficult if next to impossible. If I am misspeaking, I would ask someone to clarify that.

MS. SMIT-BRUNELLO: No, I think that is correct.

DR. DUVAL: I don't know what the pleasure of the committee is. I guess it would be my preference that we at least move forward with headboat reporting in this amendment. We have gone out with a preferred alternative on this. I absolutely respect and appreciate the Gulf Council's willingness and request to work with us on a joint amendment.

As Gregg has indicated, we do still have a couple of provisions that we did fail to put in here, so we still have the ability to work with the Gulf Council on a joint headboat amendment with them to include those two provisions; those basically being an emergency provision that would allow for the use of alternative methods – namely, paper, I would assume – in the event of some kind of emergency where electronic reporting would simply not be possible; and also the same provision that we had in our dealer reporting amendment and that is currently contained in the commercial logbook report action in this amendment that would make it a requirement to report in order to be able to continue to do business. Those are two items that we could work with the Gulf Council on. Now, because the science center is not ready at all at this point I think to move forward on any kind of electronic reporting for charterboats – Bonnie.

DR. PONWITH: Let me say this; the science center is very eager to – we believe that electronic reporting is the way of the future, and we're ready to enter into those discussions. The catch with the charterboats – for the headboat program I'm the boss from the science standpoint, so it would be my decision whether we're ready, whether we can afford it, whether it has been adequately vetted as being a good investment.

The charter protocols for how the data are collected and how they data are estimated are owned by MRIP, so we need to get that third party into the discussion. The conversation I have had with the Gulf Council is that I would support their eagerness to make that move; but if and only if we incorporate MRIP into those discussions and negotiate them as the recipients of the data to make sure all are in lockstep with one another. I will say the thing here; I think it is the right thing to go. I'm ready to begin the discussions. I've got ideas on how it should be done, but we can't do it without MRIP.

DR. DUVAL: Right; and I had forgotten that requires a conversation with MRIP as well.

MR. CUPKA: I wanted to ask Bonnie; our Action 2 I think deals with commercial logbook reporting. In that action the reporting is not mandatory for electronic reporting but they are given the option. If they wanted to do that, do you have the system set up yet to accept electronic reporting of logbook data or is that something you're still working on?

DR. PONWITH: Let me get a more precise answer than I give you right now. I will double-check because that is an important question. There again the vessel logbooks, we're excited about moving to electronic. Our number one priority was to put everything we had into the dealer reports since those were what we were going to be using for the ACLs.

But as you can imagine, the data on those vessel reports are really critical. Now, we have been going around and around on 21 days, one week, that kind of thing. We have been collaborating very closely actually with Ben and getting some good input on what are the barriers that are keeping you from being able to easily report on a weekly basis. I think we have found a solution to that, that is actually quite a breakthrough for the notion of going to weekly reporting.

That type of work is being done and kind of the preparatory work for being able to shift from a paper to an electronic system is done, but we're well behind in the vessel reporting than where we are now with the dealer reporting. That said, it is something we're definitely working on and we want to do.

DR. CRABTREE: And you know on the logbook reporting, if we weren't changing the time, if we were staying with seven days and that has been worked out and all we want to do is make an electronic reporting option that is available, I don't think we need to do anything. I think the center can make electronic reporting available as an option under the current rules. I think the only thing in that action that we have to do is if we wanted to change the timing, and there are a whole host of issues with that which I guess we can get into.

DR. DUVAL: I'm trying to think about how I would like to proceed here. There are a number of decisions we have here, and I am inclined to try to get some resolution on whether or not the committee would like to delay headboat reporting or move forward with it before we start tackling the decision document for CE-BA 3 because I think that we could get ourselves in sort of a little roundabout mess of taking final action before determining sort of our broader plan.

I guess I would just like to hear a little bit of input from the committee on how you would like to proceed with these different actions at least in a qualitative sense. Then we can go through the decision document. I think there is going to be a lot of discussion on a couple of these items, particular VMS, the action dealing with VMS and also bycatch reporting. Ben.

MR. HARTIG: Well, if it gives you some direction, I would make a motion to keep headboat reporting in CE-BE 3, if that helps you determine where we're going.

DR. DUVAL: There is a motion by Ben to keep headboat reporting in CE-BA 3; seconded by Charlie. Okay, discussion? I feel like we have been working on this for almost a year, and it is

something that we know is implementable. I have some concerns about delaying because we can't enforce that requirement unless we have a regulation on the books. That is just my concern and I think that is something that we could do in this amendment. David.

MR. CUPKA: Madam Chairman, again I'm not a member of your committee but it seems to me that even though the Gulf passed a motion to work with us on this, I really can't imagine – well, I shouldn't say that, but I wouldn't think there would be a situation that would develop where they would come up with anything different than what we're going to do because the whole system is under the Southeast Fisheries Science Center.

I don't think Bonnie is going to – I mean the requirements that we have got here and the things we want to do came from the science center, and I think they're going to want the Gulf Council and HMS to do the same thing. I think even if you were to move ahead on this, I can't imagine us getting crosswise with the Gulf and seeing the real necessity to develop a joint amendment with them on that. That is just my personal feeling.

DR. DUVAL: Well, and like I said, there are two outstanding items that we do have that we would be able to work with the Gulf Council on for a Joint Headboat Reporting Amendment.

MR. BOYD: Chairman Cupka said what I was going to say basically is that I don't see there is going to be any difference in how we do it. I don't see we will have an east and west way to do it on this. We also divided out headboats versus charter operations into two amendments so that we would be ready to work with you on that.

MS. BECKWITH: Madam Chairman, I am not on your committee, but I would personally be inclined to move forward with the headboat reporting and be inclined to work with the Gulf to address the charterboat reporting.

DR. CRABTREE: Well, I think we have got issues if we keep the headboat reporting in CE-BA 3. There are problems with us moving forward with CE-BA 3 at this meeting. Right now CE-BA 3 is an environmental impact statement, and that is largely because it contains the VMS alternative.

We haven't published a draft environmental impact statement yet, and we're still a ways away from doing that. Our normal process has been that we publish the DEIS and get through the comment period before we take final action on things. That is one issue. By keeping it in CE-BA 3 we're linking it with a lot of complicated actions at least at this time.

We've got a lot of issues with the coastal logbooks, and maybe they're resolved at the timing stage and kind of go away. Then I'm not quite sure where we're going with VMS. There is I think a lot of additional information that needs to go into the document on VMS. I think my preference with headboat would be to do one of two things, either pull this action out of the amendment and vote it up today and be done with that one action or as David was saying go ahead and get with the Gulf and do a joint action that requires electronic reporting across the board in the headboat fishery and put in the catastrophic conditions report on it and do that together all at once.

That is probably my preferred course to do this so that we stay on the same page. As I look at this amendment, I really think what we're going to need to do is break it up because I think some of these things we need to work with the Gulf on. Some like the VMS are entirely ours can go a different path.

If we move and separate the VMS from some of these reporting things, then this is no longer – those would be done under an environmental assessment which means we don't have to go out with a DEIS on a lot of these other things, and some of them could move quickly. I think by keeping this in CE-BA 3 we're really slowing it down; and if our intent is move it more quickly and particularly if our intent is work with the Gulf, I think we'd need to pull it out and deal with it separately.

MR. HAYMANS: Roy, why does VMS require an environmental impact?

DR. CRABTREE: Well, if Monica wants to do that, but I think it is basically economic impacts and cost burdens that it puts on people; is that basically it?

MS. SMIT-BRUNELLO: Yes, that is one of the reasons; although as I think about it, I am not sure that in the Gulf Reef Fishery, when they did VMS that they required an EIS. Let me look at that real quick. That doesn't mean that just because they did it there, it doesn't – you know, because they didn't do a DEIS there, it doesn't mean that you might not have to do an EIS here.

DR. CRABTREE: If you look at the cover of CE-BA 3, right now it says "Draft Environment Impact Statement". Normally what we do if it is not going to be an EIS, we write a finding of no significant impact, and that hasn't been done, to my knowledge, at this time so we would have to go through that and write that. If we could to come that, then it wouldn't be a DEIS.

MR. HAYMANS: And so right now the purchase is still covered under the greater pot of money for VMS although we probably would drain if with this amendment. Does the operation account for a significant enough impact to require that; and, secondly, is there an opportunity to recharge that VMS fund?

DR. CRABTREE: Well, that would be up to congress whether they recharge that fund or not. My understanding right now, there are a couple of council things going on that are going to tap into that fund. There is one in the Gulf and then we're looking at it. I believe there is enough money in there to cover reimbursements, but the fishermen have to pay the installation charges and then there are monthly fees that vary depending on what service provider you get and what services you get, whether you want to be able to send e-mails and things like that from it or not.

There are costs that they have to incur on it. I do agree with Monica; I think it is a possibility you could get to a finding of no significant impact even with the VMS. Aside from that, there is still a whole host of reasons to split some of these things up in this document and proceed with them separately.

DR. DUVAL: I asked Otha and Patrick to come up to the table here, because there are probably going to be more questions about VMS; but specifically to issue of money in the account, Otha, how long do you foresee money staying in the account for VMS?

MR. EASLEY: I spoke with headquarters just last week about this very issue, and money is in the account currently, and, yes, there are other fisheries electronic monitoring efforts that are drawing from that original VMS money. The tapping of that funding will hit it pretty hard in about 2014; so between now and 2014 I have had pretty close a guarantee the money is available, but then after 2014 it is still a likelihood that money can be added to it. They say that is more likely to happen than not, but less of a guarantee that more money would go to it after 2014.

MR. BURGESS: Otha, would that money be through 2014 or through 2013; I wasn't quite clear on that?

MR. EASLEY: The electronic monitoring effort from a couple of other councils; that bill so to speak will hit some time or projected to hit some time in 2014.

DR. DUVAL: Okay, we have a motion on the floor to keep headboard reporting in CE-BA 3. Roy has laid a couple of options or made a suggestion that headboat reporting be taken out and implemented on its own, remove from CE-BA 3 and done on its own. I guess there are multiple ways of looking at it if you wanted to split up any of the actions in this particular amendment. We could keep headboat reporting in CE-BA 3, and I guess it is up to the committee if you want to continue on with the other actions that are currently in CE-BA 3.

Ben, I'm wondering if maybe at this point it might not be better to withdraw the motion and try to figure out how we actually want to proceed with the different actions in CE-BA 3. I guess I'm wondering if you might be willing to withdraw your motion with the committee's concurrence.

MR. HARTIG: Madam Chair, I will withdraw the motion.

DR. DUVAL: Is the committee okay with that? Okay, the motion is withdrawn. Roy, you stated that you feel that headboat electronic reporting could move forward fine under an ERA; correct?

DR. CRABTREE: Yes, I'm fairly confident that is not a significant action. I don't think it is really going to cost anybody very much. That is right but I think our real decision is do you want to split that out and move at this meeting or do you want to – and then I guess that would still have to go to the Gulf because it includes a coastal migratory pelagic permit.

I think it would be a minimal amount of work to take that action and expand it to cover the headboat program and try to move it. Now, I'm a little confused on what fisheries or permits we talking about. Is HMS actually part of the headboat reporting, Bonnie, or is it just reef fish, snapper grouper and coastal migratory pelagics? We need to identify exactly what fisheries we're talking about.

MR. WAUGH: We don't have any authority to regulate HMS, so they aren't included in this.

DR. CRABTREE: Right, but I'm asking Bonnie what programs are covered in that?

DR. PONWITH: Let me double-check on the HMS and be back to you soon on that.

DR. CRABTREE: It does seem to me that it is a simple enough action that it wouldn't take that much time to pull the Gulf in it. I agree with Doug's assessment; the Gulf is going to be fine with doing this, and then we could do it once. Now having said that, I don't think it creates substantial problems if we did it a little bit before the Gulf does it, but I don't think it gains us that much, anyway.

MR. CUPKA: Well, I was just going to say the HMS aspect came in as a result of the motion made by the Gulf, and I don't know if that was related to headboat or just for-hire sector. Obviously, if you get into charterboats, it probably is more of an inclusion of HMS in charterboat type stuff. It certainly didn't come from our amendment.

DR. CRABTREE: I think we're talking about coastal migratory pelagics, snapper grouper and reef fish right now and those are our major concerns.

DR. DUVAL: And dolphin and wahoo.

DR. CRABTREE: Okay, dolphin and wahoo, which the Gulf doesn't manage wahoo or dolphin, so that wouldn't affect them.

MS. BADEMAN: I was just going to say I think if I'm remembering right from the Gulf meeting, the point of putting HMS and including them in the conversation was everyone is kind of moving in the same direction, and it would be nice to just have everyone on the same page and using the same kind of system, I think.

DR. DUVAL: Well, I think the point is that if HMS is included already in that headboat reporting system, they're going to be subject to this no matter what, so it is not going to make any difference what action we choose to take here with regard to our managed species and moving forward to get some regulations on the books so that we can actually police this. Roy.

DR. CRABTREE: Yes, because remember what we're doing. We're not changing the time requirement as I understand it on the reports. It is still going to be seven days after the trip, right, on headboats or are we changing that on headboats?

MR. WAUGH: Right now the legal requirement for headboat reporting is monthly, and we are changing it to weekly.

DR. DUVAL: I apologize for the somewhat disjointed nature of the conversation here. I'm just trying to get a sense, given some of the concerns that have been expressed, about how the committee would like to proceed with the actions that are in CE-BA 3 currently. I have expressed my preference to move forward with the headboat electronic reporting as we have that action in CE-BA 3, whether it is in CE-BA 3 or whether it is in a separate vehicle, because I feel

like we need those regulations on the books in order to be able to police that requirement to report electronically every seven days. Charlie.

MR. PHILLIPS: Well, from what I'm hearing, Roy says if we pull it out and make an action of it and go ahead with it now, then it will be out of the way and it will be on the road. The Gulf can have it and we go ahead and go from there. That sounds, from I can tell, like the simplest and easiest way to go.

DR. DUVAL: And so then would – just to try to get a sense around the table; would folks also want to work with the Gulf on their headboat reporting amendment in a joint fashion in order to add those two provisions that we do not have in ours right now? I'm seeing some heads nod. Okay, then in terms of charterboats, is there interest around the table in also working with the Gulf on a joint amendment.

It is my understanding that the Gulf Council is just beginning this discussion with regard to charterboat electronic reporting and exploring different methods for doing so, including some of the apps, a dive snapper app, and things like that, but that is going to require a conversation with MRIP. If we do that, it is going to have to be a motion of sorts that includes all three of those or four. We're going to need probably the science center, MRIP, Gulf Council and South Atlantic Council. Roy.

DR. CRABTREE: Yes, and the Gulf has been through a lot – they have spent a lot of time on discussions of charterboat electronic reporting, and really the council over there is being pushed by the charterboat industry to do that. What they're looking at is on-vessel reporting through an iPad or something like that and potentially requiring VMS on the vessels, even.

The charterboats would have to notify when they're leaving the dock. They would have to hail in when they're going to be at the dock before they come in. They would have to submit the electronic logbook report before they dock so that law enforcement has it in hand and could meet them at the dock, board the vessel and compare the report they submitted with what is in the box. I think that is what most of the charterboat fleet in the Gulf is pushing the council towards doing.

Now, it has moved slower than most of the charterboat operators in the Gulf wanted to see because we have gone through a number of starts with pilot studies and things. I think the Gulf is not talking about just once a week the charterboat guy gets on his home computer and enters in what is caught because they want something that is verifiable and enforceable.

I don't think we have had those sorts of discussions over here particularly with our charterboat fleet. It is going to put constraints on them and cost some money, so I think that is something we'd have to move carefully with and I don't if that is going to sync up with the Gulf or not. They are in the charterboat fishery separate permits and so we don't have the confusion with different requirements there that you have in the coastal commercial logbook program. It would be nice to work with them on that one, but I'm not sure we're going to be prepared to move at the pace that they may want to move at.

DR. DUVAL: So it could be that the committee is kept apprised of what the Gulf Council is doing in regard to electronic reporting for charterboats. If it is such that the conversation has proceeded more rapidly over there than it has over here – and my understanding is there isn't actually document. There is nothing in writing that this committee could actually take a look at with regard to charterboats yet; is that correct? Are there any options papers or anything like that?

DR. CRABTREE: No, and I think, Doug, we passed a motion at the last meeting to start working on that, but we haven't seen anything.

MR. BOYD: We did; we passed a motion to start to work on the electronic reporting for charter for-hire in a separate amendment from the headboats.

DR. DUVAL: So there is a scoping document, then, that has gone out?

MR. BOYD: It has not been created yet.

DR. DUVAL: Okay, in the process of being created, thank you. Monica.

MS. SMIT-BRUNELLO: Doug, do you have a sense of how much time it is going to take or where it is in the council's priorities?

MR. BOYD: No, I don't. Let me get our action list up if I've still got it with me, but it is brand new.

DR. CRABTREE: If I could, we have got the same workload issues in the Gulf that you guys have got over here. They're having to make some tough choices about what is going to go first.

MR. BOYD: I'm going to talk to Ben about writing it.

DR. DUVAL: You have got yourself another job, Ben. Mr. Pate.

MR. PATE: The pilot study that Roy referred to that was done by MRIP has just now been completed. We're having that project peer reviewed and it will go before the ESE for certification next week. Gordon Colvin was scheduled to come down at this meeting and give a presentation to this committee of the results of that report, but could not because the report hadn't been completed yet and hadn't been peer reviewed yet, but that presentation is forthcoming.

It will probably be March before it gets to this council and the Gulf Council. To say that the report unguardedly recommended electronic reporting on the for-hire industry would be an overstatement, I think. It reported that it is possible to do electronic reporting of the for-hire industry but with adequate enforcement and adequate staff time and all other factors that go into compliance with that requirement.

It is going to be expensive and it is going to be somewhat time-consuming of the regional office and the science center for collecting that information, but it is possible to do it. If you throw enough enforcement at it to make compliance at a high enough level that you're satisfied with, then it will be successful. That is what the report concluded, but we'll just have to wait and see what your reaction is once you get the report.

DR. DUVAL: Okay, it might be that we just need to be kept in the loop on how things are progressing in the Gulf and be able to see some of the documents that they put together as they go together and have some more conversations with our for-hire fleet with regard to what they'd like to see. We have a potential option for dealing with headboat reporting.

We could take it out of CE-BA 3 and make it its own action that would amend a few different plans I guess if we did that, so it would just have to be numbered accordingly. We still have actions regarding modifying the reporting for commercial vessels and putting VMS on commercial vessels. You have heard some concerns from Roy with regard to those two actions.

I would like to hear from some of our commercial fishermen sitting around the table of this committee with regard to their sense – well, let's take the logbooks first. Roy has indicated that if all we want to do is make available an electronic version of the logbook that is not necessarily required, that we don't actually have to take action to do that.

What our action would do is – our preferred alternatives right now are to actually require NMFS to develop a system for commercial vessels to submit their logbook entries electronically. The IPT has some recommended changes to language once we get to that part, but basically requiring that logbooks be submitted 21 days after the end of the trip. Our other preferred alternative is to require the no fishing forms be submitted at the same frequency. If I can get some input from maybe Ben and Tom on this now that you have heard some of Roy's concerns, that would be great.

MR. HARTIG: Bonnie and I, as she had alluded to, we worked together collaboratively to try and find a way forward to keep the seven-day requirement. As long as you eliminate the economic information and get rid of the trip ticket verification, we can stay at seven days.

DR. PONWITH: Just a minor correction; it is not to get rid of the economic. It is to get rid of the trip revenue line, one line, the trip revenue line and then – I'll pull up the ticket and give you the precise line within the report that we propose striking and then it makes it doable to keep that seven-day time line.

MR. WAUGH: And so when would that data be collected or would we just not collect that economic value data any longer?

DR. PONWITH: Those economic data are invaluable and we absolutely have to have them. The notion is, just as we were talking before that the matching system for linking the dealer reports to the individual vessel reports is getting better and better because of those improved cross-walk tables, we would actually rely on those matching components of the system to actually match those tickets up and harvest the data from the dealer report.

MR. BURGESS: Bonnie, would the revenue information, I think you referred to it as, would that with the boats docked for the day and the captain and crew's pay out; is that what you're referring to there?

DR. PONWITH: At the bottom of the ticket there is a strip that is called the trip expense and payment section. It is mandatory for selected vessels so it is only the selected vessels. In the bottom right-hand corner of the ticket there is a line that says "total trip revenue". That is the one that Ben has raised as being problematic because you needed to get your report to be able to fill that out. We would strike just that field. All the rest of the fields would remain.

In addition to striking that field, in the upper section of the ticket there is one field called "the state trip ticket number", which is another number that you would get from the dealer, and that is another one we would strike and do by matching afterward. The rest of the ticket would remain exactly the same.

MR. BURGESS: Now, next to that there is also – when you say "that field", there is a captain's payout and a crew payout. Would that be included? To me that would have to be included because we share up on a percentage basis based on expenses are taken off the top and then we share up. That is critical to have the total trip revenue.

DR. PONWITH: That is a good point that you would have to know what the total is to know what the payouts are. My question to you is if we left the payout blank, is your payout formulaic enough that it could be done by percent? In other words, instead of putting ten bucks for you and twenty for you, you put 8 percent of the total trip revenue versus – you know, is that possible? If those percentages can be put in there, then all we have to do is have the total and formulaically we have got the answer.

MR. BURGESS: Yes, that is possible. Yes, that would be fine; we share up the same percentage every time and we will have our expenses. Fuel and stuff like that, we will have that information and just the last one as you described.

DR. DUVAL: So just everyone can see, up on the screen Gregg has pulled up the actual reporting form and so the item that Tom is referring to – and this Appendix M in the appendices to CE-BA 3; it is that sort of middle set of blank areas where it says "Captain and crew share payout". Is that the correct line, Tom?

MR. BURGESS: Yes, it is, that is exactly what I am referring to. Now, also on the top line we have fuel and there are some other – well, there is fuel cost is what comes off the top; groceries could come off the top; ice and bait also come off the top. When you get total trip revenue, these other items are subtracted from that and then the percentage is derived – you know where I'm going with it.

DR. DUVAL: I just want to make sure everyone could see that and then the state trip ticket number is up at the very top of the sheet, in sort of that upper right-hand block there. That is what Bonnie is indicating that they could obtain through the matching that is able to be done

through the new commercial landings monitoring system. Given that, is this an action that we still need to maintain? Roy.

DR. CRABTREE: If we've resolved the issues with the timing and certainly from our perspective in trying to make data more timely – seven days is better than twenty-one – it doesn't seem to me that we need this action. Now, I think at some point we're going to want to talk about making electronic reporting mandatory, but my preference would be to just get this online and get it working and let it go voluntary for a while.

I think when we do get to the point that we want to make electronic reporting mandatory, then we need to work with all the parties – Gulf and I think shark is involved in this program – work with all of them and make that happen, but it sounds like to me we have some time because I think Bonnie said they're roughly a year or so away from going to electronic reporting.

It could be that much and I would think we would want to let the electronic reporting run for a year or so and get all the bugs worked out and see how the fishermen react and then we could come back in and consider making it mandatory. It sounds like to me we could move this to the considered but rejected.

DR. DUVAL: I just want to make the comment that right now our preferred alternative does not require – under Action 2 it does require electronic reporting. What it says is require NMFS to develop a system for commercial permit holders to submit their logbook entries electronically. It doesn't put a time constraint on there, and it makes available the option for fishermen to continue as they are, submitting paper tickets. I think it states the council's desire to see such an electronic logbook that would be developed, that certainly the bugs could be worked out. Tom.

MR. BURGESS: This action actually came about I think in response to fishermen not sending in their logbooks on time. We all know what is going on there. Some of them send them in once a year, a hundred days late and things like that. Are we still able to continue with trying to get on the program of the fishermen sending in their logbooks?

There has been discussion about if you send don't them in within a certain amount time you get a phone call and how about helping us out and then you might get another phone call if you don't send it in you're not going to be able to go fishing. That seemed like it had quite a bit of importance to gathering data.

DR. DUVAL: Yes, and I know Bonnie has got a comment on that. The other thing I would draw your attention to is Preferred Alternative 3 under Action 2 right now requires that no-fishing forms be submitted at the same frequency via the same process. Is it a requirement right now such that if you don't submit your logbook forms, that there is a fine or a fee or some action?

MS. SMIT-BRUNELLO: It is a requirement to submit no-fishing reports if you don't fish.

DR. DUVAL: But those are on a monthly basis right now, and so what this is just make it the same frequency so it would be seven days instead of monthly, which would be helpful because

that you know that someone is actually not fishing as opposed to simply skipping out on their reporting requirements.

MR. BURGESS: So that means a no-fishing report would have to be sent in seven days after the end of the month and that the same would be held true for the fishing report and then action could be taken to try to get somebody on board?

DR. DUVAL: The way that alternative is written right now is that no-fishing forms be required to be submitted at the same frequency as your fishing forms; so if your fishing forms are submitted seven days after your trip, then you have to submit your no-fishing forms every seven days. Right now the frequency is monthly if you're not fishing. Charlie.

MR. PHILLIPS: Well, at the bottom of that it has got before a fisherman could sell commercially harvested species they have to file the report before they can sell. A dealer is not going to know if the fisherman filed that or not. That is going to be a problem. Theoretically a fisherman could take fish to a dealer and not file something, the fish are illegal, the dealer buys them and ships them, especially if he ships them interstate that is a major problem.

DR. DUVAL: We had this discussion previously and I think Gregg has something that he would like to clarify.

MR. WAUGH: Yes, that is the benefit of the system that has been developed for the dealer trip tickets. They can now forensically look at that and see when the dealer has sent in his reports. Some similar type system would need to be developed for the fisherman's logbooks. You have got two figures in the decision document, S-1 and S-2, and I have got S-2 projected here.

In terms of days' late, this 1,186 is out there for a reason. Under the existing system we have a significant number of fishermen that don't turn in their logbook reports until they want to get their permit renewed and they get a letter saying you can't get your permit renewed. Yes, they can offer to provide a mechanism for the fishermen to turn in their logbooks electronically, but I suspect the laggards that aren't turning it in on paper sure aren't going to jump on it and turn it in electronically. You're not solving the days' late problem.

DR. DUVAL: And it is not penalty for a dealer, Charlie. It is a penalty for the fisherman. That is the way that is written. You don't get penalized; it is the fisherman.

MR. PHILLIPS: I know that I'm not -- it's the fisherman that is going to have the issue. My issue is if he can't legally sell something and I buy something that is illegal, what is the difference with me buying something that is out of season or buying something that he can't legally sell?

DR. DUVAL: Well, I would hope you would know if something is out of season. Roy.

DR. CRABTREE: Well, there are a lot of issues with this one. You'd like to have some kind of electronic system that automatically notifies us as to who is late and who is not, but as long as you have paper reports coming in that is going to make that a whole lot more difficult to do.

Now they're required to submit these seven days after the trip and I guess the no-fishing 30 days after. I think we could ticket someone for being late on that.

Now I don't think we ever have, and right now we're putting our enforcement efforts on enforcing dealer reports. We've only got so many things to do. The way this is currently set up it is going to get confusing because you're not going to be legal to sell if you're late on your report but only if you report in the mackerel permit and only if reporting Atlantic Group King Mackerel; but if you're reporting no fishing, then that wouldn't make you illegal on that because that is not the way it is set up right now.

The other problem with the way we have set it up right now is we have got a statement in here that says it wouldn't affect anyone outside the Gulf Council jurisdiction. Well, that is not really true because we have got – during the wintertime remember all of Monroe County is Atlantic Group King Mackerel, and we have fishermen off the west coast of Florida – I think up as far as Fort Myers or so – who go down and fish on Atlantic Group King Mackerel.

The Florida Fish and Wildlife Commission passed a provision to allow them to transit through state waters. I think in one of our mackerel amendments, 19 or 20, we have a provision to allow them to transit through the EEZ. There are probably about 20 permitted fishermen up in there who it would affect, and so now we're getting into Gulf Council jurisdictions on things.

It clearly is going to be very confusing on everybody. Depending on what you are fishing on, you could be not allowed to sell but you might not depending on what you reported on. If we want to work on tightening up those requirements in a way – and, see, what happens with enforcement when things are confusing and it is not clear to people, that is when they're not going to make cases on it.

If we want to do this and tightening up the enforcement on all of this, I think that is when we need to look at the whole logbook program and make this change across the board on the whole thing, and I think that is a good idea. Exactly how you do that – I have some reservations with this thing about you're not legal to sell if you're delinquent in reporting, too, Charlie, and I think it is going to be hard to track it and hard to figure out how to deal with that, but that is not to say it may not work. I think it has got to be done across the whole coastal logbook program to make it be effective.

DR. DUVAL: I have Ben and I was going to ask for any other comments on this particular action dealing with commercial reporting, and then I would like to take a ten-minute break.

MR. HARTIG: Gregg, if somebody can pull up that graph you showed about the late reporting, and it is something that Sherry McCoy from the Cape brought to my attention – and it is actually pretty important – because I missed it when I looked at this before. If you look at the red line that goes out the longest in the time, that is the no-fishing reports. It really doesn't have a lot of significance. As far as reporting requirements go, it is not telling you what you caught.

It is just telling you for the month you didn't catch anything and it is very easy to miss those in a month. It is very easy to overlook not filling out that report for that month. When you're filling

out multiple logbooks in one month, sometimes you overlook the fact that you did fill out one and then you're trying to search for the other months – anyway, it is a problem.

That timeline, yes, it goes out to the end, but that is not really causing us any problems as far as real data is concerned. To get real specific on these things, there are things fishermen do. Somebody goes on a vacation and he hasn't got his statement yet or whatever, but there are some problems involved.

In this graph in particular with the seven days' reporting, there were none of us that could meet that. That was a problem and that is going to draw out that blue. We have taken care of that with changing the fields. We should get better with the blue with that. The red is still not that big a deal.

DR. PONWITH: In my opinion the red is equally as important as the blue because without the red you have no way to interpret whether the small number of reports you're getting is due to a small amount of effort or a low compliance with the requirement for no reports. You're correct that we're not using these data as real time as we're using the dealer reports.

In other words, the dealer reports, those no-purchase reports are critical because that is part of understanding where we are in the ACL, but I will say that not having those no-fishing reports hampers the use of those data for timely analysis. Whenever you see a report where a portion of the data are one month minus six months, you know, five months late, six months late, it is hampering timely analysis. These are data that are used in answering questions about economic impacts of regulatory actions and things like that, so don't underestimate how important those no-fishing reports are.

MR. BURGESS: I'm not exactly clear. I'm thinking around the table I'm hearing that the no-fishing reports could be either seven days, every seven days or continue with the 30 days, so I just wanted to make sure we were all clear on that and where we stand there.

DR. DUVAL: Right now Preferred Alternative 3 deals with the no-fishing forms, and what that would do is require that they be submitted at the same frequency, by the same process, and for all species as currently – it specifies for snapper grouper species. Your no-fishing forms would be submitted at the same frequency as your fishing forms. That is what that preferred alternative says. Roy.

DR. CRABTREE: So does that leave us – I think where we are now is we're not going to change the timing requirement on the fishing forms; it stays seven. We're still going to let the electronic reporting be optional, so we don't really need to do anything there. It seems to me like the only thing we're really doing in this action now is changing the timeline on the no-fishing reports to seven days.

I am fine with doing that; it makes sense to me, but I think what we ought to do with this is pull it out of this amendment, work across the whole program and make that change across the whole program. Are we at a point, Michelle, where you want to make a motion to do something or do you want to keep talking through the amendment and come back?

DR. DUVAL: I still feel like I would like to have some discussion on VMS and the bycatch because we're talking about whether or not to split up pieces of the amendment here. First I would like to take a ten- or fifteen-minute break and then if we come back and finish the discussion and then maybe get some motions on the board.

DR. DUVAL: Is everybody ready to kind of dive back in? All right, thank you for the excellent conversation during the first half of our meeting. I think before we leave some of our discussion of Action 2, which is the modification to data reporting for commercial vessels, I think I just want to clarify – and I'm just going to ask Bonnie if she could maybe give us a sense of timing on this.

We have discussed a couple of the lines that are currently on the commercial trip report that you have indicated that you would be willing to eliminate – I think the state trip ticket number was the first one and then the second one was the crew share and payout. Perhaps you can clarify that for us.

DR. PONWITH: Right, it was the total revenue and then that trip number or trip ticket number. The total revenue is that field that is at the bottom right-hand corner that was everybody was worried because they needed to get that from the dealers and that there was a lag in those data. What I'm doing right now, based on the recommendation, was, well, if you don't know your total revenue, how do you know what your crew share is and your captain's share is?

I'm checking with our folks to double-check and make sure that if you mathematically take the total revenue which will be harvested from the dealer system, subtract your fuel and your bait and your costs and take that remainder and multiply it by a fixed percentage, here is what the captain's percentage is, here is what the crew's percentage is, those can be put into that sheet and still make your weekly reporting requirement and then mathematically calculate that once you know what your total revenue is.

DR. DUVAL: Okay, when do you think you could have those changes made; would it be in time for next year's set of logbook forms; do you have a sense of the timeline over which those changes could be made?

DR. PONWITH: Because we just negotiated the dropping of the total trip revenue as a requirement, I would have to talk with them electronically to find out what the implications are of switching from a dollar as the unit for the captain and crew share to a percent as the unit. I need to check with them. I have got an e-mail to them right now; and as soon as I hear back from them, I will have a feel for whether this is a complicated change to the form or whether it is a simple change to the form and the data system that is managing those data.

DR. DUVAL: Okay, as Tom Burgess pointed out, the genesis of this action was the non-compliance on logbook reporting. I think when you gave us that presentation on the non-compliance you had indicated that you are having some conversations with law enforcement I think to develop a plan to deal with I think the most egregious of offenders. I was just wondering if you might be able to give an update on where that stands.

DR. PONWITH: I can give you the update. Of course, we're talking about a lot of chances that we're making, the periodicity and the format, but regardless of those there is a regulation on the books with a requirement for reporting; and if you fail to meet that requirement, then there should be consequences.

Right now I think the consequence is that you can't renew your permit, and frankly my opinion is that consequence is probably is not toothy enough. We have held a discussion with our general counsel and with the law enforcement folks to talk about this problem. I guess I would defer to Otha on sort of where we are on implementing any results from our discussion.

MR. EASLEY: What seemed to be a straightforward law enforcement action ended up having some legal underpinnings that made it not so straightforward, and those were brought up during our conversation that Bonnie mentioned, or a conference call. But, nonetheless, we have gone forward and have made several contacts with some of the people that were on the list of late reporters that Bonnie's office supplied to us.

When we decide to make – when I say contact, we made some phone calls that you are reporting late; please get those reports in; we have our eye on you, et cetera. When we had to make legal action at least up to this point, we didn't go the NOAA hearing process route. We went through the district court/DOJ route and charged false statements to get some of this to hit home with some of the more egregious folks that warranted more than a visit or phone call.

We're still undergoing some conversations. I have a plan with the science center, which pretty much hinges around one of these amendments here that we discussed today dealing with moving the reporting to weekly and putting some more regulatory legal basis or background or foundation for some of our legal actions.

DR. DUVAL: With regard to this action, I guess just looking to the commercial representatives on the committee, if Bonnie is able to get an answer and to implement the changes that have been discussed here in terms of the form, do you all feel that you can still continue to report seven days after the end of a trip?

MR. HARTIG: Yes, I can. I have got an additional question. Bonnie, no-fishing forms must be submitted at the same frequency, currently submitted monthly; okay, as long as we're going to submit those no-fishing forms on a monthly basis, I'm fine with that. I just don't want to get in the situation where we have to report no fishing on a weekly basis.

DR. PONWITH: The whole value of moving to a weekly report is you would move the whole thing to weekly. Again, the strength of the weekly fishing reports would greatly enhance by having the no-fishing reports. Now, I can say that the same thing would be true for the vessels reports as the dealer reports, and that is we can create an on/off switch.

Right now the plan is if a dealer submits a no-fishing report and it is going to be for an extended period, instead of having to file that weekly, they could set it with the no-fishing report is good through X week. My thinking is if we can do that for the dealers, we should be able to do that for the vessels as well.

DR. CRABTREE: Well, one thought I have had on trying to fix this problem with people coming in to renew their permits and handing us a bunch of delinquent logbooks. It seems to me at that point they're clearly conceding that they're in violation. The logbooks are due seven days after a trip and even there are no-fishing reports, they're due within thirty days.

What I would like to explore with our attorneys is whether we could set a fine for each delinquent logbook you turn in when you come in to renew your permit and you've got to pay that fine before we're going to renew your permit. If a guy comes in and he has a dozen logbooks and we're going to fine him fifty dollars a logbook, he is out 600 bucks.

I think that would make a big difference and you wouldn't see these guys coming in with so many delinquent logbooks. I have Monica to talk to the enforcement attorneys and I guess talk to Otha and see if we could make something like that work, and we could take a look at doing that.

MR. PHILLIPS: And to that point, that makes sense; and whether you want to put that in the discussion or if you want to change the wording of any delinquent reports would be submitted by the fisherman and received by NMFS before a fisherman could sell the harvested species, if you made it clear that the fisherman is going to be fined for being tardy on a report, but he can still sell his fish – because often the fisherman is not the one who sends the report in.

Sometimes it is the dock or the dock secretary or his wife or any number of people. A fisherman could easily think his report was sent it and not know it. If we can't change the wording, I would like it at least in the discussion that the fish aren't illegal but it is a trip for showing that he is tardy and in violation on when his report should have come in.

DR. DUVAL: Well, this has already been around for public comment so we can't really change anything. What I was going to suggest, based on the conversation that we have here, is I don't really think this action is ready to have action taken on it. I don't really think it is ready to be passed, and that is why I wanted to have the conversation.

Some of the concerns of Tom and Ben with regard to the lines on the logbook form can be changed, and that would make it, in their estimation, easier for fishermen to get their logbook reports in on time. Ben has already indicated that trying to submit no-fishing reports on a weekly basis is going to be a little bit difficult.

I guess my inclination would be to either remove this action or take no action on it at this point and clarify that these changes are going to be made to the logbook reporting form. Perhaps we can ask Bonnie to come back to us at the next meeting and let us know when those changes would be made.

Perhaps work with the Gulf Council on a joint amendment to look at changes to the logbook program as a whole because it extends regionwide; and if you make changes to the logbook it impacts more than just the South Atlantic. Roy has indicated a willingness to see if we could implement some fines, and we're not going to do that in this action right here. That would be a suggestion that I might make. Does anybody have any thoughts on that suggestion? Ben.

MR. HARTIG: Well, it is a good suggestion but let me ask Bonnie one question. You're going to go to no-fishing forms on a weekly basis and what additional information do you expect to get from that? If I'm going to fill out four times the extra forms in a month, what additional information are you going to get from that report?

DR. PONWITH: That enables me to differentiate between a late report and no fishing.

MR. PHILLIPS: Well, Bonnie, to that point, if we have VMS on boats we can get the same information from the VMS and know if the boat is fishing or not when we get to that point.

DR. PONWITH: Just to comment on that, the primary purpose for VMS is for enforcement right now, so what you would be doing is taking an enforcement tool and requiring a negotiation to use that enforcement tool then as a data collection tool. I am not saying that can't be done, but it would be something we would want to think very carefully about. There are all kinds of confidentiality issues with the VMS. There are also confidentiality issues with the vessel logbooks as well, I understand that, but, yes, to me the most straightforward way is to fill out that no-fishing report.

MR. PHILLIPS: Well, I know the easiest way is have something there to fill out the report, but a lot of times somebody is not there. They're on vacation, they're sick, whatever. The secretary at the dock forgot to fill it out; the fisherman doesn't know about it. You could use the VMS as kind of a backup. If we're going to talk about having it on boats, let's get the most bang for the buck that we can get out of it is my point.

DR. CRABTREE: Yes, and we will come to that. It really depends on what we require, but I think, Michelle, your suggestion is what we need to do. I think we ought to take this action out of this amendment, work on it with the Gulf Council for the whole coastal logbook program. It seems we have got a couple of issues here to work with them on.

One is the timing on the no-fishing reports and I don't know what the answer to that is. We need to figure that out, but we need to do it across the whole program. Then we have got an issue with the delinquent logbooks, and we want to find some way to put some more teeth into that. But, again, for example, I have a fine for people who come in to renew and they're delinquent, I want it to be across the whole program.

I don't want to have to explain to someone in South Florida why if you're reporting on one side of the highway you get fined and on the other side you don't. I think what we ought to do with this is pull this out of this thing and work with the Gulf Council on addressing these issues for the whole program.

DR. DUVAL: I think we have enough discussion about this that at least for Action 2 I am ready to entertain a motion to remove Action 2 from the CE-BA 3 and work with the Gulf Council on a joint amendment to address commercial logbooks. Help me out; what else do we want to include in that motion? Is someone willing to make a motion like that? Martha.

MS. BADEMAN: Yes, I will make that motion. **I would like to make a motion to remove Action 2 from CE-BA 3 and work with the Gulf Council on a joint amendment to address commercial logbooks issues.**

DR. DUVAL: Seconded by Tom Burgess. Discussion? I think we would want to make sure to include a list of specific items including the timing of no-fishing reports, penalties for not submitting those reports. Those are just details I don't want to get lost if we pass this motion.

DR. CRABTREE: Yes, another one I could think of is whether we want to go to mandatory electronic reporting at some point.

MR. CUPKA: You might want to add something in there, too, about those disruptions from unforeseen events like hurricanes where you could waive the –

DR. CRABTREE: If we were to go mandatory, we would need that. I think if it is voluntary, then they could fall back on paper reporting and we wouldn't need to do anything; but I think if it is mandatory, we definitely need to look at that.

DR. DUVAL: So right now the motion reads remove Action 2 from CE-BA 3 and work with the Gulf Council on a joint amendment to address commercial logbook issues, address timing, no-fishing reports, mandatory electronic reports with provision for extreme events. Do you want to include fines in there? I guess it would be included –

DR. CRABTREE: Well, I think you could put compliance with reporting timelines.

DR. DUVAL: **All right, one more time, the reads remove Action 2 from CE-BA 3 and work with the Gulf Council on a joint amendment to address commercial logbook issues, address compliance with reporting timelines, no-fishing reports, mandatory electronic reports with a provision for extreme events.** Is there anymore discussion on this item? I presume that this motion would go to the Gulf Council for their review at their next meeting and see if they want to join us on this. Roy.

DR. CRABTREE: I think, David, they have already asked to collaborate with us on some of these so I assume we will get some folks together on that.

DR. DUVAL: But there was no motion with regard to commercial reporting; that is all.

DR. CRABTREE: All right, well, we will be sure to talk about it at the next meeting.

DR. DUVAL: Okay, is there any objection to this motion? Seeing none; **that motion stands approved.** I realize that we can go back and address Action 1 later on. What I'd really like to do is talk about Action 4, which is VMS. I think this is probably one of the most polarized debates that I've certainly received public comment on.

It seems as though fishermen either want it or they hate it. We have gotten two motions from our advisory panel to request that the council consider requiring VMS on any vessels fishing for

snapper grouper in the South Atlantic EEZ. I know folks have probably received a number of comments from other fishermen saying a VMS requirement would push them over the edge.

The thing that I think is not necessarily clear and is why I asked Otha and Pat to be up here was to – if you guys could I think at least discuss some of the capabilities of VMS, what it can do, what it can't do, what basically some of the pros and cons are, I think that would really help the committee.

MR. O'SHAUGHNESSY: I think I have appeared before and I have presented some PowerPoints before on some of the pros and cons and the benefits. Obviously, VMS is a real-time reporting that provides law enforcement in particular with the capability to enforce a lot of the closed areas that not just council but all councils put into place.

For example, we have all of the MPAs, many of which are well offshore. The real-time reporting enables us to provide 24 hours a day, seven days a week, 365 days a year enforcement to see whether those vessels that are required to have VMS, whether it be commercial, whomever, are actually in there.

As we have now with the MPAs, for example, those areas are only enforced as a vessel goes out there and it really does a snapshot in time on whether there was anybody inside the closed area or not. VMS enables for law enforcement purposes to provide that real-time, twenty-four hour a day monitoring to enforce the regulations that are in place to protect the fisheries.

Let continue on the pros. The second pros, as we saw as the clearest example, the possible expansion of the Oculina closed area. One of the biggest concerns or data pieces that were shown there was the VMS reporting for the rock shrimp fleet. It shows where historically all of those vessels had fished; so as the council was going to make a change to closed area, they could clearly see the impact on the fishing fleet based on the historical VMS data.

That is a powerful tool for the council to have as they're making their decisions. We don't have that right now for the snapper grouper so that is an improved data collection capability. For the fisherman itself, yes, there are costs that go along with it and nobody can argue that there are not costs that are associated with it, but it does provide some benefits to the fishermen themselves.

All of our vendors provide that data to the owner of the vessel. We have many of the Gulf fishermen, the owners wake up the first thing in the morning and the first thing they do is log on to the computer and see where their vessel is. They can themselves make sure it is where they thought it was going fishing. They can make sure it is not getting too close to any closed areas, but they themselves can take a look at where that vessel is since they're not on board the vessel.

It also provides the means of two-way communication. All of the units now have enhanced mobile capability. In other words, you can send e-mails. Yes, there is a cost so if you use that excessively it will drive up your cost, but it is there should you need to correspond with the vessel or the vessel needs to correspond back with the owner.

Those are the major pros or cons that are there. The final one, it is not the primary purpose but it is a secondary purpose, the safety at sea. Most of the units provide an option for a panic button or a SAR button that you could press. We do have instances where those buttons were used to actually save a vessel.

If they were not able to get to their EPIRB or for other reasons that they were out of VHF communications or the EPIRB was not able to be used, the Coast Guard has responded to the pressing of that button, so it does provide a secondary – although I have say that is not the primary purpose for VMS, it does provide a secondary option. It is kind of a broad overview without a PowerPoint to show examples.

DR. DUVAL: Do folks have questions for Pat? Steve.

MR. AMICK: I'm not familiar with the system at all. When you're doing the monitoring, do you have like a room where you monitor – how does that side of the monitoring go on? Does VMS have texting capability as well?

MR. O'SHAUGHNESSY: The monitoring aspect, when an owner purchases a VMS unit, it gets a unique ID that gets inputted into the VMS unit. The signal comes to our office and we're able to see that signal and it tells us exactly the name and documentation number of the vessel. Each VMS unit is unique to its own vessel, so there is no confusion of what exactly that vessel is.

As far as the monitoring, there are five VMS centers across the United States, and for the South Atlantic it is in St. Petersburg, Florida. I have myself and four VMS technicians. We're only there Monday to Friday from 7:00 a.m. to 5:00 p.m., but they have it up on their screens. All the closed areas are on our screen so we're able to see if a vessel gets close or goes inside of them.

We have alerts set up on our system that notify us. Since we're only 7:00 a.m. to 5:00 p.m., the first thing we do in the morning upon arrival at 7:00 is we go back the twelve hours that we were not there and we see if anybody had any violations or entrances into closed areas throughout the night. Although our staff is not 24 by 7, we do have a 24 by 7 eyes on to all vessels that are VMS equipped.

As far as the texting capability, it is actually e-mail that is on the unit. It doesn't have a texting, per se, but since you pay per character, depending on the unit – and some of it is 0.0006 cents per character sent – a lot of people send their e-mails but they cut out all of the extraneous stuff that could add to their costs. You will see shorter e-mails and not lengthy for most statements, but you basically use text through e-mail by using a lot less characters, but it does provide that opportunity.

MS. BECKWITH: I understand the example where VMS has actually helped the royal red shrimp fishery. As we were preparing those MPAs, we were able to look at their tracks and such and kind of consider the placement of those MPAs accordingly. But besides that one example, I guess I'm trying to think through what other data can be collected from VMS that would actually help the resource in terms of potential benefits to stock assessments or any other information that might be used rather than just that enforcement capability.

MR. O'SHAUGHNESSY: I could just give you some other examples. Certainly, in the Gulf of Mexico where we have Madison-Swanson and Steamboat Lumps, when they were looking to expand the closed areas they looked at the effort. They can see the effort and came up with the edges closed area, but they were able to look at the historical fishing patterns across the Gulf of Mexico, so that helped them make that determination of where historically the effort was.

Similarly, we work very closely with Andy Strelcheck's staff and there have been instances where the fishery started to reach its cap, but we were a few months away and we looked at the historical data of the number of vessels that were out there and what they would likely bring back to the dock before they put the closure in place to know when to set it up today, tomorrow or next week. Those are some other examples how the VMS data was used for a scientific type purpose.

MR. JOLLEY: Did you say you there Monday through Friday but not Saturday and Sunday; and I take it if that is the case, you would still be recording the information that you could choose to look it at a later date; is that correct?

MR. O'SHAUGHNESSY: Yes, we're there Monday through Friday. The VMS data comes into a master data base in Silver Spring, Maryland, and the 5 VMS centers actually pull the data from there to look at; so when we come in the morning the data is all there from the previous night. If we wanted to look back at a rock shrimp vessel that had VMS on board in 2003, I can look all the way back to 2003 and search that VMS data.

The Magnuson Act also requires that data be made available to two other participants. The Coast Guard has the ability to see the VMS data as well as our state partners; all of those state partners that have signed a memorandum of understanding concerning the confidentiality of the data. Our state partners that work with us, they can see the data as well.

Although we are not there seven days a week, we do have law enforcement partners that are there seven days a week, and those officers and coast guardsmen and agents that are on duty have the ability to go into the system and see which vessels are coming in, when and where; or if someone is particularly close to a closed area on a Saturday evening and they have to make a patrol, that might be a place that they would want to go to patrol.

DR. CRABTREE: It produces just a tremendous amount of information on where effort is and where fish are being caught. It is all handled in a way that nobody's secret fishing spots are revealed to anybody. In the Gulf when we have looked at what would be the impact if we closed this area, you can look at exactly how much fishing is going on. If you think about the discussion and Nick's presentation this morning, if we had that type of program you would have much more detailed information on where fishing is going to occur and what impact it would have if you closed a specific area.

MR. O'SHAUGHNESSY: I just want to point out one other thing. The BP Oil Spill was certainly an anomaly in the country's history, but VMS played a prominent role. Each day as Roy's staff looked at evaluating the expansion of that oil field, the closed areas went from Point

A out to Point B. They were announced at 12:00 noon, but they didn't go into effect until 6:00 p.m., and our staff was intimately involved.

As soon as we found out where it was expanding, we immediately looked on VMS screens and saw which vessels were captured by this new closed area through no fault of their own. They were underway fishing. For Gulf reef fish fleet we spent the next six hours calling vessel owners and sending e-mails to vessels telling them you're fishing in an area that as of 6:00 p.m. will be closed because of the BP Oil Spill.

I don't have the exact number, but we made hundreds and hundreds of phone calls over those many months, and 99 percent of the Gulf reef fish vessels we were able to get out of there; and those that we didn't, we knew where they were and law enforcement went out there to board them. On the flip side, we had the Gulf shrimp fishery that was out there as well. If you look at the number of cases that were made of vessels that did not comply to the closed areas, we had far greater Gulf shrimp vessels that were caught inside the closed area because I could not provide that information to law enforcement and we make those phone calls.

Just that example alone, we prevented numerous vessels from being caught in the increased closed area because we knew where they were and could contact them. The shrimp fleet did not have VMS and they were left on their own and we had far more VMS law enforcement cases with the shrimp fleet than we did with Gulf reef fish fleet.

MR. BELL: I had a number of questions and you have actually answered a few of them. I will just ask you three questions and then you can answer them. First of all, how long has it been in place in the Gulf? Secondly, can you actually make a case on the fact that somebody shows up in a certain area and is that sufficient enough to make a case? Thirdly, I guess would be the folks that are in the snapper grouper fishery; do they seem to see the value in it down there now?

MR. O'SHAUGHNESSY: On the first question, for Gulf reef fish it has been in place since 2007, so we're coming up just over our fifth year with VMS in the Gulf reef fish fishery. As far as cases, I believe we have had one case that has gone all the way through administrative hearing where VMS data alone was used.

In many instances VMS gives us the first indication that a vessel is in the closed area. We try to get a state partner or a Coast Guard vessel obviously to get them out of the area as soon as possible to protect the fishery. However, when a vessel comes back in, the VMS data is also usually compared with their own logbooks and the GPS plotter that they have where they were fishing. We could get often secondary data to go alongside the VMS data. To your question, yes, it has been used by itself; not extensively, though. The third I think were you requesting information about how the Gulf snapper grouper fishermen –

MR. BELL: Yes, I was just curious about how the industry and how the fishery perceives it as a good thing, they're happy with it, they're glad they have it, they see the benefits?

MR. O'SHAUGHNESSY: Half of them love it and half of them make me look underneath my car when I go home each day, so I will let Roy answer that.

DR. CRABTREE: Well, the first thing I would point out is they sued us when we put it in place. If we're going to do this, one thing that you have to talk about is how long after the final rule and how much time do you give them to put the units on. I think we gave them five months initially, but then I think we extended that.

There were initially a lot of complaints about the vendors and billing and all sorts of things like that. There were a lot of other concerns that we're going to need to talk about draining batteries and power-downs and all of that, but we worked through a lot of that. I don't hear many complaints out of these guys anymore, and I think they have largely adjusted to it.

But in the initial part of it you can bet you're going to hear quite a few complaints and concerns and things, but we're much better at it since we have been through this once, and I think we have a much better feel for how to do it and what we're likely to run into.

MR. BURGESS: I have quite a few questions and these have just come to me from fishermen concerning all these things. As we go down this road, Michelle, would we be able to relay to the public about the questions and the answers concerning all these things and inform the public about what is going on some of these things?

DR. DUVAL: I think that depends on what you all choose to do with this action. If this is something that you all decide that you would like to take back out to public comment in a separate document, then certainly I think there would be opportunity to incorporate some of the questions and answers that we have heard here. If this is something that you want to take final action on today, then this is it. Go ahead with your questions.

MR. BURGESS: People have come forward with concerns of small open boats that we have in our snapper grouper fishery. I have spoken to fishermen who have had it on their boat in the scallop fishery and there was a keyboard associated with it. To his understanding, it wouldn't be good for water to be splashing on that. I think it is a major concern for a lot of small boat owners worried about that, you know. getting in the weather; how does that work?

MR. O'SHAUGHNESSY: That is a legitimate concern and we do have smaller vessels in the Gulf reef fish fishery as well. We have scallopers and rock crab vessels that have permits that are required to have it. It is not a waterproof piece of equipment, but neither are most VHF radios and those types of things.

There are a couple of ways to do it. The main brain and guts to a VMS unit is in the antenna, and those are sealed in waterproof. Some of those open fishermen, we have 18-foot center console fishermen that don't have a top or a cover so they're exposed. They will have the antenna mounted but that computer or monitor does not have to be mounted on the vessel or they put it down below. They will still ping once an hour based on the antenna.

Now, if we get into sending declarations or IFQ pre-landing reports and catch reports, in those instances you will have to have the unit to make those forms on your computer. However, I have other fishermen as it is purchased, they realize it is not waterproof and build waterproof-type boxes that go over it to prevent it from getting the rainstorm that will kill it right off the bat.

Some folks are surprised with the reimbursement fund, the first one is purchased, and then they call me up to tell me, "I went through a rainstorm, it was out in the open and it got ruined, I need a new one", and I have to inform them the government purchased the first one. That word has spread and people seem to take care of them a little bit better and try to make them waterproof to augment the water resistance of the unit itself.

But you are correct, on the smaller vessels it is a concern. There is not a waterproof unit out there right now. We have spoken to the vendors and the difference between a water-resistant unit and a waterproof unit can somewhat double the price to meet those standards to make it waterproof. Water resistant is what we have and then it is up to the fishermen to try to best insulate that piece of equipment to try to keep it from getting poured on and rained on and green water coming over the bow to get it wet.

MR. EASLEY: That is right, of course, none of them are waterproof; they water resistant. There are also different options. There are different models that you can buy. Some of them are more resistant than others. There is the Boatracs Unit with a full keyboard or whatever. You might not want to put, for example, in a center console vessel. There are others that are more likely to work in that type of environment.

DR. DUVAL: Tom, I think you still had a couple more questions, but I have Anna and then John Jolley after that, so please continue.

MR. BURGESS: Yes, I do, I have quite a list here. I understand, as you said, something like a VHF radio, but that is very helpful information, and I have got a little bit of a feel for that. Now, I have had questions about is it a reimbursement – a fisherman has to purchase this on his own and he gets reimbursed, is that correct how that works, and what would the timeframe be on that as far as if a fisherman purchased this unit when he might expect to get a return on his money?

MR. O'SHAUGHNESSY: Yes, sir, it is a reimbursement. At the start of the Gulf reef fish fishery, I know a number of the vendors did the initial outlay and then they received the reimbursement, but currently the vendors have moved away from that, and it is the fisherman who is required to make the purchase and get reimbursed.

I don't want to give a figure now because I have not asked that question in a while to see what the reimbursement timelines are. I would like to go back to the Pacific States Commission to ask exactly how long that is so I don't give you wrong information. It previously was about a month and a half for the time it takes. For a rollout like this, we're potentially looking at 700 vessels, we would have to adjust accordingly, and I don't know if that is going to lengthen the time for someone to get reimbursed, so I would like to ask that question of them before I give an answer.

MR. BURGESS: Yes, that is very good and that helps. Now, North Carolina is not part of the JEA; would they have access to this information, the North Carolina Law Enforcement?

MR. O'SHAUGHNESSY: Within the South Atlantic and Gulf, North Carolina is the only state that does not have access. By the Magnuson Act, since they have not signed a Joint Enforcement Agreement, they are ineligible to receive the VMS data.

MR. BURGESS: So the officers would not be able to monitor that?

MR. O'SHAUGHNESSY: No, sir, not using VMS. We do have an agent in North Carolina. He certainly has access to and use of it; but as far as a North Carolina JEA Enforcement Person logging in and seeing that, they are unable to do that right now.

MR. BURGESS: There is information going around about you get reimbursed for the unit, but you have to pay for installation. Now, this individual that I spoke to, he put it on his boat himself. It is pretty simple and fishermen know how to work on their own equipment, so is it possible to install it yourself? Is it a negative and positive to mount an antenna, or is it more detailed than that and there is a price for that?

MR. O'SHAUGHNESSY: That really depends on the regulations. The Gulf reef fish regulations and the most recent HMS regulations have required a certified marine electrician. The reason for that is my staff has to track all of these vessels; and when it shuts off in the middle of the Gulf or the Atlantic, we have to contact the owner and there is a lot of troubleshooting research. By and large, I would say the vast majority could probably install it without a problem.

It is those instances where the 25 percent and, 10 percent do not. They have been connected to a generator; so when the generator turns off, it shuts off; or it is connected to a marine battery; and when they put four other pieces of gear on, it goes below the amperage draw and then the VMS unit shuts off. In some instances we have vessels with televisions and VCRs running and when they went on, the VMS unit went off.

For those types of reasons, we moved towards the requirement to have a marine electrician so it gets installed correctly. Because as the regulations say if the VMS unit is not reporting, you're not in compliance; and if it was the owner who installed it, we have seen problems with those owner installations; not all.

By and large, I don't think it is that complicated, but we moved to that route to try to prevent those instances where it was not installed properly and because something was either turned on and drew the amperage down so the VMS unit shut off or it was connected directly to a generator and when they shift generators or they turned it off to change out their racor fuel filters, the VMS unit never came back on and then we can't track them. For those reasons it was moved, but that is a regulatory requirement. If it is required, then we require a certified marine electrician checklist gets sent to us. If it is not required, then it would not be required.

MR. BURGESS: As far as the power supply to these units, I heard the Boatracs, if you come in and you need shore power to maintain them, I am not sure if that is correct or not, but with the Skymate it can run on its own. If the batteries die in the boat for three or four days; are there different units and different power draws that people can think about?

MR. O'SHAUGHNESSY: Yes, there are different power draws. One of the concerns of ours is we recommend that everybody do their research and look at the type of vessel they have, the type

of fishing they do to determine what type of VMS unit they should use. Unfortunately, a lot of vessels go to a marine installer who only has one or two of them and they decide from those two.

There are units that are better. If you are smaller or have less of a draw power-wise, you could go weeks with that unit drawing off your battery without killing the battery while there are others that draw a little bit more. However, there are costs associated with each unit based on how it is used.

For example, the Tron Unit, you pay for each ping; so if you power down and turn the unit off, there is no cost for it to be off; whereas with the Faria Unit, for example, you pay \$52.00 a month. Whether you report once or 24 times during the day, it has a set price. People have to look at the power draw as well as the overall cost based on how they do their fishing.

If they're a seven days a month fisherman and they're in for the other three weeks, then they may want Unit A. If they're fishing 30 days of the month with two crews, they may want Unit B. That is why we recommend they do their research and look at all five of the units or contact our office. Although we can't recommend a particular vendor, we could certainly point out the things based on their fishing that they would want to look at.

MR. BURGESS: One last question. There has been discussion about MPAs in the South Atlantic and I know you have them in the Gulf. Does the ping rate increase as you get closer to the border of an MPA? Say if you're working around the edges of a marine protected area; would the ping rate remain at one-hour intervals or whatever it is at this time or would it increase?

MR. O'SHAUGHNESSY: That is a complicated question. Certainly, for the rock shrimp vessels, their initial rollout, the Oculina Bank was put into their antenna. As we're finding now is we're looking at potentially changing that. It is in the antenna and the antenna would have to go back and have the new area put inside it. For large-scale fisheries where there are multiple MPAs, right now we do not have that capability to put multiple closed areas inside the antenna that would increase the ping rate.

But for the rock shrimp vessels right now, when they go into Oculina, it does increase. The buffer area is not used because a lot of fishermen; with the advances of GPS and charting, a lot of the fishing takes place right alongside the closed areas. If it increased their ping and yet they never actually went in, for those units that pay by the pole, they could increase their bill and be perfectly throughout, so that is not something that we have pursued for that very reason.

DR. DUVAL: Tom, a great list of questions and very thorough. Anna.

MS. BECKWITH: I think you answered some of my questions, but for North Carolina, if we don't have the JEA enforcement, then who would be responsible for enforcing off of our EEZ? Would it be just Coast Guard?

MR. EASLEY: Sometimes we get some information out of the goodness of North Carolina marine officers' heart.

MS. BECKWITH: But we wouldn't have access to that information.

MR. EASLEY: You mean as far VMS?

MS. BECKWITH: Yes.

MR. EASLEY: Correct; if you want to limit the question to VMS, as Patrick mentioned, we have a NOAA agent – yes, one right now, unfortunately – here in North Carolina that can work the state officers and hopefully they can assist him with some dockside – and have been to date – law enforcement assistance, interviews and et cetera. As far as boarding, North Carolina's platforms going out there past three miles, et cetera, we haven't done that, but Coast Guard, we give them a ring and they help us out as far as at-sea enforcement.

MR. JOLLEY: I would think that on a long-term basis there is a pricing aspect here that might be available. If we're going to ultimately put a lot of these units on a lot of boats, the price should go down with volume. I am just thinking on a long-term basis that there might be some advantages here. You mentioned that there were five units now that are available, and I was showing four here on a piece of information from about 2,000 to \$3,000 roughly on the initial cost.

MR. O'SHAUGHNESSY: There is the fifth unit, the Skymate Unit, but at the time this document was prepared there was a question of – there is one Skymate Unit approved in the northeast and one approved for HMS vessels, so it was uncertain which Skymate Unit would be included in this.

It was not included because I couldn't definitively say which one it is. But there would be a fifth unit, the Skymate Unit, whether it be the one approved in the northeast or the one approved in the HMS fishery. As far as the group purchasing, I couldn't answer that question. We're very limited on what we can say or do. We have a type-approval document that goes out. Vendors apply to show and prove that they meet the type approval standards of NOAA. Once they do, it is approved to be sold; but as far as group purchasing or anything like that, I don't know how that would be pursued.

MR. JOLLEY: I would also say that going forward here on a long-term basis, I would think waterproofing keyboards to go on board these small boats would be something that should be on the horizon. You're talking about thousands of units; corporations can bring those prices down to be more advantageous to us.

MS. SMIT-BRUNELLO: Patrick, in the Gulf reef fish fishery for VMS, there are a couple of exemptions. One is an in-port exemption in which the owner or operator can change the reporting frequency I guess to four hours if they're in port, and then there is one that is a power-down exemption if, for example, the vessel will be continuously out of the water or in port for more than 72 consecutive hours. I was wondering how well you thought that was working or if you thought that were problems there; whether you have any thoughts about that.

MR. O'SHAUGHNESSY: I will take them separately. The in-port exemption, which means you can change your reporting rate to once every four hours, some of the units have that and it is no more than pressing a button to go to in-harbor mode. Instead of sending 24 pings while you're in port, it winds up sending six pings.

For the units that charge by the ping, that can save a fisherman considerably. That is actively used by a lot of fishermen. We can readily see that in port because it reports once every four hours. The power-down exemption has certainly created a paperwork and tracking nightmare for us, but there are quite a few fishermen that use it.

The regulation says you have to be in port for 72 hours or greater or out of the water. To do that, they request – I would say half of our vessels will request, hey, I am going to have the boat out – like right now we're getting a lot now. Guys are going to be out of the water December, January, February to do maintenance on their vessel, and they will have a rough start date and end date.

We have other fishermen who are in port for 72 hours six times a month, and that gets harder to track. What we have moved towards is we give them a power-down that authorizes them to turn the unit off when they're in port greater than 72 hours, but the regulations also require that they have to notify us when they're turning it off. We chase our tails a lot.

We can see they send the code, but they don't tell us when they're turning it off or likely when it is going to come back on. Even if they could, a weather front could come in and that end date could change, and we understand that could change. We would like to be told and receive that e-mail that it is going off and then we will work with them on the back end, but that has created somewhat of a paperwork administrative problem for us.

MS. SMIT-BRUNELLO: Just as a quick followup, so if the council decides to go ahead with this, maybe you could give some thought to lessons learned and things that you have learned through working with VMS with the Gulf but then in other regions that you have heard about, too; and if there are better ways to do certain things, I'm sure the council would be receptive to hearing that.

MR. HARTIG: As we have gone down this path, some of the public comment already are calling them spyware and everything else. I think my intent in end of this is to go back out to public hearing with some of the things that you have brought forth today. I've had some thoughts on some other things that we may be able to do with these kinds of units.

They certainly open up opportunities for management as well as improving law enforcement capabilities. The first one I had was you could actually change the way you manage your spawning season closures. If you had site-specific areas that you knew where fish were spawning, you could change from the time to the area type closure. Like in the case of Riley's Hump we have, we are getting a big bang for our buck in that one.

Certainly, you could use this kind of information to do that. Logbook validation is another one; are the vessels offshore? We have had some serious questions by the tilefish guys of businesses that have multiple boats and where landings seem to be higher than the actual number of people

on the water, so you could actually validate that those boats were out there contributing to what they're actually writing on their logbooks and trip limit verifications as well.

Under the 300-pound tilefish trip limit, there is some funny business going on where a boat can come back to the dock with a thousand pounds of tilefish and stay at the dock and every day he lets 300 pounds go. Those kinds of things, if you knew the vessel was at the dock and reporting on a daily basis he was catching that kind of fish, then you could figure that out pretty easily.

Multi-day trips was one of the first things we talked about when Gene Proulx first brought this before us years ago when I was on the council. Like an amberjack fishery, which is much farther offshore in some portions of our area, we could have a two-day trip limit or three day, whatever, if you could verify that the vessel was offshore with these types of units.

The other thing is some of our fishermen already have VMS units for VMS in other council jurisdictions' regulations. Some of these guys already have it for vessels in the Keys that have to fish in the Gulf and the South Atlantic they have them, and then I think there are some people as well in the Carolinas who have them already.

Most other councils do require VMS in some form or other in their management. In general VMS would help manage the fisheries and the resource they affect with more precision, giving the scientific and management sides the ability to keep an accurate picture of the resource and the fisheries' activities. If any of that was wrong, I would appreciate any feedback you have, but I see a number of these could really help us take some of the onerous regulations we have on fisheries and ameliorate some of that based on the VMS use.

MR. O'SHAUGHNESSY: All of those issues that you said I could cite examples where we could show that. The time and area closure is a big one. In the Gulf of Mexico we have the Madison-Swanson and Steamboat Lumps are two closed areas that are closed 12 months of the year. Within the last two years, we added the Edges Closed Area which basically connects those two during the primary spawning season.

The only reason we were able to do that is because they put the announcement out that the closed area is now in place for these months and then VMS is able to monitor for those four months that the vessels are staying out, and then starting April 1st it is open again and you see everybody go back in. Similarly, there are a lot of other uses for VMS. In the Gulf reef fish on the Gulf of Mexico side, they're much further along.

They have approved landing locations with the IFQ Program, and our VMS technicians regularly – just as you said for the tilefish where someone could go to the dock and offload per day, they have to go to approved landing locations and we have a number of cases that have been made where vessels have come in.

They report their landing for 9:00 a.m. at such and such a dealer but at 1:00 a.m. they pull in, and just as recently as two weeks ago we directed law enforcement to a vessel that was coming in in advance of their arrival and found them offloading 900 pounds of red snapper to a pickup truck. It does provide other opportunities and other value besides just seeing where they're at offshore.

Our VMS technicians continually check those things after they check the fishery. Just like no-fish reports, if you have no fish, no fish, no fish, we periodically try to spot check each and every vessel; and if is no fish and fished for seven days, it becomes economically infeasible that they're consistently fishing for seven days and catching no fish. Those are the types of things that my VMS technicians are very adept at digging a little bit deeper and finding out about them.

DR. DUVAL; I have Roy and then Charlie and I know Gregg had wanted the opportunity to actually ask a question of Monica and also to review some of the public comment that we have received on this particular action. I think after Charlie goes, then I would like to give Gregg that opportunity and then we can see if there are any last questions from folks around the table before we make a decision on this.

DR. CRABTREE: Patrick, my recollection was with the reimbursement fund, that they would reimburse you at the cost of the lowest priced unit; and if you wanted to buy a more costly unit, you had to pay the different; is that correct; is that how it works?

MR. O'SHAUGHNESSY: That is correct. We have a number of fishermen – as certainly in the Gulf, fishermen have left the fishery, sold their permits, there is also that market of people buying a used VMS unit. If they spend \$500 to buy their buddy's VMS unit, they will get reimbursed for what they paid for it at that particular time; so the cheapest.

DR. CRABTREE: And then I think when we did this, when the fishermen came in to renew their permit, they had to provide proof that they had VMS on their boat or we wouldn't renew their permit.

MR. EASLEY: I don't think that was the perfect answer to Roy's question. It not necessarily the cheapest unit that is available, but, for instance, in the document the cheapest unit is \$2,495, we will still reimburse more than \$2,495. The maximum we will reimburse is \$3,100. But, if you buy a cheaper unit, then that is as far as your reimbursement will go.

MR. PHILLIPS: And to the safety factor, grouper season was opened Monday morning and I got a call from the Coast Guard at 7:30 of the EPIRB going off, the boat is 78 miles offshore. I had no way of knowing what was going on until they flew a helicopter and a fixed wing out there. It was a malfunction on the EPIRB. VMS would have given – that would have made things much safer. I could have texted them, got an answer back, saved them a lot of time and money, saved me a lot of heartburn and a few more gray hairs. The safety factor is not to be overlooked.

DR. DUVAL: Okay, I am going to let Gregg actually ask a question of Monica and then go through some of the public comment that we have received on this.

MR. WAUGH: You all have received all these public comments, but Pew sent in a letter supporting VMS. The Southeast Fisheries Association, East Coast Fisheries Section sent in a letter and they had cost concerns and concern that it may cause some individuals to exit the fishery. We've received eight individual comments all against VMS.

The American Sportfishing Association had no specific comments on the alternatives. We have received a petition with 54 individuals against VMS. There was some confusion that we were requiring this on private vessels as well. Then we had a comment sent in by Dave Hagan attaching a Supreme Court decision, and that is the one I wanted to ask Monica.

We talked briefly about it before, but Mr. Hagan's contention is that Supreme Court decision that was rendered this year is related to GPS, the use of GPS in a drug law enforcement case, but in Mr. Hagan's opinion that would apply to the use of VMS. I just wanted to ask Monica about that.

MS. SMIT-BRUNELLO: Sure, and I actually owe Dave Hagan a phone call. The court on January 23rd of this year issued an opinion in the matter of United States versus Jones. I disagree with Mr. Hagan. I don't think it prevents us from using VMS in these kinds of situations. What the court held was in this one instance the government performed an unconstitutional search.

The government installed a GPS unit on a vehicle unbeknownst to the vehicle's owner and then used the GPS to monitor the vehicles movements and ultimately they ended up using that GPS information to make a drug case against the individual. The court said, no, in this particular instance you needed a search warrant because that is a search under the 4th Amendment.

In this case you have fishermen are voluntarily in a sense getting a fishery permit and as a condition of that fishery permit in this instance you would be requiring VMS. I can see why Mr. Hagan thought it might be applicable. It is interesting, I read the case, but I don't think that it prevents you from going forward with VMS in this instance.

MS. BECKWITH: This may be getting a bit into the weeds, but the last Snapper Grouper AP conversation in November had an individual who considered it potentially unconstitutional to even consider VMS on the charter fleets because they're not engaging in commerce and not selling fish. Based on what I just heard you say, I'm wondering what would be an accurate statement as we hear that from the public potentially.

MS. SMIT-BRUNELLO: Well, again, I'll look into that, but I don't think it is an impediment to – I guess they're selling trips, right, and that is in commerce. I would have to think about that a little further. Roy mentioned that we got sued when the Gulf Council put forward an amendment to require VMS. I will dig out that decision; but anywhere we have been sued in VMS cases, we have prevailed in those and won them.

DR. CRABTREE: Well, if I could point out in the case of the Gulf suit, we settled it, and so I don't think there ever was a decision.

MS. SMIT-BRUNELLO: Okay, but I think we have had other cases so I'll into that.

DR. DUVAL: It is quarter to five right now and we're scheduled to adjourn in fifteen minutes. That isn't going to happen. I have done my best to keep you all on schedule for the past day and a half, and so I think should be allowed a little bit of leeway to run overtime here. We do have

the informal question-and-answer period that is scheduled to begin at 5:30. If we're a little bit late on that, I'm sure folks will forgive us.

If there are no other questions, I would like to consider a motion for what you all would like to do with this action. Is it your intent to move forward and take final action on this right now or would the committee like to consider taking this particular action back out for public comment, which would obviously be a separate document from CE-BA 3. What is your pleasure? Roy.

DR. CRABTREE: Well, as you could tell from what we have just discussed, there is a long list of decisions that need to be made and things that need to be included in here. Are they going to be required to declare their fishery; power-down exemptions, are you going to allow all these kinds of things, so there is a lot that goes into this.

Mike Collins just e-mailed out to all of you a copy of the VMS Frequently Asked Questions that we made with the Gulf. I think what we need to do is we need to put the work into fleshing out the rest of this document. If you want to go forward with this, we ought to do it as a standalone, and we ought to get those FAQs in a real easily readable and understandable format tailored to your amendment for the fishermen.

And then to me we ought to go back out to public comments, have those FAQs so the fishermen can really understand how the system is going to work, what it is going to do, and all those things, and then come back in at a subsequent meeting and take final action at that point. But I think before we go out, if we're going to do this, I think we ought to select a preferred alternative of require VMS so that they know that is our intent when we go out to the public hearings.

MR. EASLEY: If it goes out to public comment; what is the timeline in that case?

DR. DUVAL: We do have a set of public hearings scheduled for January/February, and I guess I would have to look to staff to see would it be ready – you know, could we take the information that is currently in CE-BA 3 with regard to VMS and make some additions to it, add the FAQs that Roy has referred to and have that ready to go to the January public hearings. I guess I'm looking to Gregg or someone for a little guidance.

MR. WAUGH: Well, I would have to agree with Roy that there are a lot of decisions that you all have to make before we know the specifics. Besides just you're going to require it, there are a lot of other decisions that need to be made. It seems to me the committee has more work to do before we work out the details for it to go back out to the public.

DR. DUVAL: Perhaps it would be a motion to separate the VMS requirement into a separate document to come back to the committee at its next meeting in March to consider some of those questions that need to be ironed out and include the FAQs as Roy has suggested. This would be a separate amendment to the Snapper Grouper FMP. Monica.

MS. SMIT-BRUNELLO: I recall in the Golden Crab Amendment 6 that was potentially going to put an IFQ Program in place there was a requirement for those vessels to have VMS. Is the council interested at all in looking at VMS for the Golden Crab Fishery? There are some real

deepwater areas they're supposed to stay out of and all that or at least they're not supposed to fish in those areas.

I recall those fishermen said, "Yes, but when we deploy traps, that doesn't mean that VMS on our vessel doesn't always fishing, so to speak, because we deploy traps." But, anyway, just for discussion purposes are you interested in also looking at VMS for those golden crab permit holders?

DR. DUVAL: Brian Chevront is the staff lead for golden crab, and I'm going to let him handle that.

DR. CHEUVRONT: Our last golden crab meeting at the September council meeting, at that time the council instructed staff to have a meeting with the Golden Crab AP before the March meeting, which we're going to do, and that VMS issue is going to come up at that meeting. What the council directed staff to do is to have the AP discuss what non-catch shares issues that were in Golden Crab Amendment 6 would the AP like for the council to consider moving forward.

Now, I do know – and I have heard from both sides – there are a few folks that would like to see VMS go into this fishery regardless, and there are some who are vehemently opposed to VMS in golden crab. But, there certainly is reason that you stated, Monica, for not – excuse me, for having VMS in the Golden Crab Fishery and keeping them out of those no-fishing zones and things like that. Yes, the council might want to consider that, too.

MS. BADEMAN: I would like to make a motion to move the VMS requirement into a separate Snapper Grouper Amendment and bring it back to the committee in March.

DR. DUVAL: There is a motion by Martha; seconded by Charlie. Roy.

DR. CRABTREE: And so would we hold off on public hearings until after that March meeting when more decisions were made and the document is better fleshed out; is that your plan?

DR. DUVAL: Yes, that is what it sounds like. Our next set of public hearings is scheduled for August and it sounds like we have a number of decisions to make with regard to VMS that hopefully the FAQs and some of the information from the Gulf's experience could potentially help us in that regard.

DR. CRABTREE: Okay; and, Otha, is there a time limit on the reimbursement fund and that those monies could vanish or anything we need to be leery of there?

MR. EASLEY: None other than in addition to the terms that I mentioned earlier. In mid-2014 it becomes questionable.

DR. CRABTREE: We need to think about that because if we wait until August for public hearings, we're at best voting this up in September, the secretary maybe approves it in January or February of 2014; and then these guys buy their units and we're in the middle of 2014.

DR. DUVAL: We have a number for the amendment; it is 30. Otha.

MR. EASLEY: As far as the frequently asked questions and such, Pat is already working on those so that could be prepared fairly quickly.

MR. WAUGH: We can certainly look at the Gulf Amendment and pull in a lot of the decisions that were made there, pull in the frequently asked questions, have this amendment and bring it back to you at the March meeting. If you can make all the decisions there, hold the public hearing in March and finalize it in March. It is up to you.

If all we're talking about is cutting and pasting a lot of the decisions from the Gulf document and cutting and pasting some stuff from the FAQs and then folding in all the excellent discussion we had here and rationale. We have got the economic analysis, the social analysis has been done. It is up to you.

MS. SMIT-BRUNELLO: Well, two things; one, I will try to give you my best advice at full council as to the NEPA aspect of this, whether it is an EA or EIS, because that affects the timing. And then, two, Gregg, I don't know that it is a matter of cutting and pasting. Some of these things that have evolved in terms of power-down exemptions and a number of things happened after that amendment and which we had to go through further rulemaking and other kinds of documents, so there will probably be a couple of places to look and to pull things over from.

MS. BADEMAN: I was just going to say I would feel I think more comfortable if we went out to public hearing again. I'm kind of surprised at how few people we have heard from about this. I don't know if it is just people don't know about it or maybe they're just kind of indifferent. I wouldn't think so. I think this is something that a lot of people probably have strong opinions on.

DR. DUVAL: Well, I have gotten lots of strong opinions in my e-mail and box; I don't know about other people. Anna.

MS. BECKWITH: I was going to say I don't think people are indifferent. I think since we haven't chosen a preferred people aren't taking us seriously, yes, that this is something that we're really taking into consideration. I was going to state a concern about limited public comment just in the March meeting like we have done in some of these. That would make me really nervous.

I think if we were going to consider this in the March meeting we would need something to take out for this round of public hearings even if it is just – I don't know how we work for some of this stuff, I know, but, you know, just the facts sheets and options paper, something that can help answer the questions and concerns that we're hearing from the fishermen to at least get that ball rolling even they're not commenting specifically on the decisions we're going to have to make in March. I don't know if that is a possibility, but I think public comment is important on this one.

DR. DUVAL: I share some of those same concerns. Roy.

DR. CRABTREE: I agree with Anna. If we're going to go out to public hearings between now and March and if we're going to do this at this meeting, we ought to select a preferred alternative to require VMS and do the best we can on addressing these other things, but at the least we need to get out in front of the public and say, hey, it is now our preferred alternative and we deal with the FAQs and things the best we can. I would like to have better exposure to public hearings than just come in March and vote it up. We're going to be in Georgia in March and we don't historically get a lot of fishermen in Georgia.

MR. SWATZEL: I just think it is important to note that the decision document didn't reflect an updated position from the Snapper Grouper AP. At their November meeting there was a motion made and I will read the motion. It said, "If the council decides to move forward with the VMS requirement for the commercial snapper grouper fishery, then they should consider making it a requirement for all vessels fishing for snapper grouper species in federal waters." That motion failed.

If you read the minutes of the AP meeting – I think it is on PDF Pages 21 through 26 – I don't think there is any way you could really take the view that the AP is supportive of VMS for snapper grouper commercial vessels. I would urge you to read those minutes. As you make a decision to move this forward, I just urge you to consider what the AP is talking about and consider their advice because I certainly think at this point in time you have an AP that does not support moving VMS forward.

DR. DUVAL: I am going to come back to Gregg and Myra to comment on that.

MR. WAUGH: I will have Myra pull up the motion because certainly we want to make sure we're right.

DR. DUVAL: It did fail.

MR. WAUGH: Yes, but I thought in April of 2012 the Snapper Grouper AP approved a motion recommending the council require VMS for any vessel harvesting fish in South Atlantic waters.

DR. DUVAL: Right, but a similar motion was made at the November meeting that did fail in terms of applying it to all snapper grouper vessels. Kenny Fex from the AP is here and he can perhaps shed some light on the discussion.

MR. FEX: Yes, it was brought up. Some of the guys asked to have it across the board. I mean, that is not rational. The commercial sector don't see no problem with it. One of the problems was to make sure the funding was there and also, too, that it would be a useful tool for law enforcement.

We have a lot of problems with people going into MPAs or coming in with illegal stuff, so we as the AP thought it would be good. But, again, like I said, as long as the funding is there for the unit themselves, they see no problem with it. It was funny because we wanted it one time. We got a presentation; we didn't want it. Then the MPA idea come up and then we wanted it. I think it is mainly because we're looking at all options for us to be compliant and that I think was

the main fundamental, so the AP don't see no problem with it. They did want it across the board but that is not realistic.

MR. HARTIG: Kenny, do you think we should tie putting the VMS on the vessels to if the funding is available? If the funding is not available, the fleet is not really willing to go for the units; at least that is what I've got out of your conversations, and I would like to hear it from you.

MR. FEX: Yes, that is correct because that was the point that we did not want it if the funding was not available to pay for the unit initially, because that is a constraint on the fishermen with having cutbacks already across the board with our finances is one thing.

MR. SWATZEL: Certainly, I have a high degree of respect for Kenny's opinion on the VMS issue, but I just go back to the minutes of the meeting. The minutes themselves, when you read them, certainly don't reflect any consensus on the part of the Snapper Grouper Advisory Panel to support VMS. That is just a reading of the minutes.

MS. BROUWER: Unfortunately, I can't access minutes from the AP meetings nor past reports from my computer at this meeting, but the AP has made on several occasions in the last three years three motions requesting VMS for the commercial snapper grouper fishery, and those motions have been approved.

MS. BECKWITH: And just to kind go through my understanding, because I listened to the meeting a couple of times and have read the minutes, and what I gathered from this was that the AP does support VMS for the commercial but the conversation came up about everyone meaning the for-hire fleet as well, and that is where that motion failed. When they asked for every vessel fishing snapper grouper in federal waters, they were trying to include the charter fleet in there and that is why that motion failed.

And then there was some additional discussion about the fairness of some individuals were concerned that if wasn't going to be mandated to the for-hire fleet, then potentially it wasn't fair for the regular commercial guys, and that I think was the disconnect in consensus. I think the history of the Snapper Grouper AP has been fairly consistent that they support it for the commercial guys; but that is the AP and that is not necessarily what we hear on the ground, at least not in North Carolina.

MR. FEX: Yes, I understand your point, but when I brought up – Tom had asked me that question the other day and then I called three fish house owners, the one I fish out of, the one there in Hampstead and the one on Holden Beach. They understand the logic to it. Believe me, nobody wants to be mandated to have it; but after the enforcement issue comes up to see, hey, this is what we need to do to make these people compliant, because we do have bad apples out there, and that is the true deal is to get these people out of the industry.

They're doing the wrong things and that is why enforcement would be so much nicer; so when that vessel does hit the dock, he could be checked by enforcement. That AP has supported it for a long time; but when they threw up that idea across the board, everybody had – yes, it got rejected definitely.

DR. DUVAL: Okay, I don't think we have actually voted on the motion on the board. Charlie.

MR. PHILLIPS: Just one quick question, because we still haven't talked about do we want to put something about a possibility of putting VMS on golden tile, Martha, in this motion or do we want to – or not?

MS. BADEMAN: Do you mean golden crab?

MR. PHILLIPS: Golden crab, yes.

MS. BADEMAN: It sounded like they were going to talk about it at the next golden crab meeting already, so I don't know that we need to.

MR. PHILLIPS: Well, I guess do we want to take the possibility of VMS on golden crab out to public hearing? So it has already been, okay.

DR. DUVAL: I have an inclination to not muddy this up. **The motion on the board is to move the VMS requirement into a separate Snapper Grouper Amendment 30 and bring back to the committee in March.** Now, we have heard some concerns around the table about trying to get this out in front of the public sooner, potentially during our January/February public hearings with whatever information we have available.

Obviously, there is some information in the document as is that could be separated out. We can include some additional information with regard to the frequently asked questions for VMS that could be included in that. This motion does not deal with taking the amendment out to public hearing in January.

What this motion does is it would move everything into a separate amendment, bring it back to us in March to review and then approve for public comment is what I'm presuming. If you guys want to go to public comment sooner, you might want to modify this motion I guess is what I'm trying to say. John Jolley.

MR. JOLLEY: I am not on your committee, Madam Chairman, but I would think that from a funding standpoint you certainly would want to go sooner than later. You want to strike while the iron is hot. I don't think we fully appreciate all of the pressure that will be put on the funding here in the near term.

DR. CRABTREE: Well, why can't we vote this motion up and then we can have another motion to take it to public hearings between now and March and then we still need yet another motion to select a preferred alternative?

DR. DUVAL: Yes, we can certainly do that. Are people ready to vote? Is there anymore discussion? Is there any objection to this motion? Seeing none; **that motion stands approved.**

MR. WAUGH: Bob made the point just now and asked me to raise it that if you are interested in trying to get this done sooner, perhaps what you could do is make your decisions in March and

then we could hold some public hearings between March and June and then you could take final action in June. There is some concern that the only decision you will have made here is to require VMS. You don't have all the other details, which you would be making those decisions in March. That is another alternative; we don't have to wait until the round of public hearings in August.

DR. DUVAL: I would feel a little bit more comfortable about that because I would actually kind of like to see what is going out to the public before – I would like to see it knowing what is going to be going out to the public. Roy.

DR. CRABTREE: I agree with you and I think that is a better situation. That allows us to make a lot more progress in the document and FAQs and all that; because it is going to be controversial, we all know that. Then we do the public hearings and come back in June and make a final decision.

MS. BECKWITH: I was just going to ask if there was a way of at least getting the Facts Sheet out to the public during those public hearings and have that be some portion of it. I can see where this is going and I just want to have people start looking at the questions and having them answered rather than waiting for that pressure cooker to keep forming.

DR. DUVAL: So you're suggesting including in public hearing documents the VMS FAQs?

MS. BECKWITH: And some indication that this is on the table.

DR. DUVAL: Well, if we get a motion to select Alternative 2 as our preferred which would be to require VMS, then that certainly gives the public indication of where we're going. Otha.

MR. EASLEY: I was just going to say that the FAQ will be ready by – if the public hearing is in mid-January, they will be done by then.

DR. DUVAL: Yes, our current round of public hearings is scheduled for the end of January, beginning of February. Tom Burgess.

MR. BURGESS: I would be more comfortable about developing a preferred in March. but I agree with Anna, just some type of information to the public. I saw you shaking your head; I didn't know –

DR. DUVAL: I just feel like if we are at all considering this, then it is much clearer to the public if there is a preferred alternative to require VMS on commercial snapper grouper vessels. If it ends up that as a result of public comment we decide not to do it, then we decide not to do it, but I think it is much clearer to the public that this is something that we're strongly considering.

MR. PHILLIPS: Well, to move this along, **then I will make the motion that we select Alternative 2 to be our preferred.**

DR. DUVAL: Motion by Charlie; seconded by Wilson. This would be the Alternative 2 wording in the decision document that is suggested by the IPT, which states, “Require all commercial snapper grouper fishing vessels with a federal unlimited or trip limited permit to be equipped with VMS. The purchase, installation and maintenance of VMS equipment must conform to the protocol established by NMFS in the Federal Register. Purchase of VMS equipment will be reimbursed by the NOAA Office of Law Enforcement from the VMS Reimbursement Account if funding is available. Installation, maintenance and communication costs will be paid for or arranged by the permit holder.” Ben.

MR. HARTIG: Would you entertain as a friendly amendment “contingent upon funding availability for purchase of the units”?

DR. DUVAL: Maybe it is the time of day; I am just a little confused because in the language of the – I see what you’re saying, that Alternative 2 is our preferred contingent upon availability of funding. Charlie, you are happy with that as a friendly amendment?

MR. PHILLIPS: Yes.

DR. DUVAL: The motion would then read select Alternative 2 as our preferred contingent upon availability of funds from NOAA OLE. Anna.

MS. BECKWITH: I would have concerns with putting that in the motion because I think the goal here for this first set of public hearings is to get an honest reaction. I think this is a way out. We hear that the funding is potentially not going to be accessible after 2014; so if we’re making it contingent on the funding, then I think people are going to hear that as an open door to not get it; to figure out a way of kind of pushing this back. I just throw that out there because I’m not on your committee.

MR. HARTIG: Well, to that point, Anna, we have heard a lot of concerns from the e-mails that I’ve read about people not having the funding availability to buy these units. The current state of affairs of the fishing industry, frankly, if you required vessels to purchase the units we would lose a significant portion of the fleet.

MS. BECKWITH: Let me be clear; I don’t support VMS at the moment, but I just want people to show up to the public hearings and that maybe will give people pause and maybe they won’t show up.

DR. CRABTREE: Well, I really think the way these alternatives ought to be is you have an alternative to require VMS; and if there is money to reimburse them, fine, otherwise they have to pay for it. And then if you want to have a contingency alternative, it ought to be another alternative, but we need to talk about how this would work. My understanding when we did this in the Gulf, there was this amount of money in there and they paid reimbursements out; and when the money was gone, it was gone. We would have to have some criteria about do you mean there has to be enough money for the entire fleet or exactly how would that work out and figure out at what point then would we make a determination that we’re not require it. I am not sure exactly how it would work like that.

MR. O'SHAUGHNESSY: Not to complicate matters further, we have an issue with the Gulf reef fish fishery right now. Everybody was reimbursed for their first purchase in 2007 and 2005 and some of those units that are exposed to saltwater are leeching at the end of their lifespan. When they fail, they call us and we tell them there is no reimbursement.

One of the vendors just recently, for some of the Gulf reef fishermen, has started a lease-to-own where they get the unit for ninety dollars a month and they pay it for three years and then they own the unit. I have just seen that done for three vessels recently and that might be something if there is a genuine fund concern, which is obviously legitimate, that I could pursue with that vendor to see – and if one vendor does it, often other vendors will follow suit for fear of losing market share. But there is one vendor who has just started that to help out some of these fishermen that didn't have the \$3,100 to purchase the second unit. I don't know if that would be something they could go nationwide with or for 700 boats in the South Atlantic, but the potential does exist.

MR. BURGESS: I have reservations about selecting a preferred I guess because of North Carolina not being able to access this information, and I am uncertain about how North Carolina fishermen will benefit from the enforcement capabilities from it.

DR. DUVAL: I just want to make sure that if we can kind of scroll back up to the previous motion that we passed, which was to bring this back to the committee in March, that staff laid out an option for bringing this back to us in March because there are a number of decisions that need to be made and then having some public hearings between the March and June meeting.

I just want to make sure that is the committee's intent, that is what you wanted to proceed with. I am seeing nodding heads around the table, so, yes. Okay, I just wanted to make sure that was clear.

The motion that we're currently dealing with is to select Alternative 2 as our preferred contingent on availability of funds from NOAA Office of Law Enforcement. I think Ben was indicating that the intent of his friendly amendment was contingent upon availability of funds to cover the entire fleet. That is correct; okay. Roy.

DR. CRABTREE: Could we rather than modifying Alternative 2 to do this; could we make this an Alternative 3 that will be preferred and it differs from Alternative 2 because it has the contingency on availability of funds. It seems to me that is what you need to do to have a reasonable range of alternatives, if you could modify your motion.

MR. HARTIG: Well, I don't know how to go about this through Roberts' Rules, but I withdraw my friendly amendment.

DR. DUVAL: So Ben withdraws his friendly amendment, which just takes the motion back to being select Alternative 2 as the preferred. Wilson.

DR. LANEY: What I heard Roy just say is he would prefer to have Alternative 3 with the contingency clause as our preferred. That meets Ben's concerns, right?

DR. CRABTREE: I would suggest whoever made this motion withdraw and then you start from scratch with a motion to add a new Alternative 3 that has the contingency and then make it your preferred.

DR. DUVAL: I think that was Charlie and then Wilson was the seconder. Okay, do you guys withdraw your motion?

MR. PHILLIPS: Michelle, **I withdraw my motion and let Ben make the right motion.**

DR. DUVAL: Okay, the committee agreed to withdrawing the motion. Wilson.

DR. LANEY: Okay, Madam Chairman, I think that means then that we need a new motion which would be to ask the staff to craft a new Alternative 3 which has the same wording as present Alternative 2 with the addition of Ben's contingency clause, which means that it would be contingent upon the availability of funding from NOAA for reimbursement.

DR. DUVAL: Gregg is going to try to put this together for us. The motion is ask staff to craft a new Alternative 3 with contingency that if VMS funding available, and the intent is that VMS funding be available to cover the entire fleet.

DR. LANEY: Right, and, Madam Chairman, that would then become our preferred also, if we can do that in one motion to simplify things.

DR. DUVAL: The motion is ask staff to craft a new Alternative 3 with contingency and make it our preferred. That is a motion by Wilson; seconded by Charlie. Discussion.

MR. EASLEY: Alternative 2 already stated that if OLE had funding available. The only difference is now that Alternative 3 would state that if OLE had funding available for every permitted fisherman. That is about the only difference between the two.

DR. LANEY: Well, somehow we just need to change that wording in Alternative 3 to make it read that instead of saying if funding is available in that first sentence, it should say "contingent upon able funding". Ben, does that make it consistent with the wording that you had indicated earlier?

MR. WAUGH: My understanding between the two is this new Alternative 3 means we would not require VMS unless there was sufficient money for the purchase of all equipment. Alternative 2 we would require VMS and however much money was available to reimburse it would be spent on reimbursing.

DR. DUVAL: Right, so Alternative 2 would require VMS no matter what; and if money was available to reimburse for the purchase of the VMS, that reimbursement would happen. Alternative 3 states that we would only require VMS if the money is available from NOAA OLE to cover the cost of the units for the entire fleet. Charlie.

MR. PHILLIPS: Do we need to put a timeframe on this and say that they have got to buy them because there is going to be money coming out of this pot all the time; and so do we want to put a timeframe that if you have got a snapper grouper permit and you're going to have to have a VMS to go fishing, you need to go buy this within six months or nine months or whatever.

DR. DUVAL: I think those are the kinds of questions that we would be getting into when we see this again in March. Those are the kinds of questions that need to be asked. We cannot work this entire amendment out right here. The motion on the table is ask staff to craft a new Alternative 3 with contingency and make it our preferred. Is there anymore discussion on this motion? Is there any opposition to this motion? The motion passes with two opposed. We will see this document in March. Gregg.

MR. WAUGH: We withdrew this motion for Alternative 2, but that is the wording for Alternative 2 that has been suggested by the IPT, so we need a motion to accept this new wording for Alternative 2.

DR. LANEY: Madam Chairman, I move that we accept the IPT's recommended wording for Alternative 2.

DR. DUVAL: Motion by Wilson; seconded by Charlie. Is there any discussion? Any opposition? Seeing none; that stands approved.

MR. WAUGH: You have directed us to separate this into a separate snapper grouper amendment, and we had wording for the action to amend the snapper grouper management plan to require VMS, so that will in effect be done because we're just amending the plan. I think as far as VMS, we're done for now.

DR. DUVAL: Okay, I would actually like to go back to Action 1, which was electronic reporting for the headboats. Martha.

MS. BADEMAN: Do we still need a motion to take out to public hearing after the March meeting or are we good?

DR. DUVAL: No, because that is our understanding; we will see it in March and we will approve it for public hearings and there will be some public hearings between March and June. I would like to go back to Action 1, which deals with electronic reporting for the headboats. If you recall our discussion, we had quite a bit of discussion indicating that we could go ahead and approve this particular action.

Whether we keep this action in CE-BA 3 or we break this out as a separate action and amend the appropriate fishery management plans to go ahead and require electronic reporting, we have preferred alternatives for this particular action. Again, the science center is ready to move forward with this.

They anticipate being able to implement required electronic reporting by the headboats by mid-February, I believe, and so what we are doing here is we are setting the requirements for the

frequency of reporting. This is real Page 10 of the decision document. This is Action 1. I guess it would be my preference to split this out as a separate action and move this forward.

Are there thoughts around the committee? We still have one more action to deal with and that is bycatch reporting, and there is some concern about bycatch reporting and what that means in cost and what have you. Would you guys rather deal with that first? Are folks ready to move forward and take final action on electronic headboat reporting? Can we at least do that? I would entertain a motion to break out Action 1 from CE-BA 3 and amend the appropriate plans. Is there any desire to change our preferred alternatives at this time? Roy.

DR. CRABTREE: Well, let's think about this just for a minute. The Gulf Council's next meeting is late February. We meet again in March. This isn't going anywhere until the Gulf Council approves it. Why don't we separate this thing out, send it to the Gulf Council.

Hopefully, they will approve it, but have an actual document to separate it out and then have it come back to us in March and vote it up final action then, so we can actually see this thing put together when we have it. We have had an awful lot of confusion on this amendment in this document and we separating things out. I think our meeting is, when, the second week? When is our meeting in March, Gregg?

DR. DUVAL: The first week of March, I believe.

DR. CRABTREE: We're going to meet the week after almost, two weeks after the Gulf Council meeting, so I'm fine with separating this out and take it to the Gulf, but I think we ought not vote to submit to the secretary until after the Gulf Council sees it and we then can have a document in front of us that is actually put together.

Well, I'm fine with this motion and I'll support this motion, but then I just think that is the most prudent timeline. There is no sense rushing just based on a couple of weeks here. I get uncomfortable when we're taking final action on things and we can't even put our hands on the document because we have torn it so many ways. It just doesn't seem to me that a couple of weeks is going to hurt anything on this action.

MR. BOYD: The Gulf Council meeting is February 4th through the 8th.

DR. DUVAL: Well, I still need someone to make a motion. Charlie.

MR. PHILLIPS: Michelle, I'd made the motion that we move Action 1 into a generic amendment to the Snapper Grouper, Dolphin Wahoo and Coastal Migratory Pelagics FMPs.

DR. DUVAL: Motion by Charlie; seconded by Wilson. Discussion? Roy has expressed his preference for us to see this as a separate document in March and then it can go to the Gulf Council at their meeting – well, they're meeting in February.

DR. CRABTREE: Yes, and so I'm fine with this motion. We can vote it up; but assuming we do that and rather than making a motion to vote to submit it the secretary now, let's let it go to the Gulf and then come back in March and have a document and vote it up at our next meeting.

DR. DUVAL: Is there any opposition to this motion? Seeing none; **that motion stands approved. Roy.**

DR. CRABTREE: Do you follow my logic on this? Staff is going to pull this together into an actual amendment; we will send it to the Gulf Council at their next meeting. We need to get them to make sure they put on the agenda. Gregg and Doug, we need to make sure it is on the agenda for final action and then we pull this thing together and then we come back a few weeks later at our meeting in March and vote it up.

You can't transmit it to us until after the Gulf approves it, anyway, and so we're talking a matter of weeks. I just think then we come in and we have the document in front of us and we know what we're doing and it is just I think a more prudent thing to do rather than acting now just to save a few weeks.

DR. DUVAL: Do we need a motion to then send it to Gulf Council at their February meeting? The intent is that staff will pull this information into a separate document and it will go to the Gulf Council at their February meeting. They will vote it up and then it will come back to us at our March meeting where we will be able to take final action on it, I sincerely hope.

Okay, the last thing we need to deal with – so the only action left in CE-BA 3 right now is bycatch reporting, which is Action 3. Right now the ACCSP Release, Discard and Protected Species Module is the preferred methodology for the snapper grouper fishery only, I believe; is that correct?

The intent of this action was to ensure that we have a comprehensive bycatch program for all of our fisheries, and what this would have done was to amend snapper grouper, dolphin wahoo, coastal migratory pelagics and golden crab fishery management plans. I know that Roy has expressed some concerns about the ability to do this or some of the content that is in the plan. I am concerned because I feel like we need more comprehensive program here in the South Atlantic. This is a legal requirement; but, Roy, if you would like to detail some of your concerns or thoughts, I think the committee would appreciate that.

DR. CRABTREE: Well, we're adopting a module that hasn't been implemented, and I don't know when it is going to be implemented. It is a funding issue and I didn't even know where in the priorities of ACCSP this is. They may well be waiting for additional funding to implement other modules.

We have already expressed that module is the methodology we want to use, but that we're going to have to do some other things until the funding is available to fully implement that. It is not clear to me how Alternative 2 really differs from Alternative 1. If the funding is there and we can do everything through the bycatch module, then that is what we're going to do under either one of them.

If the funding isn't there, then it is not clear to me what is it then we're doing under Alternative 2. And then Alternative 3 doesn't refer to the module, but it says all of these things we're going to do are going to be up to ACCSP Standards. We have got a list in here of what those standards sort of are, but we don't go into how much more money would it take to upgrade what we're doing now to these standards that we're setting.

I think we need to have some idea of what we're talking about specifically; how many more trips would have to be observed, what would the changes exactly be, what would the cost be? I think there is some feeling here that if you pass one of these, the money is going miraculously appear somewhere, and I don't believe that is going to be the case. My concern is that if we adopt one of these without understanding the consequences of it, then it is in the plan and now we have to do it, and that means that money is going to potentially have to come out of Bonnie's budget somewhere.

That is going to mean this money is going to have to come out of other programs that we already have here in the southeast, and that is what I think we need to think really carefully through. In this funding environment we have got to really think about where does our money need to go? Do you really want money to come out of potentially fishery-independent monitoring programs to go into putting observers on vessels and those kinds of things?

I just don't think that is thought through and developed well enough here. Then the other problem with this is we're only amending – I am not going to go through the list of them, but we're not amending the Shrimp FMP with this or the Spiny Lobster FMP. It is not clear to me why we're doing this for some FMPs and not for the others, and at least I haven't been able to find any explanation for that in the document.

Clearly, if you just look at the amount of bycatch coming, I think the shrimp fishery probably has more bycatch than any of our fisheries, but we seem to be saying we're not going to apply this to that fishery, and that doesn't really make sense to me. My suggestion to you would be that we hold off of this, that we instead take a more comprehensive look at our bycatch methodologies and reporting in the fisheries and bring shrimp and everything into it and then slow down and take a more methodical approach to this to make sure we know what we're doing.

I'm just worried that like a lot of things you're seeing in this amendment today, the devil is in the details and there are a ton of details, VMS, this, all these things, and we just haven't worked through them now. We don't want to put ourselves into a really difficult position that we didn't anticipate because we didn't do all our homework in working these things out.

That is really where I am on this. I as much as all the rest of you, I want to see the ACCSP Bycatch Module implemented, but we have got to think about where is that money going to come from and what are the implications of that. I don't know, Monica, if you want to make any comments, but that is where I am on this.

DR. DUVAL: I think from one of our previous decision documents there was some language in there about the shrimp fishery and the spiny lobster fishery, and if I recall it was the shrimp

fishery has already been the subject of lots of bycatch and discard monitoring and reporting. It has received a significant amount of observer coverage.

I thought that there was some language with regard to the spiny lobster fishery previously that there were very few discards in that fishery due to the way fishermen set their traps. That was my recollection. Martha might be able to enlighten us on the spiny lobster fishery.

MS. BADEMAN: I remember seeing what you're talking about, but I don't remember the details. If it is a commercial dive boat for lobster, then there shouldn't be any bycatch, but the trap fishery could be another animal, I guess, depending on how they're setting their traps.

DR. DUVAL: Well, I do think collection of bycatch information is very important. It certainly informs our management decisions and we are obligated by Magnuson to reduce bycatch to the extent possible and to have a standardized reporting methodology. If we need to continue work on this, I think there are some suggested wording changes by the IPT that we could approve and then possibly consider a motion from the committee to continue working on this. This would be the only action left in CE-BA 3. If you want to change the title of it to be a comprehensive bycatch reporting amendment, we could do that.

MR. WAUGH: Another reason for not pulling shrimp and spiny lobster in here is the difficult part of the bycatch program is on-board observer programs. The shrimp fishery and the spiny lobster fishery have lots of trips, and those two have been studied quite a bit. We are more lacking in these other fisheries and we're perhaps starting to see the cost of some of this discard mortality in the lack of continued progress in the red porgy assessment, so we were focusing in on these fisheries, recognizing that it is difficult and costly to do this.

The direction from the committee and council thus far has been to focus on these fisheries and not spiny lobster and shrimp. We have put in quite a bit of regulations in the shrimp fishery to address bycatch. We have structured some of our regulations on trap construction in the spiny lobster fishery to address bycatch. The discussions by the committee and council thus far is those have been fairly well addressed and have information on them and we wanted to focus on these other species.

MS. BADEMAN: I was just going to make a motion to accept the IPT recommendations for Action 3.

DR. DUVAL: We have a motion from Martha to accept the IPT recommendations for Action 3; seconded by Charlie. Any discussion? Any opposition? Seeing none; that motion stands approved.

I think at this point we need to start wrapping this up. It would be my intent to continue working on a comprehensive look at our bycatch reporting in these fisheries and improvements that can be made. Perhaps we need to see if there is a little bit more information that can be brought to bear on the costs of fully implementing the ACCSP Bycatch Reporting Methodology. I think this is an important thing that we can't just let drop. Charlie.

MR. PHILLIPS: Michelle, I agree. I'm not sure how to keep going from here, but I definitely agree and I don't know how to say we're going to – to Roy's point I don't know how we're going to ask for such and such a protocol when we don't know how we're going to pay for it, but, no, I agree I do not want to see it dropped.

MR. WAUGH: In Table S-1 it talks about how the ACCSP Bycatch Standards have been met. Again, the target sampling levels; the ones requiring on-board observers is expensive, so what we can do is expand this table to show under target sampling we have – this is Table S-1; the target sampling in the hook-and-line fishery, the target is 5 percent of the trips; black sea bass pots, 3.5 percent of the trips; for-hire, 5 percent of the trips.

We look at what it is for longline, but we will expand this table, look at the number of trips and then multiply it times the cost figures that we have got here and give you a better idea of what that cost is going to be. We can also contact Northeast Fisheries Science Center and see what cost information they have for implementing the bycatch program that they have down in the northeast and perhaps exploring having them come down and give a presentation on how they're meeting those requirements in the northeast.

DR. DUVAL: And I do know one thing, just having been peripherally involved in a couple of the bycatch amendments that have been considered lately in the Mid-Atlantic and New England through ASMFC is that observer costs seem to differ significantly between the east coast and the west coast, with the east coast being significantly higher.

That would be something that I'd want explored as well. So perhaps direction from the committee to staff to include additional cost information with regard to meeting the required observer coverage for various components of our fisheries and communicate with the Northeast Fisheries Science Center staff with regard to the possibility of receiving some information from them regarding how they are implementing that. I don't know if we need a motion for that, Gregg, or if –

MR. WAUGH: I can add it to the committee report in the timing and task draft motion to have that level of detail.

DR. DUVAL: I think that would be sufficient. Is the committee okay with that? At this point there is no other business to come before the committee, I don't think, so we are adjourned.

(Whereupon, the meeting was adjourned at 5:50 o'clock p.m., December 5, 2012.)

Certified By: _____ Date: _____

Transcribed By:
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January 5, 2012

South Atlantic Fishery Management Council

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South Atlantic Fishery Management Council

2012 - 2013 Council Membership

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SAFMC December 2012 Council Meeting:
Ad Hoc Data Collection Committee
 December 5, 2012
 Wilmington, NC

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Scott Baker		NCSEF	
Gretchen Martin		gmartin@edc.org	28411
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ANDREA DELL'APA		AAKO1979@HOTMAIL.COM	
Susan Shupman	912-222-9206	SusanShupman@att.net	
Helen Takunde-Hernandez		htakunde@edf.org	
J. Merrifield	321-383-8885	jeannam@wildco.com	32196
Mike Merrifield	321-383-8885	mike@merrifield.com	
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Webinar Name SAFMC Council Meeting - Day 3 of 5 (Wednesday)	Webinar ID 267310874
Actual Start Date/Time Dec 05, 2012 08:08 AM EST	Actual Duration (minutes) 668
Clicked Registration Link 75	Opened Invitation 38
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Session Details

Helies, Frank	fchelies@verizon.net
Attended Yes	
Registration Date	Dec 05, 2012 03:48 PM EST
City	Tampa
State	FL
Unsubscribed	No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 03:48 PM EST	Dec 05, 2012 06:44 PM EST	176.35

Interest Rating

Attendee's In-Session Level of Interest: 24

[Registration Q & A](#)

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pugliese, roger	roger.pugliese@safmc.net
Attended Yes	
Registration Date	Dec 05, 2012 05:20 PM EST
City	charleston
State	SC
Unsubscribed	No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 05:20 PM EST	Dec 05, 2012 05:29 PM EST	8.57

Interest Rating

Attendee's In-Session Level of Interest: 70

[Registration Q & A](#)

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Malinowski,Rich rich.malinowski@noaa.gov

Attended Yes

Registration Date Dec 05, 2012 02:46 PM EST

City st

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 02:47 PM EST	Dec 05, 2012 04:00 PM EST	73.58

Interest Rating

Attendee's In-Session Level of Interest: 44

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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Johnson,Robert jlfishing@bellsouth.net

Attended Yes

Registration Date Dec 05, 2012 09:04 AM EST

City St Augustine

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 09:05 AM EST	Dec 05, 2012 04:50 PM EST	464.35

Interest Rating

Attendee's In-Session Level of Interest: 43

[Registration Q & A](#)

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plowden,david **dplowden@ec.rr.com**

Attended Yes

Registration Date Dec 05, 2012 12:10 PM EST

City wil

State NC

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Dec 05, 2012 12:11 PM EST Dec 05, 2012 07:16 PM EST 311.13

Interest Rating

Attendee's In-Session Level of Interest: 39

[Registration Q & A](#)

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Mehta,Nikhil **nikhil.mehta@noaa.gov**

Attended Yes

Registration Date Nov 14, 2012 03:38 PM EST

City St.Petersburg

State FL

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Dec 05, 2012 08:56 AM EST Dec 05, 2012 04:30 PM EST 453.65

Interest Rating

Attendee's In-Session Level of Interest: 64

[Registration Q & A](#)

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Gore, Karla **karla.gore@noaa.gov**

Attended Yes

Registration Date Dec 05, 2012 08:19 AM EST

City Sarasota

State FL

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Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:20 AM EST	Dec 05, 2012 03:23 PM EST	422.85

Interest Rating

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[Registration Q & A](#)

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Crosson, Scott **scott.crosson@noaa.gov**

Attended Yes

Registration Date Dec 05, 2012 10:05 AM EST

City Miami

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 10:06 AM EST	Dec 05, 2012 10:13 AM EST	7.47

Interest Rating

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mccoy,sherri **sherrim@wildoceanmarket.com**

Attended Yes

Registration Date Dec 05, 2012 06:02 PM EST

City cape canaveral

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 06:02 PM EST	Dec 05, 2012 06:58 PM EST	56.48

Interest Rating

Attendee's In-Session Level of Interest: 22

[Registration Q & A](#)

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Dukes,Amy **dukesa@dnr.sc.gov**

Attended Yes

Registration Date Nov 30, 2012 04:54 PM EST

City Charleston

State SC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 03:33 PM EST	Dec 05, 2012 04:56 PM EST	82.52

Interest Rating

Attendee's In-Session Level of Interest: 23

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Smart, Tracey smartt@dnr.sc.gov

Attended Yes

Registration Date Dec 05, 2012 09:03 AM EST

City Charleston

State SC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 09:03 AM EST	Dec 05, 2012 09:27 AM EST	23.98

Interest Rating

Attendee's In-Session Level of Interest: 21

[Registration Q & A](#)

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Sedberry, George george.sedberry@noaa.gov

Attended Yes

Registration Date Dec 05, 2012 09:17 AM EST

City Savannah

State GA

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 09:17 AM EST	Dec 05, 2012 04:59 PM EST	326.17

Interest Rating

Attendee's In-Session Level of Interest: 34

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holland,jack jack.holland@ncdenr.gov

Attended Yes

Registration Date Dec 05, 2012 09:01 AM EST

City Wilmington

State NC

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Dec 05, 2012 09:02 AM EST Dec 05, 2012 02:57 PM EST 269.28

Interest Rating

Attendee's In-Session Level of Interest: 40

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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Byrd,Julia julia.byrd@safmc.net

Attended Yes

Registration Date Nov 30, 2012 11:18 AM EST

City Charleston

State SC

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Dec 05, 2012 08:33 AM EST Dec 05, 2012 05:55 PM EST 562.4

Interest Rating

Attendee's In-Session Level of Interest: 28

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hawkins,jess **jhawkins9@ec.rr.com**

Attended Yes

Registration Date Dec 05, 2012 05:54 PM EST

City morehead city

State NC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 05:55 PM EST	Dec 05, 2012 07:16 PM EST	81.12

Interest Rating

Attendee's In-Session Level of Interest: 71

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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MacLauchlin,Bill **billmac@adtrends.com**

Attended Yes

Registration Date Dec 05, 2012 02:18 PM EST

City Stockbridge

State GA

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 02:20 PM EST	Dec 05, 2012 03:05 PM EST	44.72

Interest Rating

Attendee's In-Session Level of Interest: 62

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

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phillips,todd **tphillips@oceanconservancy.org**

Attended Yes

Registration Date Dec 05, 2012 01:41 PM EST

City austin

State TX

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 01:42 PM EST	Dec 05, 2012 05:28 PM EST	225.58

Interest Rating

Attendee's In-Session Level of Interest: 25

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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Laks,Ira **captaindrifter@bellsouth.net**

Attended Yes

Registration Date Dec 05, 2012 05:14 PM EST

City Jupiter

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 05:14 PM EST	Dec 05, 2012 07:15 PM EST	120.98

Interest Rating

Attendee's In-Session Level of Interest: 20

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Attended Yes

Registration Date Dec 05, 2012 07:03 PM EST

City Morehead City

State NC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 07:05 PM EST	Dec 05, 2012 07:15 PM EST	9.78

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[Post Session Survey Questions](#)

Reichert,Marcel **reichertm@dnr.sc.gov**

Attended Yes

Registration Date Nov 27, 2012 04:34 PM EST

City Charleston

State SC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:33 AM EST	Dec 05, 2012 12:03 PM EST	209.73

Interest Rating

Attendee's In-Session Level of Interest: 30

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

austin,anthony **redress@ec.rr.com**

Attended Yes

Registration Date Dec 05, 2012 05:32 PM EST

City hubert

State NC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 05:32 PM EST	Dec 05, 2012 06:40 PM EST	68.07

Interest Rating

Attendee's In-Session Level of Interest: 42

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Franco,Dawn **dawny730@msn.com**

Attended Yes

Registration Date Dec 05, 2012 08:33 AM EST

City Brunswick

State GA

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:34 AM EST	Dec 05, 2012 03:17 PM EST	403.25

Interest Rating

Attendee's In-Session Level of Interest: 34

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Gerhart,Susan susan.gerhart@noaa.gov

Attended Yes

Registration Date Dec 05, 2012 08:55 AM EST

City St. Petersburg

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Dec 05, 2012 08:55 AM EST	Dec 05, 2012 05:18 PM EST	340.75
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Interest Rating

Attendee's In-Session Level of Interest: 47

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Gronka,M Steven stevegronka@sequestkids.org

Attended Yes

Registration Date Dec 05, 2012 08:17 AM EST

City Newark

State DE

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Dec 05, 2012 08:19 AM EST	Dec 05, 2012 08:22 AM EST	3.28
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Interest Rating

Attendee's In-Session Level of Interest: 68

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

c,m **mec181@yahoo.com**

Attended Yes

Registration Date Dec 05, 2012 08:10 AM EST

City mtp

State SC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:10 AM EST	Dec 05, 2012 07:16 PM EST	665.5

Interest Rating

Attendee's In-Session Level of Interest: 34

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Package,Christina **christina.package@noaa.gov**

Attended Yes

Registration Date Dec 05, 2012 08:24 AM EST

City St. Petersburg

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:25 AM EST	Dec 05, 2012 10:02 AM EST	97.35

Interest Rating

Attendee's In-Session Level of Interest: 36

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

eich,anne **annemarielbeich@gmail.com**

Attended Yes

Registration Date Dec 05, 2012 05:03 PM EST

City st pete

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 05:03 PM EST	Dec 05, 2012 05:51 PM EST	47.98

Interest Rating

Attendee's In-Session Level of Interest: 20

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

holiman,s **stephen.holiman@noaa.gov**

Attended Yes

Registration Date Dec 05, 2012 08:13 AM EST

City st pete

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:16 AM EST	Dec 05, 2012 04:23 PM EST	486.47

Interest Rating

Attendee's In-Session Level of Interest: 52

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Mitchell,W **warren.mitchell@noaa.gov**

Attended Yes

Registration Date Dec 05, 2012 10:25 AM EST

City Beaufort

State NC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 10:25 AM EST	Dec 05, 2012 11:31 AM EST	65.52

Interest Rating

Attendee's In-Session Level of Interest: 26

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Lloyd,Vic **vic_lloyd@bellsouth.net**

Attended Yes

Registration Date Dec 02, 2012 09:25 AM EST

City Atlantic Beach

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 11:11 AM EST	Dec 05, 2012 06:54 PM EST	321.28

Interest Rating

Attendee's In-Session Level of Interest: 40

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Michie,Kate kate.michie@noaa.gov

Attended Yes

Registration Date Dec 05, 2012 08:36 AM EST

City St. Petersburg

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:36 AM EST	Dec 05, 2012 03:55 PM EST	439.18

Interest Rating

Attendee's In-Session Level of Interest: 37

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Reinhardt,james james.reinhardt@noaa.gov

Attended Yes

Registration Date Dec 05, 2012 08:18 AM EST

City silver spring

State MD

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:20 AM EST	Dec 05, 2012 03:32 PM EST	432.52

Interest Rating

Attendee's In-Session Level of Interest: 27

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Eich,Anne Marie annemarie.eich@noaa.gov

Attended Yes

Registration Date Dec 05, 2012 08:19 AM EST

City St. Pete

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:19 AM EST	Dec 05, 2012 05:14 PM EST	534.95

Interest Rating

Attendee's In-Session Level of Interest: 30

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Neer,Jullie julie.neer@safmc.net

Attended Yes

Registration Date Dec 05, 2012 09:01 AM EST

City charleston

State SC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 09:01 AM EST	Dec 05, 2012 02:45 PM EST	343.97

Interest Rating

Attendee's In-Session Level of Interest: 37

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Clemens,Anik **anik.clemens@noaa.gov**

Attended Yes

Registration Date Nov 30, 2012 03:48 PM EST

City Saint Petersburg

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 01:43 PM EST	Dec 05, 2012 05:35 PM EST	232.7

Interest Rating

Attendee's In-Session Level of Interest: 35

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

lew,capt **cat@captlew.com**

Attended Yes

Registration Date Dec 05, 2012 10:08 AM EST

City vero beach

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 10:09 AM EST	Dec 05, 2012 10:11 AM EST	2.15

Interest Rating

Attendee's In-Session Level of Interest: 70

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

crabtree,laura **lcrabtree96@gmail.com**

Attended Yes

Registration Date Dec 05, 2012 05:53 PM EST

City st. petersburg

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Dec 05, 2012 05:53 PM EST	Dec 05, 2012 07:17 PM EST	83.32
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Interest Rating

Attendee's In-Session Level of Interest: 35

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

cox,jack **dayboat1965@gmail.com**

Attended Yes

Registration Date Dec 05, 2012 05:00 PM EST

City morehead city

State NC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Dec 05, 2012 05:01 PM EST	Dec 05, 2012 07:11 PM EST	129.85
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Interest Rating

Attendee's In-Session Level of Interest: 59

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

MacLauchlin,Bill **billmac@charter.net**

Attended Yes

Registration Date Dec 05, 2012 09:56 AM EST

City Stockbridge

State GA

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Dec 05, 2012 09:57 AM EST	Dec 05, 2012 07:16 PM EST	559.33
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Interest Rating

Attendee's In-Session Level of Interest: 42

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

g,a **andrea.grabman@safmc.net**

Attended Yes

Registration Date Dec 05, 2012 09:45 AM EST

City chas

State SC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Dec 05, 2012 09:45 AM EST	Dec 05, 2012 12:06 PM EST	140.85
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Interest Rating

Attendee's In-Session Level of Interest: 22

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

merritt,michael **miridon@ec.rr.com**

Attended Yes

Registration Date Dec 05, 2012 05:48 PM EST

City wrightsville beach

State NC

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 05:48 PM EST	Dec 05, 2012 07:16 PM EST	87.42

Interest Rating

Attendee's In-Session Level of Interest: 34

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Fetherston,Elizabeth **efetherston@oceanconservancy.org**

Attended Yes

Registration Date Dec 05, 2012 01:45 PM EST

City Saint Petersburg

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 01:45 PM EST	Dec 05, 2012 04:11 PM EST	145.72

Interest Rating

Attendee's In-Session Level of Interest: 26

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Heil,Dave **dheil331@gmail.com**

Attended Yes

Registration Date Dec 01, 2012 09:50 AM EST

City Winter Park

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 10:13 AM EST	Dec 05, 2012 03:33 PM EST	319.52

Interest Rating

Attendee's In-Session Level of Interest: 25

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

DeVictor,Rick **rick.devictor@noaa.gov**

Attended Yes

Registration Date Dec 05, 2012 08:48 AM EST

City St Pete

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Dec 05, 2012 08:49 AM EST	Dec 05, 2012 04:32 PM EST	462.82

Interest Rating

Attendee's In-Session Level of Interest: 36

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Furnish,Abby **aaf6@duke.edu**

Attended Yes

Registration Date Dec 05, 2012 11:18 AM EST

City Atlantic Beach

State NC

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Dec 05, 2012 11:20 AM EST Dec 05, 2012 12:01 PM EST 41.65

Interest Rating

Attendee's In-Session Level of Interest: 22

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

park,steve **atlanticprodive@aol.com**

Attended Yes

Registration Date Dec 05, 2012 03:47 PM EST

City atlantic beach

State FL

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Dec 05, 2012 03:48 PM EST Dec 05, 2012 04:35 PM EST 47.43

Interest Rating

Attendee's In-Session Level of Interest: 53

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

FARMER,NICK

nick.farmer@noaa.gov

Attended No

Registration Date Nov 14, 2012 03:38 PM EST

City ST PETERSBURG

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Interest Rating

Attendee's In-Session Level of Interest:

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

travis,michael

mike.travis@noaa.gov

Attended No

Registration Date Nov 15, 2012 02:55 PM EST

City clearwater

State FL

Unsubscribed No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
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Interest Rating

Attendee's In-Session Level of Interest:

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.

Bresnen,Anthony **anthony.bresnen@myfwc.com**

Attended No

Registration Date Nov 14, 2012 04:04 PM EST

City Tallahassee

State FL

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Interest Rating

Attendee's In-Session Level of Interest:

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

Blum, Frank **scarolinaseafood@knology.net**

Attended No

Registration Date Dec 05, 2012 10:10 AM EST

City Charleston

State SC

Unsubscribed No

[In Session](#)

Join Time **Leave Time** **In Session Duration* (minutes)**

Interest Rating

Attendee's In-Session Level of Interest:

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

*If an attendee left and rejoined the session, the In Session Duration column only includes their first visit.