

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SNAPPER GROUPER COMMITTEE**

**Crowne Plaza Hotel  
North Charleston, SC**

**November 7-8, 2012**

### **SUMMARY MINUTES**

#### **Snapper Grouper AP:**

Robert Johnson, Chair  
Zack Bowen  
Phil Conklin  
Kenny Fex  
Mark Marhefka  
Rodney Smith  
Gregory DeBrango  
Red Munden  
Robert Thompson

Jim Atack, Vice-Chair  
Mark Brown  
Blaine Dickenson  
Terrell Gould  
Scott Osborne  
Richard Stiglitz  
Don DeMaria  
Jack Perrett  
Dr. Gretchen Bath-Martin

#### **Council Members:**

David Cupka  
Ben Hartig

Dr. Michelle Duval  
Charlie Phillips

#### **Council Staff:**

Bob Mahood  
Kim Iverson  
Dr. Brian Chevront  
Mike Collins  
Amber Von Harten

Gregg Waugh  
Myra Brouwer  
John Carmichael  
Julie O'Dell  
Dr. Mike Errigo

#### **Observers/Participants:**

Rusty Hudson

Additional Attendees Attached

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The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council convened in the Crowne Plaza Hotel, North Charleston, South Carolina, Wednesday morning, November 7, 2012, and was called to order at 9:00 o'clock a.m. by Chairman Robert Johnson.

MR. JOHNSON: I'm Robert Johnson. We've got some new members so we'll go around the room first and let everybody introduce themselves. Again, I'm Robert Johnson; St. Augustine. I'm a charterboat, headboat, commercial fisherman, all of the above.

MR. SMITH: Good morning; it is good to see everybody here. I'm Rodney Smith from Satellite Beach, Florida.

MR. STIGLITZ: Good morning; Richard Stiglitz; commercial fisherman, Florida Keys.

MR. PERRETT: Good morning; I'm Jack Perrett, new to the group. I'm from Georgia and a fisherman and spear fisherman in northeast Florida and Georgia.

MR. BROWN: I'm Mark Brown. I'm from here in Charleston, charter headboat business.

MR. FEX: Kenneth Fex; I'm a snapper grouper fisherman commercially.

MR. OSBORNE: Scott Osborne, commercial fisherman, state of Florida.

MR. BOWEN: Good morning; Zack Bowen, charter headboat, Savannah, Georgia.

MR. DICKENSON: Good morning; my name is Blaine Dickenson from Boca Raton, Florida. I'm a recreational representative.

MR. THOMPSON: Robert Thompson, Murrells Inlet, South Carolina, charter/commercial.

MR. CONKLIN: Phil Conklin, Murrells Inlet, South Carolina, commercial fisherman, retail and wholesale seafood.

DR. BATH MARTIN: Good morning; I'm Gretchen Bath Martin with Environmental Defense Fund.

MR. DeMARIA: Don DeMaria, Key West, Florida, and I don't really have a title.

MR. MUNDEN: I'm Red Munden. I'm from Morehead City, North Carolina. In February of this year I retired from the North Carolina Division of Marine Fisheries with 43 years experience in fisheries management.

MR. GOULD: Terrell Gould, charter headboat, Carolina Princess Headboat out of Morehead, and also Poverty LLC.

MR. MARHEFKA: Mark Marhefka, commercial, Charleston, South Carolina.

MS. BROUWER: I'm Myra Brouwer, council staff.

MR. DeBRANGO: Greg DeBrango, Ponce Inlet, Florida, a little bit of everything.

MR. JOHNSON: Okay, we need to approve the agenda and the minutes. Are there any objections? None stated, they are approved. Myra.

MS. BROUWER: The first thing I'd like to do is give you an update on the SSC meeting, the South Atlantic Science and Scientific Committee that met actually in this hotel last month, a couple weeks ago. For that purpose I've prepared some notes. This material is not part of your briefing book.

They are actually the notes I put together so I could walk you guys through this, but I'm just going to go ahead and project it just so you can follow along a little bit better if you can see that screen. The SSC reviewed – the first thing they did is review the stock assessments that were recently conducted for red porgy and vermilion snapper.

What I am going to do is basically just give you a summary of the results. The SSC didn't spend a whole lot of time talking about this. If you have any specific questions, I can try to answer them, but John Carmichael, who is the Science and Statistics Program Director in our office will be here later this morning and he can definitely give you a lot more details if you have specific questions about the assessment.

Vermilion snapper were found to not be overfished nor undergoing overfishing. The SSC went through the assessment. They didn't have any problems with it. They recommended setting the acceptable biological catch at a P-Star level of 40 percent. P-Star is the probability of rebuilding success of a stock.

I can't really explain to you anymore than that, but it is a part of the SSCs Control Rule and a number that they use in order to recommend an acceptable biological catch that then the council will adopt. They recommended that for vermilion. The table you see up here shows you the projections at that level. What that means is you've got the year on the left-hand side and you've got the fishing mortality, the P-Star and then a bunch of other numbers, but look at the second to the last column.

That is the poundage that is projected to be sustainably harvested for each one of those years under this projection, under this P-Star level. If you look at this table, the projected acceptable biological catch for 2013 would be 1,372,000 pounds. That is only landings. That does not include discards. Questions?

MR. ATACK: Why did the P-Star change from 2012 to 2013 from 35.5 percent to 40 percent?

MS. BROUWER: Yes, see these are questions that I'm not sure that I can answer for you. I don't know the details of how the model works. It is very small; I think it's just a rounding thing probably. Kenny.

MR. FEX: The way it looks, it shows that it's going down over the years and that's a shame, because if you're held at a certain level and then all of a sudden you're going to go down – I'll bring that to council's attention.

MS. BROUWER: Right, that is correct. You notice that the ABC projections go down over time, because the more you are fishing the stock you are fishing it down to that BMSY level, which is where you want to be. Vermilion is doing quite well. This is a situation that happens when you have a stock that is doing well.

One thing that the council could potentially consider, and they have done in the past, is instead of choosing to go with an ABC that changes every year according to this table., they could look at all these numbers and then average them and set the ABC at a level that is going to be constant for the next five years. They're going to talk about this in December. Certainly, the AP is always welcome to provide their recommendations of how they think that council should proceed. Are there any questions on vermilion?

MR. MARHEFKA: I'm just totally confused, and should I wait until John gets here because why would we continue to go down with a fish that is not overfished and overfishing is not occurring and we're going to keep on going down at a level of harvest. I'm lost.

MS. BROUWER: Okay, the way I understand it is if you're fishing at that fishing mortality level; okay,. you have a stock that is above BMSY, which is the biomass that's necessary to keep that stock healthy and sustainable and be able to withstand that amount of fishing pressure, so over time you are going to be diminishing.

The stock is above BMSY and BMSY is where you want to be for the long term; so a given mortality rate you are going to be fishing it down to that level, and that's why your ABCs go down. It is kind of hard to visualize without a picture, but hopefully John can explain it better than me or if anybody else wants to jump in and give that a shot.

MR. JOHNSON: I don't know if I can explain it, but it's the same deal with the golden tilefish fishery. It is hard for me to comprehend as well, Mark, that there are more fish out there than there needs to be, but that is sort of almost the logic. We're going to catch more than we can the first couple of years until we get it down to what they consider a sustainable harvest.

MS. BROUWER: Right; and this is a situation where like I said the council may want to – instead of setting an ABC that's lower every year, they might want to average these projections and then set the ABC at that level so that it doesn't change for the next five years. The SSC did state that they were okay with this table, with the projections as far as 2016 or whenever the next assessment comes around. That's vermilion, and like I said the council will be discussing this in December.

MR. WAUGH: Gregg Waugh, council staff. One of the factors in projections are the farther you get out, the more uncertainty there is and you've got variable recruitment. That could just be a result of what the recruitment projections are as you get farther out in time. If you look at the numbers, it is not a big decline.

MR. ATACK: Yes, it looks like right now, I guess the ACL is 1321, and you're looking at going up a little bit AND then by 2016 you're back to the 1322 for an ABC. You're right back to where you are now is what it looks like.

MR. DeBRANGO: What you're basically saying here is the ABC; they are not sure about the ABC.

MR. WAUGH: Well, there is uncertainty with all of this. I wouldn't characterize it as saying you're not sure about the ABC. That's encompassing the level of uncertainty that is in this assessment, just as it is in all of our assessments.

MR. DeBRANGO: Basically going down in poundage like that is a protection of the uncertainty.

MR. WAUGH: Protection or projection? That is the projection of the uncertainty.

MR. DeBRANGO: This stock is healthy. If it's healthy and we're fishing it and we're going to be dropping it like this, I mean it doesn't make a whole bunch of sense other than uncertainties.

MR. WAUGH: This ABC allows us to increase it quite a bit from where we are now. In that respect, the assessment is agreeing with what you're saying. It is not saying there is any overfishing, It is not overfished, and we can increase the ACL quite a bit. I think it is, what, about a 200,000 pound or so increase in the ACL. You may have talked about this some, and I apologize if you have, but you can provide a recommendation to the council whether you want the ACL to change each year or whether you want to average those values so that you have one constant value.

MS. BROUWER: Okay, while Gregg is looking up the current ACL for vermilion, I will go ahead and get into the red porgy assessment.

MR. WAUGH: Myra, I've got that number if you want to deal with that right now. The ABC right now is 1.078 million pounds landed catch and the ACL is equal to that. The ACL is tracked in gutted weight. You are looking at an increase from 1.078 to – if the council sets ACL equal to ABC, it could be as high 1.429 million pounds.

Now one of the things outlined in the National Standard Guidelines is that you should not always set your annual catch limit equal to your ABC. You should step that down a little. This might be an opportunity for you to recommend some level of step-down. We can do it here without too much pain. That might be a good thing for you to consider, but you're looking at an increase from 1.078 up to in terms of landed catch 1.372. You are looking at about potentially 300,000 pounds.

MS. BROUWER: That is an increase in the total ACL, which is then, of course, divided between the two sectors.

MR. JOHNSON: Gregg, just real quick while you are there, could you tell the group what the split is commercial and recreational, the percentages; do you have that in front of you?

MS. BROUWER: I can tell you what currently the commercial ACLs are. For vermilion we have the split season and the ACL for the first part of the year is 315,523 pounds. Then for the second part of the year is 302,523 pounds. That 200,000 pound increase to the total ACL would

then be divvied up between commercial and recreational and then further divided between the two halves of the fishing season.

MR. DeMARIA: I just had a few comments to make on vermilion snapper. I know you catch big ones up here and in the northern Gulf they catch big ones, but it's an odd fish. Certain areas have good sized ones and other areas just have nothing but small ones. From Key West to the West Tortugas and up into the southern Gulf, I don't think I've ever caught a legal-size vermilion. They're all small, and I don't believe it has anything to do with fishing pressure.

Cay Sal was the same way in the Bahamas in the seventies when we fished there. Hardly anybody was fishing and we'd catch a few when we were fishing for yelloweyes, and they were all small. About a month ago I made several dives in the southern Gulf and there were just tens of thousands of vermilions. I don't think there was a legal one in them.

I don't think I saw one over like eight ounces or so, no 12 inchers. I'm not sure how these stock assessments are done; but if you were to do a sampling in the southern part of the Gulf or Tortugas, you may conclude that, my God, these fish are growth overfished. They are really not; they are just small fish. I don't think really think it has anything to do with fishing pressure.

I can't see anybody really targeting these small fish. They are illegal, anyway. It might be a case where you've got a huge nursery system in that southern Gulf, southern South Atlantic that are just never going to be touched. I don't know; it's a funny fish. Other fish like gray snappers, you dive in the mangroves, you'll see small ones and big ones. Red snappers you'll see small and big; but not these things, not where we're at. They are just all small. It is a very strange fish.

MS. BROUWER: Yes, just going back to vermilion just real quick, the split commercial/recreational is 68 percent commercial, 32 recreational. Okay so on to red porgy. The assessment found that red porgy is no longer undergoing overfishing but is still overfished. The SSC thought that the update to the assessment was well done and recommended that the ABC be set at the yield at 75 percent of FMSY.

This table that I'm showing here shows you the projections at that level. If you look at 2013 and again if you look at the second to the last columns, that is the ABC in just landings. For 2013 it is showing 306,000 pounds; 2014, 309,000; 2015, 328,000. The current ACL, this one is split 50-50. The commercial ACL is 190,050 pounds. Red porgy, there is a chance that the council is going to want to reduce the ACL. Questions?

MR. MARHEFKA: I'm lost again. After all the historical management that's been put in place, we're going backwards here more? It's just not going jive with what I'm seeing out in the ocean, and I still fish. I thought at the last AP meeting we were standing around and we were all having a good feel good about red porgy, and now we're sitting here going backwards. What new data has been put together to go and drive this?

MS. BROUWER: Like I said, I don't know the details of exactly what data went into the assessment. What I understand is the assessment found that recruitment had been a lot lower than they expected it to be over the rebuilding period. The stock was supposed to have been at a

higher level than it is now. From what I understand, it wasn't that closely related. It wasn't caused as much by fishing pressure as it was simply because of poor recruitment.

MR. FEX: I was at the SSC meeting when they brought up that assessment. One thing I did see was on the model they used for the indices of abundance, they used three separate data sources; one was landings all the way until MARMAP got involved. Then they used MARMAP to run the rest of the indices of abundance.

Now we're going to be projecting all of our fishery based on MARMAP's sight of what they see. I know you don't have that chart or you might not have that graph, but it was pieces. One piece was small and then another piece finished it out, so you really had no steady data stream that you could look at and say, okay yes we see a problem. They were just pieces put together.

I don't know if we were involved in that assessment or whatever, but that was one of the flaws. I would like that to be brought up at the council meeting and show the council that the data sources were just pieced in there to make this estimate. They made MARMAP the main leader that showed that the fishery was going down.

MR. WAUGH: One of the issues with red porgy – and I must say these results were unexpected, I think as Mark talked about. In fact, in one of our regulation amendments we've got alternatives in there to look at relaxing the management measures. Everybody was expecting this to continue rebuilding. Remember, this stock is still overfished. We are required to rebuild it by 2018.

The projections show that even with a total closure of the fishery, right now we can't rebuild by 2018. They talked about what are the factors that went into this; is it just lower recruitment? Recruitment is down for whatever reason. Is it discard mortality; is it predator/prey, because there are a lot more black sea bass out there? We've had reports of black sea bass eating red porgy. You've got lots of issues out there.

The SSC looked at this and talked about discards; discard mortality and predator/prey interactions affecting recruitment because largely what's driving this is lower recruitment. You just haven't had the recruitment. Now, whether we had higher recruitment going into the previous stock assessment update and now we don't in this one, that could be a factor.

That is why we're looking at under the National Standard Guidelines, if you get to the end of a rebuilding program and the stock is not rebuilt, then one option is to continue fishing at 75 percent of the fishing mortality rate that will produce MSY. That's what these projections are based on. The SSC now has recommended the ABC, which is basically in terms of landings going to be that column of numbers that Myra talked about. The council can't have an ACL that exceeds the ABC that comes from the SSC. We have to lower that ACL at least to the ABC.

MR. FEX: To your point, you talk about recruitment, we are under a four-month spawning closure for those fish during their times of rebuilding. There ought to be recruitment from a fishermen's perspective. One other flaw I did see that they brought up was that they said that landings is becoming less and less valuable for stock assessments because management measures had screwed the landings, not screwed or whatever, skewed the landings. It's become more of a shame that our landings are becoming less and less apt to make the assessment show better. That is another flaw I see in what I'd heard.

MS. BROUWER: I'll just add that the assessment models are always going to use as many indices of abundance as they can. The MARMAP survey is basically the only fishery-independent survey that we have in this region. We can't make the data better than it already is. You are going to see gaps and things, but that is why it is only one of the pieces that go into the model. It doesn't drive the whole thing.

MR. FEX: It drove it for the last ten years. That's where I looked at the model; it dropped, it declined and it's not what we see on the water, so I'd have to disagree. That was my point.

MR. DeBRANGO: We could talk about the other species that we don't really see as divers anymore, but porgies I'm seeing all the way in almost on the beach. They are abundant. I would tend to look at – I know there are a lot of issues with like MARMAP and all that. People like Terrell Gould, who are now sending cameras down on their boats as they go out in a day, I would think they would need to look at opening up these resources and starting to look at these videos and analyze them, because with the technology today and the Go Pro cameras and all this different stuff we have, there are availabilities in tools out there that they are not utilizing.

MS. BROUWER: Well, there is another fishery-independent survey that began just a couple of years ago, and they are doing exactly that. It is called the SEFIS, I believe, Southeast Fishery Independent Survey, and they are getting information as far as abundance using videos and things like that.

MR. GOULD: Being what I am and what I do, what I'm seeing here it's so skewered it's not even funny. On my boat, say, on the 18-hour trips, I avoid entire areas just because of this red porgy problem. We can go say like 40 miles out southwest of our inlet and make one stop, have our limit and spend the rest of the day throwing them back, which means for three out of 40 people, we catch 120 fish, whatever it is, the first stop.

Then I spend the rest of the day trying to work offshore. Of course, fuel is not a problem with the cheap price now and everything, trying to get away from them. We can very easily exceed out limit in discards by seven or eight times that first three. Every year, especially the last six, seven years I've seen a general increase in our discards on each and every trip when I go out into these areas. I've been this year on the trips; I've been going on the fringes of them just because of the problem. Of course, your discards count against your ACL and everything. But I think the push towards the use of the independent data is skewering the results instead of using the fisheries-dependent data.

There has got to be some kind of middle ground on using the data. It's sort of like I can go buy a deer hunting license and I become a deer hunter and sit on the side of the road and there ain't no deer. But you take Bubba down the road that has deer hunted all of his life, he'll go out there and kill him two or three deer every day. I've got a big problem using the fisheries-independent data going from one place to another instead of using hunters to go and look for the fish and know where the fish are at. I think this needs to be revisited very strongly.

MR. BROWN: I mentioned this at the SSC meeting. I don't know what happens in North Carolina or Georgia or Florida. I can only tell you what's going on off of Charleston. Straight out of here there has always been a big abundance of red porgies in the deeper water. Then we'd

catch them pretty good back in shore, too, But it seemed like there was a wide variety of them out in the deep. You catch them all the way from the smaller size to the bigger size.

But over the years, since all this management started going into place, we've started to see the same wide variety of fish in the shallower water, too. We see them in 60, 70 feet of water, the same thing. It's getting more and more abundant every year. It is like Terrell said, you go out there with a group of people, you can stop one time and catch your limit and then you've got to try to get away from them. I just don't see that the numbers match up to what the models or whatever are saying, because I know at boatside we're seeing a lot more fish.

MR. MARHEFKA: The other thing is up here off the Carolina coast is we've got some marine protected areas that are huge areas that are protecting these red porgy. It sort of frustrates the heck out of me when I sat around the table to go and sort of put the lines down that we're protecting these species also and we're not seeing any bang for our buck now.

Now we're going to even go backwards? The MARMAP should be able to go in these areas and get everything they want in a matter of no time. Like Mark says and Terrell, we can go out there, I can get my limit in about two hours; I'm done. That's it, we come home. You are sitting on a pile of B-liner trying to catch B-liner, the next thing you know you're 30 feet off the bottom and you've got red porgy coming up and shutting your bite down, because there are so many of them. They are just sort of like, okay, they're not coming down here to get us we'll go get them. I don't know; I think we need to rethink this.

MR. WAUGH: In terms of your recommendation, I know you don't find what the SSC has recommended as the ABC acceptable, but right now the council sets ACL equal to ABC. As we talked about vermilion, you might want to consider a little bit of a step-down. You might make the argument here, even though if you look at the assessment it is overfished, it says you are not going to rebuild by 2018, but in your opinion the availability is so much higher than is reflected in the stock assessment to build your argument that here the council should keep ACL equal to ABC, because that doesn't result in as much of a reduction in your catches and that is justified based on your on water experience, just something for you to consider when you make your recommendation.

MR. DeBRANGO: What you're basically wanting is a little bit of a buffer, basically you just want a little bit of a buffer. Even though you know as a diver you go down to the bottom and you read all this stuff, and it's like what's the healthiest stock? Well first thing you're hit with is snapper and porgies and then the sea bass. They are so abundant. I mean, hey, you could say that's a great thing from the management that's been done. What you are basically wanting is instead of setting the ABC equal, a little bit of a buffer just in case of the uncertainty so you don't go over. You're saying no matter what we do, we're not going to make 2018, right?

MR. WAUGH: Well, that's what the projections say right now is that even if you closed it, the discard mortality is sufficient mortality; and based on the recruitment projections that we have, we won't rebuild by 2018. But again, if you feel so strongly that the assessment results are not representative of what you are seeing on the water, then build your argument that here the council shouldn't change their formula where ACL is equal to ABC.

Then we'll see what comes out in the next assessment update. You might also might want to make a recommendation about when that happens. If you feel this is so out of whack with what you are seeing on the water, then make a recommendation that this be looked at again sometime fairly soon.

MR. JOHNSON: Gregg, would it be helpful to do another benchmark assessment on them and not just an update? Maybe it's something we need to look back in time to find out where the real problem is on this species.

MR. WAUGH: You certainly have a – you step away and look at lots of different models and lots of different approaches, and so that may be warranted in this case if you feel that the assessment is so off base with what you're seeing.

MR. PERRETT: I'm Jack Perrett from Northeast Florida. I don't see the same thing you guys are talking about up here. I'm a diver and I'm diving anywhere from 60 to 90 feet of water most of the time. I'm seeing about one red porgy to every hundred sea bass. We may have a different situation down there, which would potentially you need different regulations in North Carolina versus what we've got in Northeast Florida. I don't know if it's possible, but something needs to be considered.

MR. BOWEN: Just to go along with what he says; from what we're seeing the red porgies are in deeper than 90 feet in our area.

MR. MUNDEN: Gregg, when is the next assessment scheduled for?

MR. WAUGH: I don't know. We'll dig that out, but it is not real soon because obviously it was just done and there are a lot of other species ahead of it. I'll see if it's even on – okay, Ben knows.

MR. HARTIG: Well, I don't know exactly, but I did talk to Roy yesterday about this. The intention is to try and get red porgy on a benchmark in 2014. That is what we are going to try and do.

MR. FEX: Yes, comment to that; that is the problem though. I don't think red porgy is that – I mean, I find it important, but I'd hate to bump another fish out of line. We're doing that already in the assessment thing. I really hate to see it. Putting the ACL equal to ABC, that's not going to fly. The SSC is going to tell us no. It's a shame that it might be that way. You're going to look at me, Gregg, and say that, but I know I've seen it before. It's a good motion. I understand it, but I don't think it will probably go through.

MR. JOHNSON: To that point, Kenny, we already have the ACLs and ABCs on a lot of species. I don't think that's an issue. I think we need to stay with personally the status quo of red porgy – I don't want to see it closed; I don't think anybody does – and then get a benchmark when time allows.

MS. BROUWER: Is that something that the AP would like to recommend? Would you like to make a motion at this point or a recommendation that I can capture for the council?

**MR. FEX: Yes, I'd like to make a motion that the ABC be equal to the ACL for the red porgy.**

MR. JOHNSON: Do I have a second on Kenny's motion; Terrell. **All in favor; any opposed? We've got four opposed. Motion carries with four opposed.** Okay we're going to move on to sea bass now as soon as Myra gets done typing.

MS. BROUWER: Okay, for black sea bass the SSC was asked to revisit their P-Star recommendation and provide a P-rebuild recommendation. Basically the original rebuilding plan was based on a 50 percent probability of success. That is what Magnuson says you have to have; it can't be below that. It can be above that but it can't be below that.

The SSC discussed this P-rebuild, which is from what I understand the probability of rebuilding by the time that you want to be rebuilt, when the assessment was reviewed back in November of 2011, but they did not revise the P-rebuild at that time. They talked about it; they didn't revise it. Then in Snapper Grouper Amendment 18A, the council specified their rebuilding plan should have a 66 chance of success.

If you recall, they went back and they looked again at the rebuilding strategy; because back when the first rebuilding plan was put in place in Amendment 13C back in 2006, it was set at a constant catch strategy. The ACLs weren't going to change as the stock rebuilt. It was set at that 847,000 constant. That partly created the surplus that we find ourselves in now.

The council had to go back and rethink their rebuilding strategy. The council then asked that the SSC review this assessment and provide a P-Star recommendation. The SSC did based on applying their control rule, and they recommended you see there the P-Star at 37.5 percent and the P-rebuild at 62.5 percent.

These numbers probably don't mean a whole lot to you, but basically this means that there isn't a whole lot of change; that the council really doesn't have a lot of leeway or reason to change anything at this time as far as black sea bass is concerned. We're still on the same trajectory; 18A went into effect this year. It is going to keep the ACL at that 847,000 pounds for two years, I believe, and then that level is going to change. That is where we are with sea bass. Questions?

MR. BROWN: Can we make a recommendation to the council to put the percentage of rebuild back to 50 percent?

MR. JOHNSON: Is that a motion, Mark?

**MR. BROWN: Yes, I'd like the motion that we put the rebuilding plan for the black sea bass to 50 percent probability, which would give more flexibility to the plan.**

MR. JOHNSON: Do I have a second?

MR. BOWEN: I second that.

MR. JOHNSON: Second by Zack. Is there any discussion? Does anybody have anything to add to this? Okay, go ahead, Jim.

MR. ATACK: I assume you're making the motion because of the abundance of black sea bass that everybody is seeing. If we reduce it from 62.5 percent to 50 percent, there will be a larger ACL, and I guess that's the whole reason for this based on –

MR. BROWN: Yes, that's correct. I went over and sat down with John Carmichael for quite a while and he explained to me the plan and what he felt the direction it should go, but the numbers were kind of worked in there to change everything to that 66 percent, which didn't make sense to me. He said it would have a bigger flexibility at the original rebuild plan.

MR. ATACK: When you say flexibility, I don't understand. I understand you will probably have a larger ACL, but what kind of flexibility will this give us that we don't have at the 62.5?

MR. BROWN: It would allow the ACL to increase slightly over the period of rebuild rather than staying at a certain constant catch. You'd be able to see more of an increase.

MR. ATACK: Do we know how much of an increase that might be?

MR. BROWN: I guess it would depend on the assessment every year or whenever it's reviewed. But as it looks right now to me and everybody else sitting at this table, what we're seeing at boatside doesn't match what the rebuilding plan is set up for.

MR. BOWEN: Jim, what I think we're trying to accomplish is fishing on them longer than two and a half months.

MR. ATACK: Yes, I understand that and I agree with that. I'm just trying to make sure we give council the reasons our basis for changing it. I'm just wondering how big of a change that will be, whether it is going to take it from 809,000 to 810,000 or 950, you know, how big of a change is it?

MR. BROWN: Well, right now we just keep seeing it get cut, and we keep getting less and less. I'm just trying to find out where there is some sort of a point to where we can at least have our season extended a little bit longer so we're not continually getting our legs cut out from under us.

MS. BROUWER: Yes, just a bit of background for you, the council did consider this back in June of this year. They talked about potentially changing the strategy to go back to that 50 percent probability of success that would have allowed the ACLs to go up. In the discussions NOAA Fisheries stated that it would not be possible to justify lowering the probability of success for a species that is under a rebuilding plan when we are so close to the end of that rebuilding period. Black sea bass is supposed to rebuild by 2016. I think the council really tried to do this and then they were told really we can't justify going back down. It is just not going to fly.

MR. BOWEN: Myra, to add to that, since then I think we've had some council member changes. I would like to see it brought back up before the council. I think that raising of the ACL missed by one vote from the council, if I'm not mistaken. Since then some council members have been out and some new ones in. I would like it to be brought back up if it is at all possible.

MR. BROWN: I've got a question for Gregg. I don't truly understand the difference in these probabilities for the different species and everything, and I saw vermilion was set at 40 percent. When we see such an abundance of the black sea bass here in the Carolinas, anyway, Why is it that the probability has to be set at such a higher level on a species that is so much more abundant? I don't understand that.

MR. WAUGH: A lot of people would argue 66 percent is not that high. I mean, 50-50 is basically a crap shoot. It is all relative to how conservative you are. If you want to be more sure that you rebuild any stock by the end of the rebuilding period, the way to do that is to set a higher probability. That 66 percent was set before the SSC applied their control rule. Myra, what was the number that we ended up with from the P-Star, if you could pull that up?

MS. BROUWER: Yes, the P-Star is 37.5; it's right there. Just to give you a little bit of background, Mark, the way they come up with this P-Star is they have a series of steps that they need to follow and then each of those steps gets a score. Then they add it up and then they decide what percentage that is. Some of the things that they consider are – I'm just going to read you some of the things here – the reliable catch history; they might give that – for example, for yellowtail snapper here they gave it a 7.5 percent. Uncertainty characterization carries a 10 point score. The stock status, the productivity and susceptibility, so the risk analysis, so the SSC has a very detailed series of steps that they follow and that is how they arrive at that probability.

MR. BROWN: I guess where I'm having a problem with some of this, too, is on these recommendations for the ABCs on certain species that I don't consider to be more abundant than the black sea bass. The SSC recommended in October the ABC for yellowtail snapper to be at 3 million pounds.

We're set at a rebuilding plan of a constant catch at 840,000 for black sea bass. I don't see – it doesn't weigh out to me to be equal or even close compared to what we see here. We catch a few yellowtail snapper, but we don't catch very many. They catch a lot of them in the Keys, I know that, but we sure don't catch them here.

MR. WAUGH: The comparison to yellowtail snapper; yellowtail snapper, not overfished not overfishing, so they are not under a rebuilding program. Black sea bass were overfished; they are under a rebuilding program. That is why you have a lower allowable catch now. Once black sea bass are not longer overfished, that available harvest will be higher. The available catch from black sea bass will increase as the stock rebuilds. Now, obviously you are saying the stock is a lot better shape than it is reflected in the assessment, but at least the assessment is going in the right direction.

A point on this rebuild, the percentage, you are recommending 50 percent, the council can certainly look at that, but based on the application of the council's control rule that was developed with the SSC, they are now saying the probability of overfishing should be 62.5 percent. The council could look at reducing it from 66 percent to 62.5 percent. We'd have to look at what the numbers are. I'm not suggesting you change your motion, but I'm just saying the council has the ability now to go down to 62.5. They would be violating their ABC Control Rule if they tried to go down to the 50 percent probability.

MR. BROWN: I'd still like to stick with reducing it to the 50 percent. I don't see that it's necessary to restrict the fishing community anymore than it already is with a rebuilding plan that was already set up a few years ago at this constant catch. Now you want to restrict it more with more of a percentage of probability. I'd rather see it stay like it is and hopefully we can see a better assessment or something and get an increase in the ACL and extend our fishing season, because it just seems like it keeps getting shorter and shorter.

MR. WAUGH: One other quick point, if I could, and then I'll promise I'll stop. The council can't go back to the 50 percent without violating its ABC Control Rule. That is going to be difficult for them to do. They may vote to do that, that's fine, But I'm just saying they have an approved ABC Control Rule that was developed with the SSC. The SSC has applied that.

They say the number is 62.5. For the council to go with a lower probability than that, they are going to have to come up with something very creative. The other part of what you want to do, Mark, is stretching out the season. There are two ways to increase the catch. But with the amount of effort we have in the existing regulations, as you increase that catch it is still going to be caught very quickly.

We have bag limits here that are not affecting the catch hardly at all. On the recreational side, if you want to stretch out harvest with the existing catch, its simple, you lower the bag limit. I know you don't like that. The council talked about that and we implemented a bag limit that had very little if any reduction in the catch. If you want a longer season, you have a lower bag limit. On the commercial side you can look at allocating between pots and hook and line and have different trip limits and stretch that harvest out. You don't just need to increase the ACL in order to increase the length of the season.

MR. MUNDEN: While I would certainly love to give the fishermen more of an opportunity to harvest black sea bass and a longer harvest season, I'm more concerned about the consequence of not achieving the rebuilding target date. I am not going to vote in favor of this motion, Mr. Chairman.

MR. JOHNSON: Two more comments, but we really need to move along. Go ahead, Zack, and then Mark.

MR. BROWN: I've got one more question for you. If we were to make a motion to create or to recommend to create a closed time of the year like we have with the gag grouper and the vermilion snapper, okay, have a specific time of the year that was closed; Would that add enough back in to extend the season?

MR. WAUGH: Well, as long as there isn't an effort shift. I think we have one of our many amendments that are on the table now has provisions to look at closed seasons for black sea bass. As long as you don't then have all the effort that would have taken place in that closed season then take place immediate after the season reopened, It could stretch it out, yes.

MR. BOWEN: Gregg, I respectfully have to disagree with the only way to achieve that is to lower the bag limit to prolong our season. My way of thinking was why not raise the ACL?

MR. WAUGH: Yes, and I don't think I said it's the only way. I'm saying that you don't only have to increase the ACL to stretch out the season. Remember, this stock is rebuilding. We have to rebuild it by the end of the rebuilding time period and the SSC has given us an ABC. We can't set – under the existing rules and guidelines that we are operating under, the council can't set an ACL that exceeds that ABC.

MR. BOWEN: Well, that rule needs to be changed.

MR. JOHNSON: Okay, guys, let's go ahead and vote on this thing. Do you want to read the amendment, Myra? It's been so long we may have forgotten what it was. You might want to read it.

**MS. BROUWER: Yes, the motion says recommend that the council consider going back to a 50 percent probability of success for black sea bass.**

MR. JOHNSON: Okay, all in favor; are there any opposed? **Motion carries with four opposed.** Go ahead, Don, one more comment.

MR. DeMARIA: Just another point of interest here; nothing that we've talked about so far really has anything to do with the Keys where I live at. The vermilion snapper, we don't catch any amount of them for the reasons I discussed earlier. Red porgies, once in a while you catch them in deepwater, but it's more of a bycatch.

Black sea bass, I don't know anyone that has ever seen one in the Keys other than in a fish market and it certainly didn't come from the Keys. It's another argument for more regional management, I think. We're dealing with two distinct different areas in the South Atlantic and we ought to manage them like that.

MR. BOWEN: Well, every fish we've talked about so far has something to do with where I'm at.

MR. GOULD: I just wanted to point out everybody knows that the ACL for the black sea bass is being caught quicker and quicker every year. I just wanted to get on the record that the main reason I see that this is happening is because each year we're catching bigger and bigger black sea bass. This makes you meet your ACL a whole lot quicker, which is a very, very discriminatory way to manage your ACL.

When your fish is getting bigger and bigger, which means that you take less and less fish out of it each time to meet your ACL, and then you've got all this stuff coming into the recruitment and you are increasing your discard by tons every time. It needs to be revisited by the council big time and some kind of relief; because if you keep getting your ACL quicker and quicker and quicker, they are going to cut down the bag limit, which means bigger and bigger fish discarded. We need to revisit that big time.

MR. DeBRANGO: I'm going to agree with Terrell; I'm against decreasing the bag limit. You are going to add more discard mortality and you're going to get more size selecting; especially now they are already regulated enough. They can't really catch anything, just for the

recreational fisherman going out there and everybody else, like on his boats. I'm against cutting the bag limit on these. It is a healthy stock.

MR. ATACK: I guess the way I look at it, part of the problem is the stock is rebuilding faster than they predicted. The models for black sea bass might not be as accurate as a model for a gag rebuilding program. Black sea bass are smaller fish, get maturity quicker, sooner, earlier. Growth rates, you know, it's a different species.

I think that's why the ACL isn't increasing at the rate the stock is increasing. That's kind of a Catch-22. AS the stock rebuilds, you catch it quicker, you know. I think on the pot side though there is a bigger issue there, because there is probably more bycatch mortality with the pots with the other fish in it. Black sea bass I think are all females until they are about 11 inches.

The recreational are catching 13 or bigger. The commercial should be 13 or bigger. If anything, the black sea bass pot mesh should be oversized versus undersized to allow the porgies and the tomtate or whatever is in there to swim out that are smaller. You only want to be calling the bigger fish when you use pots.

Part of the rebuilding success I think is more females are left out there. If you only harvest 13 inches and bigger, all your females that are breeding are left. Your biomass is left out there, and that is going to be your maximum sustainable yield. I would like to get back to where we increase the commercial to match the recreational. Everybody will be a win-win. The larger sea bass are a larger dollar per pound. The model needs to better predict what's happening out there in the ocean.

MR. BOWEN: I'd just like for us to keep in mind that the discard mortality for sea bass is very minimal with the hook-and-line fishery. I've heard discards, discards, discards. The mortality from released sea bass is very, very small in the hook-and-line fishery.

MR. JOHNSON: All right, we're moving along to wreckfish.

MS. BROUWER: The SSC also talked a little bit about wreckfish. The council was told back in September that there might be further analyses conducted outside of the council process, outside of the region that could potentially be looked at for a different ABC for wreckfish. We had Dr. Butterworth and Dr. MacCall, who came to the SSC and presented two different methods of calculating the ABC. The SSC said they wanted to see additional exploration of these methods presented. They wanted to plan a follow-up workshop to explore these methods further and to reevaluate the catch recommendation of the SSC. They were not ready to make a revision of the current ABC based on the current information right now. I don't know if Kenny wants to add anymore to that. You were at that meeting.

MR. FEX: Yes, I did attend that meeting. It was pretty interesting. The guy he made a point – he is from another country, but he made a good point. He said we look at stocks – we call them data poor whereas he looks at them as that's data rich. They use just landings in their basis of stock assessments where they're from and they work.

Whereas we, we use so many different data sources and throw them in models and we wonder why models go wherever they go. He looked at it in such a fundamental approach and it worked.

The next day I asked John Carmichael, did that work, and he said, yes, I see the logic to it. I think sometimes we give the scientist too much data that they can put in a model and make it go whichever way we want, just like our hurricane data and models do.

You see all the lines squiggly going every which way. I thought it went back to the fundamental approach of using the data sources that we have available, that we have too many data sources. I thought it was a very good idea the way he did it. I'd hope we'd look at it in another way, too, because we give the assessments to a group of people and then nobody else can discredit it. This guy did a good job doing it.

MR. DeBRANGO: Talking about the wreckfish, that's been a federally managed program for a long time now with the ITQs and it's a privatized industry, which unless the shareholders actually allow that information to be given to them, which is what happened, and the reason why they cut it down so much and now one of the major persons that was involved with me in the very beginning is out of business, and it's sad. I talked to him yesterday; he's a close friend of mine. They put him out of business with this.

**I think I'd like to make a motion for a total re-visitation of this.** The stock out there is healthy. I personally saw it last year. I've been fishing them last year. The stock has come back. The fish are bigger. Every bit of data that they measure these fish, the fish are bigger. We're finding them in different places.

There is a fishery down in the Keys now; there is a fishery down south. There is a fishery in Virginia on these fish. What they did to these fishermen right here and my personal friend that is not out of business that sold what little shares they gave him after being in it from the very beginning, yesterday – I'm sorry I'm really passionate about this, I'm a little bit upset. What they did was wrong and this needs to be changed, fast.

MR. JOHNSON: Okay we've got a motion; do we have a second? Kenny seconds it. Any discussion on this motion? What do you mean by revisit; just relook at the current ABC?

MR. DeBRANGO: Okay, you get a guy that they took his major stock in the industry, another company gave him, say, 20,000 pounds as shares. He goes out there at the opening of the season and catches that in two trips and he's already done for the season. It's there. It's on record, you know what I mean. These guys that are catching it did 100,000 pounds last year.

The problem with this industry, if you look at the catch records on it it's like nobody goes out there. It's an ugly place. The weather sucks. You know, what, you're out there in storms and you're fishing 12, 15 foot getting your brains beat out in the tide. It's not a pleasant place. You don't see the fish on the scopes. It's all what you know about the bottom. There has been nobody fishing it for a decade just because of that. It's too aggravating; they can make their money inshore. The catch records don't reflect what is actually there.

MS. BROUWER: Just for clarification; you would want the council to reconsider how the ABC was arrived at or would you want them to reconsider the way the shares are distributed?

MR. DeBRANGO: Right now there's a lot of damage been done. I want them to revisit the ABC and raise the ABC, a minimum of double, minimum.

MR. JOHNSON: Any discussion; any other discussion? Do you all want to vote on this?

MR. BOWEN: I think he meant ACL.

MS. BROUWER: For wreckfish the ABC is equal to the ACL. It would affect the ACL, anyway.

MR. JOHNSON: **Do I have anyone opposed to this motion? Anybody opposed? Then motion carries.**

MS. BROUWER: Okay moving along; mind you that we're still on the updates part of the meeting. The next thing the SSC did was look at MPAs for speckled hind and Warsaw. You guys discussed this at our last meeting in April. The SSC received a presentation from Dr. Farmer from the regional office looking at the effect of reorienting the existing MPAs, how much protection to speckled hind and Warsaw that would result in; and also looking at areas that had been suggested by the public when the council held their public workshops; and also by the MPA experts that were convened back in May to give their recommendations that presentation was given to the SSC.

They really didn't have a lot to say as far as recommendations of how the council should proceed, of course. They indicated that the analysis was well done. What is going to happen is the council is going to receive the same presentation at their December meeting, but they are only going to focus on reorienting the existing MPAs. They are not going to be discussing new areas that have been proposed. After the December meeting, we'll have a better idea of how the council wants to proceed. Are there any questions on that?

MR. FEX: Yes, this is probably a motion. In that presentation, I did not – a lot of presentations or analyses look at several factors. One of the factors that they didn't look at was regulations; and regulations being that longline has pretty much been taken off hard bottom. That was a long time ago, because they eliminated snowies down to a minimum of 100 fish.

Then also the fact that gear has been minimized; my gear, I'm using 150 pound mono. I'm less likely to catch a big Warsaw. I'm using a 12 ought circle Jap hook. They get straightened all the time. I caught a red snapper that was 20 pounds and he about straightened my Jap hook. It was almost straightened out. Any fish that's 50, 60, 70, and up into the hundred pounds I'm not going to catch.

That's where in that presentation they did not even consider nothing about the regulations. **My motion is that council look at how regulations might have affected the catch of the Warsaw and speckled hind.**

MR. JOHNSON: **Do we have a second on this motion; second by Rodney. Do we have anyone opposed or any discussion first? Does anybody want to discuss anything? I think we've already made this motion in the past, but maybe I'm wrong. It doesn't hurt to make it again. All opposed. Motion carries.**

MS. BROUWER: Okay, another item the SSC talked about that is relevant to snapper grouper is the ORCS approach. ORCS stands for only reliable catch stocks. These are stocks that don't

have a whole lot of information and certainly not enough for a stock assessment and yet the SSC is mandated to recommend ABCs for these stocks.

A work group of scientists from around the nation was convened a couple of years ago to come up with an approach for how to deal with these data-poor stocks. The SSC reviewed the methodology at their last meeting. They didn't have a whole lot of time to get into more details so they went back to it at this meeting, and they are going to have a workshop in conjunction with their April meeting to go ahead and apply that approach to the unassessed snapper grouper species, most of which were addressed in the Comprehensive ACL Amendment.

They also acknowledged that the industry would like to continue to be involved in this process, and the SSC strongly encouraged them to do so. Are there any questions on ORCS? Okay, and just for your information the next SSC meeting is on April 9 through 11, 2013, here in Charleston.

MR. JOHNSON: Just one quick comment on that ORCS, I was there. There are a lot of species on that list, a lot of species that you are very familiar with. It's not just like puddingwife or something like that or scup. There are some species that are very important. Can you help me out there, Michelle, some of the species that these guys were recommending? Was wahoo on that list, I think, and gray trigger maybe, A bunch of different species.

MR. BROWN: Are they looking at combining them like they've done in the past or something for this?

MS. BROUWER: Are you talking about the species groupings? I don't think that would be part of the methodology. This is more about how they would utilize the catch information to arrive at an ABC, from what I understand.

MR BROWN: So they are going to break each one out individually?

MS. BROUWER: They're going to look at each one individually. It doesn't mean that the existing groupings are going to go away. The existing groupings right now include ACLs or ABCs for each species within that grouping. Then you add them all up and you come up with the ABC for the entire group. What is different about those groupings is that the accountability measures are at the complex level. If one species causes the ACL to be met, then the accountability measure will apply to the entire grouping.

MR. BROWN: More complex than what we are already dealing with?

MS. BROUWER: Well, it's not going to be any different. They're only basically going to review the numbers.

MR. JOHNSON: In that workshop we looked at the risk of overfishing and we looked at each species and all the different things; like what Kenny was talking about, the effects of management, effects of habitat loss; Is it a high value species, low value species. I think scamp grouper is in that list. There are a bunch of species in that list. It's probably got some benefit.

DR. DUVAL: In terms of the species that we looked at that we decided we wanted to remove from the ORCS approach, that's what you're talking about?

MR. JOHNSON: Yes, you can tell them the ones we did remove.

DR. DUVAL: Yes, the group decided to remove quite a few species based on several considerations where they felt that the stocks actually didn't have reliable catch data, stocks that had really low landings that showed very high variability in the catch estimates. A lot of those were associated with the high degree of uncertainty in some of the recreational landings estimates, stocks that had identification issues that could cause unreliability in the estimates.

Those were in terms of the variability, in terms of landings or data collection issues, there was also black snapper, blackfin snapper, sand tilefish, mahogany snapper, dog snapper, misty grouper, sailor's choice, coney, graysby, saucereye porgy, scup, and queen snapper. Then the species where there was a lot of concern about the species identification was almaco jack, lesser amberjack, sailor's choice, banded rudderfish, yellowmouth grouper, scup again, saucereye porgy, jolthead porgy, knob porgy, and whitebone porgy. Those were all originally included in what the group started to consider and they had a lot of concerns about even just the reliability of the catch estimates for those species.

MR. JOHNSON: Also, we've been asked to make sure guys when we speak, that we state our name for the record, please.

MS. BROUWER: Okay, so now I'd like to just update you on the amendments that we are working on and ones that have been recently approved. The emergency rule for the yellowtail commercial ACL increase is going to be effective today. It is going to increase the commercial ACL from 1,142,589 pounds to 1,596,510 pounds. That will be effective today.

This rule will be in place for 180 days and then it expires. The council is working on an amendment to make this change permanent until modified at a later date. The generic dealer amendment is currently under review. This is the amendment that looked at – it's joint with the Gulf of Mexico, and it would change the permitting for dealers.

Comprehensive Ecosystem-Based Amendment 3, this amendment when you last saw it in April contained actions to look at the MPAs for speckled hind and Warsaw. It had actions to expand the Oculina HAPC northward. It also had actions to modify the way that data are submitted for commercial, headboat, charter and also possibly requiring VMS for commercial snapper grouper vessels.

Like I said, there are actions that are done jointly with the Gulf so the Gulf had a meeting, I believe it was last week or the week before where they looked at this amendment and they did not approve it for formal review. However, our council is scheduled to approve it for formal review, which means submit it to the Secretary of Commerce at their December meeting.

This is something that I'm not sure that the AP got a lot of time to talk about. If you guys want to spend some time discussing this amendment, now would be the time to do it because we don't have an agenda item to do so. I just wanted to again bring to your attention that those actions that relate to the data and the VMS are still in there. The MPA actions were taken out and the

action to extend Oculina was also taken out. Those are being taken care of in different amendments. Questions?

MR. JOHNSON: Does anybody have any questions on this or any comments? I would think someone would want to comment on the VMS requirement for commercial vessels.

MR. DeBRANGO: I didn't have a problem with the VMS on my boats swordfishing. I didn't have one problem with it. If you're legal and everything, you ain't got nothing to worry about. If you've got longline gear on the boat, you should have a VMS so they know where you are at. I mean I used it for e-mail capabilities, too, so it's got its perks.

Golden tilefish, I think the way the season runs, I personally again fished it this year. I think the way they allow the season to be open and what's happening in the market; I saw a very poor showing on prices this year and I saw the market get flooded due to a derby-style fishery. I think I'd like to make a motion to revisit the way they allow the season. It should be maybe like a two weeks open and two weeks closed to allow the markets to stay steady and the price to stay up higher. It allows for a longer fishing season. The fishery is very healthy.

MR. JOHNSON: Gregg, could I get you just to hold that motion. We are still on CE-BA 3 so we haven't gotten to the golden tilefish yet. We'll get there in just a second.

MR. DeMARIA: I've got a VMS on my boat, too, because I have to have one for the Gulf reef fish. It's kind of a pain and runs my batteries down at the dock and whatnot, but I think it's a little bit discriminatory to just single out the commercial fleet for VMS when most of the violations I've seen in the Keys, certainly Riley's Hump, the Reserve and up in the Gulf, Madison Swanson; every time I've been to those on different research cruises, there have been recreational boats in there fishing. If the purpose of this VMS, one of them is to know where you are at and keep you out of these reserves, wouldn't it be fair just to require VMS for any boat in the snapper grouper fishery, whether it is recreational or commercial?

AP MEMBER: Didn't we do this before?

MR. DeMARIA: I thought we did.

MR. JOHNSON: We made that motion last AP, but let's be realistic guys, that is never going to fly in the whole recreational industry. I don't think so. It would be great if it did. But I would like to make one point; they just passed the new requirements on the commercial industry that a lot of these guys would have to go out and buy inflatable life rafts. They have to be inspected by the Coast Guard. You are going to put some nails in some coffins here if you throw another piece of something on top of them. Now they've got to go buy VMS; they've got to pay for the monitoring; you're going to push some guys out. It's going to happen. They are not going to be able to afford to do it.

MR. DeMARIA: I agree, but how about a motion that if the council decides to move forward with the VMS requirements, then they should require it for everyone and not just commercial. That would be my motion.

MR. JOHNSON: Do I have a second on that? Scott second.

MR. BOWEN: Can we define the term “everyone” before we vote on it?

MR. DeMARIA: Everyone that fishes in the snapper grouper fishery, recreational, commercial, don’t discriminate against the commercial fishermen on this one.

MR. BOWEN: My buddy that goes out the second or third week of May one Saturday a year that wants to go catch snapper grouper, he’s got to have a VMS? Is that what you’re trying to –

MR. JOHNSON: That’s correct, everyone; if you fish, you’ve got to have it. Go ahead.

MR. DICKENSON: The recreational are not engaged in commerce so it is not going to be constitutional, so it will never fly, and I will be the first one to file suit. That’s a joke.

MR. BOWEN: I’ll file second.

MR. JOHNSON: Okay, we have a motion on the floor and is there anymore discussion?

**MS. BROUWER: The motion reads if the council decides to move forward with a 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.**

MR. BOWEN: How do we make this motion and carry it forward when somebody with a six-pack charter fishing business with a snapper grouper permit, there is not even a mandatory reporting requirements. How do we do this? I mean, I think we’re putting the cart before the horse. Shouldn’t we require mandatory reporting of our fish before we require knowing where the vessels at? Just food for thought.

**MR. JOHNSON: Okay, is there anymore discussion? Do you want to vote on this? All in favor; all opposed. Motion fails.** Go ahead, Terrell.

MR. GOULD: Just as an afterthought folks; this is something that I’ve personally pushed ever since I’ve been on this AP Panel. I’ve nearly been in a fist fight before with recreational fishermen about it. The way I look at it what is good for the goose is good for the gander. If you are going to participate in a fishery that is federally regulated, you should have to do your reports. You should have to abide by the rules. If it is required in the future, say, like the commercial or the charter headboats has to have VMS monitoring systems on it, the recreational side, too.

If you’ve got enough money to buy a \$300,000 Banzi, you can be good enough to go along with the process and add your input as to what you’re catching, how you’re catching it, where you’re catching it at. There is a lot of discrimination from the commercial side to the charter headboat to the recreational. The way I look at it, what’s good for the goose is good for the gander. If they want information, everybody should have to be made to put it in there. If you are going to play the game, you’ve got to help pay the piper.

MR. BOWEN: Terrell, that’s my point exactly; I’m all for what is your “what’s good for the goose is good for the gander”, but I think we’re trying to put the cart before the horse when the

six pack guy out of Brunswick, Georgia, that has a snapper grouper permit, he's not required to report his fish at all.

MR. GOULD: It's coming.

MR. BOWEN: That's fine, but again we're putting the cart before the horse.

MR. GOULD: That's it.

MR. SMITH: Well, that might be your next motion, Zack. Well, being on the media side, I should probably just not put my foot in my mouth, but I do it so well I want to keep practicing. Let's be right up front; this is not an equal game we're playing, right, Blaine? There are different allocations for commercial and recreational and we're playing on an uneven field. Maybe one day it will be more even.

That's just been my observation once I've gotten involved with this process. I also feel that we've made great strides since I first got involved, and it is because of the group of people that are at this table right now. We're going to have to have a lot of patience to work through this, so it is going to take some time. I see the minds at this table and the people that are going to get that job done I hope for the future generations. I guess that is the soapbox and putting my foot in my mouth.

MR. FEX: We got the presentation a couple years ago at the AP, and at that time they said that there would be funding for the commercial vessels to put the monitoring on the vessels and we'd just have to pay. I want to make sure that funding is available so the commercial sector doesn't have to pay for that extra burden that we already are.

MS. BROUWER: Yes, and thanks for bringing that up, Kenny, that is a concern. That pot of money is not going to be there forever. If you look at the options paper for CE-BA 3, which there is a copy in the backroom, there are tables in there that indicate the cost of the different units that are approved by NMFS and a statement that indicates that, yes, NMFS would pay for purchase of the units and then the fishermen would be responsible for maintenance, you know, monthly costs.

MR. JOHNSON: I'm just going to add this all really falls on the shoulders of law enforcement. The recreational sector I will have to agree is probably going to break the law more readily than the commercial sector. I know there are probably some recreational guys wouldn't agree with that. A commercial guy is going to lose his permit. He's going to lose his livelihood if he gets caught; whereas a recreational guy is probably going to get a slap on the wrist or a fine. I think the way to address that maybe is better effort by the law enforcement and more stiff penalties when you catch somebody breaking the law versus VMS. I don't like VMSs for anybody.

MR. FEX: I think it will actually be good on the commercial sector, because then the marine patrol that have people that are not complying or they don't think they're complying, when they come to the dock, they might have filleted fish in the cooler or whatever, the law enforcement will be able to track those people and know when they are hitting the dock.

A lot of times they avoid them by coming in at two or three o'clock in the morning. I mean, I do that just because of my timeframe, so I don't see the marine patrol. It would be a good idea from a law perspective enforcement point so that person that they're worried about, they can catch them coming to the dock.

MR. BOWEN: I think enforcement is a whole other issue. I come to the dock at five o'clock in the afternoon and I don't see them.

MR. JOHNSON: Okay, I've got Phil over here and then we've got somebody from NOAA Law Enforcement wants to speak to this, so we're going to bring him up on the microphone.

MR. CONKLIN: Well, I need to just emphasize that when law enforcement catches – I'm not saying which group in law enforcement – catches a boat in a closed area and they have nothing to do to them, they don't spank their hand, they don't do anything. They let them do it and they don't get reported. If there is no enforcement, there is no sense of having any kind of rules anywhere.

MR. BROWN: For me, I have commercial and charter headboat license like some of you do. I was just wondering how that's going to play into the aspect do we keep them on all the time? Don said something about his runs his batteries down. How does that work for the headboat guy that commercial fishes, too?

MR. JOHNSON: Do you have something to add to that, Richard?

MR. STIGLITZ: Yes, when your VMS gets put on your boat, it is wired in direct to your batteries. There are no switches, no on-off switches and about every four or five days it will drain an 8D battery dead. I'm against VMS. I had one on my boat because of the Gulf reef fish permit.

I just resent that law enforcement wants to target commercial fishermen thinking that we're all a bunch of outlaws; that we have to spend money to put a VMS on my boat so big government can put his thumb on my shoulder and look at me every minute of every day. I resent that. I think I live in the United States and I don't think law enforcement should be allowed to do that.

If they want to do it to me, then they need to do it to everybody that engages into that fishery that goes out there and catches a snapper or a grouper; Put one on every boat going or don't put any on any of them, because they've got surveillance and stuff nowadays that they can go out and catch people. They just need to go do it, and they don't have the resources to go do it. They want us as commercial fishermen to pay for the resources for them to try to write tickets out. Let them go do their job; Stay off of my back.

MR. DeMARIA: Now, Richard, you are absolutely right about drawing your batteries down and at my dock I don't have electric. Every so often I have to take the batteries out of the boat, bring them home, and charge them. It was a real pain. You know what those 8Ds weigh. I finally had to get an exemption from NMFS just to disconnect mine completely. I couldn't keep up with it.

It was constantly running it down. I'm not a proponent of the VMS. The reason I'd made the motion was just to make a point that if you are going to require it for anyone, just do it for

everyone. Don't just single out one group. But I agree with you, NMFS has got methods of patrolling these areas.

They have drones now. There was a big article in the Key West paper if you saw it. They are going to use it to monitor coral or something, but it also said it can be used to monitor closed areas. Why do you need to have a VMS if they can send drones out to look at people that are in closed areas? That seems to me the logical way and then they could monitor everybody and I could take the thing off my boat.

MR. BOWEN: I'm not a proponent of VMS either, but you all should come up with another excuse or reasoning about it killing your batteries, because the marine battery chargers are \$180. They plug in.

MR. DeMARIA: What if you don't have electricity at your dock; what am I going to plug it into?

MR. BOWEN: Well the outlet and all that is about another \$50.

MR. BROWN: I think a majority of the fishermen that I know; I mean, you are going to have bad guys in every business. I don't think that it matters what business you're in. I think a majority of the commercial and recreational for-hire people are trying to be honest and work right.

I do know that some of the guys that don't have anything invested in it like a lot of us do; I've heard stories of them going out, the recreational guys, and doing things that are not exactly with the law. I think everybody here at this table is just trying to do the right thing. I just have mixed emotions on the VMS. I understand that it is a good idea to keep everybody in line, but I think everybody is already trying to do the best they can right now.

MR. DeBRANGO: Just kind of a note here; Diving now we have the technology to have a handheld EPURB that goes down with us that comes up that is a marine VHF radio. The price is 200 and something dollars. There could be available options put out there. If they wanted to go through something like this, that you have a little \$200 little thing, you know what I mean? If you are going out in the ocean, the first thing I bought, wanted on my boat was an EPIRB. It's a safety tool, too, so just throwing that out there.

MS. BROUWER: Okay, so moving on to Regulatory Amendment 12; this is the one that adjusted the ACL for golden tilefish to address the latest assessment, and that went into effect October 9. The commercial ACL went up to 541,295 pounds. The recreational ACL went up to 3,019 fish.

Regulatory Amendment 14; this is the one that has a lot of different actions in there. Regulatory Amendment 14 has a number of actions. There is a list of the actions that are currently included. We don't have an options paper for the council to look at in December. They asked us to bring one to them in March. You may see those actions change a little bit as we already talked about.

There are some actions to increase the harvest of red porgy. We can assume that those are probably going to be removed. I should mention in your briefing book or in the e-mails I sent,

there were a number of comments that have already been submitted by several folks that have to do with Regulatory Amendment 14.

But as I said, it is very early in the process. We don't even have a document to talk about for that amendment. Right, Regulatory Amendment 12 has been approved and was implemented; this was done earlier in the year. I just wanted to give you guys an update. Then Regulatory Amendment 16; this is another one that we haven't started working on, but this is one that would address what Gregg was just talking about.

When the council met in September, they talked about potential ways that they could slow down harvest of golden tilefish for the longline guys when the fishery opens in the beginning of the year. Based on some of the recommendations the public provided at that meeting, the council is going to look at several things including doing a two weeks on and two weeks off, and anything else that people might recommend. If you have recommendations for things that would work for that fishery, please let us know and we'll bring those to the council.

MR. DeBRANGO: Now I could do that motion I guess. I'm all for the two weeks on and two weeks off with a daily reporting or daily or weekly. That gives the market a chance to put the fish out there instead of having like 60,000 pounds of golden tile sitting in a parking lot in vats going bad. It allows for a better price, everything.

I mean something has got to be done. It can't sustain the way it was this year. There was thousands of dollars lost because of the fish and the quality of fish that went across the market, especially older fish. I mean I know I didn't settle up all my fish until well into March on that this year, it was horrible.

MR. JOHNSON: Do we have a second on that motion? Second by Don and now we'll have discussion.

MR. CONKLIN: Let me ask how many longline vessels are in the golden tile fishery?

MS. BROUWER: Well, I knew you were going to ask me that; 23 was the final number.

MR. CONKLIN: Wasn't it discussed that they do a catch shares program, where vessels that aren't in Florida can fish year round or they get their TAC or their quota? They obviously have some quota because of the length of the time they've been fishing. I mean, it is ridiculous for a boat in South Carolina to have to battle the weather in January and February, March, even into April with this fishery and not have separate TACs for each vessel based on their catch history.

MS. BROUWER: Okay, yes, Phil, Amendment 12 also – no, actually Amendment 18B, which is currently under – it's available for comment. That is the amendment that is going to put in place separate ACLs by gear. The longliners are going to have their portion and the hook and liners are going to have their portion. That is in the works. Like I said, it is open for comment right now, so that is coming for golden tilefish. As far as the catch shares, there was a proposal for a voluntary ITQ that was presented to the council. I believe it was back in March of this year. The council made a motion to further analyze that proposal and they just have not yet had the chance to do that, but it has been submitted.

MR. DeMARIA: Even though I'm not a big proponent of the catch shares program, it does seem like for that tilefish fishery that would be one that it might work; but since the fishermen don't want that, something obviously has to be done, and what Greg suggested I think is probably the best alternative other than a catch share program.

MR. JOHNSON: Is there some language about the fishing year on golden tile, too? I know there was at some point some discussion about a split season that allowed for the boats up in the Carolinas to be able to participate when the weather was good and they could fish off of their home ports. Michelle Duval, do you want to comment on that?

DR. DUVAL: Yes, that was just after the council passed Amendment 18B and sent that for secretarial review. That was just a request that I had made was that if the golden tilefish working group was reconvened, that it was a request that they look at a split season for this fishery specifically to allow those folks in the northern part of the region who probably have to contend with worse winter weather in those early months of the year than folks further south, to look at a split season in order to allow more folks to have the opportunity for that market. That's all.

MR. BOWEN: With Greg's motion, I just kind of got the impression that with his motion he's trying to not only – I think we are here to help regulate the fish, and it seems like in his motion he's trying to regulate commerce with the two weeks on and two weeks off so the market doesn't up and down. That is really not in my opinion what we're here for. If he could find a better way of rewording the motion, I might could go with it, but it just seems like the way it's worded it is trying to affect commerce, and that is not what I'm here for.

MR. FEX: Yes, I think his point is to get a better value of the fish. If you put too much fish on a market in a one and a half month or two month period, you are going to get, say, \$2.58 a pound; whereas if you extend the season and allow the market to accept the fish, because supply and demand does regulate –

MR. BOWEN: I'm fully aware of supply and demand; I know what you're saying.

MR. FEX: Okay, but that is the whole logic of it. It is just like trip limits. You don't want to just give one fish to the market. When you get a diversified amount of fish to the market, you get a better price. That is why we are regulating commerce, because we are trying to get the better value of a fish when we're limited on the amount of fish we can catch.

MR. BOWEN: I understand, but a trip limit is to maximize the amount of fish. Again, we're not in a position and we're not here to decide what the market will pay. When you implement a trip limit, that is to implement the pounds coming out of the ocean.

MR. JOHNSON: Okay, but this isn't a trip limit.

MR. DICKENSON: I would also think all of us though would be interested in preventing a waste of thousands of pounds of fish in any manner possible. I remember that e-mail. That is really disgusting. That doesn't do anybody any good, obviously.

MR. JOHNSON: Yes, I would make a comment, too. It does allow for the managers to maybe keep overages from occurring a little easier, because when you – the problem with this fishery is

that they catch them so quick and so fast, and by the time they start counting the fish, oh, my gosh, we've busted the ACL. It does have some benefits in that aspect. Go ahead, Greg.

MR. DeBRANGO: Exactly my point; it is caught so fast. We're making two, three trips in a week, our limits. It is caught so fast. And like Phil was saying, I've fished up off the Carolinas and everything for golden tile, too, and it's not the best place to be in January, and your fishing isn't as good up there at that time of year.

It's more of a summertime and early fall fishery place. I agree with the split season, I think that's good, too; but like Robert said, two weeks on and two weeks off is not just for the market standpoint. It is also for a better reporting, better accuracy and less chance of going over a bunch and having it taken away in the next season, because I've seen that.

MR. BOWEN: If it's worded like that and that is the reasoning, then I can support it.

MR. JOHNSON: Jim; and then if no further discussion, we'll take a vote.

MR. ATACK: I guess the other way to look at it, if you either cut your trip limit in half or just go out 50 percent of the time; it is kind of the same thing. I wonder if you'd be better off just doing every other week versus two weeks on and two weeks off, because that would be easier to regulate and then you get a week of data; they can compile it. They fish for a week, get another week of data.

MS. BROUWER: Greg, I'm hearing that you would also like to see the council consider other options. Would you be willing to change your motion to make it a little bit more general so the council can consider other things besides just this?

MR. DeBRANGO: Yes, anything for like to cut the derby and the reporting like Jim was just saying on the week on and week off. Well, like even with mullet, you can't do it on the weekends – well, a little bit, but, yes, I'm willing to look at other alternatives also.

MR. JOHNSON: Okay, do we have anybody opposed to this motion or anymore discussion?

MR. BOWEN: One more piece of discussion; can we also add and to prevent waste?

MR. CONKLIN: What would you suggest, Greg, about one week on and one week off and not do two and two, do one on and one off, because if 20 boats are fishing in South Florida in that area, and they're catching their trip limit and they're running back to back-to-back-to back trips. you're putting a whole lot of fish on a market. Being a dealer, I know how hard it is to move fish sometime.

MR. DeBRANGO: Especially when the market is flooded.

MR. CONKLIN: You know, the shelf life is fantastic on those tilefish because I buy them and I'd rather have them in the wintertime, all winter long to substitute for grouper, where I don't have to import fish.

MR. DeBRANGO: No, you're right, that's fine, one week on and one week off as an alternative. That is even better. Like you said those guys down in Florida, they've only got three hours, two hours to get out there. That's fine. Any way to manage it a little bit better like that; it's a great product that shouldn't be rotten.

MR. JOHNSON: Okay, do we have anybody opposed to this motion? Let Myra read it and we'll take the vote.

**MS. BROUWER: Okay the motion reads establish fishing on a two weeks on and two weeks off schedule for the golden tilefish longline fishery or other alternative such as every other week to slow down the harvest and prevent waste.**

MR. BOWEN: Didn't they want to change it to one week on and one week off?

MR. JOHNSON: I think the intent of the motion is to give the council the flexibility just to look at that and say, okay, which is going to be best for the fishery. **Anything else? Any opposed? Motion is approved.** Go ahead, Mark.

MR. MARHEFKA: Greg, I've just got a quick comment. We opened up with a 300-pound trip limit here just recently. The market got flooded just with the 300-pound trip limit in place. The one week on and even one week on, I think you're going to have issues where you got a 4,000 pound trip limit and the guys are going to go all out at one time and the market is going to go on and flood.

MR. DeBRANGO: It's definitely a healthy fishery.

MR. MARHEFKA: This is a true sign of a healthy fishery, so what we are doing here is trying to split hairs, because we've got to go fish it the way council says we have to fish it.

MR. JOHNSON: Again, they go back to the fact that if you have the every other or every two weeks, you get a lot better idea of what is being landed.

MS. BROUWER: Okay, just updates on two more amendments. Regulatory Amendment 17; this would be the document that if the council decides to proceed with designation of MPAs for speckled hind and Warsaw grouper, this is where they would be. Like I said earlier, they are going to get a presentation in December and then decide how to proceed with that.

Then finally Amendment 22; this is one that we're going to develop again in 2013. It would establish a recreational tag program for red snapper; also for the deepwater species so wreckfish, golden tilefish and snowy grouper. The council is going to consider this next year. I believe they asked to talk about this at their June meeting so there is still plenty of time.

One thing that I wanted to bring up and just sort of get your take on it is should the council perhaps consider separating the tags between the for-hire sector and the private recreational. The reason I bring that up is because I've heard from the charter folks some opposition to a recreational tag program specifically for red snapper.

MR. JOHNSON: Okay, I'm sure we've got some comment on this one. Go ahead, Zack.

MR. BOWEN: I am totally against a tagging program for red snapper. I think it is another way of saying catch shares. I don't think there is any way to divide it. We're looking this year at 9,039 fish. You have so many permits; that is a can of worms. I am totally against it. Again, it is just another name for catch shares. I'm just totally against it, totally against it.

MR. FEX: I disagree with the tag program, just for like deer tags. A deer tag, you wait for the wildlife guy to come up and then you put the tag on them. Well, if you get to the dock and the marine patrol ain't there, you ain't got to use that tag today. You take that red snapper or whatever and take it home and go back out fishing the next day. Well, he finally comes on him, so let me put that tag on it. That could be a loophole.

MR. ATACK: Yes, if people have a tag program and they don't to follow up, that is one thing. But I guess one way I could see it working is if you gave a tag to anybody that applied for the tag; and then when they landed a fish, they tagged a fish, they get another tag when they turn it in; and then when the ACL is caught, then you close the season. That way you don't have a lottery for tags and that way anybody that wants to participate can have the tag and then turn it in and then when the limits –

MR. BOWEN: Excuse me for interrupting, Jim; that is not how it's going to work. You don't have that many tags to offer. You have 9,000 fish for red snapper. Do you realize how many people are going to try to apply for a red snapper tag? You don't have a tag for everybody like you do a deer. It's not even close.

MR. WAUGH: The problem we are trying to address is if you have 9,000 fish, how do you allow a fishery and ensure you don't go over? I kept waiting for your suggestion as to what to do, not all the things not to do. What do you suggest?

MR. BOWEN: Well, we had six days this year on red snapper, we had 9,000 fish. The best estimates that I can find, and maybe somebody can clarify it, there was 1,400 fish caught in six days for four states.

MR. WAUGH: Well, I don't think the answer is in on what was caught yet. We're hoping to have a number at our December meeting.

MR. BOWEN: It's about 1,400.

MR. WAUGH: If that's the case, then fine, but the risk you run is you go over whatever is allowed and then you don't have a fishery the following year. That is the risk you are running. If that is how you want it done, that is fine.

MR. BOWEN: Can you clarify? What do you mean; I didn't understand that.

MR. WAUGH: Well, red snapper is an extremely overfished stock. I understand you all don't agree with the stock assessment, but it is extremely overfished. It is on a rebuilding schedule and it has each year what you can kill. If you go over that; in other words, if you can kill 9,000 this year, 10,000 next year, you kill 19,000 this year, then you don't have a fishery next year.

MR. BOWEN: I agree with that. But we had six days on them; five of the six days were fishable. We had one small craft advisory that first Friday. We didn't even come close to 9,000 fish.

MR. JOHNSON: I don't think we know what we caught yet. I do agree with you, Zack, I think that is probably the right way to go. I think after we get that information, we can look at these little mini-weekend opens. I know from an economic point of view as a charterboat operator that is definitely a better way to go and for all the recreational sector as well. It is a better use of the resource.

MR. BOWEN: Well, it's a better way to go if we can plan it, but to have a two-week notice that NMFS gives us two weeks ahead of time; from a charterboat perspective red snapper is going to be open in two weeks for two consecutive weekends. That has no value to me as a charterboat operator. I was booked, anyway.

MR. SMITH: I'm not taking sides here, but the difficult part, Zack and Robert and all of us, is looking forward, seeing what the fishing is going to be like and how we are going to be running our businesses in the future and working towards that. I have to agree with Gregg. He says so if not that way, how is it going to look in the future? That's why we're here.

MR. BOWEN: Well, here is a recommendation, how about give us ten days –

MR. SMITH: Well, hold on, let me finish. It can't be a discussion between me and you or you and Robert. I think you should go next or soon after. That's where we're at; how is it going to look, and how are we going to allocate, and what sectors get what? It's very difficult. We can't stay the same, because it is not staying the same.

MR. BOWEN: I agree, but I think a tagging program is not the way to go.

MR. BROWN: If we go in this direction of a tagging program, I just hope that it's fair and equal amongst the people that participate in this fishery. I've heard things being said about having a lottery and then dividing it out in that manner, which doesn't make sense to me. I've been fishing this fishery a long time and catching a lot of these species of fish.

I'd hate to see me have to have my name thrown into a hat and have it drawn out so that I could have the possibility to fish for this fish. If there is a development of a tag program, okay, I just hope that it is made in a way or developed in a way to where it is equal to the people that participate in this fishery and have done so for many years.

MS. BROUWER: That's exactly, Mark, you are getting at my question. If the council wants to consider designing a recreational tag program instead of doing these mini-seasons, because they know that they run the risk of overages and it is very hard to track; if they want to do that, then can you all provide some recommendations of how they should do it.

MR. DeMARIA: If you all recall the first meeting when I was Chair I went around and asked everybody how many years experience they had. The combined experience was something like about 800 years among us. I would think with that much experience, this group; we ought to be able to come out with some reasonable suggestions. All I hear so far is we don't want catch

shares, we don't want marine reserves and we don't want tags. What do you really want? I think we ought to be able to come up with something with that much experience among us. That many years on the water, we should be able to give the council some advice rather than we just don't want this and we don't want that.

MR. WAUGH: What may help frame this some is to separate your discussions about red snapper, because you've got a big number there; and the deepwater species where for some it is about 500 fish. Would you advocate the same approach; just have a short open season for those species that have an ACL of 500 fish?

MR. JOHNSON: I just want to speak directly to the red snapper fishery, because that is what I'm very involved in. The state of Florida did an awesome job during those two openings. They had people at every marina, at every boat ramp checking those fish, collecting the data. They had law enforcement.

To me, with these small numbers, that is the way to go, these small openings where you know exactly. These are the days that people will be able to – yes, you are going to have bad weather. That is just the way it is, but it allows law enforcement to be there in numbers. You could do that with the golden tile. You could do it with all these species the same way; just my humble opinion.

MR. DICKENSON: Is the idea that the tag program would allow the season to be extended so it's not two weekends? No.

MS. BROUWER: Well, that is a possibility. The tag program would take the place of these consecutive weekend openings, so, yes.

MR. DICKENSON: I understand, I know. Is the tag program, the point of it temporary until the ACL is back to historic levels and the only point of doing it now is because we're only allowed a couple thousand fish?

MS. BROUWER: Correct.

MR. DICKENSON: What's to stop PETA or somebody like that from submitting 4,000 applications into the lottery; are there any safeguards against that?

MS. BROUWER: Well, because there are ways that you can design a recreational tag to prevent that from happening, and so this is the very beginning. This is just an idea that the council has had. They haven't really gotten into the details of how exactly this would work. This is where they need your help. What I'm hearing is there is a lot of opposition, perhaps.

Some people think it's a good idea, some people not, so can we maybe get one recommendation from the AP as far as whether the council should even consider a recreational tag program for red snapper? Is that okay with the AP?

MR. BOWEN: Blaine, if you were to get a tag, you're not guaranteed a tag, because you have more people than you have tags available even if the ACL is doubled, which it is not going to be? But here's a thought; the red snapper fishery hadn't been opened in close to three years. We

had six days on them. When the numbers come in, we'll see how many snapper were taken, and we know the effort was great because of the non-opening of three seasons.

It seems to me that as smart as the council is and the people that work around it, that we can figure if we had six days on them this year and we caught an estimated 1,400 fish, and we get 9,000, that next year maybe we could have – you could figure out some formula with what was caught on these five or six days and multiply it out for next year.

Maybe I'm not wording it right, but if those six days had 1,400 fish and we were allowed 9,000, well, then that means maybe next year we could have 30 days. I also have a question. If we had 1,400 fish this year and we were allowed 9,000; does that mean next year we get 7,600 more fish?

MS. BROUWER: Just to your point, Zack, the council – we're going to be talking about Snapper Grouper Amendment 28 at some point during this meeting – hopefully we'll get to it – that is the amendment that would put in place a process for the council to open up red snapper next year, 2013 and beyond. We're going to be looking at ways that they can calculate those ACLs.

MR. BOWEN: I'm well aware of Amendment 28 and the alternatives that are in it. I'm just totally against this tagging program, I think it's evident now. I think there are other ways around it. By figuring with we had our six days this year and what was caught, when those numbers come out, we can figure out next year how many days we should have and let's keep it on that track. As long as we have early enough that we are aware of the opening, two weeks ahead of time, knowing that it's going to be open in two weeks is not kosher.

MR. FEX: A good way maybe to minimize availability for people that aren't really in the fishery, maybe the people that have a registered vessel and a saltwater license be able to receive a tag. That would minimize the amount of the people able to get one. They're asking for questions on how to minimize it. There is maybe one.

MR. BOWEN: Kenny, I have a boat at the dock, just for an example, that has a snapper grouper permit that carries people fishing, but he hasn't caught a snapper in ten years. He's had a snapper grouper permit for ten years, but he doesn't go that far offshore off of Georgia. Should he be entitled to a snapper permit, a snapper tag?

MR. MARHEFKA: Well, I'm going to open up a can of worms here. I'd like to make a motion. The motion is the recreational fishery should be under a lottery system at which an individual cannot hold a permit for more than three years consecutively and must be required to report all catches. This does not include headboat and charter. This is just a recreational only. This is all catches.

MR. JOHNSON: Do we have a second on this motion? Rodney will second. Discussion?

AP MEMBER: I don't understand the lottery part, Mark, of that. Are you talking about red snapper?

MR. MARHEFKA: I'm talking about snapper grouper species in general in the South Atlantic.

AP MEMBER: Well, I agree with the reporting but I don't understand the lottery.

MR. MARHEFKA: The lottery system is for recreational fishers that harvest snapper grouper species in the South Atlantic.

MR. GOULD: Define recreational; are you including snapper charter headboats?

MR. MARHEFKA: I did not include charter and headboats; I did not include that, no.

MR. JOHNSON: I think we have to be real careful here. I mean, you are going to affect a lot of businesses. There are a lot of businesses that rely on recreational anglers. What you're talking about doing is excluding them. I don't even know if it's legal.

MR. MARHEFKA: What we're trying to go and do here is we're trying to go and – you guys are trying to extend seasons, you're hitting on a lot of things that we're trying to go and catch here. Reporting of what's being caught, minimizing bycatch, there is a lot of stuff. All I see is the commercial sector being hammered away. I'm looking at ACLs.

On the recreational sector it is starting to go and tip here. The commercial are just sort of here floundering now, and you guys are just growing and we're not. The situation is that we provide a product for our restaurants that need for people who come to the coast that want to go and eat seafood. We don't just provide product for our families and our next door neighbors. There is a huge value on it that is being missed here. We're struggling here on this one.

MR. BOWEN: Mark, I don't think the recreational fishermen are growing. The effort is so far declined in the last ten years.

MR. MARHEFKA: Zack, when was the last time you saw the boats not being launched at the boat ramp? How many times have you seen a commercial boat sitting there at the dock right now because they can't go and catch fish?

MR. JOHNSON: I can give you a number that I saw in the ORCS Workshop. Recreational trips in the South Atlantic declined from 2.7 million trips to 1.2, so I don't see –

MR. BOWEN: Because our ACLs are lowered.

MR. JOHNSON: Okay, well, we've got a motion. Mark Brown, go ahead.

MR. BROWN: I made a recommendation to the DNR here about developing some sort of a program to where they had a permit that could be sold to the recreational guys to try to help fill the void of information that we have on the recreational side to get more information. I said know if people are going offshore in any recreational boat, they should buy a stamp or something to go out there.

Then they'd have to have their own little logbook, some way that they filled out what they caught, and they could report it when they come in. I mean, how hard is it for them to report that back? They could go on the computer and do it. But they said that because of funding, it has

held them back on doing that. We always run into this stone wall with individual states, depending on who it is, having funding issues with these programs.

DR. DeBRANGO: I agree with what he said with a vessel permit, but also we've got to remember today's technology, like in my room the little card that comes with the little barcode scanner, you can take your phone and you can sit there and it goes straight to a website, you just scan it and you go straight to a website.

If you've got a recreational fishing license you buy, well, why can't you go – they've got a record of it, you don't have to change your number or anything. You go online and do it and you're automatically renewed; why can't you get a stamp right there online for one red snapper right there, and you don't get another stamp until there is some sort of – you could take a picture with that barcode scanner, goes to a website, take a picture and send it to them and you don't get another one.

You can go back on there and get your other one. I mean, everything is online, databases. There is so much technology available, it's not even funny. But I guess you would have to put the manpower to develop that. But there are a lot more options here than just a lottery or a tagging program; a lottery is not fair to anybody.

Like I said, from what I see, I drive down the ramp on Sundays and Saturdays, and I used to see – there used to be boats, you'd have to park in overflow lots all the way down the road. Now it's like it doesn't even fill one lot anymore. I know the cost associated with going out there with the recreational, and half of them don't even have the experience to understand what the LOREN says.

MR. STIGLITZ: For starters, I'd like to second Mark's motion. Okay, I didn't know that you did. But I believe the reason why the recreational sector is a lot less trips is the cost of gas money. Four years ago the price of gasoline was \$1.82 a gallon. It is over \$4.00 a gallon, \$3.70, \$3.80. At the marinas it is \$5.00 a gallon. If the economy every does come around and the price of gas goes down, the recreational sector is going back out there. They are going back out there to go fishing.

They just can't afford to go out there and go fishing right now. I firmly believe that we need to get a grip on the recreational sector of what is being caught. That is a great way to get started and getting the recreational sectors input of what is being caught as to just guesswork. They're catching a lot of the fishery and it's all guesswork. We need to know what is being caught.

MR. MARHEFKA: Well, being able to sit out in the ocean and have a lot of time to go and think about this stuff; the lottery system is sort of kind of set on itself to where it controls how many people you can go and actually have out there that is going to go and be able to harvest the piece of pie that is available to harvest, okay.

Once again, as the fish are rebounding, you can go and increase the amount of people you have in your lottery. It's just the same way we're doing it with the commercial sector right now. We're going to get pared down to a minimal of nothing. We haven't seen anything happen, what we're feeling right now. We're going to feel a lot worse next year, because these fish are going

to rebound, they are going to get caught quicker, and they are going to go and get shut down faster.

The lottery system would help that to where we could sort of kind of control exactly what is going on. We were charged here for the 10, 20, or 50 year program down here of what we're supposed to go and want this fishery to look like. I think that we just need to get a handle on it. Once again, if you look at what the ACL is on the recreational and ACL on the commercial, it is very, very lopsided right now. We need to get a handle on the recreational just as much as we have on the commercial already have.

MR. BROWN: I know what you're saying, Mark, but I just can't go for any lottery. I just have a hard time with that, no matter which sector it is in, the variable in that. I think that knowing from past historical records what people have caught and stuff, the recreational sector has got such a big hole in it. There is not good information. We've been fighting that for years. After we finish with voting on this, I want to make another motion. I've got another idea that I'd like to discuss that I think would try to go in a direction of helping fill that void.

MR. MUNDEN: My concern with this motion is the mention of a lottery system. I know there is opposition to the tagging program around the table, but there are a lot of tagging programs in place that are working. This lottery system, you are plowing a lot of new ground. That is my major concern.

MR. BOWEN: Mark, again I can just speak for what is happening off of Georgia. That is all my experience and expertise is in. But when you say recreational fishermen, keep in mind the recreational fishermen – and I'm not trying to say this to be demeaning to them, but they don't know how the fish move. They don't know where those fish at like you do or like I do off of Georgia. The recreational fishermen, they don't really catch a whole lot. They're not taking a whole lot of fish again off of Georgia. I just wanted to throw that out there.

MR. PERRETT: I am a recreational fisherman. Let me make a comment on your comment. I think the biggest thing that is keeping them off the water in the area I am in is the catch limits and not the gas. Gas has certainly got an impact on it, but the catch limits is one thing that keeps us from going out. I want to understand the motion here. Are you saying that I could only have a license for three years; and then after that, I can't have one anymore? Is that what the motion is?

MR. MARHEFKA: No, you would have to apply each year within the lottery system, okay. You may get it the next year or you may not. If you do get it the next year, you can apply again the next year; but then after that third year, if you get it three times consecutively, then you cannot go and hold it for at least one year.

MR. PERRETT: Okay, I didn't understand that.

MR. MARHEFKA: In other words, you have a term limit of what you are allowed to go and hold a permit, a lottery ticket for. That way it will go and open it up for some other people who may be able to go and sort of enjoy the fishing. Also, once again, as stocks are hopefully to improve, the council can go and say each individual state, here are the lottery tickets that you are

allowed to go and have to go per state per state, however way they go and they deem it necessary.

MR. PERRETT: Let me finish and I'll give the floor back. Again, I would be in favor of some kind of tagging program. I think you can set an ACL for your commercial guys; you guys have got to make a living. I fully support that. I think you separate the headboat people; you give them some kind of allotment; you can decide how that is going to work.

But for the pure recreational fisherman, I would much prefer to have two tags or be able to have three tags the whole course of the year and then I've got the whole summer or whatever to take those three fish or four fish or whatever. Most of your recreational fishermen, particularly spear fishermen would prefer that, if we had a system set up like that. I think it would be fair.

You could decide how many of those you are going to give. If you're going to give 2,000, 3,000 to the recreational fishermen, we could apply for them for a lottery or we could either take them as we could get one at a time; when we collected a fish, turn it in, report the data, get another one. They do it with game; and if you don't report the information, you would never be able to get another tag in the future. I think that's important. I think we need to get the information from the recreational fishermen just like we're getting it from the commercial, because that is a big gulf of information out there that is a void today.

MR. JOHNSON: Just a comment on this motion too, Mark, we don't have a separate ACL for the charter, for-hire sector and the recreational sector in the South Atlantic. They're all one. You are going to have to start dividing up that ACL. It's a lot of work to be done with this motion. It is pretty general.

MR. DICKENSON: First of all, the recreational sector has been asking for some type of at least voluntary reporting for forever. We've discussed this at every AP meeting I have ever been to. Don't forget, recreational fishing also provides an economic benefit. The big difference is here commercial fishermen make money off of a public resource, so there should be some more regulation.

I'm not saying you should be regulated to death, but telling me I can't enjoy something that is, you know, second to my family is pretty much my favorite thing in the world; but every two years, and we're saying what is good for the gander. I mean, how would you like it if you had to enter a lottery system to get your permits and then you couldn't fish? Obviously, that is not going to work for you.

MR. MARHEFKA: They do have public resources on caribou, elk, deer and other things that are on lottery systems, also. I can't even go to the Grand Canyon, which is another public resource, to go rafting down the river without having a background check. If you really want to go and start nuts and bolts here, I mean, yes, it is a public resource.

For people around the table thinking their recreational that they have the right to go out in the ocean because they live on the coast, it belongs to everybody in the United States. It doesn't just belong to us. My vessel has nothing more to go and do then to go and provide for people who don't have the ability to go out and get that public resource. I could care less.

MR. BOWEN: Mark, you are not allowed to sell caribou and elk and deer.

MR. DeMARIA: I remember not too long ago when fishing was fun. It's just not fun anymore. It really isn't, and it's just getting worse. I'm not going to make a motion at this point, but it seems to me there is only two ways – which we all want to be able to fish year round I think, catch a reasonable amount of fish year round, whenever we want to go.

The only two ways I can see to do it is do some type of either catch share program or marine reserves. I would favor some type of reserves, some significant, well-thought out shelf-edge reserves all up and down the coast and then let everybody fish outside those reserves year round with reasonable restrictions, size limits, bag limits, and let it go at that.

Otherwise, we just keep doing the same thing over and over again with the size limits and this and that and arguing back and forth. It's almost like we're a group of cattle on the railroad tracks running in front of the train. We just keep running and running. We're afraid to get off and take a different path so we just keep running and running on those tracks.

We've got the nerve to laugh at the cows when we're pretty much doing the same thing here. I don't know; I would like to see some way of getting back to fishing year round, and those are the only two options I can think of. Like I said, maybe later I'll make a motion, but not right now.

MR. JOHNSON: Okay, let's go ahead and vote on this one if we can guys. Do you need to read the motion again?

**MS. BROUWER: The motion reads the recreational (private) snapper grouper fishery should be under a lottery system in which an individual cannot hold a permit for more than three years consecutively and must be required to report all catches.**

MR. JOHNSON: **Okay, all in favor of this motion; all opposed. The motion fails.** All right, we're going to take a real quick break, and I think when we come back we're going to hear from John Carmichael.

MR. JOHNSON: We need to get back to it.

MR. CARMICHAEL: I guess it probably would be best just to open up questions that you guys had on the SSC report and the stock assessments that they received, and I'll try to do my best to answer them the best I can. Robert, do you have a list to start from or do you just want to put it out there?

MR. JOHNSON: Well, I know a lot of people were curious as how the pogy assessment came back so poor when they've been under such tight restrictions. We have MPAs; we have this huge reduction in catch, closed seasons during the spawn; all of these regulatory measures have been put into place to protect this fish and they are telling us it is in horrible shape.

MR. CARMICHAEL: Well, yes; and when I looked at it, I didn't necessarily classify it as they are in horrible shape. What I'll say is they are not overfishing, which is good. The mortality rate is pretty low. The regulations are having their impact in that regard. What seems to be going on with pogy is that the recovery has essentially stalled out.

The biomass had increased there for a few years after the first round of regulations they put in; the rebuilding plan was implemented; and then it hit the point after the last update it was progressing as expected; and they relaxed the regulations a little bit; and it seems like then since that time the biomass has not really built up much.

It seems to be a period of low recruitment. The question there, and the question which we don't have the answer to, is whether the adults that are there are not producing eggs for some reason, is there something environmental or something going on or are they producing eggs but the eggs are not making it to, say, age one and two, when they begin to show up in the different sampling programs and the catches.

There could be something going on with their early life history dynamics, could be something happening to the larvae, it could be predation. I remember one of the things I thought about when I saw these results was a comment that was made during the September council meeting during the comment period.

One of the fishermen mentioned black sea bass coming up and spitting out little red porgies. That just registered with me, because then we're trying to think about what's going on with red porgy and what's happening with the recruitment in this stock. That just points out to the kind of things – we know black sea bass is doing a lot better, we know red snapper is doing a lot better, you have lionfish out there.

There are a lot of things going on in the environment which might be impacting red porgy, which might be impacting the ability of maybe eggs and larvae that are being created and making their way through to, say, ages one and two. But the SSC, they saw the results and they recognized the issue and they really don't know why. We don't know why.

We'd have to have better monitoring of red porgy in particular, more information on the larval stages and how abundant they are over time, which is something we just lack for nearly all of our snapper grouper species. It is hard to catch the larvae of those fish so we don't have the larval surveys like we do for inshore fish where we might be able to better pin down where the problem is happening.

Is there a population bottleneck, is there predation; what's going on? We don't know, and that is one of the reasons why the SSC recommended maintaining essentially the status quo, 75 percent of FMSY, as opposed to something more restrictive to try and maybe get the thing to rebuild a little faster.

They recognized that the council has done what it needs to ending overfishing, and we're just not getting the production. The other questions they had really about this one were just some of the particulars of the stock assessment. There are questions about the productivity measures and how much the productivity that we're estimating now is tied back to some of the early years.

Maybe red porgy back in the early years and the late seventies and eighties and such was just doing really, really well and was doing better than we can anticipate them doing maybe at this time in the future, which would affect perhaps the fishing mortality rate and the target reference points, but it wouldn't necessarily affect just the basic trend of where the biomass is and what yield could come out of the population.

They are interested in having a benchmark done of this stock assessment and maybe looking at some of those things and trying to look again at things like the FMSY estimates and how reliable they are, and maybe with some of the new surveys that are coming online within the region might end up proving informative on this; but we don't know yet. I think they probably are on board with a lot of the questions that you had based on their discussions.

MR. FEX: You talk about recruitment and not seeing the younger fish in the samplings. Since the size limit is 14, how would you see samplings of the younger fish then, being that the fish has to be 14 inches and probably actually past two or three years?

MR. CARMICHAEL: Right; that is what I'm saying is we don't see them in that we don't have any sampling of them so we don't know. We don't know what is going on from the time – we have the biomass and then we have the ages that show up in the fishery. There is a lot that could go on with those fish. What we are knowing is that despite a certain level of adult biomass, we're not seeing those fish recruit into the fishery. We don't know if they're dying along the way or if the eggs are not being created.

MR. BROWN: But how do you know what the recruitment is then? I mean, where does the recruitment numbers come from?

MR. CARMICHAEL: The recruitment numbers come from the ages and the abundance when they recruit to the fishery. There's a pretty good window there then, obviously, based on when we start seeing fish in the sampling and when they are actually born. A lot of fish will have surveys of young-of-the-year fish or juvenile fish where we have a window onto what is going on with those fish much sooner than when they recruit into the fishery, but we don't have this.

That is why I'm saying there could be a lot of things that go on between when a year class is born and when that year class shows up in our data sources. That's potentially what is the problem here, and that's why we don't know whether it's lack of production or whether it is some problem within one of those young life stages of the red porgy themselves.

MR. ATACK: What do you see with the biomass? Have you seen the biomass in your assessments for red porgy go up from the last five years ago, three years ago to a year ago, or is that staying flat from five years ago? What are you seeing?

MR. CARMICHAEL: As I recall, the biomass had been pretty flat for the last five years or so, the spawning stock biomass. That's where it comes back to the biomass being flat so the recruit is not coming into the population to bump that up, but the biomass has been relatively flat.

MR. FEX: I'm speaking on behalf of the graph that you show for the indices of abundance. I noticed that you used headboat data all the way up to the year 2000; and then after that you cut it off and then there was a use of MARMAP studies for the remainder. There was really no true trend to show how it was going; there were two pieces of data put together. From my understanding, MARMAP is going to be driving all of our indices of abundance for the remaining, because that is a fishery-independent source. That would be a concern of mine being that MARMAP might not have enough studies or samplings in a year. When I looked at that, I thought why did they just piece that together? Why didn't they let it flow through? That was really a good wonder to me.

MR. CARMICHAEL: It's not that they piece it together, but the figures showed all the sources of information they had laid out over time. They're all individual data series that are put into the model. It shows the years when the data are used. One reasoning for ending the headboat when they did – and I think they ended in '98 – is because that is what we call a fishery-dependent measure of abundance.

That means it is susceptible to biases based on how you fish. When the regulations went in place for red porgy were very restrictive, that likely changed the relationship between what shows up in the catch from the headboat and what is in the environment actually for red porgy. If you have a very restrictive trip limit and people are reaching that limit, then that piece of information is not really useful in terms of how many fish are out there.

It is because there is a lot more fish out there that you might have encountered and seen, but you couldn't put them in your cooler and bring them in. That's why the headboat series actually ends when it does, because there is fear that there is a lot more bias that would keep the measure low because of the regulations which are keeping the catch lower.

Now, the fishery-dependent type CPUE is very useful when there is very little regulations or there are regulations like a bag limit, which people aren't really meeting because you are still getting the information. Once it becomes essentially saturated, then it loses its information content as a measure of what the population is doing.

That is why it is the fishery independent, even though they don't necessarily fish like you guys do, what they do is fish consistently over time. That allows them to get you a consistent measure of what is out there. You have the same fear sometimes with those if gear becomes saturated, that you might not be getting the signal.

There are things they have to do with there to make sure that that is not happening and covering the areas. Basically they end the headboat when the data essentially become unreliable for that. We have the time when MARMAP has been occurring, which is brought in. We also have the new survey, which has begun recently, which hopefully will have us some more insight on red porgy, but that's going to again be started with a relatively short time period.

You really can't get in there and stitch those together, because they fish in different ways and at different times. The figure just tries to show relative where they show things are, and the headboat showed it sort of bottoming it out and then the MARMAP shows it kind of picking up a little bit and then leveling off. One question would be is the population doing better than the MARMAP survey is showing? I don't know; you would have to look at, say, is the gear getting saturated or something? Is there something else going on that might have affected their catch rate over time?

MR. FEX: Back to your point that landings due to regulations are becoming less reliable for our data source, correct, that means again that MARMAP is going to drive our assessments from here on out.

MR. CARMICHAEL: The landings are reliable as a data source of what is being caught. It is the landings per unit effort that become less reliable as a measure of the population abundance.

Yes, so the independent indices will become more important as measures of population abundance, and that is actually what we intend.

We would really like in all of our assessments to not have to rely on fishery-dependent indices of abundance, because they are plagued with potential bias due to changes in fishing behavior, changes in regulations, people essentially catching all of the fish, and all the reporting issues that go along with it. Yes, we would like to get to where we have very good independent indices that cover the full range of the species and rely on those for our measures of abundance.

MR. GOULD: A lot of us are not familiar with the protocols and rules that MARMAP uses for their scientific independent research. Could you just fill in everybody real briefly as to the places that they visit, the frequency that they visit them, whether these places are just random rocks that are picked out for scientific research, whether the rocks have a history of fish on them or no fish or what not, but just real briefly give us how this MARMAP deal works.

MR. CARMICHAEL: You might be stretching my recollection to understand fully how MARMAP works in all of its details. I will say they do a report every year that lays out very much in detail how they select their sites and where they go. I think most of the sampling occurs maybe late spring, early summer through the fall. I think they wrap up their field season in September-ish.

I believe it's a stratified random, which means they randomly pick sites that are stratified based on bottom types and habitats, so that a certain amount of effort goes to places that are identified to be known as holding fish. They might have some fixed stations included in that where you go to certain places all the time.

Doing that sort of mixture lets you check out new places as well as have a good core of places where fish tend to regularly be. They've used a variety of gears over time. They used hook and line, a couple of different types of traps, different longlines. They are moving more toward the traps, the Chevron traps I think is the one that is useful in here.

Recently, the latest addition has been to begin adding cameras to the pots and the traps, and that is very much what is a core of the SEFIS program, which the Science Center has recently started, which now exists, following a lot of the same MARMAP techniques, but expanding to a much larger area to increase the sample size and the coverage.

The cameras, which is also being used there, gives them a way of checking to see, you know, certain fish maybe don't like the pot or the pot gets full of fish and there are other fish that are there you are not seeing. The cameras has been a way that has been developed to get a much better measure of what is really down there and lets you get at fish that don't like the pot. It lets you get – when your pot gets full or some fish want to go in an empty pot and other fish want to go in a full pot kind of stuff, so what they do is they run those videos and then they select periods of the time and they count the fish that they see of different species.

It is believed that – and experience in the Gulf has proven this out that using the videos is really going to begin making these surveys a lot more informative over time. I think that covers most of your questions. I think the biggest thing with the fishermen usually is the area and where do they fish and fishing over there where there is no fish.

There is always it is going to appear that way, because they have to cover the full range of where something might be seen. We know, say, when a population expands in abundance, it is going to start showing up in places where maybe it didn't use to be. They want to make sure they are able to cover that as well.

MR. BROWN: I asked Jack McGovern and Marcel about this, too, and they both kind of tried to describe the program, and it had a lot to do with the consistency of doing the same thing year after year after year after year, whether it was right or wrong or fishing the right place or not. It had to do with the consistency. Then if there was any fluctuation in that consistency, whether it was large or small or whatever, then that was where they went from with the modeling.

MR. FEX: Yes, I could see a problem with MARMAP sampling right off Jump Street, because red pogy is a pretty predominant in my area during the spawning time of January through May, and I don't know when exactly you just said the MARMAP does start. I think that could be a flaw itself just because of the water temperature. I think they are more of a cold water fish, just from my experience.

MR. CARMICHAEL: I'm not sure when their sampling starts, and I believe part of SEFIS has been expanding also the time when the sampling occurs to get there and to get farther. MARMAP historically covered kind of Cape Hatteras through maybe Cape Canaveral just based on where they were located, which with some of our species has caused an issue.

Yes, we obviously wanted better time coverage and better spatial coverage, which we're starting to get. It's one thing to throw some darts at MARMAP, but, thank gosh, we've had it, because it's been our only source for so many years of any kind of independent information of what is going on with these populations.

I'll point out the council looked at one of their earlier meetings the CPUEs they had for the past year of black sea bass, and it's just gone through the roof, and that's why the council is looking at doing the update. We know that MARMAP has a lot of value and it has proven that it does give us the information when it is out there.

It's always to be refined and, as Mark said, you've got to be careful when you make changes you want to. And those guys are right, you want to be responsible and make sure you're getting the best you can out of your data but you have to respect your past, which means a lot of times they have to do side by side, which they did when they were doing some of these changes in gears and bringing in SEFIS is to do the thing side by side so you can maybe draw a comparison between your new method and your old method, much as we've done with the MRIP program as well so that then you can keep your series together and not totally lose that. Because as you mentioned earlier, it's that the lack of anything that stitches red pogy together from 1975 all the way until 2005 and 2015 is potentially an issue.

MR. JOHNSON: Does anybody else have any questions on the red pogy? If not, how about vermilion snapper and black sea bass?

MR. CONKLIN: This question first, John, is mainly to Mark, because I know Mark gutted black sea bass. Did you find any of the vermilion or red pogy inside of them when you were – I know you did.

MR. MARHEFKA: No, and that is something we've done for the market is gut everything that we catch now. I've never saw vermilion or a red porgy in a black sea bass ever.

MR. JOHNSON: I'm just going to make a comment on that. I have seen them spit up little teeny baby B-liners off of Jacksonville. In fact, I sent Todd Kellison some coordinates on the place that occurred. I mean, the deck was covered with little teeny B-liners that the black sea bass had eaten. Obviously, if they're in an area where that juvenile spawn is and they're hungry, they eat them. It just depends on where you catch the fish and what time of the year, I guess.

MR. BOWEN: Robert, I'm seeing them off of Savannah spitting them up as well.

MR. BROWN: I've seen them spit up chicken bones, so they eat everything.

MR. CARMICHAEL: Most fish tend to be very opportunistic. When the scientist look at a feeding study and people cut out the stomachs and they look at what's in there, it is really hard to determine what the fish prefers to eat if you don't know what was there where he was living. That is sort of the other side of that coin. Yes, you've got to know what is there. I think they just tend to be very opportunistic and they get there and there is a bunch of vermilion larvae they start eating, when there is a bunch of little red porgies they eat them. When there are little black sea bass, they probably eat them, too.

MR. BROWN: In regards to the black sea bass, I made a motion earlier about asking the council to change the probability of the rebuilding from 66 percent to 50 percent. What my question was, John, is when the assessment comes back in the spring on the black sea bass and if it shows a positive result, which I think everybody is kind of expecting that and everything, will that help in any way? I know that the control rule and all that plays in there, but will that help in any way of a decision in regards to the probability issue?

MR. CARMICHAEL: Yes, it would. It depends on where the stock is and how it's performing. I'll point to the example of vermilion snapper. The last vermilion snapper had a P-Star of 27.5, if I recall correctly. The new run, when they looked at the update and there were some technical changes made in the update in particular on how they dealt with the uncertainty, then there are also changes in other aspects of it that led to the SSC now recommending the P-Star of 40 percent.

We saw a 13 percent change toward the positive, towards allowing you to catch more fish in vermilion snapper as a result of progress in the population and the advancements in the model. In black sea bass what we would anticipate is when the stock gets to where it is not overfished and not overfishing, then there is going to be some benefit there, so I would expect that we will.

MR. BROWN: The P-Star can change is what you're telling me is that regardless of the way the rebuilding plan is structured, then it can change the P-Star.

MR. CARMICHAEL: Yes, the P-Star changes. There is a series of criteria that the SSC evaluates. One of them is the status of the stock. One of them is the weigh uncertainty as handled within the model. One of them is inherent productivity characteristics of the stock; that one doesn't change so much.

But it's the productivity. I guess the other big one in vermilion, as I recall, is whether or not MSY is actually estimated or it's a proxy. Vermilion moved to a MSY estimate; it moved to a more thorough treatment of uncertainty, so it went up. In the case of black sea bass, I can't remember what they recommended; 62.5.

Now, when black sea bass is no longer overfished or overfishing, I think there is another 2.5 percent there, so black sea bass could end up like vermilion snapper when it's rebuilt, with a P-Star of 40 percent. You go for 40 percent chance of overfishing occurring within any particular year. The system is set up that as advancements occur and as the stock gets better, it is already there to make these incremental changes in the P-Star.

MR. BROWN: That's two more years; I mean, 2016 is the end of that plan, correct, so what happens in 2017?

MR. CARMICHAEL: I expect that 2017, what the council would be doing then is very much like vermilion snapper. They would have a projection out a number of years with a particular P-Star that is now instead of based on rebuilding is based on the chance that overfishing occurs in any given year. Then that will give them the landings level that can be taken.

MR. FEX: Speaking on behalf of the vermilion assessment, I saw that the numbers for it like 1.3 something in 2013, and then as the time increased the numbers went down. Could you rationalize why that is?

MR. CARMICHAEL: There could be two reasons for that and they are basically going down in response to the trend of the biomass. Another reason they may go down way out in time is because the uncertainty is like a tone. It's like one of those hurricane projections where it looks like this and then it gets tighter as it gets to you and time passes.

The uncertainty might lead to kind of ratcheting down a little bit because you have to maintain that probability of overfishing that occurs. The longer I look out into the future, the less the landings have to be to maintain that probability. But what is really going on over the short term, over the next couple of years is the trajectory of the population in response to the exploitation rate. What they're doing in vermilion snapper is allowing a higher exploitation rate.

The biomass now is above the BMSY level. As you go to that higher exploitation rate, that biomass is going to start being fished down over time. It is going to be taken out, so the biomass of the population is gradually reducing. It is heading towards some equilibrium that is going to occur when you fish at that 40 percent P-Star level for a while and recruitment averages out, and you get to some equilibrium. It's really just telling us the population is heading to slightly lower equilibrium.

Now, when we look at that again in three years or five years or what have you, we'll get another chance to see, well, how was recruitment then, is our expectation of what recruitment will be like in the future going to change? What's the selectivity like, what average size of fish are you catching, because that has a big impact on your poundage yield, and all those things might lead to then those tables kind of being reset and they go off on another trajectory.

MR. MARHEFKA: John, before you leave the table, I'm just sort of trying to figure out what is your prediction here in the next 10, 20, 50 years? Seeing the trend that we're going through here right now with the way we're harvesting the fish that we're harvesting; what is you – as the SSC here, because it seems like we are charged here around the table to try and figure out what we want the fishery to look like and what does the SSC seem to think?

MR. CARMICHAEL: I think a lot of our assessments are showing us progress. Vermilion and black sea bass are good examples. Red snapper is showing that. I think we are seeing some payoff. I think that is one reason why red porgy struck me as a bit surprising; because over the time when that's showing relatively poor recruitment, most all of our stocks have shown a year or two of good recruitment.

That one was kind of unexpected, but I think that generally in the population the snapper grouper as a whole, the complex., we're seeing more fish out there. We're seeing some gradual improvement, which the challenge then to that is going to be dealing with the amount of effort that is out there.

The example for that is black sea bass, the very restrictive season that you're seeing because black sea bass are very abundant. That is just an unavoidable fact of any recovery, especially in a recreational fishery. If you look a little bit north of us, you will see it has happened everywhere.

There were battles over summer flounder that were enormous when that population started to recover, when people started catching a fish or two when most people weren't catching any. The exact same thing happened in black sea bass in the South Atlantic. The same thing is happening in black sea bass in the Mid-Atlantic.

It is because the fish get good, they get abundant like black sea bass where everybody wants to go out for them and people start being successful whereas maybe five years prior they weren't successful. You see the combination of an increasing population in a recreational fishery with – you know, there are no effort restrictions.

Anyone can get a license and the population is going out there and it is a great resource. People are moving to the coast. Our coastal population is all growing. All of this has been building up for years and is showing that what I think is going to happen is at some point we're going to have to deal with the effort in all these fisheries. I don't know how we're going to deal with it, and it is going to probably be guys like you coming up with some ideas. You put the thing out there about the recreational lottery, which led to a lot of great discussion.

Obviously, it didn't carry the day, but I think you are at least recognizing the problem that there are effort issues out there. We certainly talked about it many years ago at this council in the commercial fishery. It led to the two-for-one provisions. Then we saw the economy come in and probably do more to the effort than that could.

We've seen the economy come in and affect the recreational effort in a huge way, as Robert mentioned. The number of trips that go beyond three miles is greatly down. I'd love to see something as a scientist that let us know of all the recreationally permitted guys – and now we

know how many saltwater recreational permitted people there are – how many of those guys really go after snapper grouper?

Since you asked the question, one of the things when the council was talking about the red snapper tagging that I thought would just be gold information, just worth its weight in gold from the scientific perspective, would be how many fishermen, how many people out there would actually apply for a red snapper tag; how many people would throw their hat into that ring for that lottery?

I think that that would just be golden. I understand there are a lot of issues with it, but from my purely scientific standpoint, knowing how many people are out there along the coast that would say, yes, I want one of those and take the personal effort to contact you and fill out a form and submit it would be just incredible.

I think ideas like some sort of tag program or something that is similar to what you do to like separate those who have a hunting license from the proportion of those that actually hunt for ducks, say, which is a subset, a specialized subset, they have specialized reporting requirements.

Snapper grouper to me, as a sportsman now, my personal feelings falls into that. There would be nothing wrong with having people do that. I think if we're going to properly manage this subset of recreational effort in the next ten years, we're probably going to have to do something like that, because otherwise we're going to continue to be faced with these short seasons, the black sea bass situation in many, many species.

If we don't deal with it, though, what will happen is we'll end up having a lot of these snapper grouper stocks primarily being bycatch fisheries where the discard from black sea bass, when people are fishing for vermilion, wipes out much of your available harvest; or for red porgy when you're fishing for something else. I'd hate to see that, but we're seeing increasingly that a large proportion of some of these fisheries, so a large proportion of removals are going to be recreational discards.

When you can't throw back a fish at 200 feet and expect him to live very well, that is a real serious concern. It was surprising to people maybe 15, 20 years ago when we added up striped bass landings on the Atlantic Coast and realized the biggest removals were recreational discards, and that fishery was handling 25 percent of the population a year recreationally.

If we get to that on some snapper groupers, that is going to be a big problem because at least in that case I think we were thinking 7 percent of them die when they're thrown back. You say 50 percent of them die when you throw them back or even 25 percent, that really begins to be a big cost. I think that is what we're going to have to grapple with in the next 10 years is the effort and how do we take the most of this fish and quit wasting them.

MR. FEX: I hate to switch gears or whatever. You saw Nick Farmer's presentation on the closed areas and everything. One thing I noticed he didn't take into consideration was the elimination of certain gears. Longline has been taken off of the hard bottom because of snowies, and it has been eliminated since '92 or '96.

Longline is a pretty powerful gear; it is able to bring up larger fish. Then the longlines have been shifted out to the mud, so they are not longer laying gear on the rocks. My gear has downsized. I use smaller hooks, I use 150 mono, I had a snapper about straighten my hook and the snapper was only 20 pounds.

My point being is the larger fish might be out there, but we've eliminated one of the largest gears that were able to catch those larger fish, mainly the Warsaw; Kitty Mitchells don't get all that big. But that was never taken into consideration in that analysis, and you would think it would be fundamentally effective to check that out because of that rationale or not?

MR. CARMICHAEL: Yes, and I think part of that, if I'm correct, his analysis was trying to get at places where the fish did occur and not so much impacts of things or the abundance that may be out there right now. They are trying to get as broad an image as they could of where they potentially are and don't really have the ability to go and say what is out there now.

I think information like that would be very useful to answering the question of how big is the population now, and that is the part that we really don't know. It is probably one of the problems. You know, the SSC was posed the question maybe last April how much should the harvest of those be reduced further than what it is; what is the allowable amount or what percent reduction needs to be taken; how many more fish need to be protected, say, through area closures?

They really couldn't give the council a number, because they admit it is like we really don't know the removal rate now. We don't know anything about the populations that are out there. They recognized that if you look at the data today and try to compare it to what happened in the past, you are going to have a bias, because you can't go after them, because you've had gear restrictions that keep you from fishing in ways and in places that you use to encounter them.

Just the fact that you see fewer of them now in the gear doesn't mean there are fewer of them out there. A lot of it might mean that you are just not able to go out there where they were. They brought up the idea that there is not as much effort way far offshore as there was back then, because of price of fuel and such.

Yes, I think it is not in there, but I think it is because that is kind of beyond the scope of what his analysis is able to do. But that is a core question that really stands in the way of the council doing something on those stocks where they have confidence in what they are going to achieve. You've heard at the council meeting the discussions about it kind of gets around that day that it is hard to make a decision when you don't know where you are trying to go.

MR. JOHNSON: There is nothing else? Thank you, John. How long of a lunch do you guys want to take, an hour? Be back here about 1:30, that will give you an hour and ten minutes. Is everybody good with that? Okay.

The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council reconvened in the Crowne Plaza Hotel, North Charleston, South Carolina, Wednesday afternoon, November 7, 2012, and was called to order at 1:30 o'clock p.m. by Chairman Robert Johnson.

MR. JOHNSON: Mark, you have a motion you wanted to bring forth? Go ahead.

MR. BROWN: Yes, I'd like to make a motion to request that the council explore a snapper grouper stamp for the private recreational sector to generate money that each state could apply for to improve private recreational catch monitoring.

MR. JOHNSON: Second by Rodney. Do we have any discussion on that? Do we have any opposed to the motion; one opposed. If we need discussion, we can have discussion before we vote. Do you want discussion?

MR. DeBRANGO: You might want to add – I don't know if you think so, Myra – a vessel stamp for everybody's individual saltwater license on this, saltwater license, river fishing or whatever; but if you're talking maybe a vessel stamp or you're taking four or five people out there, then he would have to report what his vessel catches.

MR. BROWN: Yes, I'm just trying to think through that.

MR. SMITH: Well, my thought on that is that we want to get a count of the number of anglers out there.

MR. PERRETT: I guess if you are going to go to the point of doing the stamp, I would also think that you may want to have some required reporting going along with that. As you got the stamp or you go to get the issue of the next annual stamp, you would want the people to report all the fish they'd caught in the last 12 months. They do that for a lot of game species and other things.

MR. BROWN: Well, that was the intent. The intent is just to generate a way for the states to be able to create programs and to have funding, too, that they could access if it was developed on a federal level.

MR. ATACK: In North Carolina we have a recreational fishing license that the people buy for saltwater; and if there was a stamp that they also had to get for snapper grouper, then of the 6,000 or however many 15,000 licenses there are recreational, you would know what percent of those participate in that fishery. Then for the surveys, if they wanted to do a snapper grouper survey, they could call those people and not call the other 10,000 that are just doing flounder fishing or spot fishing, you know.

MR. BROWN: The reason I'm doing this – the reason I'm making this suggestion here is it all comes to us with this idea of how to issue red snapper stamps or how to give people the option to be able to fish in a specific fishery that is managed under the snapper grouper, all the different regulations that we have and everything.

We've had such a gap and such a large hole in the recreational private sector for too many years. I mean, there is no information there, everything is done off of just guessing what it might be, and MRFSS and MRIP have been a thorn in our side for a long time with this lack of information. We need to have some type of accountability. You know, it is no different than somebody goes and gets a duck stamp. I mean, you get a federal duck stamp, and that way they

have to do a reporting for that and then that way we know what they're catching and we know what the discards are, the landings or whatever.

MR. JOHNSON: I'll just add we've been down this road already and I have no problem with the motion, but I don't know there is something about they can only charge as much as administrative fee. There are a lot of things involved in this.

MR. BROWN: I talked to Gregg about this pretty extensively a little while ago, and he said that he was going to look into it and see what the avenues were that they can do. I think this is the biggest thing that the states face with trying to develop these programs is the funding. We're facing it with MARMAP, too. MARMAP was cut by 40 percent. That cuts into the information that is being used to develop these regulations. I'm just thinking of ways that we can close these holes that we have in the collection of data.

MR. DICKENSON: I don't think that's a bad idea. I know recreational don't have any problem with it. I think its HMS permit you have to get to catch swordfish. But if it helps data collection at all, that is definitely worth exploring.

MR. DeBRANGO: I don't think it's a bad idea. When I go with the recreational license, buy that if I want to get lobster or something, I have to pay five dollars more to get a lobster stamp, but there is not reporting on it. That's the thing; that is the state of Florida that has already got stamps. There is no reporting.

If you get a lobster stamp, it's just you're buying a stamp. This would have to be actually worked out with the state too, and say, hey, you've got a snapper grouper stamp, did you make any trips or is there a website we can go to and report into an electronic logbook system, which again we bring up electronic logs.

MR. MUNDEN: The language in the second line to generate money, that would be problematic for the state of North Carolina because any actions to generate funds have to be taken by the General Assembly. I would offer a friendly amendment to the motion and that would be to replace the language generate money to provide data, that each state could apply to improve private recreational catching, catch monitoring.

This would give the council some direction but let them decide what type of options they want to carry forward. I would be troubled by the motion specifically generating funds, because again with our recreational saltwater license we had a major battle to keep that money from going into the general fund. One other thing we could do is say a snapper grouper stamp, you might want to say "or license endorsement". I'd offer a friendly amendment to change the language "generate money" to "provide data".

MR. BROWN: I agree with that. I think that is one of the biggest problems that we face is trying to figure out the legality around all the ways for the states to be able to access – because that is what I keep hearing is the funding problems with the collection of data. That is basically all I'm trying to do is provide avenue or a path to get the data better, make it better and develop a way to collect better data. But I think Gregg is looking into it; he's calling Monica to find out what is legal within Magnuson and everything to be able to do this.

MR. DICKENSON: This is a federal issue though in a federal jurisdiction. The federal government can do this if they want to do this.

MR. SMITH: I'd keep my second on it if you change it that way.

MR. JOHNSON: Any other discussion or are you all ready to vote? Okay, Myra is going to read the amendment.

**MS. BROUWER: Okay, the motion reads request that the council explore a snapper grouper stamp for the private recreational sector to provide data that each state could use to improve private recreational catch monitoring.**

MR. ATACK: Are you okay with the changing that to "endorsement", from "stamp" to "endorsement"?

MR. BROWN: What would be the difference?

MS. BROUWER: I don't know; which one do you want?

MR. ATACK: I think the endorsement would be like – we currently have a recreational fishing license – just like on a driver's license you have a motorcycle endorsement; you might have a snapper grouper endorsement on that license that you're already having to purchase.

MR. BROWN: I guess that's fine. I just thought it would be more specific with a stamp, but I guess it doesn't matter.

MR. JOHNSON: Do you want her to put "stamp or endorsement"?

MR. BROWN: Yes, since it's got to be looked over anyway; yes, that is fine.

MR. JOHNSON: That was the point I was trying to make. The last time we went over this what we were in favor of and what I took to the Orlando meeting was we wanted a federal reef fish stamp or permit and Roy told me that they couldn't. There was some reason he said that wouldn't fly, I can't remember, but he shot it down. The states could do it though.

MR. BROWN: The states are charged with enforcing these federal laws. When people land them, whatever areas that they land these fish they are given a certain amount of money from the federal government to enforce those federal laws. What I'm saying is that they need to have something built into the system where they have a stamp or an endorsement that says that they are allowed to fish for those particular species of fish in federal waters. We need to develop a logbook program. They should fill out what they're catching and send it in electronically or whatever.

MR. STIGLITZ: I think a stamp should be sufficient. They already have that in hunting. You have to have a state hunting license to hunt ducks, and you have to have a federal stamp to hunt ducks. I don't see why it would be any difference for fishing. If you have got to have a state fishing license, you would get a federal stamp to go along with your fishing license to do snapper grouper.

MR. SMITH: Not on that note, but I'm thinking that endorsement, when I hear something like you have to have an endorsement on your license, that sometimes you have to take steps to get that endorsement. I'm not always talking about money; but like hunters, they have to take hunting safety classes, right. Well, I think that is where we are falling behind.

We can really increase our effectiveness in releasing fish if we have to take a best practices class. I'm not saying it, per se, on this motion, but those are things that come to my mind and other people's mind that if offshore anglers know how to take better care of the fish before they release them, or how they're fishing or the tackle that they're using, then we're doing a better job with our discard mortality. Those are just ideas that are coming to mind.

MR. DICKENSON: It is a federal issue, though. A state can't tell someone what they can do in federal waters. You can't do it; that doesn't work. Yes, there is an agreement in force where the wildlife officers and whatever they're called in different states, yes, have concurrent jurisdiction with the federal government.

Obviously we all know that. But there is already a program in force with that HMS permit for swordfish and skipjack tuna and whatever other fish are regulated by it, but it is \$27.00, you sign up on the internet and you get it, and then they know who – and it's by boat. It is a boat permit, too, is s my understanding. I don't have one, I don't do that, but obviously they do that, because it provides data, but there is already a program promulgated by the federal government.

MR. JOHNSON: I think the issue here is the amendment reads that each state could use to improve, so is the state going to use it or is National Marine Fisheries Service going to use it or both?

MR. GOULD: The federal people could require stamps such as like they do with the duck stamp. The state issues the hunting license; you purchase a state fishing license, which everybody has to have. My operation has a blanket license. Everybody else that fishes recreational has to have an individual license to fish. The problem is that, yes, the state does enforce federal regulations outside of state waters.

That license, when you go in federal waters, it becomes a landing license, not a fishing license but a landing license. You could take and change the wording in this to put it in such a way that the federal government could issue the stamp and give the proceeds to each state to keep track of what the people are reporting on their trips offshore. That would be a little bit simpler solution to it to change it to a federal stamp, and then to give the proceeds to the states to enforce it.

MR. BROWN: I think that all the development of it would definitely come over time. I'm just trying to get the first step forward just to cover this loophole in data that we have this gap. We've been fighting this for years now.

MR. JOHNSON: Yes, so basically this is just the intent; this is what we want them to look at and they can figure out all the legalities and details and that stuff. Okay, are we ready to vote now? Anyone opposed? **Seeing none opposed, the motion is approved.** Regulatory Amendment 15.

MS. BROUWER: Okay, what I'll do is just walk you through the summary document that was included in your briefing book. There was a version that was updated that I sent out I believe it was last week. If you can't locate it, it is available on the website. You can open that one up and follow along.

Regulatory Amendment 15; the council gave us guidance to put this together to include the action that would change the yellowtail snapper ACL in response to the amendment permanently, until modified. Right now, as I told you this morning, it has been increased just for the commercial sector and is being done through emergency action, which will expire.

One of the actions in this amendment would make that a permanent change. I will just walk you through action by action and we can talk about the alternatives. This summary that I put together for you contains the preliminary analyses that we've been able to put together for this amendment.

There are still analyses being conducted so this is by no means the final product, so as long as everybody understands that's the case. Action 1, increasing the ACL and the OY for yellowtail snapper, Alternative 1 is, of course, the status quo. It also contains language that explains what the temporary emergency rule is doing.

Then Alternative 2 has that same increase in the ACL, and this is the one that, if the council chooses it as their preferred, would put that change in the regulations permanently. Then there are the couple other alternatives that were also included to have a reasonable range. Those two Alternatives 3 and 4 would step down the ACL from the ABC by a certain percentage.

Alternative 3 looks at the ACL being set at 90 percent of the ABC and Alternative 4 looks at setting it at 80 percent of the ABC. As we discussed this morning, the council has been consistent thus far in setting ACLs equal to ABC. I don't know if that is going to change. At this point I guess if we can get feedback from the AP on every action, that would be helpful, so we can include your recommendations when the document gets finalized.

MR. DeMARIA: Is there a preferred alternative with the council right now?

MS. BROUWER: No, the council has not had a chance to choose anything, because they have not seen this amendment. They gave us direction to put it together in September. The first time they are going to see it will be in December, which is also when they intend to approve it for submission to the secretary.

This is moving very, very fast. The reason is because the council wanted to make sure that this was in place before the emergency rule for yellowtail snapper expires and also because this amendment includes an action to take away the shallow water grouper closure. That is currently in place because the ACL for gag was met. They wanted for this to move quickly. There are no preferreds for any of the actions right now.

Alternative 2 responds to the recommendation from the joint SSCs. Yellowtail is assessed as a single stock, so the assessment covers the entire range of the species, the South Atlantic and the Gulf of Mexico. The two SSCs met on October 10, and they discussed the assessment and they agreed on one ABC for the entire region.

Then the Comprehensive ACL Amendment put in jurisdictional apportionments of that ABC. Currently 75 percent of the ABC is attributed to the South Atlantic. You apply that percentage to the ABC that was recommended by the SSCs and that gives you your split between the South Atlantic and the Gulf.

Then you apply the allocations to that total ACL, and this is what you come up with. You have a commercial ACL, a recreational ACL and a recreational ACT. The ACT, the council has put it in place for unassessed species. Basically it acts sort of like a red flag for them to start thinking about changing management measures if the landings are consistently going over that threshold.

MR. JOHNSON: Is there any discussion? Does anybody have a preferred out of this list?

**MR. STIGLITZ: I make a motion that we accept Alternative 2 for our recommendation.**

MR. JOHNSON: Second by Don. Any discussion? If there is no discussion, are you guys ready to vote?

MR. ATACK: I guess Alternative 2 is the one with the highest ACL and the ACL equals OY equals ABC. I guess Alternative 3 is 90 percent of that. That is the difference between the alternatives, I guess.

MS. BROUWER: Just to add to that just food for thought, this is a stock that is doing very well. The assessment is showing that the population is very robust. This would be an instance in which managers might want to consider setting the ACL below the ABC to have that little bit of a buffer. For other stocks perhaps where there is less wiggle room, they might be less inclined to do that.

MR. BOWEN: Myra, are the ACLs currently being met?

MS. BROUWER: The reason that the council requested an emergency for this stock is because in September the commercial ACL was projected to be met, and so the fishery was going to close on September 11. There was a fishery bulletin that went out announcing the closure, which was the very first time that yellowtail had exceeded the ACL. It had never closed before.

We got representatives of the industry coming to the September meeting and they obviously were not happy about this. There was a stock assessment that had just been completed that showed this stock was doing well and the ACL could be increased. That was the impetus for that. If you'd like, this summary also contains a graph of the landings. If you want me to show that, I can do that. No, I misspoke; I don't have that in here, sorry.

MR. BOWEN: The reason I asked that – I mean, I'm not a yellowtail snapper fisherman, but I'm sure there are several in the room that are – I wouldn't want to vote on something that is going to cut them if they need them or fishing on them and the ACLs aren't being met.

MR. JOHNSON: Chairman Cupka I think has got something to add here.

MR. CUPKA: I just wanted to add at our last meeting we had a number of yellowtail fishermen show up and they were making suggestions in regard to the interjurisdictional allocation of 75/25

percent, which had never been a problem in the past because they had never reached the ACL. But now this year when they thought they were going to reach the ACL, they were telling us that we needed to revisit that issue, and that the allocation coming to the South Atlantic needed to be higher than 75, because more than 75 percent of the catch was coming from the South Atlantic area. There is a lot to that. I think the Gulf catches much smaller than 25 percent.

We may be revisiting that split, but to further complicate the issue we are forming an inter-council committee between the Gulf and the South Atlantic to look at a whole range of management issues in South Florida where everybody knows the conditions are different. There are some problems down there with species being caught on both sides of Florida with different management measures in place.

We're going to be looking at that, this inter-council group between the Gulf and South Atlantic, and trying to make some decisions on how we are going to manage yellowtail in the future. Our council has already expressed a willingness with the Gulf Council to take over management of yellowtail throughout its range, and that is one of the things we'll be looking at. You will be hearing a lot more about yellowtail here in the future as we get into some of these actions.

MR. DeMARIA: I don't think there are that many yellowtails coming out of the Gulf anymore. Years ago before the Tortugas reserves were created and the price of fuel and whatnot, there was a pretty good-sized yellowtail fleet out of Key West that fished Tortugas, which is part of the Gulf. They fish mainly on Tortugas Bank and Riley's Hump.

Both of those are completely closed now, the north part of the bank. There are some areas where you can fish, but the amount of yellowtail coming out of the Gulf now I think is considerably less than it was, say, 15 years ago or so. Yes, it is a South Atlantic fish for all intents and purposes now. There are a handful coming out of the Gulf but I can't picture very many.

MR. SMITH: I would be more supportive of 3; I think that is more in the middle and it gives us that 10 percent buffer.

MR. JOHNSON: **Well, we've got a motion. Is there any more discussion on the motion? Do you have any opposed to this motion; five. Motion is approved; one abstained.**

MS. BROUWER: Okay, the next action would look at changing the commercial and recreational fishing year and setting a spawning season closure for the commercial sector only. Again, this is something that was suggested to the council in September because of the impending closure of the fishery.

The industry came and said; "Well, if you change the fishing year to line things up better for us, then we would want possibly a start date of the fishing year in August." That was what they requested that the council consider, so we put together a few alternatives for changing the fishing year. But, now that the ACL has increased by a fairly substantial amount, it really doesn't matter, because it sounds like based on the current landings the fishery is going to be able to stay open year round.

It's not really going to make any difference, and it would have a negative effect on stock assessments, because from what I understand if you change the fishing year, it makes it harder

for the analysts to compare results of an assessment with previous information and to have to spend a lot of time arranging and rearranging the data to make sure that things line up the way they are supposed to. It is really not desirable to have a different fishing year for that reason.

MR. BOWEN: Myra, you were speaking specifically for commercial?

MS. BROUWER: The change in the fishing year, there are alternatives for both mainly because the council wanted to just have the option or give the public the option to look at what would happen if you changed one or the other or both. Of course, for many reasons it is much easier to have a fishing year that is the same for commercial and recreational, and then the spawning season closure would only be for the commercial sector.

MR. BOWEN: Here is a thought or here is actually an idea. I've kind of written this down so I'll read from the paper that I wrote. This is for the recreational sector only. This is kind of in the form of a motion, but I think I probably should bring it up now. I wrote for the council to consider a single start date of April 1 and an end date of October 31 for all snapper grouper species in the South Atlantic. When the ACL is met for a certain species, the specie would close. That would in turn get rid of overlapping seasons and it would also lower discards. Can I get some feedback?

MR. JOHNSON: Well, we could probably handle that under other business, maybe, towards the end.

MR. BOWEN: Again, I just brought it up because she's talking starting this and fishing year changing and species, this, that and the other. I just kind of have been making notes and if we don't want to discuss it now, but at least the guys and gals on here could start thinking about it, but single start date, single end date for all snapper grouper species. Now whether that day can be April 1 to October 31, whatever, but that just seems to make more sense to me to get rid of the overlapping seasons and it would lower discards.

MR. DeMARIA: You say you wanted it to start April 1?

MR. BOWEN: That's just what I wrote down. I feel like in Florida; the state of Florida is the wildcard in this situation. I understand their seasons are considerably different. I feel like for Georgia, South Carolina and North Carolina April 1 through October 31 would work rather well. If Florida wanted their separate season, then we could discuss that.

I know we'd have to go into dividing ACLs from Florida getting a percentage then the other three states getting another percentage. But I'm sitting here with Florida guys on each side of me and I've asked them kind of when they fish for snapper grouper, and they kind of said April 1 to May when grouper opens now, anyway. By the middle of May, they're done. Maybe you could enlighten us more on what Florida would see fit for a season, but for the three states I think April 1 through October 31 would work rather well.

MR. DeMARIA: That is fine for like, say, Jupiter and above in Florida; but when you get south of that, West Palm Beach, The Keys, it is different. Our main season is the wintertime, both catching them and the tourist season when you can sell them. The fish that we target, the mutton snapper, the black grouper, the yellowtail are nothing more than really a bycatch for you up here.

The fish that you target, the red snapper, the gags, the black sea bass, pink porgies are at best a bycatch for us. Some of them we don't even see like black sea bass. Again, we're comparing apples and oranges. To try to paint the whole Southeast with the same broad brush is going to be difficult. I think a more regional approach would be good.

MR. BOWEN: I totally agree. Maybe we could come together and have a line, whether it is Jupiter or Jacksonville or wherever, to have that line southward their own fishing season. I think having a single start date and a single end date for all snapper grouper species is certainly heading on the right track. Again, this might not be the time to bring it up.

MR. JOHNSON: Yes, Zack, we can talk about this some more under other business. I know for every individual it is probably different. I fish 12 months out of the year. My fish are important to me every month; they always have been.

MR. BOWEN: Robert, you are fishing now?

MR. JOHNSON: Yes, I've got trips this weekend.

MR. BOWEN: Without sea bass, without vermilion.

MR. JOHNSON: I'm a heck of a salesman, man, I can tell a good story.

MR. STIGLITZ: We fish yellowtails 12 months a year. We're not that much against a spawning closure if it's absolutely necessary. If it's not necessary, we are against it. From what I understand, our season needs to start January 1, actually the week before that, Christmas. From Christmas day to the end of March is when the biggest money is made for our finfish, when the tourists are down there.

MR. BOWEN: Richard, this is for recreational only.

MR. STIGLITZ: This is for commercial; this is what we're talking about up here. I want our starting date to start in January for commercial. Like I said, if there is a spawning closure, we're not against it, but we only want it if it is absolutely necessary.

MS. BROUWER: Yes, Richard, I believe the idea for the spawning season closure came from fishermen that came to the council meeting and they suggested a spawning closure. I guess there are concerns that there are aggregations or there used to be some aggregations that were very plentiful that have diminished over time. There are other aggregations that are still there, but who knows for how much longer? It is just in order to give protection because the behavior of these fish to form spawning aggregations.

MR. STIGLITZ: I talked to all of them fellows. I put that group together to come up here in September when they came up here, Myra. I have still talked with them. Yes, we're not opposed to a spawning closure if it's necessary, and I think in the future it is going to be necessary. But if it is not necessary, I am going to be against it.

MR. JOHNSON: Okay, do we have a preferred here anybody, of these; do you want no action or whatever? Does anybody have any thoughts? The current fishing year starts January 1.

**MR. PERRETT: Based on what I've heard and heard everybody else say, I think the Option 1 here, no action may be – and I'll make a motion to that effect.**

**MR. JOHNSON: Second by Kenny. Is there any more discussion? Are there any opposed to this motion; one opposed. The motion is approved.**

MS. BROUWER: Now to clarify, Jack, was this referring just to the change in fishing year?

MR. PERRETT: No change in the fishing year and no closure for spawning.

MR. JOHNSON: Don, I have a question; how many MPAs in South Florida are giving some kind of protection to yellowtail snapper?

MR. DeMARIA: I think the only real one is Riley's Hump. There are other ones like Looe Key and Western Dry Rocks, but they are all shallow ones and even Sambos stopped at the edge of the reef. Most stuff spawns at the edge of the reef, and that stops in about 60 feet or so, so that offers really nothing.

But yellowtail I'm not sure form giant, predictable aggregations like mutttons do. It is my understanding they spread up and down the reef and spawn in different areas, but it's not like mutttons where they go to the exact spot every year and there is only really a couple places in the Keys where they do that. I'm not sure an MPA is really going to do a lot for them. There has been talk over the years by the commercial fishermen about a spawning season closure for them, and I know there is quite a bit of support.

My only problem with this is it seems like it was just targeting commercial fishermen for the spawning season closure; and when there is so much recreational effort in our area where there are a lot of yellowtail, it ought to be for everybody and not just commercial if you really want to protect them during the spawn.

MR. JOHNSON: Yes, I don't think anybody is against a spawning closure; I just think it is if needed. I think that was Richard's point. If it is needed, they're all for it; and if it's not needed, not have it. I think it should be all inclusive for everybody just like grouper.

MR. STIGLITZ: Yellowtail spawn I know from the whistle buoy off of Miami all the way to Dry Tortugas and all the way around out in the Gulf on the wrecks in the Gulf. There is no place that they've not found yellowtails full of roe and spawning that I know of. It is not an aggregation like Riley's Hump where the mutttons go to.

I know come the end of May they start catching them in Miami at the whistle buoy by the thousands. From there they go right down that whole reef all the way to the Dry Tortugas, full of roe. They're spawning from one end all the way around into the Gulf. I know they catch them – there are not any boats doing it anymore, but there use to be boats that go out in the Gulf and fish on the wrecks. They would catch them out there and the same thing, full of roe. They are spawning everywhere.

MR. JOHNSON: Just a thought; what about some kind of a decrease in the bag limit during the spawning months, something like that; from 10 to 5. It's 10 right; are yellowtail snapper 10 or are they 5? Ten a person.

**MR. DeMARIA: I'll make a motion like if the council does consider a spawning season closure, it should be for all sectors and not just commercial, something like that, but across the board.** It seems like anytime you create a void in the fishery, if you kicked the commercial fishermen out in the Keys, somebody else is going to come in and fill that and it's going to be the recreational sector. If they are going to consider a spawning closure, it should be for all sectors.

MR. JOHNSON: Phil, you're seconding that. Do we need any discussion on that?

MR. STIGLITZ: I would be against cutting the recreational limit during the spawning. At that time of year most of the people are gone. The fishing pressure is way off in the summertime. The people aren't there catching them when it is spawning season for the yellowtails. There are a handful of people that go out there fishing, but it is not pressured like it would be come February or March when we have a major tourist season and all the charterboats are fishing hard, the headboats are fishing hard, the recreational boats.

Come February that whole reef is just solid speckled with boats all the way down it. When it gets to be June, and it's hot out, there ain't nobody out there fishing but some of the commercial guys and a handful of recreational people. I don't see a reason to cut the recreational limit down during spawning time.

MR. SMITH: I support Don there. I feel like if you're going to stop the commercial fishing during a portion of the spawn, that you would do the same thing to recreational anglers.

**MR. JOHNSON: Okay, any further discussion? Do we have any opposed to this motion? None opposed; motion is approved.**

MS. BROUWER: The final action in this amendment, as I mentioned before, deals with considering to possibly remove the accountability measure that closes shallow water grouper when the commercial ACL for gag is met or projected to be met. This is something that hadn't happened since this was implemented through Amendment 16 back in 2009.

It was done in order to address bycatch of gag, which at that point was undergoing overfishing, so the council needed to act to end overfishing of gag. They knew that there was a potential bycatch issue when fishermen were targeting other shallow water groupers. That is why this accountability measure was implemented.

Gag closed on October 20. It's the first time that it's closed; and this accountability measure, this is the first year where it has been implemented. We have received a lot of comments from folks especially in North Carolina about how big of an impact this is having on them specifically because of closure on red grouper, black grouper and scamp, all of which have individual ACLs.

If you go to the NMFS Website and you see the landings for those three species, they are probably about 50 percent of their ACLs right now. There are several alternatives. The no

action, of course, explains all of what I just told you. Currently the ACL for gag, the commercial ACL is 352,940.

If you'll remember, back in Amendment 16 the council did reduce the commercial ACL by 1,000 pounds to account for post quota bycatch mortality. The true ACL is 353,940 pounds and then take that thousand pounds away, and this is the directed commercial quota that is currently in place that we are calling the commercial ACL.

Alternative 2 would simply remove that accountability measure and gag would close by itself when the ACL was met or projected to be met. Then Alternative 3 also removes the closure of shallow water grouper, but it would adjust the gag ACL by a certain amount to account for post quota bycatch mortality from fishermen that are out there targeting shallow water grouper.

This one is quite interesting, especially Alternative 3, and I was hoping that the AP could tell us a little bit more about what do you consider constitutes a directed gag trip. In order to analyze the impacts and come up with an estimate of the mortality, we need to know how to filter the information and how to take out those trips that are specifically targeting gag.

Do we go with a trip that shows 90 percent landings of gag, 75 percent or 50 percent? Those of you who are out there fishing, that is one of the things that we'd like to know. Another thing would be how do you anticipate a change in the number of trips if gag remains open or if gag has its own closure and shallow water grouper remain open?

Do you anticipate that the same number of trips would take place or is there a certain amount or percentage that we can adjust that in order to better reflect the change in behavior of fishermen? Then, finally – and I know I'm throwing a bunch at you, but hopefully we can discuss all of this – is how effectively can you avoid gag if you are out there fishing for scamp or red grouper?

MR. MARHEFKA: Phil, my question is to you; how many trips did you pull together where you had over the thousand or at the 1,000 pound trip limit for the gag this year since we do have a thousand pound trip limit on gag that is in place right now?

MR. CONKLIN: I saw three trips and they were dive boats that had their limit and one hook-and-line boat that had its limit. The hook-and-line boat was two handed and it caught it in three days. The dive boats are three divers, four divers. They are not exactly targeting gags. They keep a count of how many fish they catch and then they can swim off and target another species, be it scamp, red grouper.

It is the most selective fishery there is on the east coast, but they know how to manage their stuff. I did not see the amount of gag grouper this year that the council says we have got to shut this fishery down. I haven't seen anybody, no dealers that show it. No one has caught that many fish. I don't know how we got shut down like this.

MS. BROUWER: Just to speak to that point, NMFS runs projections. They calculate basically a date that they think the ACL is going to be met. Based on that calculation, they issue a notice to close the fishery. If you do go to the NMFS website and check on the landings, you will see that they are below the ACL.

That is because not all the dealers have reported their information at the time that NMFS projects that closure. This is one of the things that the council has been talking about is the discrepancy between what you see as being landed and the information that NMFS is receiving and putting out to the public.

Unfortunately, there are a number of dealers that don't report in a timely manner, and that creates a problem for everybody else because when they finally submit their reports, it turns out that we might be a good bit over the ACL. It has happened before, as you all know. This is why, Phil.

MR. FEX: Up there off North Carolina, up there in Hampstead area, there is an aggregation that happens like ten miles off the beach, a bunch of sporties or commercial guys, but it is really close to shore, and that is strictly gag. A lot of the boats that are right there, they go out there and they target them. There is a certain group that can go catch strictly gag.

I think that is where a lot of the landings are probably coming from is in there in North Carolina off that close water area. When you get farther offshore, you've got a lot more diverse amount of fish. I think if the gag quota does get met, they would stop their fishing there. That would eliminate a lot of the gag take. That might have been one of the issues what they were catching them so much harder this year, because everybody is having to fish harder to compensate for the lack of fishing they can't do the rest of the year.

MR. JOHNSON: Myra, do they have anywhere where it lists gear-specific landings? I mean, what percentage of that ACL is harvested by spear fishermen, because that would shed a lot of light, too, on discards.

MS. BROUWER: I think they can sort the landings out by gear. Of course, it would take some time. I'm not sure that they can discriminate for spear fishing. I wonder if that doesn't get put into the other gear category; I'm not sure.

MR. JOHNSON: It's listed on logbooks as diver so it is there. My point being if a huge amount of that ACL is being met by dive boats, then it would stand to reason that the scamp and red grouper fishery could be conducted maybe with not as much discards as you might think simply because that is not where the bulk of the gag is coming from.

MR. MARHEFKA: Well, I guess my question back to Phil is if the industry was to go and come up and say that we would go and reduce the amount of trip limit that we would have for the gag, to go and extend the season on these other species – I don't have the tables in front of me, but we've got a huge amount of scamp and red grouper still available out there that we could have been working on at this time right now.

That sort of kind of put us in a place. Is there a number that might jump at you that we could go and do this? Is there a table, Myra? I thought there was a table somewhere that showed the amount of trips that were conducted under the thousand pound trip limit; and then what they were going to be if they were reduced.

MR. JOHNSON: Let me make sure I understand what you're saying. Basically what you're saying is if they are going to count this fish against us after we've reached the ACL, we might as well reduce the trip limit so we can keep keeping them. Is that what you're saying, because part

of what she was asking us is, okay when we reach that gag ACL and they keep that shallow water grouper season open, they are going to deduct gag from your ACL every month that you are letting go. Well, for the months that you are fishing once they're closed, just like they do during the B-liner fishery; when the gag fishery opens, if you'll look, you've already lost some gag. They already came off of your ACL.

MR. MARHEFKA: Yes, that is what I'm trying to go and figure out here; how can we extend our season while we still have other – if this is the triggering fish for the other groupers, then how can we go and make it where we can go and sort of work on the rest of them without us having to go and chip away at our ACL for the following year, without going and increasing the TAC, which that's what I would choose.

MR. BOWEN: If Phil is only seeing three or four boats with a trip – correct me if I'm wrong – with a trip limit of gags this year – and I'm not a commercial fisherman, but it seems to me if you want a longer season and he's only seen three boats with a trip limit, why wouldn't you lower the trip limit? I mean, Mark, would that hurt just to prolong your season?

As a charter headboat guy, I can't go out in my fishery and go to a break and catch just gags and then slide over and catch just scamps. They are mixed in. To keep your season open, if you're only seeing a few boats with a thousand pound trip limit, or whatever it is, it seems to me it would be better – and again I am not a commercial fisherman – to lower that trip limit, prolong your season and you can fish on three or four different types of grouper longer.

MR. MARHEFKA: Yes, that is where we're trying to go with this and where I'm trying to go with this a little bit right now, but I'm also sort of kind of confused. Where are all the big gag landings coming from? Where did they come from that sort of knocked us out of the saddle this year. Kenny is saying it came out of Onslow Bay; historically they've been catching a lot of them out of Onslow Bay. But I certainly didn't see the fish out of Phil's or Murrells Inlet area this year like I did last year. They were huge and we didn't get shut down at all.

I'm trying to go and get a snapshot here of exactly what happened. Can we do something to go and sort of for this next year be able to have something put in place to where we can have something that we're not even touching yet? I can't remember what scamp was right offhand. It was way low, and the same way with red grouper. It will go and extend the season for the folks up there off of the Morehead City area with their red grouper and scamp not to mention all the coney and everything else that we can go and catch up that way.

MR. BOWEN: Commercially grouper doesn't open either until May 1, is that correct, to protect the spawning just like for us?

MR. JOHNSON: Just for quick information; scamps are at like not quite 51 percent, red grouper at 57 percent. There are still 20,000 pounds of gags left on the quota that didn't get reached. If they had left shallow water grouper open right now and even deducted some gags for discards, you would have still been probably okay. You probably wouldn't have had to pay any kind of accountability measure. I doubt you would have taken that much for dead discards.

MR. BOWEN: Do we know how many commercial trips on gags were taken, total number of trips?

MS. BROUWER: For what year; for what time period?

MR. BOWEN: For this year since it's closed already.

MS. BROUWER: I can try to find out for you.

MR. BOWEN: My point is if we knew how many trips were taken for commercial fishing for gags and we knew what the ACL was and when it was met, we could then figure out how many pounds we need to deduct off the trip limit to extend your fishing season.

MS. BROUWER: Right; and I guess that is what we're trying to figure out. NMFS looked at 1,254 trips from the logbook dataset that took place between 2009 and 2011 that landed at least one pound of gag between October 21 and December 31. The reason they picked that time period is because this year gag closed on October 20.

They wanted to sort of compare and see how many trips took place. Let's say the season were to close again next year after October 20; how many trips that target gag or shallow water grouper are taking place in that period? Out of those trips, 54 percent landed only gag and only 15.6 percent included other shallow water grouper species. This is for the entire area. Another little tidbit I've got for you; I think in 2011 the number of diver trips or the number of gags, your fishing accounts for 14.8 percent of gag landings in 2011 from October 20 to December 31.

MR. BOWEN: Spear fishing, really, it's like Phil said, spear fishing shouldn't really account for what we're trying to do here, because that is the most selective type of fishing there is. I agree with that, so you wouldn't have a bycatch of any other grouper species. I don't even know if we can count that or consider it, rather. We have to count it.

MR. ATACK: It sounds like we've got 20,000 pounds of gag that is below the ACL on the commercial side and quite a bit still on the recreational side. Is there a way to open up the season back for shallow water grouper and put a trip limit of 50 pounds on gag, so that the other 300,000 pounds in grouper could be targeted by the fishermen?

MS. BROUWER: I believe this was suggested to the Regional Administrator, and his answer was, no, this can't be done at this late in the game. Also because those 20,000 pounds may or may not be there, as I said earlier, they may be reflected just on paper, but really they have been caught; it is just that the dealers haven't submitted their reports yet.

MR. ATACK: But if there isn't quite that much landings and we go over a little bit; I mean, still the ACL for the whole fishery is way below the ACL limit, because you've got gag, recreational and commercial. I mean, the recreational side is probably 150,000 pounds under. From a fisheries standpoint, the fish is not being overfished. We're staying within the confines of it.

Therefore, why couldn't we reopen the shallow water grouper fishery through a small trip limit for gag so that they are not targeted and allow – you know, the bycatch from that would still be within the constraints of our ACL for the year – and allow the other 300,000 pounds of grouper to be maybe landed.

MS. BROUWER: I see what you're saying, Jim. I guess the answer to that is because it hasn't been set up that way. The way it is set up now, the accountability measure is tied to gag and there also are accountability measures tied to the shallow water grouper. If the council had chosen when they were putting in these accountability measures to do it that way, then we could, but right now we cannot.

MR. ATACK: I understand that; but if the ACL for gag is really not met, which it won't be for the recreational and commercial, then why can't we then use the emergency measure to allow the fishery to open back up with a small trip limit on gags?

MR. FEX: Yes, I'm just speaking on behalf of my area where I fish out of; there is no vessel in my port that has even come close to a thousand pound gag trip limit. Like I said, the people above me directly target these shallow water gags in an area that there is no other grouper in there. That is pretty much all they catch.

When they go out there for a day, maybe not even a little day and a half, they catch close to a thousand pounds of gag; that is a really good trip for only going ten miles off the beach. I would support bringing the trip limit down to 750 pounds for a trip limit just to keep our season opened longer and keep this from a discard issue. I know for my fact, none of our boats have come close to that. I mean, even a thousand pounds of grouper period has been a hard time. I would support reducing the trip limit.

MR. JOHNSON: Are you making that as a motion. I guess we don't need to do that.

MS. BROUWER: Well, for purposes of this amendment, as I said before this is going to be approved in December, so we can't really make any changes to it. I can't put that alternative in there and analyze it in time for it to be ready for the December meeting. It is certainly something you can recommend, but it is not going to be looked at until next year. Then the council still has to act on the alternatives that I just showed you. Just keep in mind that the AP should come up with the recommendation for the council on what is being proposed in this amendment.

**MR. ATACK: I'd like to make a motion then to ask council to look at reopening the shallow water grouper fishery based on the gag ACL will not be met and with a small trip limit of maybe gag of 50 pounds per trip.**

MR. JOHNSON: We have a second by Rodney; but just remember, guys, it has already been stated that was already asked and the answer was no, but we can definitely make the motion again.

MS. BROUWER: Did I capture that?

MR. ATACK: Would it then have to be under emergency measure since the –

MR. JOHNSON: Rodney, you seconded that motion? Do we need any more discussion on this?

MR. GOULD: This is nothing but a feel-good measure here. The grouper fishermen up there off the North Carolina coast right now – in fact, the snapper grouper fishermen are pretty well shut down completely. The vermilion snapper is shut down. I think silver snapper is shut down. The triggerfish is shut down. By imposing a 50 pound limit, it is not even worth them leaving

the dock to go try for it. Like I say, to me this is nothing but a feel-good measure; let's help them out. They don't even meet their fuel expenses doing this.

MR. BOWEN: Robert, I think you are the only one in the South Atlantic that fishes 12 months out of the year.

MR. JOHNSON: I bet if somebody called Mark Brown, he'd go this weekend.

MR. BROWN: Maybe I misunderstood this. This is to open up the other grouper, right; keep everything else open; and then if you happen to accidentally catch a gag, then you get to keep up to 50 pounds. I think that's a good idea.

MR. JOHNSON: Michelle, do you have something to add?

DR. DUVAL: I think that was the question I was going to ask. The 50 pound limit was only for gag, so there would still not be a trip limit on the other groupers according to this motion. I have heard a lot from commercial fishermen. Since we knew that this shallow water grouper closure was going to take place and there are guys who are able to target red grouper and not catch the gags, what I have heard is that what little non-target catch of other species that they might have is actually a few greater amberjack here and there. That is just the information that I've heard and want to share.

MR. CUPKA: I just want to mention, too, we've been in communication with Dr. Crabtree's office and they are looking as we speak about the option of possibly reopening the gag fishery, realizing that they underharvested part of the quota. In the next couple of days we hope to hear a decision has been made. They are looking at reopening the fishery there on that 20,000 pounds of gag still left.

MR. MARHEFKA: David, that would be a very good Christmas if we could go and make that happen.

MR. DeMARIA: I just wanted to say this is the type of rule, this early grouper closure, because gag was projected to be met and that causes fishermen on both sides to lose respect for the whole system. When you lose respect, then you don't have cooperation with the fishermen. If you don't have cooperation, you are really not going to get the right data, the right information.

I really think we need to resolve this one and come up with some kind of reasonable recommendation like Jim just did. But this was kind of a slap in the face of the fishermen in the Keys, definitely. Because the gag was projected to be met, we're going to close down black grouper and everything else even though you don't catch gags here. It doesn't make sense and we really need to come up with some rules that make sense and are fair.

MR. MARHEFKA: John, I see you are around the table here and I am just sort of kind of curious. We were just at an HMS logbook meeting out at DNR talking about doing everything electronically. I'm just trying to wonder where did the landings come from that trigger these closures? Is it from the dealer logbooks or is it from the trip tickets from the vessels?

MR. BROWN: Can I add to what he just asked? Also, are those numbers available to the public? Are they available to the AP or anything so we can see the hard numbers on where this all accumulates?

MR. CARMICHAEL: I think as Myra said earlier, there is a website run by SERO, which gives you the total landings, the projected landings. I guess they're not projected; it is actually what has come in at the time, by a certain date. That comes from various sources. My understanding is the Science Center is keeping up with the dealer reports and the vessel reports and all, and the details of that were actually not fully aware of.

There have been a lot of discussions at the council table to try and fill us in better on that, especially their efforts to try and do that more timely and make the information more available. I think at this time, well, I don't really know details of where it's happening and where it's coming in. You don't have anything we can go to and say, yes, go look at this site and you can see exactly where the gag landings are taking place.

The reason I came to the table was more to focus back on the intent of this action, which is really about changing the accountability measures for gag, which is kind of different from many of the other stocks, because all these other grouper species are closing when gag is met. You are essentially this year potentially leaving a substantial poundage of red and scamp and black on the table.

What the council is trying to do is change that accountability measure so we don't have this problem in the future, if it is possible. In other words, is it possible that fishermen can fish for gag exclusively; or more importantly, if the gag quota is met again next year, can the council safely remove these accountability measures because there are ways that fishermen can fish, whether it is how far they go or where they go spatially, how far they go out depth-related so that they can then catch red grouper and black grouper and scamp grouper and not encounter the gag, and not discard a large number of the gag.

The analysis that are being done are looking at trying to infer what constitutes a trip where you caught a lot of gag or are likely to catch a lot of gag and how many of those trips are there and how many gag might you encounter if that trip changes? That's the real important thing is are there things the fishermen can do so that they change their behavior when you can't catch gag and they can catch red, and black and a scamp fairly cleanly.

Now maybe they can catch red, and that is what we've been told; and maybe black depending on geography; maybe not for scamp. That is what I'm hearing so far. I've heard that we should look at by gear, because if you have a lot of effort coming in for the spear gear, than obviously they are not going to inadvertently catch a gag, because they have a lot better selectivity for the most part.

I looked back at the last assessment and 20 percent of the landings were coming from the spear gear. That might be another place we can further refine what the discard will be. It is interesting to try and solve the immediate problem right now, but I think to avoid having to be in this same boat next year, if we could get the feedback from you guys it will help the council in making the change in the accountability measures, while ensuring that they're not having inadvertent discard of gag. That would be good.

I think what you have here could be helpful for that; say, include some bycatch allowance for gag. That is always a good idea to reduce waste. That would have to be calculated and counted into whatever adjustment is made on your ACL at the top. But I think the more you guys can give us about how you can change your behavior, the more defensible the council can come up with an action that is more defensible for taking this change.

MR. JOHNSON: Do you all want to vote on this one? **Is there any other discussion and then we'll get back to the meat of this thing? Are there any opposed to this amendment? One opposed. The amendment is approved.** I just have an idea for the group to consider. On some of these other fisheries the council has looked at trigger mechanisms when a certain percentage of the ACL is landed that reduce the trip limits.

I think that is the best way to attack this is when we get an X amount of the gag ACLs filled, then we reduce the trip limit to X amount of pounds so we can continue to harvest the scamp and the red grouper without having them count it against us as dead discards; just my thoughts on it.

MR. CARMICHAEL: That would essentially become the accountability measure. You would support then removing the accountability measure that closes all the groupers when gag is met. Instead you would say move to a bycatch allowance of gag once you get to a certain percentage, and then allow people to continue to fish for the other grouper species.

MR. ATACK: This year; can you tell us what the percentage was when they said they were going to close the fishery? If I remember correctly it was around 249,000 was landed or something and then they said they were going to hit the –

MR. BROWN: Was that a motion?

MR. JOHNSON: I can't make a motion. If somebody wants to put something to that affect in the form of a motion. Kenny.

**MR. FEX: Yes, I make a motion that when 75 percent of the gag quota is caught, reduce the trip limit to 500 pounds.**

MR. ATACK: The question on that; is that 75 percent of the actual landed or estimated to be landed?

MR. FEX: Projected.

MR. CONKLIN: I would say instead of 75 percent; I would do 50 percent and then reduce the trip limit to 500 pounds per trip.

MR. FEX: That's fine with me; I'm just throwing up a motion. I don't even catch 500 pounds of gag a trip.

MR. CONKLIN: Another thing, if for some beyond reasoning there, if we got to open this fishery back up, I would make a recommendation that they wait and open it up after Thanksgiving and let us fish it for at least three weeks while the market is the best there is in the year, where we don't just give this resource away.

MR. DeBRANGO: I would say 300. Yes, I would even, yes, 300, just a lower one, 350 somewhere in there; like the tilefish we drop down to 300, too.

MR. JOHNSON: That's open to the maker of the motion.

MR. FEX: I could see 300 being fine.

MR. CONKLIN: Kenny, would you be willing to change that to 50 percent and then lower the trip limit instead of 75 percent of it?

MR. FEX: The only reason I'm going with 75 percent is because it almost lasted until the end of the year. We're really close to it. That is a basic number. I'm open for any suggestion; I was throwing the motion up. I don't want to go to 50 percent, because that would stop us halfway through the summer. How about 65 percent; I'll meet you in the middle?

MR. CONKLIN: The majority of the gag grouper in the deeper water we catch starting the middle of November. If you've got a good amount of fish left, and that is when they go to biting, we might as well utilize the resource.

MR. FEX: Yes, well, then make it 50 percent, but I would rather take my name off of it if it is going to be 50 percent, honestly.

MR. CONKLIN: Put my name on it; I don't care.

MR. ATACK: Just one point; with the 1,200 trips, I guess we're averaging 300 pounds a trip is the average across all the trips.

MR. FEX: Yes, but back to that point, it's them trips, but the average – there are boats that go strictly out there and catch gag; lie I said, ten miles off the beach and that is the only fish they catch. They are not diversifying their catch. They are the ones that are really hitting them hard. Like I said, I had 300 pounds on one trip this year of gag strictly. I'd rather keep the season open longer.

MR. JOHNSON: **Okay, are we happy with this motion. Did we ever get a second? We need to move along here. Second by Greg. If no more discussion, any opposed? One opposed; motion carries.** Okay, we need to get back to what the council has asked us to do. Go ahead, Gregg.

MR. WAUGH: Just quickly let me clarify Mark's question; the commercial landings are tracked using commercial trip tickets, not the logbooks – sorry, the dealer trip tickets. NMFS has been moving to make that electronic, and the two councils just finished the Joint Dealer Amendment that is under review, as Myra mentioned.

That will require electronic reporting weekly. It will be better once that is fully implemented. What goes in are the actual data; but as was pointed out, to account now for late dealer reports, NMFS has a methodology to do the projections. The council has asked for that to be shared with us; it has not been to date.

That's some methodology to project and account for dealers that have not reported thus far. That won't be an issue in the future once that Dealer Amendment is fully implemented, because for a dealer, in order to continue purchasing product they will have to have turned in their dealer trip ticket information electronically or report no fishing for the prior week, or they will be in violation. It really beefs up the reporting.

It won't affect those dealers that are reporting now. It will affect those that have been reporting late. Once that is fully implemented, which will be sometime in late 2013 or into 2014, because they are doing it as the dealer permits renew on the birth date of the dealer, then that won't be an issue and we'll have much better reporting.

The council is also looking to finalize CE-BA 3 at this December meeting that will require or provide the ability for commercial fishermen to provide their information electronically for the logbooks. That will help speed it up; and if we tighten up that requirement, that will give a way for NMFS to verify their dealer information with the commercial trip logbooks.

MR. JOHNSON: Okay, she's going to go back over what they really want us to look at and we'll try to give them some guidance.

MS. BROUWER: Okay, the alternatives being considered in December is to simply take away that shallow water grouper closing when gag is met or to take that away and also adjust the commercial quota by a certain amount that would account for post quota mortality of gag. Those are the two things that they are going to consider.

Like I said earlier, right now we have a potential range of what that adjustment for the ACL would be, because it's very complicated to calculate it. In order to do that, what I was asking you earlier was do you anticipate any change in the number of trips? Can you give us a percentage perhaps of how many of the trips would still take place even after gag closed if shallower water grouper remained open?

How do we differentiate what a gag target trip is? Is it a trip that landed 90 percent gag or 75 percent gag? So far we have analysis that use both, but in Amendment 16 it was 75 percent that was used as a determinant for what constitutes a gag-directed trip.

MR. ATACK: When you say gag-directed trip, are you talking about just that you are trying to catch gags with everything else or are you just trying to catch gags only?

MS. CARMICHAEL: What we're trying to get at in this instance is a trip that fished in a way that they hoped to catch gag even if they weren't necessarily as successful as the mini-trips that caught, say, 90 percent or more of gag, because we want to try and infer how those trips will then change if you are allowed to fish for other grouper and what their encounter rate of gag might be after the change.

MR. ATACK: Well, that percentage I would think would be a lot lower. If you catch a third of your landings is gags in poundage, then I think you are trying to catch gags as part of your trip.

MR. FEX: I'd say more about the 75 percent, because 30 percent would be more just targeting grouper along with your other species because typically that is about the percentage that my trip

is, but I'm targeting everything on that rock. Whereas a diver that might be able to go down, he is most likely going to shoot a gag, because they are usually bigger and bring a higher dollar.

That same thing with, like I said, those guys that go ten miles off the beach; that is all they are directly targeting is gag. They come in with nothing but gag. Anything above 75 percent would be considered a targeted gag trip from my perspective.

MR. ATACK: Yes, but that is not what they're asking for. They are saying if you hope to catch gag during that trip, the possibility of catching gags; if you are carrying all grouper and you think you are going to catch gag with that grouper, that's what they're talking about, right?

MR. CARMICHAEL: No, I think Kenny was on the right track for what we're trying to get at. We're trying to get the ones that are really trying to go where they expect to catch gag. You know that you go there and fish that way, you are not always going to get them; but when you do, they are getting 90 percent clean gag. We are trying to avoid the ones where they just went in general.

MR. JOHNSON: I think looking at it this way, how is your behavior going to change if you are not going to be able to keep gags? How are you going to fish? If all you can keep is red grouper and scamp grouper, are you going to fish differently? That is the question they want the answer to.

MR.FEX: To that point; the guys that are fishing above me that do target the gags right offshore said that, yes, if the trip limit was lowered they would go target the gags, but then they could go farther offshore and catch red grouper, scamp, B-liners, whatever is opened alternatively. But usually when you can just go ten miles off the beach and catch gag; and if you had 500 pounds of them, that is \$2,500 worth of fish for a day.

That is sufficient to come in. Your expenses are \$500; you've got \$2,000 plus for the day. These guys will target it; but if they had the alternative, they would rather have a smaller trip limit and then be able to go catch and fill the boat with other fish. The same thing with the diver, if he knows he can spear 500 pounds of gag and then spear whatever else he wants, he can make a trip still off of that.

MR. DeBRANGO: Question; because in my area, too, I don't know anybody that ever specifically targets gags; maybe down in South Florida a little bit, the day boats, and the guys that will go out a couple miles when the gags are running down there, and then maybe a couple up in North Carolina.

But the day of going out targeting gags, it's almost like you just go out and try and find something you can catch. It's not like you can target anything. It is what can I go out and make a dollar with this week? That is a lot lower than what you are saying, that 75 percent. I think it's a lot lower.

MR. JOHNSON: I think again there the point is are you going to use like a different kind of rig, a different kind of bait. I know from fishing I'm going to catch scamp grouper on live cigar minnows. That is what I use if I go trying to catch scamp; whereas, if I'm trying to catch a gag, I'm going to use a big pinfish. That is just what they're trying to find out.

MS. BROUWER: Just to give you an example, in Amendment 16 the Regional Office requested that fishermen provide what I just asked; you know, what percentage of trips would continue to happen? At that time what the AP said was that 20 percent of the trips would no longer take place if gag was closed. Then they were able to use that 20 percent adjustment factor to tweak the estimate. That is what we're looking for, is 20 percent still feasible? Given all the changes in the economy and everything else, all the additional regulations, is that still a fair assumption?

MR. OSBORNE: I can tell you from probably Cape Canaveral south to almost the Keys, without gags we're not going at all because there are no other groupers to catch.

MR. ATACK: If I can't target gag and I can still target red grouper or scamp snapper grouper, I'm going to go.

MR. THOMPSON: I believe on our area most of the shorter range boats, the three-day, four-day boats, they are not going to have any problem with scamp and red grouper fishing. The long-range boats kind of got to get them all. That is going to affect them more than anything else. Moving forward, if you get to like a three-box limit, I think they will still go as long as they've got jacks open and they've got other things. They would like other species for where you get and what happens to be there, but the majority of them, especially right now because they are so far down, they are going to go fishing.

MR. STIGLITZ: Down in the Keys we don't have any boats just targeting gags at all. If they opened it up, it wouldn't change the fishing down in the Keys I don't think at all other than letting the guys that are mainly snapper fishing be able to bring a couple groupers to the dock.

MR. JOHNSON: Does anybody have a thought on any of the alternatives they have up there?

MS. BROUWER: Alternative 3, you know, think of it as a tradeoff; would you rather have less gag and be able to continue to fish for shallow water grouper? Is that preferable or would you rather continue to have the same amount of gag and have that ACL not change and then get rid of the shallow water closure?

MR. CONKLIN: Let me ask Kenny; what size are those gag grouper that they're catching up there in the Hampstead area, Sneads Ferry?

MR. FEX: They average from just legal to up to 15, 17 pounds. They are decent sized gags, but that is all they catch when they're doing it, like I said right off the beach.

MR. CONKLIN: Ten to 15 pound average.

MR. FEX: Yes, that's what I'm saying.

MR. CONKLIN: That explains why the price is lower on them.

**MR. FEX: I would make a motion to support Alternative 3 as the preferred.**

MR. ATACK: I'll second it.

MR. JOHNSON: We've had quite a bit of discussion on this already so I'm assuming we're ready to vote. **Is there anyone opposed to Alternative 3? None opposed; the motion carries. One opposed.**

MS. BROUWER: That does it for Regulatory Amendment 15. Again the timing is the council will take public comment at the December meeting in Wilmington and then submit it to the secretary some time after that meeting in December.

DR. CHEUVRONT: Okay, just if you thought Regulatory Amendment 15 wasn't enough, we've got Amendment 13 that also came up at the September meeting. This is an amendment that is looking at revising the ABCs, ACLs, sector ACLs, allocations and the ACT for the recreational fishery for the 37 unassessed snapper grouper species that were included in the Comprehensive ACL Amendment that went into effect this past April.

Now, this again is the council wanted this amendment – they started it in September and they plan to vote on it in December. It's moving along very quickly, and I'm going to explain to you why the council is moving as it is on this. As I said, it is the 37 unassessed species that have ACLs and allocations that are based solely on landings, because there have been no assessments or anything done on these species.

One of the issues that has come up is that when this amendment was developed, the Comprehensive ACL Amendment, the recreational landings that were used were based on MRFSS landings. Well, MRFSS isn't calculated anymore and MRIP has replaced MRFSS. Since we were looking at switching over from the MRFSS landings to MRIP, then they also looked at updating the commercial data as well.

Now part of the reason why they felt they needed to really do this is that with MRFSS no longer being calculated, then you would end up having MRIP landings compared to MRFSS landings, and scientifically that is not a really good route to go. What happened is that since the September meeting the MRIP landings has been determined for those 37 species. We've got MRIP landings I think now from 2004 through 2008.

We thought originally that next spring they were going to be able to get us the previous years for the landings shifting over from MRFSS to MRIP, but now it's sounding like it is probably not going to be until the end of the federal fiscal year next year, so we're looking at probably October.

But the bottom line is that once that happens, then they will probably have to come back and relook at this again. The idea is that we're trying to keep the data at the best available data for making these comparisons. Now, this Regulatory Amendment 13 has only one action in it. One is don't change anything and which we would end up comparing MRIP landings now for the future to what was calculated under MRFSS, or we're going to go ahead and change these values based on the new data that we have that has been calculated with MRIP and the updated commercial data. That is really what the whole amendment is about.

You've been given a summary document in all your briefing materials that basically describes what is going on here. What I thought I would do is not just explain what is happening here, but give you some examples of where the changes are occurring as a result of going from MRFSS to

MRIP in the updated commercial numbers. The bottom line is of those 37 species most of them have very little change whatsoever.

But, for example, though, how will Regulatory Amendment 13 affect fisheries, so what I did is I looked at – because you only had the Comprehensive ACL Amendment in place for this year, this calendar year – I looked at what would happen if these new changes were in place for this fishing season; how would it have affected the ACLs and things for this fishing season?

For example, the deepwater and porgies complexes that closed early potentially would have remained open longer for the commercial fishery if these changes had been made. But the impact would have been greater to the deepwater complex more so than the porgies due to the relative small size of the porgy complex increase.

What I mean there is that the deepwater complex, the percentage-wise that went to the commercial sector would have been enough to make it probably a significant increase in the length of the season. Now it wouldn't have affected the recreational sector, because they simply haven't gotten close enough to close what their ACL would be for those species for that complex.

The porgies, yes, it would have extended a little bit but probably not a lot, because the increase that went to the commercial sector would not have significantly impacted the season so that it would last much longer. The jacks' complex that closed, I think it was this summer, would have probably closed a little bit sooner than it did had these changes been in place; but not a lot because when you look at the ex-vessel value that this change would represent, it's really only about a 4,000 decrease in value of the allowable catch.

Yes, it might have closed a little bit sooner if these data had been in place, but it wouldn't have been a huge impact. However, there are the ACLs for two commercial fisheries that might be impacted here. One is blue runner. Now in 2012 it is looking like blue runner is probably going to make it through the whole season, through the whole year. We haven't gotten there yet, so we can't say for sure; but based on projecting what has been landed to date, it is looking like blue runner will make it through this year, but just barely.

Had these new numbers been in place, blue runner might have closed a little bit early, before the end of the calendar year. The big one that is going to take the big hit on the commercial side is gray triggerfish, because gray triggerfish closed on September 11 this year. If these MRIP numbers and the commercial numbers had been in place this year, gray triggerfish would have closed sooner. It would have been probably a matter of weeks sooner than it closed this year. That is the one that is most negatively impacted on the commercial side.

Of course, once these stocks get stock assessments, then they move out of this category, and then the ACLs and things will be based on what comes out of the stock assessments. John, when is gray triggerfish supposed to be assessed; it's on the SEDAR? Is it 2013, 2014; yes, so it is coming up relatively quickly?

I think everybody is aware of the fact that this is a stock that really does need an assessment to find out exactly what is going on here. But I'm just warning you right now this is based on

looking at what these new numbers would do. I just went through all the different species and looked at what could positively or negatively happen to them.

Then there is really only one recreational fishery that would be affected at all, positively or negatively, based on the way landings are going so far this year and that would be Atlantic spadefish. It actually would be expected to exceed its ACL, because the recreational reduction is like 37 percent.

However, Atlantic spadefish is not really considered a major fishery; it's not. Much of these landings occur in state waters anyway. But that is all the major impacts of any significance that I saw looking through all the data for all 37 species, if that had been applied to the way landings and landings trends were going this year.

The recalculations for the ACLs could result in changes not only to the overall ABC and ACLs for the area species but the sector allocations. There are tables in there that show for these 37 species how that sector allocations would go. But, really, the bottom line is how is this going to impact how the commercial fishery and the recreational fisheries operate?

Most of these changes were relatively minor; but as you saw on the commercial side, gray triggerfish actually stands to have a significant impact at least for a couple of years until we get an assessment together. For most of the species, it is pretty much small. It is hard to think at this point why the council would not go ahead and do this since this is what the SSC a couple of weeks ago said going ahead with this does represent the best available data.

This is going to come back to the council in December. My guess is that they probably will move ahead with this. Now this is one action with only two alternatives; either you do it or you don't do it. But, the thing is that we want to ask you all is there anything that you all want to take the time to comment on in terms of the allocation or ABC changes or do you think there are any caveats or anything that the council needs to consider or think about as they're going through this process and making their decision of what they are going to do? That's it, Mr. Chairman.

MR. BOWEN: One thing that comes to mind when you are asking about comments is – and I've thought about it a lot recently – it seems to be that when we have a certain ACL on a certain species and the ACL is met, it is, whoa, we shut the fishery down. But on the other side of the fence, when we have an ACL for another species or on a certain fishery and the ACL is not being met or not close to being met, it is, whoa, wait a minute, the ACL is not being met, there must not be any fish out there so we have to reduce the bag limit.

It comes across like the council or NMFS is really playing both sides of the fence, if you will. Am I making sense; do you all understand where I'm coming from? When the ACL is met, overfishing is occurring and the fishery is shut down. When the ACL is not being met, there are no fish out there so we have to reduce the bag limit. I would just ask the council when these ACLs get in place, make sure they are damn accurate so the council is not riding both sides of the fence.

MR. DeBRANGO: I have a question about the blue runners and stuff. Scotty, I don't really know much about that fishery. Gray triggers and stuff like, that I'm cool with, but the blue runners and all that, the majority of catch on those, what is the gear specific to that; is it a bycatch or is there an actual fishery in it, or is mainly like netters catching it?

DR. CHEUVRONT: Yes, blue runner, it is interesting that you mention that because I have been spending a lot of time with blue runner lately. Blue runners are caught quite frequently in the Spanish mackerel gill net fishery off of Florida. There are some in the king mackerel fishery, particularly off the Keys, but the majority of the fish are caught hook and line as part of the commercial snapper grouper fishery.

MR. DeBRANGO: Whatever we come up with changes or whatever there; there is going to be a lot of discard mortality due to the involvement of the nets and everything through the Spanish mackerel.

DR. CHEUVRONT: Well, that occurs fairly early in the season and not so much in the later part of the year. Ben, I'm right; it is basically in the April area, and that is sort of when most of the blue runner is being caught in gill nets along with Spanish mackerel? I'm under the impression it is a spring phenomenon mostly.

MR. HARTIG: Some of it's in the spring, but most of it occurs in the fall when those fish are moving down through – when that fishery is Spanish mackerel fishing. That is when most of them occur. Just to the point of the impacts, Brian, most of that gill net catch was discarded this year in the gillnet fishery because the fish houses wouldn't buy it because of the problems associated with blue runner and harvesting with net gear. There would have been more significant impacts had those landings occurred.

MR. DeBRANGO: Are they harvested for bait or for food?

MR. HARTIG: They're harvested for food, and they have been for quite some time. Even the little jack crevalle under 15 pounds, those are harvested as well. As we go through these different cultures and they come into the United States, if you look around the world, jacks are one of the more favored fishes for a lot of different cultures. We get these different ethnic groups that come in and eat a lot of these fish.

I've eaten them myself, and they are not bad at all, especially crevalle at two or three pounds. It is amazing. Once you get off the stigma of being told that those fish aren't good to eat and you go ahead and try them the way they eat them, cook them whole on the grill or something, they are actually really good.

MR. DeBRANGO: We don't catch very many of them around here so I didn't know.

MR. HARTIG: The one thing about blue runner, I'm in a center of abundance where they are, and I don't believe there is a million pounds caught by the recreational fisherman that are kept. Now there are some used for bait in every king mackerel tournament, yes, but a million pounds of blue runners, I don't believe that. My intent is to remove this from the entire – give it to states to manage. Give it to Florida, because most of them are caught in state waters in Florida, anyway, so give it back to the states and let the state manage that species. At least that is my perspective.

MR. DeBRANGO: Yes, that is what I was wondering. That cleared up a little bit, because these things, it's like you're going to put an ACL on something that especially right now is they are throwing them overboard, so how do you manage something like this that you have no real

knowledge of? Do you split the season so when they come through down there and they're hit the heaviest as a bycatch in the gill nets; so these guys instead of throwing them over, they can bring them in? What do you do here?

MR. JOHNSON: You have to remember Florida doesn't have a gill net fishery in state waters. The majority of the catch, if it is being called in a gill net, it should not be occurring in state waters. But I had a question about the allocation issues on gray triggerfish and Atlantic spadefish; could you tell us what those are, recreational and commercial?

DR. CHEUVRONT: You have to give me a second to pull that up. Gray triggerfish is going from 45.39 percent to 43.56 percent for the commercial and from 54.61 to 56.44 for recreational. The change isn't huge, but it does represent an awful lot of fish.

MR. JOHNSON: Okay, how close is the recreational ACL to being met? I'm just curious if we're taking it away from one side and giving it to the other, is it going to be utilized or is it just going to be sitting there?

DR. CHEUVRONT: We'd have to go on to the NMFS Website to check that out to see where they are, because I don't recall right offhand and I don't have those notes with me.

MR. MARHEFKA: Yes Robert, whose side are you thinking is just sitting there, the commercial or the recreational?

MR. JOHNSON: The commercial is closed so obviously it is not sitting there.

DR. CHEUVRONT: Yes, I'm pretty certain though the recreational side is doing pretty well on their ACL. They haven't met it, but that is a pretty popular recreational fish as well, for trigger. Myra is trying to pull up the numbers right now.

MR. STIGLITZ: When he was talking about the blue runners in the kingfish fishery, you wasn't talking about the gill net kingfish fishery, were you? Okay, the hook-and-line fishery. Okay, I just wanted to clarify.

DR. CHEUVRONT: I was just asked how did these allocation numbers come about? They came about using the rule that the council has been using to make allocations. It has been known as Boyles' Law. We want to get away from using that term, because Boyles' Law really has to do with physics and volume and pressure and that sort of thing, and somebody looking at this from the outside is going to wonder what does that have to do with this?

Actually that name came from a former council member. But what we are talking about is this rule was to look at the 50 percent of the allocation comes from landings from long-term gears and 50 percent comes from a shorter term, but they only went through 2008. Now, the council may decide to look at that again later, how they are going to use that. The same rules were used for both the Comprehensive ACL Amendment as well as is being used for here in Regulatory Amendment 13.

MR. JOHNSON: My point is with the closure of gray triggerfish this year on the commercial sector, it seems like the council might want to look at that; because if you only went through 2008, there has been a shift in effort and an increase in landings in gray triggerfish.

DR. CHEUVRONT: Yes, and remember we do have a stock assessment for gray triggerfish coming up. I think that council is probably going to wait to change regulations on gray triggerfish until that is done since it is coming up so soon.

MR. JOHNSON: Gray triggerfish, Jim says, looking right here recreationally just so everybody else knows, is at 25 percent. You have a closed commercial fishery that you are talking about taking some more away from, and you have a recreational fishery that has only got 25 percent of their ACL.

DR. CHEUVRONT: What's the date? This is only through June, this is half the year, only through the third wave, so it doesn't have July and August, September, October landings in there at all, which probably are fairly significant recreationally for gray triggerfish.

MR. FEX: I just want to make a comment why the gray triggerfish probably closed early. I know the numbers were reduced, but you've got to figure this year we had a phenomenal warm weather season at the beginning of this year. My B-liners were way high, my triggerfish were way high.

But also, too, when March and April closed down, pretty much everything except for triggerfish, jacks and grunts and jolthead – that was the only thing left, the boats still targeted them. Boats would go out there and target strictly triggerfish. They were interacting with other fish and I was not happy with that, but, hey, they still had a job to do.

That's why I believe our landings got so high and got shut down early, and we still had warm water and weather. That would be really one thing. This year it might come around and we might not meet it, because we might have cold water where I'm at. We might have bad weather. That is one thing that might end up coming next year that we don't meet that ACL.

DR. CHEUVRONT: What we need to do, you don't necessarily have to choose what you think is your preferred course of action here. It is just that any comments and things that you all had to say about this – and I think we've pretty much captured that in the transcript here.

MR. JOHNSON: Is there any other discussion? Do you all want to take a 10-minute break?

MS. BROUWER: What I'd like to do now is walk you through Amendment 28. Initially after the September council meeting we had one amendment that contained this action in addition to the yellowtail and the grouper. It was all lumped into Regulatory Amendment 15. Then we were told because the council is considering setting up a process, that type of action is not allowed under the framework so therefore we had to develop a plan amendment. That's where this was born.

Again, the council hasn't seen this. They are going to take a look at it in December and approve it for submission to the secretary then. The reason it is moving fast is because it would allow NMFS and the council to, first of all, establish an ACL for red snapper and determine how the

season would open in 2013 and beyond. There was urgency in getting this done as quickly as possible.

There is only one action in this amendment that has a whole bunch of alternatives. Alternative 1, no action, includes everything that was in place before the opening this past year. Then it includes what was done in order to open red snapper to recreational and commercial harvest. Then we have several alternatives that present different ways of calculating an ACL for red snapper.

Subalternative 2A is the same process the council used this past year. The text box here on the left kind of makes a little bit more sense than all the equations and the funny letters, so 2A is going to use the average of the two previous year estimated removals from the stock assessment and the previous year's ABC, and compares that to the projected total allowable kill. If there is any surplus, that is what your ACL would be. That is how it was done for this fishing season.

Alternatives 2B and 2C are using the ratio of previous years left over removals to previous years ABCs. It presents a little bit more complicated methodology. The SSC had a chance to look at this amendment last month. They didn't really have a whole lot to say as far as the methodology. They just said, well, the council should really choose whatever the simplest method is and go with that one. That is pretty much what they had to say about it. As I said, Subalternative 2A would do what was done this year as far as how that number was calculated.

MR. BOWEN: Myra, when you're speaking of previous years; are you speaking of previous years before the closure?

MS. BROUWER: No, I think we're talking about the previous years – you're looking at the dead discards from previous years and you look at the ratio between the two and compare that to the projections from the assessment for, let's say, 2013. If we're doing this for 2013, you are going to go to the table in the assessment that shows you the projected amount that can be killed, that can be removed from the population and still stay within the rebuilding plan for red snapper. Then the only thing that these different alternatives do is they alter the way that you calculate what you're going to take out of there. It's a little bit complicated. There's a description of how the proposed process would work in here. You kind of have to play with the numbers a little bit. If you want me to do that, I can probably have something to show you tomorrow where I can walk you through all the numbers.

That is one of the things that have to be done, first of all, how the ACL is going to be calculated. Then they're going to have to figure out how the seasons would open. There are alternatives to do something similar to what was done this year and the variations are, is it going to be in July, is it going to be in August, is it going to be in September?

That is what Alternative 3 does, and that deals with the commercial season. Alternative 4 then deals with the recreational season, and again it considers weekend openings consisting of three days, Friday, Saturday and Sunday. Then it has subalternatives for various windows where those weekend openings would take place.

Another thing the council did this past year is through the emergency rule they eliminated the existing 20-inch size limit on red snapper. The rationale was you are not going to be abiding by

size limits when you are restricted to such a small amount of fish, and so they took away that size limit. Alternative 5 would do the same thing.

For this amendment, it is a little bit confusing, but the council is going to have to pick several preferreds for each step. They are going to have to pick a preferred for Alternative 2, for Alternative 3, Alternative 4. There is going to be a whole bunch of preferreds that in the end are going to describe the steps that are going to be taken for how our red snapper is going to open up next year.

MR. MARHEFKA: Just wanting to go and try to clarify; when is red snapper spawning season; when do they spawn and when is the peak of their spawning time? Because, during this last opening that they had, every one of them of the 50 pounds that I was allowed to have was busting with roe, and I think it was the most insane thing to go and think that we would go and have an opening during a spawn.

MR. BOWEN: Mark, they spawn April through October.

MR. MARHEFKA: With that being said, I think it should be considered the next time they decide to go and open it up.

MR. JOHNSON: I think peak spawn is July and August; that is like the peak two spawning months. Jack.

MR. PERRETT: I've got a question; do we know how many dead discards are in this model, what the numbers were for '11 or '10?

MS. BROUWER: Yes, we do know those numbers. I would have to dig around for them to bring them up on the screen, but, yes, we do. The council, what they did this past June was to walk through the various ways that they could potentially come up with an ACL. That is exactly what they did; they looked at the level of discards from 2010 and 2011 and then applied that to 2012, and then subtracted that amount from the projected level of dead discards from the assessment. What was left over was that 13,067 for the commercial – or I think that was the total ACL for this year.

MR. PERRETT: Right, of this 86,000 fish that they had, most of those are dead discards now?

MS. BROUWER: Correct.

MR. ATACK: Can they run the numbers for Alternative 2A, 2B, and 2C with the 2011 discard or whatever; you know, just hold those numbers the same and that way we could see if we chose A, this is what we'd have; if we had Alternative B, this is what we'd have; and then this is C, Just looking at these equations, I don't know how much it changes. But, if we just look at like the 2011 number and maybe if you have 2010, you could just see what impact these different equations would have on what we're looking at.

MR. BOWEN: I would like to know which of those alternatives would give us the highest ACL.

MS. BROUWER: That would be Subalternative 2A.

MR. DeBRANGO: All I want to ask is if we motion on having a no size limit, wouldn't that change the equation, you would have zero discard, or would there still be a discard? If you had no size limit like this, you are not killing anything, you are keeping everything. Wouldn't that change everything?

MR. JOHNSON: The discards are the amount of fish that have been discarded prior to the opening. You pay for dead discards. A certain percentage of discards are deducted from the ACL every year that the fishery is closed, because you are interacting with the fish.

MR. DeBRANGO: But we had no size limit.

MR. ATACK: You are still going to have dead discards from bycatch mortality, because you are not fishing for red snapper outside of this little season we're going to have. They're calculating how many dead discards we have in the snapper grouper fishery.

MS. BROUWER: What I can do – and thanks for suggesting that, Jim – is plug these numbers in to a spreadsheet with these and then show you guys tomorrow how the different equations would change the numbers. Yes, we can definitely do that tomorrow. Yes, Subalternative 2A is the one that produced the biggest ACL out of the three.

MR. SMITH: You said Subalternative 2A gives you the largest ACL, then you look at the formula and it says zero. I'm showing my ignorance here but is that larger because the other ones were negative numbers? Is that what I'm assuming?

MS. BROUWER: No, that simply means that if after you do this calculation you end up with no surplus of fish that you can kill, then you don't have a season. These numbers are not going to be able to be calculated until sometime in May, perhaps, because that is when the Science Center is going to have available the estimate of dead discards for the previous year. We can only look in the past to see how this would turn out, but we can't anticipate what the ACL will be next year.

MR. BROWN: Does that mean that the decision on this will be made in June?

MS. BROUWER: As far as the actual ACL, yes. What this amendment is doing is setting up the process. When the numbers are available in May of 2013, the council can go ahead and adopt these steps that they've decided on and go ahead and open the season if it can be done.

MR. JOHNSON: What we need to do is look at the alternatives of when they would have a proposed open season, Subalternative 3 and Alternative 4. We need some feedback around the table as far as when from the commercial sector and the recreational sector and when you think the best time would be. Jack.

MR. PERRETT: I guess back to Mark's point earlier, if we want to try to stay out of the middle of the spawning, the September timeframe may be the better time to do that. As far as the ability to catch, I don't think we have any trouble catching the limit whenever we have it.

MR. BOWEN: When he mentioned September, the first thing I think about are hurricanes. My motion would be October, the way I'm leaning overall.

MR. JOHNSON: There was some flexibility this year if there was a weather event for it to be postponed and opened. That's something that they can look at. I don't think we want to predict the weather. I understand what you're saying, but if you get into the fall of the year then you are going to get into issues where you could have Nor'easters. They are not going to be a predictable hurricane, but you are going to have guys going in small boats in worse conditions.

MR. BOWEN: Robert, over the last 10 years, according to my records, I've fished more days and the weather has been fishable more in the month of October than September out of Savannah, Georgia.

MR. JOHNSON: I don't know if the council wanted us to stay within the alternatives here, and that one is not listed. We could I guess – give me some direction, Myra.

MS. BROUWER: That is correct; the council is not going to be considering anything different than what is already in this amendment, if this is to be approved in December and put into place for 2013. Other ideas are great, but none of that is going to be considered here.

MR. BOWEN: Us as the AP, if we voted on October, they wouldn't consider it.

MS. BROUWER: Not through this amendment. It would have to end up in a different amendment for them to consider that.

**MR. ATACK: I guess I would make the motion to preferred Alternative 3C, which would be the second Monday in September.**

MR. JOHNSON: Do we have a second; second by Richard. This is for the commercial season? Any discussion? Greg.

MR. DeBRANGO: This is in their spawning months and September, August; typically August and September and stuff they still have a lot of eggs in them. I know my biggest catches I ever had in them have been I late August, early September, and those things used to be loaded with eggs. I would kind of lean more towards 3A. At least they are still earlier in the process, but this is kind of a Catch-22, the months they are giving you.

MR. BROWN: I just want us to be able to catch all the allotted amount that we're given. When they say that we're allowed 9,000 fish, I think we should be able to catch that many.

MR. JOHNSON: Okay, any other discussion?

MR. MARHEFKA: Now, have we determined on a recreational at this time? I'm just sort of kind of wanting to go and say that it should go and be concurrent with each together at the same time. Okay, well, go ahead. Because of the product being on the market on the east coast, I think it should be across the board so enforcement doesn't have any issues seeing things.

MR. BOWEN: There is no sale of recreational caught red snapper.

MR. MARHEFKA: Yes, but if there is commercial product on the market and then all of a sudden there is recreational; then granted there is no sale of recreational caught fish, but it is happening. We're not all as trustworthy as you, Zack.

MR. BOWEN: Well, maybe you should try to be that way.

MR. THOMPSON: I mean, if it was run at separate times, if you run them concurrently you are just helping the backdoor man sell. If you run it at another time, they can't advertise red snapper at your little watering hole.

MR. JOHNSON: That's a good point, but also to the point of running concurrently; as it is set up right now, there is nothing to keep the commercial fisherman from going out and catching his recreational bag limit during the recreational season and then double-dipping and coming and catching them during the commercial season as well. That works both ways. Robert.

MR. THOMPSON: Well, I feel that he should be able to catch it. He's a citizen, if he buys a license, then I don't see any problem with that. But he cannot sell; and if it is running concurrently, then his recreational gets a little bit taken away from him, but he can come in and have him a red snapper dinner, and that's it. He's only going to get I think one a day like. It's not that many. They won't keep that many.

MR. JOHNSON: Okay, we'll tackle that under the next alternative, whether we want to go concurrent or what, But did we have a motion? Okay, are we ready to vote on this thing? Do we have any opposed to the subalternative? **None opposed; it is approved.** Okay, that was Subalternative 3C.

Now we need to decide on the recreational sector. Do we want to try to get like we did last year where they had the recreational opening and then the week after they had the commercial opening, something like that? That would be 4C. Jack.

**MR. PERRETT: I'll make a motion to the effect that we recommend Option 4C.**

MR. STIGLITZ: Second.

MR. JOHNSON: Any discussion? Zack.

MR. BOWEN: I would just like for the council to – I just think the later in the fishing year the better.

MR. JOHNSON: We're choosing the latest option they've given us.

MR. BOWEN: I just want it on record, the later the better.

MR. GOULD: Out of the few Snapper Grouper Advisory Panel meetings I've been to, in the past we've had the opportunity on occasion to present to the council when presented in this situation another alternative, to come up with it, but you were not given the choice to do that now. If Myra could address that for me, I'd appreciate it.

MS. BROUWER: Well, the answer is because if the council did that, it would delay implementation of this amendment and they wanted to have something in place for the 2013 fishing season. The only way they can do that is if they approve it in December. It is a timing issue entirely. It has nothing to do with anything else.

MR. GOULD: What you're telling me is if we wanted to give them another alternative, which put it up to say until October, it would set them behind; is that correct?

MS. BROUWER: Yes it would, because then we would have to go back and analyze the impacts of that alternative and compare it to the other ones. Then the council wouldn't get to see it until their subsequent meeting, which is not until March. By then it would be too late to implement the amendment to take effect in 2013.

MR. JOHNSON: But, Myra, there is nothing to keep somebody from making a motion under other business to consider something in the future, different start dates.

MS. BROUWER: Absolutely not; you can do that.

MR. ATACK: Is this for one year, 2013, or is this for each year until the ACL gets increased? We're really just talking about probably, what, 9,000 fish.

MS. BROUWER: This would be in place from when it is implemented until it gets modified again, so it would be 2013 and beyond.

MR. ATACK: If we wanted it in 2014 in October, when would we have to make that motion?

MS. BROUWER: You can make the motion now, but the council couldn't take action on that until an appropriate time where they can incorporate that action into a developing amendment that they could then take action on later.

MR. BOWEN: I see where it says begins, but I don't see any ending dates. Is that going to be according to when the ACL is met or what are we doing there? Like for this year, we knew. It started Friday, Saturday, and Sunday; started Friday, Saturday, and Sunday. On this alternative I don't see anywhere – I see where it starts, but I don't see any ending. It doesn't end; that's perfect.

MS. BROUWER: Right; there is a caveat for when the season would not open, which is if the numbers show that it would just span three days or less, then you wouldn't have a recreational season. You are right that I don't see a specification of how many weekends we're talking about. This past year it was specified that it was only for two weekends; and then if there was anything left, they would consider reopening it.

MR. BOWEN: Myra, when you say if there is anything left they would consider opening it, but I've also found out they won't know the numbers until March of 2013. That is contradicting yourself. It is being contradicting, not necessarily you. From preliminary numbers, we were allowed 9,000 fish. And again just being an estimate; there was 1,400, 1,500 fish caught over two weekends.

MS. BROUWER: That's the problem with the recreational monitoring, because NMFS can determine more easily when the commercial ACL is met. There wasn't actually language in there that said that the commercial season could potentially reopen again in 2012 if there was anything left after they figured out how much was landed. But you're right, that with recreational they don't really have that ability because of the lag time in the recreational data.

MR. BOWEN: What now? I'm just very passionate about red snapper.

MR. ATACK: I think what they are going to do is they will review the numbers in March. I mean the recreational season goes until December 31, so they don't know how many red snapper were killed until after January 1. When those numbers come in March, then they can calculate how many fish will be able to be taken in 2013 and they'll come up with if it's one weekend, two weekends like this year, and how long the commercial would be. They can't do that until they run the numbers in March.

MR. JOHNSON: They just gave us an opening date. They're going to look at the data and then they'll determine when the ending date is going to be. They won't know that until they get the data.

MR. BOWEN: When we're voting for this or making a motion for this, is it just going to be Friday, Saturday, Sundays or is going to open 12:01 the second Friday of September and stay open through the week, during the weekdays?

MR. JOHNSON: No, it says Friday, Saturday and Sunday. It also says if it can only be one weekend, they will not even open it. They're assuming already they are going to give you at least two if they are going to open it. If, but they just have to see the numbers.

MS. BROUWER: Yes, so the way the language is written, NMFS is going to be able to determine, based on projections and on the level of the ACL, how long this season can remain open for. They will tell you when they issue that fishery bulletin to say the red snapper season is opening on such and such a date and can remain open for X number of weekends, but they won't know that until they've had the numbers to estimate how much can be landed.

MR. BROWN: Will they add the left over red snapper onto next season?

MR. JOHNSON: No. Okay, can we go ahead and vote on this one? Do we have anyone opposed? **The motion is approved.** Okay, Alternative 5, it's the same deal we had this year, there was no minimum size limit for commercial and recreational. Does anybody have any comments on that?

MR. ATAK: Is this alternative talking about only the mini-seasons; or if we put this in, are we talking about just eliminating the minimum size limit from here forth?

MS. BROUWER: This would apply only to this process, so it is not completely eliminating it; it is saying for this process we're setting up right here there would be no size limit.

MR. DeBRANGO: Yes, I'm definitely for that. Then you would eliminate any discard mortality on top of that. If we're going number of fish, that is just going to be a greater take anyway.

MR. SMITH: Yes, I oppose it. I just think it's a step backwards, that's all. I think that people are going to keep fishing.

MR. JOHNSON: I know one reason – just to add to that, Rodney, one reason they did that was to try to get to the biological data to get some of those smaller fish. I don't think this is something they are thinking long term but just for the near future. It gives them a better picture of the fishery.

MR. BROWN: When they opened the season up, I had a half day the first day and we caught two red snapper nine miles off the beach and they were that long. But I thought it was pretty significant, because I caught them somewhere where we had never caught any red snapper before. It seemed like it was pretty important. No, DNR wanted them.

MR. SMITH: Could you keep them?

MR. BROWN: Yes, we did.

**MR. SMITH: In that case, I'll make a motion that we accept Alternative 5 since there isn't any other alternative.**

MR. JOHNSON: Okay, we have a second. **Any more discussion on this one? Okay, do you have anyone opposed to this motion? The motion is approved.** Okay, we're on Alternative 6, the red snapper commercial limit.

MS. BROUWER: For this one, again the council would like to stretch out the harvest during the mini-season for the commercial sector. This past year what they put in place was a 50-pound trip limit. Here we're just giving them more of a range to look at.

MR. ATAK: Do we know what was landed commercially for the red snapper during the mini-season?

MS. BROUWER: I think NMFS has an idea; I personally don't know. I could try to find out for you. I'm hearing about 20 percent was landed, 3,800 pounds.

**MR. DeBRANGO: I make a motion to adopt Subalternative 6D, 100 pounds cut.**

MR. JOHNSON: I have a second by Phil. Do we need any discussion on this one?

MR. ATAK: If we make the limit too big, I guess there is a higher chance of overshooting the limit when we do the commercial season, right?

MR. BROWN: It sounds like you've got 80 percent to work with, though.

MR. JOHNSON: That's a good point. Can we vote on this one? **Do you have any opposed, three. Motion is approved.**

MS. BROUWER: Then the final alternative they'll be looking at is establishing a bag limit of one fish per person per day. Again, this is what was done this past year.

MR. JOHNSON: All right, folks, any discussion?

MR. DeBRANGO: Yes, the problem is we don't know any numbers until March; you know, if there is an 80 percent margin here, too, where we could maybe give them two, but if that is the only alternative we've got. I don't see any subalternatives there. Somebody else can make this motion.

MR. BOWEN: Again, no subalternatives, but we had one fish per day this last time around and the preliminary numbers we didn't even come close to 9,000 fish.

MR. BROWN: I'm right in line with what they're saying.

MR. ATAK: My question is if we don't do Alternative 7, the existing bag limit is five per person or two per person?

MR. BOWEN: It was two before the closure.

MS. BROUWER: Well, what I can suggest is that you could recommend that the council just wait to determine the bag limit until the numbers come in and then perhaps they can write in some language where it says that based on the predetermined level of harvest that will be allowed, then they will set an appropriate bag limit or something along those lines.

MR. BROWN: Can we make a recommendation that they extend the season since there is not a close date on here to match what the difference was between what the harvest was this past year and for next season so that we can get closer to catching what we're allotted?

MS. BROUWER: If I'm understanding correctly, are you suggesting that whatever didn't get caught this year be added to the ACL next year?

MR. BROWN: No, what I'm suggesting is extending it to be closer to what was allowed for the fishery this year since it seems that the numbers so far are coming back that it is real low, so that the season is extended further.

MS. BROUWER: Yes, you can certainly make that recommendation.

MR. BOWEN: We can make a recommendation on the bag limit, but we can't make a recommendation or we couldn't make a recommendation about October.

MS. BROUWER: You can recommend whatever you want to recommend that the council consider. What I'm saying is that sometimes there are ways that we can put language in the regulations that allow the council and, usually NMFS a little bit more flexibility. We have language, for example, in the Comprehensive ACL that says the RA will determine if the ACL has been exceeded, how long the next season will be. Putting in language like that I think is a possibility, and all I'm saying is the AP certainly can recommend that the council consider that.

MR. JOHNSON: I just wanted to say one thing, guys. In the recreational sector would you rather have two weekends at two fish a person or would you rather have four weekends at one fish a person? I think that's what you need to think about. I think we would want more access

and longer season. We were able to book trips at one per person, so why would we – just my thoughts.

MR. BOWEN: I totally agree.

MR. BROWN: I agree with that, too, and I would like to see the season extended and keep it at one per person, because it does help us in the for-hire sector.

MR. DICKENSON: I agree, one, so we can have a longer season.

MR. BOWEN: But also, Robert, we want to make sure that one per person; we'd like to fish on them until the ACL is met or at least close.

MR. JOHNSON: I'm hopeful that they're going to look at the numbers and see if there was an underage this year and look at the amount of time they gave us to catch the amount of fish that were allotted and look at what is allotted next year. They're pretty smart. They ought to be able to figure, well, if they didn't catch it in two weekends and there are more, let's give them four weekends. I would hope that's how the process works.

MR. GOULD: I'm all for the one person per day, but I'll tell you right now my operation is not going to participate in it. One, if the sea bass is closed down, like they did last year, I'm doing nothing but fomenting a mutiny on my boat, so that cuts me out of it. The other two headboats did not participate in it out of Morehead this year for the same reason.

Whatever we do, we need to have some language put into it where maybe the recreational ACL on this black sea bass can be extended out a little bit to cover us, because they need the data. But I'm not going to go, for a better word, make a lot of people mad on my boat, because they are going to catch maybe one American red snapper and throw back 15 or 20 sea bass. Whatever we do, I think we need to put some language in it where the black sea bass and its openings goes hand in hand.

**MR. BOWEN: Well, I make a motion that we stick with Alternative 7, but we also recommend a later start date on red snapper.**

MR. JOHNSON: I think you ought to put that in a separate motion. We're going to get to your idea.

MR. BROWN: I'd like to recommend to the council that they extend the date, keeping it like what Zack said, but extend the date closer to meeting the ACL. In other words, try to extend the date of fishing so we have a longer period of fishing time at one per person to get closer to what the allotment is.

**MR. JOHNSON: Okay, we need to vote on the motion we have on the floor. Alternative 7, is anybody opposed to that? Terrell is opposed. The motion is approved.**

MR. ATACK: Mark, I think what you want to do is just to run the season until the ACL is projected to be met, right, is that what you want to do for the commercial side?

MR. BROWN: Yes, that's correct.

MR. ATACK: Make a motion, I guess.

**MARK BROWN:** Can I do that; can I go ahead and make a motion? **I'd like to do that then; I'd like to make a motion for that.**

MR. JOHNSON: Okay, did we get a second on that motion? Is this commercial or recreational?

MR. BROWN: This is recreational.

MR. BOWEN: I'm all for this, but I heard several – I won't say several. I heard a couple council members say before the season opened on red snapper that they were, quote, scared to death that we were going to blow through the numbers on red snapper. Again, we're getting back to what I mentioned to the council earlier about ACLs.

If we don't meet them, there is no fish; and if we meet them, then they shut it down. I just wanted to bring that to everybody's attention. I think the reason that they were a little skeptical about opening it is because they really thought that those 9,000 fish were going to be caught pretty quickly. Come to find out we weren't even close. They may turn it around and say, whoa, wait a minute, there is no snapper out there like you all said, anyway. I think that is the reasoning.

MR. BROWN: Won't this mini-season be kind of an example? Won't it be something that we put into effect to see how it would go, and they allotted a certain amount of fish to be caught, and now we're going to see what was caught? Won't that set a precedence for the future? Won't we be able to see; well, this is what we can do next year?

MR. JOHNSON: That was the point I was making earlier. They should look at that and then they'll use that to set the amount of fishing days based on what they got.

MR. PERRETT: I guess the challenge we've got with this is again we're not going to have this data until March of 2013. It is really behind the eight ball. The other thing that you've got is weather. On this recreational limit, if we have two weekends in a row where it is flat calm, you are going to have everybody and his brother out fishing and they're going to bust it wide open.

If we have a situation where we had this past year where we had real bad weather and only the big boats can get out, you've got a completely different opportunity to catch fish. It's kind of a crap shoot. The council has got to roll the dice, they are going to say one weekend, two weekends, three weekends or whatever, and you are going to get what you are going to get, but it is really very much weather dependent.

MR. BROWN: I think that even if we did bust through it, it would be positive. The reason I say that is that you get the data that we need. That is what we're looking for is try to get some better data on what the fishery looks like.

MR. JOHNSON: That's right. **Okay, can we vote on this thing? Do we have anymore discussion? Do you have anybody opposed to this motion? Two opposed; motion approved.** Moving right along then, Myra.

MS. BROUWER: Okay, the next item on the agenda is Snapper Grouper Amendment 27. This one is moving a little bit slower, so you will likely see this again in the spring. It's going to be approved at the December meeting if the council deems it worthy to be approved for public hearings. Those public hearings will take place at the end of January.

This amendment includes several actions dealing with yellowtail and mutton snapper, Nassau grouper and blue runner. The first set of actions would make the South Atlantic Council the sole managing entity for yellowtail and mutton snapper. Basically the Gulf of Mexico Fishery Management Council would no longer manage those two species in their area of jurisdiction.

Now, this idea came about when the Gulf Council sent a letter to the South Atlantic back in April of 2010 indicating that they would like the South Atlantic Council to consider taking over management of some species, including yellowtail, mutton snapper, and Nassau grouper. The South Atlantic Council said, yes, we're willing to do this.

Then it came up that there were going to be some issues with permitting, how are we going to mesh the permitting requirement in the South Atlantic with those in the Gulf? There were some complications and so the South Atlantic Council decided to not take any action and they were very involved in the Comprehensive ACL Amendment. They said let's just leave it be for now and look at it later.

This is where this is coming from. For Nassau grouper, the Gulf of Mexico Council took action to remove that species from their Reef Fish FMP, and that was approved. Then there was a notice published in the Federal Register that indicated that the Gulf Council was no longer managing Nassau grouper in the Gulf. The responsible management agency was the South Atlantic Council.

However, the South Atlantic Council never took action to bring in the Gulf of Mexico portion of Nassau grouper into their management unit. That's what we would be doing in this amendment. Basically it is a formality; it is an administrative action and I believe the language in the alternative that the Gulf of Mexico approved said that the moratorium on fishing for Nassau grouper would remain in place until the South Atlantic took over management.

There is no hiatus or no removal of any of the existing management. Now, the Gulf of Mexico Management Council met last week or the week before and they've decided before they agree to take this out to public hearings or to consider it any further, they would prefer to have a committee meet about maybe looking at a regional management plan for South Florida, something similar to what we've been talking about, to address problems such as Don has brought up in the Keys.

They would like to go ahead and convene a group that is going to address specifically the stocks that are in that part of the world and maybe put them in a separate management plan. I anticipate our council either taking these actions out of this amendment until such time as this committee

meets and decides how to go about it, or perhaps they're going to choose no action for the moment to allow for that committee to meet.

This action basically is connected to some of the actions that follow; because if the South Atlantic takes over management, then they need to deal with permitting requirements. They also have to deal with setting up allocations, because the way that we've allocated yellowtail and mutton snapper in the South Atlantic is based only on South Atlantic landings.

Now, if the South Atlantic Council were to manage the stock region-wide, then they would have to incorporate the Gulf landings to come up with the sector allocations. There is an action in here that basically takes that formula that Brian was talking about earlier to come up with the allocations and applies it to a dataset that includes the Gulf of Mexico landings.

That is what Action 2 would do. I'm going through these quickly, like I said, because I don't think that these are going to take up a lot of time of the council given what the Gulf has recommended. Then there would be cross-jurisdictional permitting issues that would need to be addressed so we went ahead and analyzed that.

There are only two alternatives. Basically if the South Atlantic Council took over management, they would be willing to recognize the reef fish permits from the Gulf so that the Gulf fishermen wouldn't be required to go and purchase a snapper grouper permit in order to land these species. On the ground, as far as the fishermen are concerned, there would be no change.

Then there is an action that addresses bag limits. That's another thing that would need to change. The council would want to set a single bag limit that would be applicable to the South Atlantic and the Gulf. Right now, of course, we have separate ones. Do you have any questions on that set of actions?

MR. STIGLITZ: If the South Atlantic was to take over the whole fishery, would that open it up where Gulf reef fish permits could come fish in the South Atlantic?

MS. BROUWER: No, that would not be the case. The South Atlantic Council would recognize the Gulf permits so that they could continue to fish in the Gulf, and the South Atlantic guys would continue to be allowed to fish just in the South Atlantic. There would be no transferring of areas. That brings us down to Action 7.

Well, Action 6 I already told you about is the administrative action that takes care of Nassau. That is where the council is going to really start discussion in December. Then there is an action in here that proposes to modify the existing framework procedure that the council has adopted in order to adjust things like ACLs, trip limits, bag limits, and things like that in order to make it easier and faster for them to be able to adjust an ACL in response to perhaps a stock assessment that indicates an ACL can be increased.

Right now the council has to go through a regulatory amendment process, which involves analyzing very many alternatives to comply with NEPA. Then the ACL can change, so it takes a long time. What this action is proposing is adding language to the framework that would allow the regional director to adjust the ACL simply by publishing a notice in the Federal Register.

There are only two alternatives, no action, which is to leave the framework the way it is; and Alternative 2, which would add this little bit of language that is up on your screen.

MR. ATACK: Alternative 2, if we go with that, I guess the SSC and the SEDAR just determine what to do and the council does it, and I guess nothing comes through the AP, right?

MS. BROUWER: Well, the AP can continue to be involved. Certainly, I know I've sent you guys stuff to comment on before via e-mail. You don't have to have an in-person meeting in order to review things that the council is doing. There is always the possibility that we could convene the AP via webinar or something, so that we could inform everybody of what the changes would be.

But this is intended to make it so that, for example, when the yellowtail ACL, when we found out it could be increased so that it wouldn't take us going through the entire amendment process and take a couple of council meetings in order to bump that up, we would be able to do it a lot quicker. That is the intent of this language.

MR. WAUGH: Yes, and this is just to implement these changes that come out of the assessments very quickly. Where the AP has input is do you think the council should set ACLs equal to ABC. The council has set up all these formulas ahead of time. They've said across the board now I believe that ACLs equal to ABC, so we have formulas there.

The council has worked with the SSC to come up with this ABC Control Rule, and you have had a chance to comment on that. The way it works now is we get an assessment, and the AP had been involved in the data workshop and I think some of the assessment workshops. There is an opportunity there for the AP to be involved as well.

But then once the assessment goes through the review process and it is approved through SEDAR and then goes to the SSC and they apply the council's ABC Control Rule; that is the ceiling. That is the ABC; we can't exceed that. If the council has set up a formula ahead of time where the ACL equals that ABC, then it is just a way to get that number in there more quickly. You all aren't losing anything here at all. You are gaining – in looking at vermilion snapper, if this was in place, the SSC has signed off on vermilion snapper so that increase could be there starting January 1. This is a big plus.

MR. JOHNSON: That was just a way to speed up the process, per se, but it could be used the other way. Too; it could be used for a decrease in an ACL as well.

MR. WAUGH: Very definitely. Red pogy is an example. You've got both examples right there.

MR. JOHNSON: Is there any more discussion on this alternative, guys, any thoughts on it? It can go either way, like I said, but there are plenty of situations where it – I mean. we all feel like these fisheries are rebuilding. We all feel like – at least I do, maybe I shouldn't say we all feel like that, but it gives them the ability to give you more fish quicker instead of the process being so drawn out, but also does give them ability to take them away if they think something needs to be protected. Kenny.

MR. FEX: I make a motion that the ACL be equal to the ABC for the information brought forth, yellowtail, muttuns.

MR. JOHNSON: I think we already have that. I think what they are looking at is do you want to – does anybody like this alternative? Does it appeal to anyone?

MR. FEX: Approve alternatives.

MR. JOHNSON: Do you want to withdraw that motion or what do you want to do?

MR. FEX: Yes; I thought that was the intent was to get that to equal to ABC or approve Alternative 2. Is that what we're trying to get. I'm just trying to get things moving along.

MR. JOHNSON: Well, that's what they're looking at, Alternative 2. Did you make a motion?

**MR. FEX: Yes, make a motion that we approve of Alternative 2 as our preferred.**

MR. PERRETT: I'll second that.

MR. JOHNSON: Jack seconds. Discussion. We'll give you guys time to look over it.

MR. PERRETT: I just want to make sure that I'm clear on this and everybody else. This is for all species; this is not just for the mutton and yellowtail. This is for any species that they'd be able to change these much more quickly than they can today without going through the whole council process. Once the data came out, they would implement the new ACLs based on the newest data, basically; is that correct?

MR. JOHNSON: Yes, just for snapper grouper species. Rodney.

MR. SMITH: Did we get a second on this motion?

MR. JOHNSON: Yes, we did, Jack seconded. Does anybody need any more time on this one?

MR. DeBRANGO: Alternative 1 would be no action, leaving it the way it is and still having to deal with two councils or make it easy on this one species.

MS. BROUWER: No, don't get confused, This would only apply to South Atlantic Council. We're not talking anymore about anything to do with the two councils. This would simply allow our council to make adjustments to the ACL in a much quicker manner. An example, when the assessment indicated that golden tilefish could go up – it was a pretty big bump.

It took probably about six months if not longer to implement that. It cost some fishermen some money, because by the time it got implemented the weather had turned not so good. They lost some good time that they could have been out there fishing. That didn't pan out, because it took so long to get that in place. This would take that away.

MR. DeBRANGO: Alternative 1, it would stay the other way, and Alternative 2 it would be a faster process.

MS BROUWER: Correct.

MR. BOWEN: But the other side of the coin is if a species starts being overfished, they could drop the ACL at the drop of a hat.

MR. JOHNSON: Quicker. As soon as the SSC gave them the report that they felt like the ACL had been met. It's not a whole lot different. Right now they just shut the fishery down anyway when it's been met. This would allow them to give us an adjustment to the –

MR. BOWEN: Mr. Chairman, are you in favor of this?

MR. JOHNSON: At some point I have to trust these people; that's a hard thing. I've been through the same thing everybody else in this room has been through, okay.

MR. BOWEN: Mr. Chairman, are you in favor of this?

MR. JOHNSON: Yes, I actually am.

MR. PERRETT: Again, maybe it's not the drop of the hat. It still requires a public hearing. There's still quite a bit of red tape you've got to get through.

MR. ATACK: I guess the difference is if this goes through, the SSC will do their thing and report, ACLs will get changed and then at the next AP meeting we'll be able to discuss what happened or if we had concerns about the reports or how the numbers changed after the ACLs have been changed. The way we do it now is we hear this stuff, we talk about it and we forward it to council. Then it goes and gets changed. That is really the difference in what's going to happen, right?

MR. SMITH: After a lot of consideration, it looks like it's an unusual event where we're actually talking about streamlining the process. It has my vote.

MR. JOHNSON: Can we take a vote on it? **Do we have any opposed to this motion? None** opposed. We're done.

MS. BROUWER: One more action; this is the last one. Action 8 has to do with addressing an issue that came to the council's attention earlier this year, and it has to do with blue runner. Blue runner has been in the Snapper Grouper FMP since its inception in 1983. Apparently blue runner are frequently landed in the Spanish mackerel gill net fishery.

Those folks that have been prosecuting the Spanish mackerel have been able to sell blue runner without a snapper grouper permit. This has been going on since 20 years apparently, even longer than that. It came to the council's attention, because I guess a dealer received a warning from law enforcement that he was not allowed to be purchasing blue runner without the required snapper grouper permits.

The council is trying to figure out a way to address this issue and try to continue to allow the Spanish mackerel fishermen to take advantage of this resource. It is a very sporadic thing. I guess the blue runners are there at the very beginning of the season – they are mixed in with the

Spanish mackerel – but then they disappear. They just take advantage of that little bit of time when the blue runner are there.

It also I guess occurs in a small area, mainly in northern Florida. The alternatives that the council is looking at are to remove blue runner from the Snapper Grouper FMU. This alternative is going to have to be changed, because it indicates that the council could place it in the Coastal Migratory Pelagics FMU, which could happen, but that would involve an amendment to that FMP.

You can't amend the Snapper Grouper FMP to put something in a different FMP, a technicality, but basically the only thing the council could do under Alternative 2 is take blue runner out. Alternative 3 would retain it in the Snapper Grouper FMU but exempt it from the gill net restrictions. As you know, gill nets are not an allowable gear in the snapper grouper fishery.

There is also language in there that perhaps the Spanish mackerel permit could get an endorsement to be able to land blue runner. Alternative 4 would simply exempt it from the requirement or the prohibition from purchase, harvest and sale. Then Alternative 5 is probably going to have to be restructured, also, because obviously the council can't tell Florida they are going to manage anything.

All they can do is to take it out of their management; and then if Florida decides they want to manage it, they can do that. The Florida representative on the council did indicate at the September meeting that they would be willing to take over management of blue runner.

**MR. DeBRANGO: I make a motion for Alternative 5.**

MR. JOHNSON: Is that a second? Okay, discussion.

MR. SMITH: My observation is that they are going to say, blue runner, we don't need to manage that. The State of Florida, they're managing it? Okay, pardon me. What's that? Oh, well, that is the limit of their management? There are no ACLs; there is no anything else? It is an open fishery if you've got that permit?

MR. BOWEN: There is no limit on them.

MR. SMITH: Right, I understand that.

MR. DeBRANGO: Well, they haven't done a stock assessment on the blue runners, correct? No, and it's pretty healthy. It's been going on. The main issue here is these guys with a bunch of bycatch and they sell it. I guess right now they are just selling it with an RS or a SPL, right?

MR. JOHNSON: Just an SPL; I don't even think they had RS.

MR. DeBRANGO: I don't even know if they use these, because they wouldn't have to use the RS, that's right. The thing is if the State of Florida manages it, it is migratory anyway. The State of Florida manages it, they would have to be responsible for the stock assessment on it, wouldn't they? Yes.

MS. BROUWER: Yes, they would, and they also would be able to extend management into federal waters. That is also something they can do, because obviously these things are not found in state waters very often.

MR. STIGLITZ: I like Alternative 4, which the way I'm reading it would just be pretty much status quo. I really don't like giving the State of Florida any of our fisheries. There is no recourse for the fishermen. If the State of Florida says you are done catching them, you're done. It's a matter of writing it down on a paper, you are done catching them in the State of Florida; you'll not catch them no more.

I know because they took a vote and they put me out of net fishing in the State of Florida. If you go with Number 4, it pretty much is the status quo and the guys that are catching them in their gill nets in the mackerel will be able to sell them. They are dead, because they're catching them in a gill net anyway. Nobody has to lose anything, and I would like to hear from Ben what the guys up his way are requesting about it. Ben is in the area.

MR. DeMARIA: Let me just say something first. Ben was right when he was talking about outside the U.S. these fish are really popular. I travel a lot to the Pacific and other areas. Jacks are one of the most prized food fish they have. They have all kinds of fancy names for them, Trevallies and whatnot, but it is basically a jack crevalle, what they call a trevally. It seems like the blue runners and even the jack crevalle are gaining in popularity in our area.

There are a few guys that hook-and-line fish for them west of Key West, Boca Grande Channel. They catch grunts and blue runners. I know one guy's son that fishes for them out of Jupiter. He catches quite a few of them. I would think it would be smart to kind of be proactive on this one and get a little bit ahead of it before this thing gets out of control. It could very well with what I'm seeing happening in South Florida.

MR. HARTIG: Well, I hate to disagree with Don, but I do. I mean, blue runners, most of them are caught as a bycatch in the king mackerel fishery and the hook-and-line fishery. We do target them on occasion when we're snapper grouper fishing. Sometimes they'll get in the lights at night. You catch what you can catch and you take advantage of them.

But as far as the net fishery goes and to the question about the net fishery, I think basically that the net fishermen would rather see it either put in the coastal migratory pelagics or to remove it from the entire Snapper Grouper FMU and given to the state to manage. Based on the number of fish that are caught in state waters versus federal waters, most of the fish in South Florida are caught in state waters.

The gill net fishery, of course, has to occur in federal waters so their blue runners are going to be caught in federal waters, but I think the majority of the harvest comes from the hook-and-line fishery overall. That would point more to having state management. You guys are going to have to make the decision on what you think.

Don has got a point about management. Are you confident that the state can manage these types of fisheries? I don't have a problem with it. I have some real questions about the order of magnitude of the recreational landings. I'm right in the hub of recreational fishermen where these fish are caught, and I don't see very many of these blue runners being kept by recreational

fishermen except from shore and ethnic groups that catch them off piers and things of that nature.

Now those people, they do catch them and they eat them, but that is not a million pounds of blue runners. I've got some real problems with the numbers; and possibly to avoid the problems with the numbers, we may get around that by giving it back to the State of Florida, but that is your decision.

MR. JOHNSON: Where did those numbers come from; are those MRIP numbers?

MR. HARTIG: Yes, they are MRIP/MRFSS numbers. If it stays in the management of the council, my intent is to go on an investigation of the blue runner numbers, because I just want to see how all those numbers – where the catches are occurring and how they are being tallied so I can have some understanding of where those numbers originate.

I've talked to a number of recreational fishermen up and down the coast and nobody really keeps blue runners to eat as food, but they are a big part – as most of you know, they are something that we use for bait. But at about a quarter of a pound of blue runner for bait, that is a lot of blue runners to add up for a bait fishery. A million pounds, that is four million blue runners. I don't think too many bait fishermen are selling four million blue runners to the kingfish tournaments.

MR. DeMARIA: I don't know how many of them are being caught hook and line, but all of them that I've seen have been from state waters that I was referring to. They are going for food, even the ones I saw caught off of Jupiter. It was all going towards food, blue runners and small jack crevalles.

MR. ATACK: If most of them are hook and line and all of our other fish have to have the 225 permit or the snapper grouper permit, to be consistent would one option be to allow them to buy like a 225 permit from somebody, make those permits transferrable and saleable?

MR. STIGLITZ: There are times when we're yellowtail fishing that we'll catch 100 or 150 pounds of blue runners and we sell them for a dollar. Sometimes we get as much as a buck and a half a pound for them. But going back to the alternatives, what about 4A? It would be status quo. It would leave everything – the way I read it would leave everything just like it is. The guys can sell them without the snapper grouper permit. Maybe I read it wrong, but the way I read it –

MR. JOHNSON: They can't legally right now.

MR. STIGLITZ: Legally right now they can't; but if we go with 4 it says – what was it, 4A there; you could retain the blue runners in the snapper grouper fishery management plan and exempt it from the snapper grouper permit requirements. It would be status quo that you the gill net guys could still sell their fish, and I prefer us keeping it other than giving it to the State of Florida.

MR. SMITH: I support, too, Alternate 4.

MR. MUNDEN: I concur with what Richard has said. I don't know whether or not North Carolina has a significant fishery for blue runner, but if we go with Alternative 5, then what about the other states? I would prefer we go with Alternative 4.

MS. BROUWER: Yes, one thing that just occurred to me under Alternative 4 – and perhaps some other council staff present in the room can correct me if I'm wrong, but Alternative 4 would continue to not allow gill net to land blue runner, so gill nets would still be prohibited, would not be allowed, I think is what I am trying to say, to catch them. That would be a problem; would it not?

MR. STIGLITZ: Where do you read that in there?

MS. BROUWER: Well, gill net is not an allowable gear in the snapper grouper fishery.

MR. STIGLITZ: Okay, I didn't think about that.

MR. HARTIG: Yes, and if I may, that was the problem. You have two things. If you choose Alternative 4, you have got two things you have got to deal with. You've got to deal with the sale and then you have to deal with the exemption that you would have to have for blue runners in the gill net fishery. I don't think the council wants to go down that path to allow that kind of an exemption and something that may come back to us in the future.

MR. STIGLITZ: It exempts it from all the requirements; that's what it says.

MS. BROUWER: Alternative 4 just exempts it from the prohibition on sale.

MR. STIGLITZ: It says exempt it from the snapper grouper permit requirements. Requirements even say you are not allowed to catch them with a net, but it should exempt it from that, too. It doesn't specify what requirements. It specifies to me all the requirements. It would make it status quo.

MR. JOHNSON: Well, we've got a motion here already for Alternative 5. Do we want to do away with that one and choose another one?

MR. BOWEN: I think what Richard is trying – I think what we're all trying to do, we're just trying to figure out which one to do is allow the fellas to sell the blue runners without a permit. Is that what we're all in a consensus about? Okay, so which alternative, Miss Myra.

MR. JOHNSON: Just for thought; if you just open that fishery up without any permit requirement, you are going to have guys going and buying gill net. What's to keep anybody from jumping in that fishery? Nothing; is there? Yes, Richard.

MR. STIGLITZ: There is no requirement other than getting a Spanish mackerel permit. All it is is a matter of filling out the paperwork and handing it in, and they send you a Spanish mackerel permit. They are not limited; anybody can do it.

MR. DeBRANGO: Like Ben said, they're all around the piers and everything. Technically everybody around the piers and the state, too, will be able to sell it. You can sit there and catch

it, and they can right now, anyway. I guess there is a big thing going on, but that's what we're here for.

MS. BROUWER: One idea that we had proposed was to consider an endorsement to the Spanish mackerel and maybe even king mackerel, I'm not sure, permits to land blue runner. I think that would entail probably taking it out of the Snapper Grouper FMU first and then maybe actually amending the Coastal Migratory Pelagics FMU, because I don't think the Snapper Grouper FMP can make a requirement for an endorsement to a coastal migratory pelagic permit. Yes, I'm talking federal permits.

MR. BOWEN: Do you all want to think on this and talk about it in the morning?

MR. MUNDEN: Myra, question about Alternative 5; you said that basically these were the alternatives that the council would consider, but would the AP have the ability or the authority to go in and say, well, we recommend that you only adopt half of Amendment 5, and that is remove it from the FMP and strike out the language and let Florida manage the fishery.

MS. BROUWER: Yes, absolutely. In fact, I think that language is going to have to come out anyway, because I don't think the council can have that language in there, anyway. The council can't tell Florida you are going to manage this, we make a motion, or we are going to approve you managing this fishery. All they can do is take it out of their FMU. Alternative 5 is going to have to be reworded to take out that last portion, anyway. That is going to be our recommendation to the council in December, anyway.

MR. JOHNSON: Okay, I guess we are going to leave this hanging. Are you all going to sleep on it; is that what you want to do? All right, start off time in morning, nine o'clock.  
(Whereupon, the meeting was recessed November 7, 2012, to reconvene on November 8, 2012.)

The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council reconvened in the Crowne Plaza Hotel, North Charleston, South Carolina, Thursday morning, November 8, 2012, and was called to order at 9:00 o'clock a.m. by Chairman Robert Johnson.

MR. JOHNSON: We're going to finish up the blue runners this morning. We had some discussion at breakfast this morning, so hopefully it will be good. What was the motion that was on the table? We already seconded it. We already had a second on Alternative 5. It was remove blue runner from the snapper grouper fishery management unit. We were just removing it. We don't know what's going to happen to it, but we're removing it.

**MR. ATACK: I'd like to change the motion wording to just say that the AP supports removing the blue runner from the fishery management plan.**

MR. JOHNSON: First, guys, we need to vote on the motion that is on the table and then we can make this a substitute.

MR. DeMARIA: Is it open for discussion on it?

MR. JOHNSON: Yes, quick discussion.

MR. DeMARIA: I think you're talking about whether you want to turn it over to Florida or not. I think if you remove it from the fishery management unit, it would automatically be handled by Florida, I think, because Florida requires a saltwater products license to sell anything except for lionfish. You'd have to have a saltwater products license to sell blue runners commercially.

To catch them, I think it's something – there is no one from the FWC here, but on fish that don't have a bag limit or size limit, I think there is like a poundage or something for recreational people, 100 pounds or something like that. You couldn't go out and catch 10,000 pounds recreationally of blue runners. There is some type of limit, I believe. I think it would automatically go to Florida. Florida would regulate it through their saltwater products license and fishing licenses, I believe.

MR. STIGLITZ: I want to withdraw my thing about Alternative 4 yesterday and I want to support the motion.

MR. JOHNSON: Okay, first we need to vote on the motion that is on there on Alternative 5, correct?

MS. BROUWER: First you need to approve the substitute motion as the main motion.

MR. JOHNSON: Okay, first we need to vote on approving this substitute motion as the motion. Do we have any opposed?

MR. MUNDEN: Mr. Chairman, I think we need a second for the substitute motion, and I second that motion.

MR. JOHNSON: Is there any other discussion on the substitute motion?

MR. ATACK: The discussion I guess is really they are almost the same motion. The only difference is if you just go Alternative 5, you are telling Florida what to do and we're not sure we can do that. With the substitute motion, it is just saying we're going to remove it; and like Don says, then Florida will probably pick it up. It is really the same, but hopefully the wording might be more accurate with the second one as the reason we made the motion.

**MR. JOHNSON: Okay, are there any opposed to the substitute motion? Seeing none opposed, the motion is approved. Now we need to vote on the substitute motion. Are there any opposed to the substitute motion? Seeing none opposed, it is approved.**

MS. BROUWER: Okay, what I put together for you last night is basically just an example using the 2010, 2011, 2012 information for red snapper to illustrate what the various alternatives would do and the ACL that would result from each one. This slide will show you what the input data are. The 65,000 and 64,000 projected mortalities come from the SEDAR 24 stock assessment of red snapper.

The estimated mortalities are the numbers that the Center provides. On the right hand of the slide, it tells you where those numbers are coming from. Any kind of landings that are out there and the estimated dead discards all get lumped into those estimates. Mainly those estimate indicate total removal, total kill of red snapper in those years. Okay, question.

MR. ATACK: The difference is the projected was back when you did the SEDAR and the estimates of what actually estimated to have happened.

MS. BROUWER: Correct; the estimated are the observed, so what the Center has been able to gather from all these different data sources for those two years. Here is the table that shows you the projections. I apologize for the size. I couldn't make it any bigger, but if you look at 2011 right here, this is the column that indicates the discards in thousands of fish.

Here is the column that indicates the landings also in numbers of fish. All of the numbers that I'm going to show you are in numbers of fish. These are the projected from the run of the model. This shows under the rebuilding plan what could be landed and what could be total kill from regulatory discard. What the modeling is estimating can be removed from the population during the rebuilding plan; this is what that is.

MR. ATACK: I'm confused, I guess. You've got the L column, right, is the landings, and landings are things that we can take to the dock and the discards are things that are mortality out in the ocean; is that what –

MS. BROUWER: I guess you can think of it that way. Anything that MRFSS reports, anything headboats are reporting, anything dealers are reporting; that is what landings are.

MR. ATACK: In 2011 I didn't think we had any landings. I'm looking at the 31 there in 2011. That is what is confusing me, I guess.

MR. WAUGH: This is in essence the ABC that has been set. If you add the discard mortality and what could be landed if there were landings allowed, those two numbers together, that is what can be killed and still meet our rebuilding schedule. You add those two numbers together. It is not saying that we expect landings to equal those numbers.

It is saying that the total mortality that could be allowed for that stock to rebuild is adding the discard mortality and what is shown here as landings. That is why the previous – I think it was the previous slide you had one number; yes, the projected, the 65,000, that is the addition of those two, the discard mortality and the landings. That is what can be killed. Then you need to look at, okay, what is our estimate of what was killed using all the self-reported data.

MR. ATACK: On the other chart, go back to that, we are actually over by 6,000 pounds in 2010 and under by 2,600 in 2011.

MS. BROUWER: That is correct. If you look at the 2012 row right here, under the discards column we have 41,000 dead discards and under the landings column over here we have 45. You add those two numbers and you come up with 86,000 fish. That would be your ABC for 2012 according to the stock assessment, the projected ABC.

Now I'm going to walk you through what Subalternative 2A does. That is in this row down here. What I've illustrated here is what the council initially proposed to calculate the 2012 ACL. They proposed going back to 2010 and 2011 and averaging the estimated mortalities of two years, subtracting that from the ABC, and that would give you your ACL for 2012.

This is the average of 2010 and 2011 estimated discards from that first slide. You take that away from the 86,000, you are left with 19,600 fish. However, when this was presented to the Center, they did not endorse it because it did not take into account the 2012 removals. They said that just is not scientifically defensible, is not really a good way to calculate it, because you are ignoring the mortalities in 2012.

Then they proposed this methodology, which is what Amendment 28 now has as Subalternative 2A. You take the average of 2010 and 2011 mortalities, this number, you add the ABC for 2012, this number, and then you average it. That is where you come up with the 72,933. Then you take that number and you subtract it from the projected ABC, and that is what constitutes your allowable take for 2012.

This is what was implemented this past year, the ABC, the total ABC, or ACL I should say, with 13,067 fish, that was then divided between the two sectors according to the approved sector allocations. This is what Subalternative 2A proposes that the council would continue doing in 2013 and beyond. Are there any questions so far?

MR. ATACK: Yes, you are looking at a 1.59 pounds average per fish, I guess, right? That's, what, going to be a 10-inch fish or 14-inch fish for that weight? Yes, but the gutted weight is 20,800 divided by 13,000. Okay, it is the 3,600 into the 20,000. It is five pounds, okay.

MR. JOHNSON: Myra, that other chart you showed with the estimated numbers, I don't know if it was that one – one of them I saw the estimated was much higher than projected. Yes, that one, there you go. If we've got data saying this is what happened, were you still giving that much credit to the estimated weight?

MS. BROUWER: I'm not sure I'm following. The 65,000 is what the assessment projected could be killed, but what was actually killed, according to the data we have, is a little bit higher. There was an overage of the ABC in 2010. Had harvest been allowed, there would have been an overage.

MR. JOHNSON: Yes, that's not the one I'm talking about. It was a SEDAR, the one that was done for the SEDARs I think. Go ahead, Jack.

MR. PERRETT: Looking at these numbers, this would say that in 2012 we could have taken 45,000 fish, is that correct, or 465? Yes, we could have landed that many fish. We came nowhere close to that what they ended up with. What's the difference between this data and what they have actually calculated?

MS. BROUWER: Well, I don't know that because we don't have the estimated mortalities for 2012 yet. Are you talking about the harvest from this summer? Yes, we don't have that yet.

MR. CARMICHAEL: You can't compare that number to what was taken during the mini-season. You have to compare that number to what was the total kill over the entire year, which means the results of all the fish that were encountered and thrown back during all the other fishing that went on and were discarded dead.

What the council did was early in 2012 they realized that the total kill in 2010 and 2011 was running about 60 or 70,000 fish. There is potential in 2012 that the total removals in numbers of fish could be 88,000. They realized that if things continued as they were, it was likely that there were some thousands of fish that could be taken by the fishermen.

That's what they did; that is why they did that mini-season. The idea is to bridge that gap in total between that 88 and whatever is actually going to happen this year, which based on just the success of the no harvest regulations look like maybe it was doing a little better than could be hoped and that they could begin to lift that moratorium.

If you go back to the beginning, what they showed in 2010 is what actually happened in 2011 and 2012. We were looking ahead to what could be the total removals under that F rate. Those fish could all be harvested if the council said have a red snapper season and when the red snapper have all been caught, all other snapper grouper fishing ends. That is one alternative.

They could have taken all of that but then again they were also facing alternatives before this where you couldn't even just limit no possession of red snapper and achieve this F. They would have had to remove effort over area or time. They didn't want to do that. You've got to really compare the 88. What we're trying to think now is next year if we continue as we have and we are not killing as many from the moratorium as are allowed to be taken, then there could be an additional surplus to keep going and they are trying to figure out the best way to calculate that.

MR. JOHNSON: John, I understand that as the stock rebuilds dead discards go up, but I also know effort has gone significantly down. And when SEDAR 24 was done, I'm just looking at these dead discard numbers and they are going up as the stock rebuilds, and I get that, but is that really indicative of what's happening? I mean with effort down so low, are we really killing that many fish that every year it's going up?

MR. CARMICHAEL: Go back to Myra's previous figure and you see how many you killed. That's it right there. The projected is what is straight out of that table. That is essentially the ABC. The estimated is when the data were added up, that is the number of fish that were killed, so 61,000 fish in 2011; 71,000 fish in 2010.

MR. JOHNSON: Yes, I was looking in to the future, I'm sorry.

MR. CARMICHAEL: Yes, and into the future, the way that table is constructed is that it's a proportion of that total mortality that is then taking out the discards. That is just a rough estimate for going ahead into the future. They could just as easily add the two together. How that actually plays out will depend on management regulations that the council takes and what they do to mitigate bycatch and reduce bycatch removals as this fishery continues to open up.

MR. GOULD: Just looking at this, I was wondering how much of this dead discard figure is from actual reported dead fish and how many were an estimate of the dead discards and what the error rate would be on the estimated dead discards, plus or minus.

MR. CARMICHAEL: Those are all from the reporting from the commercial logbooks from the MRFSS and from the headboat survey. All those have discard components to them. It is

estimated by applying that to a discard mortality rate to figure out what it is. In case of MRFSS and the headboat survey, they are pretty thorough in terms of what they cover.

The commercial logbooks, as most of you guys know, it is only a proportion of the commercial fishermen to get the discard logbooks. That has to be scaled up based on the total effort. But that is essentially the observed data. When we go forward and do the assessment next year, then those are going to be the total removals from the population. That is the data that we have in terms of what's been removed.

MR. SMITH: John – and it might be obvious, but not to me – I see in private it is the 0.39, right? Is that an estimate or is that – that is an estimate, because I'm looking at my e-mails here this morning and someone said now remind them in the last five years there's been a 50 percent – and I think it's more than that – decline in recreational effort out there offshore. I'm sure that's already been figured in.

MR. CARMICHAEL: Well, that is from the last assessment where they – and it's a decrease from what they had the assessment before that. They looked at the depth trajectory and where the fishing occurs. Now one of the problems is that we don't have really great data on exactly where the effort occurs in terms of depth, but we do have pretty good data in terms of knowing that discard mortality increases as you increase the depth, especially when you get above 100 or 150 feet. If we had better resolution on the effort, then numbers like this could be much more refined. Knowing that, for example, that less effort is going farther offshore, that could factor into decisions on stuff like this in the next round of the assessment.

MR. JOHNSON: Are there any other questions for John? Is everybody clear somewhat?

MS. BROUWER: Okay, you understand how the ACL for this year was calculated and what is proposed under Subalternative 2A. Now this illustrates what Subalternative 2B would do. That would look at the percentage of the previous year's estimated removals applied to the next year's ABC. In order to do that you've got your projected removals from the assessment, your estimated removals – this is just for 2011.

Then you subtract those two amounts and figure out what percentage this constitutes. You do just a straight percentage calculation. It turns out to be 4.05 percent and then you take that percentage and apply it to the 86,000, which is the projected ABC for 2012. You do 86, take 4.05 percent of that, and your ACL then goes down to 3,483 fish.

That is what that subalternative would do using the data that we have for 2010 and 2011. Are there any questions on that one? Then the third one is different because it looks at the two previous years of estimated removals, figures out the ratio and then applies it to the next year's ABC. Here are your projected for 2010 and 2011. Here are your estimates that you saw from that first slide.

You do the subtraction, you figure out what percentage these constitute of the ABC. This ends up, of course, in a negative number because this number is bigger than this one, so you get minus 9.84 percent for 2010. You get 4.05 percent for 2011, which is what we just saw. Then you take those two and you average them and that gives you minus 2.9 percent.

Well, according to that subalternative, of course, you can't apply a negative percentage; so if the percentage is negative, then your ACL would be zero. This is the most conservative of all three of the subalternatives that are being proposed. One thing to keep in mind is we're not going to be – we can't predict how the mini-season and what was landed and how effort and behavior of fishermen is going to affect this methodology for subsequent years. It is going to be different. It is going to change, but we're not sure how. Is that correct, John; am I correct in saying that?

MR. BOWEN: Didn't we vote on this yesterday or we didn't?

MR. JOHNSON: No, that is what we're going to do here in just a minute.

**MR. BOWEN: Okay, I would make a motion that we would go with 2A.**

MR. JOHNSON: And you have a second on that one. Second by Rodney. Is there any discussion? No discussion, I guess we can go ahead and vote. **Is anybody opposed to 2A? Seeing none opposed, the motion carries.** At what point would this be revisited? Is it 2013 when they're going to do an update? In other words, this way of determining the catch, at what point would it be revisited in the future?

MR. CARMICHAEL: I don't know; probably when the landings are allowed get to some considerably higher level and we're not trying to manage these basically mini-season type things with this very low limit. We may be able to move onto maybe a bit more robust way of looking at it, perhaps, a couple more years, maybe. The projection seems to me, as shown in four, five years out, you got up to the landings you were at before that initial closure back in like 2010, so a couple years, maybe.

MR. JOHNSON: We're going to talk about Amendment 14 a little bit, guys.

MS. BROUWER: This is the list of the actions that the council is considering for Regulatory Amendment 14. As I said yesterday, this is an amendment that we are not currently working on right now. We're not going to start working on this until after the holidays. The council will then see an options paper at the March meeting.

Some of these actions are probably likely going to change based on recent results of the vermilion and red porgy assessment. There is an action on greater amberjack to modify the commercial fishing year for amberjack. You can see what the alternatives are.

MR. JOHNSON: I just thought it would be good for us to weigh in on some of this just to let them know what the AP's position is on some of these. Does anybody have any comments on the amberjack fishing year? Mark.

MR. MARHEFKA: Yes, saying that it ends on April 30, it is closed on actually March 30, greater amberjack is, and opens up May. Yes, but in the action there is says – correct; that is all I'm trying to say.

MR. HARTIG: Yes, I'd like to hear from you guys. In the long-term scheme of things, and I'm sure we'll talk about this in the visioning process, but it seems to me that aligning these seasons seems to have a lot of positive impacts for fishermen who fish different species. You have B-

liner fishermen, grouper fishermen, amberjack fishermen, and they have to make a decision if everything is open so nothing gets hit all at once. I mean, basically the May 1 opening is the same time we open groupers. It is pretty close to when we open sea bass, if that makes a difference to you.

MR. BOWEN: I guess what we're trying to do or what the commercial fellas are trying to do would be like we would want on the recreational side, try to cut out the overlapping seasons where everything would come in at once until the ACL is met, and then the individual ACLs of species would close.

MR. JOHNSON: I think that is some of the intent, but you've got to remember now we have spawning closures that we're not going to do away with, so we can't completely align things. We have to take that in consideration. Does anybody have a preference on the fishing year for greater amberjack? Kenny.

**MR. FEX: Yes, I make a motion Alternative 1 be the preferred.**

MR. JOHNSON: Second by Jim. Do you have any more discussion on this? Mark.

MR. MARHEFKA: Yes, Ben, I understand where you're coming from here as far as staggering things where we don't have enough fish to go and fish on through the year, but it doesn't seem like right now as amberjack is even opening that you've even got fishermen up here in the Carolinas actually going after amberjack. I agree with Kenny; I think we should just go and sort of stick with the May 1 opening.

**MR. JOHNSON: No further discussion; do we have anyone opposed to this motion? Seeing no one opposed, it is approved.** Don.

MR. DeMARIA: I just want to put in my two cents about amberjack from over 40 years of diving along the east coast and the Gulf. I think it's a problem with their stocks, but every time I bring it up, inevitably somebody says, well, we still catch them further offshore in the deeper wrecks.

Well, if you have to travel further and go deeper to catch the same amount of fish, then it's a problem. I remember diving from Jacksonville to West Palm down in the Gulf where it was one of the most common large fish on a wreck. They were actually a problem in as shallow as 60 feet of water on some of the wrecks and ledges.

But today it is difficult in the Keys to even find a legal one unless you go out further on these deeper wrecks. Chris Koenig and I did some diving off Jacksonville a number of years ago. It was on some wrecks and reefs in about 60 to 100 feet of water or so, and the whole time I don't believe we saw a legal amberjack.

He's got hours of video with the lasers measuring them. We saw a lot of small ones but no legal ones. I'm sure if you go further offshore in the towers and whatnot, there are some there, but my point is if you are just seeing small ones where we used to see large ones and they were a problem, fishing years ago there was so many it was hard to get your bait to the bottom.

I think there is a problem that the council has got to consider with these fish. It may be something like the codfish where the catch-per-unit effort stayed high because they tended to congregate in the hotspots and that is where people fished them. The CPUE may stay high in these amberjacks as the stock is declining, because people are targeting on these deeper places where they do tend to aggregate. I think it's a species that they need to look at closely because it does have some problems.

MR. SMITH: I echo Don's concern. We had an inshore fishery outside Sebastian Inlet and Port Canaveral. They would come in and we would catch them at the same time we'd catch our cobia. It wasn't every year, but I'm looking back and it's been over 20 years, and it's 20 to 30 years ago since we really saw great numbers of them. You don't hear about them. You don't see them anymore and they are being overfished. That is my concern.

MR. BOWEN: Maybe John Carmichael could tell us but when is the assessment coming up for them?

MR. DeMARIA: You used to be able to drift down the outside ledge at Juneau that is in 130, 150 to the sand and just powerhead them as fast as you could load your speargun. You don't see those fish anymore, and that is probably one reason why they're gone, people like me and others pounded them over the years. Then when they got hard to get like that, the live baiters came in and caught them and it is a fish that has been hit hard. I see it when I dive. It's a tremendous difference. I don't know how long it's been since I've seen a legal one on the reefs in the Keys; a lot of small ones, but just no legal ones, commercially legal 36 inches.

MR. THOMPSON: I'll agree with you on that. South Carolina did away with powerheads sometime in the mid-nineties. It's taken about four years ago before we got them back in 60 foot of water where you would see big jacks again. It took that long for them to be in there. You take the powerheads out, that might be one of your – not all taking powerheads out, I don't want to open that – powerheads on jacks, maybe.

MR. DeMARIA: Live baits is okay, though.

MR. JOHNSON: I know off St. Augustine and off Jacksonville where Don is speaking that we do see – 2014 is when the update is? Okay – we do see legal amberjacks. We catch some 30 and 40 pounders 20 miles off; it happens. It's not probably as regular as it did 20, 30 years ago. But take in consideration this fishery has been under a trip limit for a long time, they haven't reached their ACL in any year under that thousand pound trip limit.

They raised it up to 1,200 pounds, which hasn't even been in effect for a full year yet. They lowered the ACL by about 300,000 pounds only because of Boyles' Law, because they hadn't reached the ACL. The reason they hadn't reached the ACL was probably the trip limit. I'm hearing from the commercial guys in my neck of the woods that they need to keep this at 1,200 pounds at least for a period of time to see what effect that does and see if they do reach the ACL that has been reduced. That is just what I'm hearing from people in my neck of the woods.

MR. ATACK: Do we have any landings data on how many trips actually landed more than 900 pounds or a thousand pounds, 800 pounds?

MS. BROUWER: Well, you would have to request those data. I don't have them right now.

MR. BOWEN: Maybe Phil could; what are you seeing, Phil? Are you seeing a decline?

MR. CONKLIN: Well, I didn't really think about them as being amberjacks. We catch them; but thinking back over this past year, I didn't see hardly any fish over 60 pounds; a few, but nothing like we used to see. Where you'd get those 70, 80, 90 pound fish, 100 plus, you don't see that anymore. Some of the fish actually seem to be smaller.

One time -- I don't know, I needed some jacks to sell to somebody and somebody in Wilmington had some. I'm not going to say which fish house had them. They came in on a truck to me. I was looking at them, and there wasn't one fish that was close to 36 inches. They were in the 20s, and they were greater amberjacks.

That tells you right there that these fish are smaller. They're not near as plentiful as they were. Even the dives boats I pack, they don't target them because they're not worth money. Now if you were going jack fishing, you could probably get over two dollars a pound for them, \$2.50, but it is not viable just to go target an amberjack.

MR. JOHNSON: I'm just going to make a quick comment. There are several boats out of the Ponce Inlet area and I have a boat also that commercial fishes. It does go amberjack fishing when things get closed. They use live bait and they do catch their trip limit. The last trip my boat ran, he caught his 1,200 pounds and the biggest fish was right at 80 pounds. It is a very regional-specific fishery. Depending on where you live on the coast, the fish are bigger and more plentiful. I don't know how we make a change on something that is not based on science, but, anyway, go ahead, Don.

MR. DeMARIA: I think the point I was trying to make is I believe there is something else going on with these amberjacks that we don't fully understand, much like the codfish fishery in New England, which is one of the most studied fisheries in history and it still collapsed. When I don't see them where I used to see them on the reefs and the wrecks in the Keys and up the east coast but they still catch them in the deeper water, it tells me that something is going on that we don't fully understand and we ought to look at this a little closely rather than just the numbers of fish. There is something going on with their biology that we don't understand like the codfish. I think at some point we're going to have a real problem with them.

MR. ATACK: From a science standpoint, though, the recreational has a 28-inch limit, the commercial has I think 36. If we think a fishery that is no longer undergoing overfishing, we've got a lower ACL, why wouldn't we look at making the recreational 36 along with the commercial? That would help the recruitment and the spawning. It's a fish that you can release without a barotrauma. Why wouldn't we make that across the board and that would help out both sectors.

MR. BOWEN: Well, one, I don't think we have scientific data to do that. I wouldn't support that at all.

MR. SMITH: That would be a proposal that I would support. I mean we're talking about keeping things even. You hear guys here, we're looking at Zack, we're looking at guys that have

been around doing this for an awfully long time and you hear what they're saying now. Also, I'm listening to Don saying that it might be more than just numbers.

That it might be – imagine that, water quality coming up at our meeting. Water quality, we're going to talk about water quality. It could be that. But it could have been habitat; it could be a lot of things. Hey, what's good for the goose is good for the gander. **I would make a proposal and throw it out there for discussion that we would have the same size limit for greater amberjack – yes, that is a motion that amberjack, the size limit would be the same for recreational as it is for commercial.**

MR. BOWEN: Let me get this straight. Now the AP is making motions not based on science, but just what they think? I've only run a couple trips so I don't know what I'm talking about either. I know you all have been doing it a long time.

MR. SMITH: I never suggested that you didn't know what you were talking about at all. I don't know if it is about science when we start looking at – Zack you have your opinion and I have mine.

MR. BOWEN: I just don't see how we can bump a size limit because we think there are no jacks out there with any scientific data and raise it eight inches on the recreational side, especially with all the closures and everything else going on. I depend on these fish and I need them.

When I can't keep snapper and I can't keep sea bass and I can't keep vermilion, jacks are something I can keep. Then when you go to raise it eight inches over what it is now, that is just putting more fish back in the water for my customers and not bringing any back to the dock. I couldn't support that at all. No scientific data for anybody to support it right now.

MR. JOHNSON: Did we get a second on this motion, first off? Okay, I've got Kenny.

MR. FEX: I understand both sides of the argument. One thing from a personal desire of a fish, I personally wouldn't want to keep 36-inch fish, because of all the worms in them being the jacks. At 28, as a recreational guy I would probably rather have one that small, because they are less likely to have all those worms in it. I'm just speaking from an actual eater point of view and personally consuming.

MR. GOULD: This is a hard one. The way I look at it, now I run a hundred foot headboat, and I've got eight foot of freeboard that I have to bring fish up off the side. Can you imagine trying to guesstimate a 36-inch fish? It's hard enough – you've got to gaff him to come him up, so dead is dead. You gaff him, bring him up, he's 35 and 9/10; well, he's dead, he's back in the water.

At 28 inches we have a little bit more leeway, because a lot of times I can lift him over the side without doing a lot of damage to them. You are also, by upping it to 36 inches, a lot of your recreational weekend fishermen are going to gaff and measure later no matter what the freeboard is, and they'll say, oops, well, he was a little bit short, they chuck him back in the water and once again dead is dead. I don't support going up to 36 inches.

Now I come up in a time off of Morehead City; you go out there in 55, 60 feet of water in the summer; you throw you a piece of squid over the stern of the boat, you had hundreds coming up off the rocks looking at them. It's not like that now. But I'm also seeing more of them up there every year. The commercial fishermen do not directly target these fish.

They are trying to stay away from them because of the low economic value to them; but what I'm looking right here, fellas, I'll be honest with you, you up the 36 inches, you're going to see your discard mortality really, really skyrocket. I could go with 30 inches, even go down to 34 on the commercial side. Try and find a middle of the road, something that will help out the commercial fishermen and the recreational fishermen and cut down on the discards. You go to 36 inches, you're going to see the discards skyrocket on them.

MR. BROWN: I'd like to see it stay at 28 inches. I mean, we're only allowed to keep one per person anyway recreationally. We're not impacting the fishery. A lot of my customers, when we get them to the side of the boat, we ask them do you want to keep this fish and take it home and eat it; because if you don't, we're going to let it go. We do that all the time. We're always dehooking them at the side of the boat. We get a lot of people that don't want them or don't want to eat them.

MR. JOHNSON: I think we need to remember, too, that the recreational ACL has not come close to being met. This is really going to impact your headboat fisheries in Florida and your charterboat guys. If you are a recreational fisherman and this is a feel good thing, okay, but you are going to hurt a lot of businesses by doing this; just something to consider. Don.

MR. DeMARIA: Okay, how do you all feel about lowering the commercial size limit to 28 then so it is consistent?

MR. BOWEN: Suits me.

AP MEMBER: I'll second that.

MR. BOWEN: Finally something we can all agree on.

MR. STIGLITZ: Has a 28-inch fish spawned yet? I don't know the science on an amberjack. Has a 28-inch fish spawned yet?

MR. JOHNSON: Again, the recreational bag limit is one per person, too. You're not talking about the recreational sector having a huge impact on this fishery. Effort is so far down in the recreational sector, I just don't see the impact that you all think it is having.

MR. HARTIG: The only thing I can tell you, Richard, about the 28 inches is the fish that migrate to South Florida to spawn, rarely do we see a fish under 36 inches at that time of the year. Now, in October when you get mixed up fish you see different sized fish; but just from the spawning aspect, most of the fish are at least 36 inches to make that spawning run.

The council only closed the fishery for one month in that spawning season. If you want to mess around with the size limit, then you may want to think about extending the spawning closure.

The state has a three-month closure; the State of Florida has a three-month closure on amberjacks, March, April and May.

The problem with that is the spawning season was contracting into April and it is why we closed April when the fishery was getting hit hard. The one thing, and one thing I say – and I do understand what Don’s saying and he’s absolutely right about Jupiter and Juneau and how that fishery has changed over the years.

I watched it as well. But the thing to keep in mind, and just as a barometer, we manage these fish at FMSY proxy. If you wanted to manage amberjacks, you’d think about 30 percent is what you would manage them at. The question that I would ask you is – the fishery was pretty much a virgin fishery in 1986 – are you fishing on 30 percent of what you saw now as compared to 1986?

If you are, then we’re probably managing at the right level, but I shared some of Don’s concerns. Our season has been truncated significantly over the years. Now the guys to the north, we’re hearing that they can go out and catch their trip limits, but we didn’t see fish in October this year for the first time. We didn’t have them. Whether it was water conditions, I mean there are some outstanding water conditions that we’ve had to deal with.

Scotty, he can tell you firsthand about the coldwater events that have plagued our area for the last three years, in the timeframe when the jacks are actually moving to spawn. The other interesting thing about jacks is that we see them go into areas in state waters that are closed. These fish kind of learn to some extent to get out of the area where they are getting hit and go into areas where they aren’t.

There are some wrecks directly off of Palm Beach that are just barely in state waters where there are piles and piles of jacks that set up on these things during the spawning season. They have learned to some degree at least in that area to come into those depth ranges. We have seen that. There are outstanding things to think about with that short spawning season closure. If you want to start messing around with the size limit, I don’t think we should go in that direction, but that’s my personal opinion.

MR. JOHNSON: Okay, is there any other discussion or do we need to vote on this motion?

MR. STIGLITZ: I think we ought to leave everything status quo. If the ACLs aren’t being caught, these charterboat guys need these fish. I don’t think the commercial sector, at least down by us in the springtime when we catch them, their fish are 36 inches and bigger; and from what I understand what we just heard, we may not even know if they’ve spawned at 28 inches, so I would like to see status quo. Thank you.

MR. SMITH: These are the kinds of things we are going to have to throw out there and discuss, because that’s where we’re going. When I threw it out there, I figured there would be a lot of flack, but we’re going to have to discuss this. This is going to come back. We said there was going to be another stock assessment in 2014. It will be coming back to us.

MS. BROUWER: I’m being told that 90 percent are mature at 35 inches, female.

MR. JOHNSON: **All right, are we ready to vote on this thing? We'll do it a little different; we'll say who is in favor of this motion? Okay, who is opposed? I can't vote, I'm sorry.** Okay, let's get back to the trip limit. I am going to raise one point that Ben made about the spawning closure. If you leave that trip limit at 1,200 pounds, most likely they may reach the ACL before the spawning time, and that may give you – actually it may be a good thing. It may actually give you more of a closure during the spawning period.

You need to think about that, or do you want to reduce it and them having fish right up to when those fish are spawning? Just my humble opinion, it makes more sense to let them catch those fish and maybe close the ACL two weeks, three weeks before the spawn, or before the spawning closure. Just my thoughts on that. Kenny.

**MR. FEX: Yes, I make a motion that Alternative 1 be our preferred.** Because just like you said, we've only had the trip limit in for one year not even so. Until the next stock assessment, I don't see changing it.

MR. JOHNSON: Second by Richard. Do we have any discussion on this one?

MR. PERRETT: I've got a question for you. I don't understand; what kind of mortality rate do we expect from commercial fishing amberjack; is it low, high?

MR. JOHNSON: It's fairly low. Mark.

MR. MARHEFKA: As far as on our boat, I've limited out the last three trips we've been out. It is way low. You can go and see the size of the fish before you even go and bring them over the side, and you just go and let them go. They are mid-water fish, mid to upper water fish. They are just way, way low.

MR. JOHNSON: **Any other discussion on this motion? Do we have any opposed to this motion? Seeing none opposed, motion is approved.** Okay, we're moving on to mutton snapper.

MS. BROUWER: This is an action that the council has been hearing about the mutton issue in the Keys for some time. We've heard from fishermen as well as law enforcement. This action was born out of concerns for the fishing pressure that mutton snapper are enduring during the spawn. Alternative 1, of course, is no action. Alternative 2 would designate closures where there is indication that these fish are aggregating to spawn.

Subalternative 2A is Western Dry Rocks and Subalternative 2B is the Eyeglass Bar. These two sites have been recommended by fishermen as well as scientists. I believe Todd Kellison recommended the Eyeglass Bar. Then Alternative 3 would implement a reduction in the bag limit as well during the spawning season. Then 4 and 5 address a different bag limit; and then the commercial closure that is currently in place, extending that to the recreational sector.

MR. JOHNSON: Do we have any comments or preference? Don.

MR. DeMARIA: I'm not sure where the Eyeglass Bar thing came in. That's an area around the Sand Key, Southwest Chip Channel. There is not really any documentation that is an

aggregation. They catch fish there, but the main one is Western Dry Rocks, southwest of Western Dry Rocks.

It's a specific place; it is very small. They come there every year, same time; same place to aggregate and spawn and they get pounded every year, too. That is the main one. The Eyeglass Bar I would remove or get Todd to clarify that so there is no confusion. But that area by Western Dry Rocks is really the main historical spawning aggregation.

To my knowledge there are only two areas that have really been documented that these things aggregate in the Southeast U.S. One is Riley's, and that is protected, and the other is Western Dry Rocks. There may be other areas up the coast, I'm not saying they don't exist, but nobody has really documented them yet.

This is like the last remaining one that is kind of unprotected and really getting hit hard. A lot of other species aggregate there, permits do, black groupers move in to spawn, certainly the gray snappers. There is something unique about that one little piece of reef where they aggregate. It's a small area. I would think if you had a two by three mile closure, that would way more than adequately protect it.

You could probably get by with one to two miles. It doesn't have to be real big, but there is a lot of support for it. Of course, there are going to be people that will complain, too, but I think it is something that needs to be done.

MR. JOHNSON: I just want to make a comment on that. Remember, mutton snapper are not undergoing overfishing. They are not overfished. When you start closing a fish during a time of the year for everybody, I don't know what justification we have to do that. I'm all about protecting spawning aggregations at specific places, but go ahead, Don.

MR. DeMARIA: I'm not sure you really need to close them outside of that area. There are a lot of headboat fishermen and other guys that do drift along the edge of the reef. I don't know what impact that is really having in the long term if you're outside the aggregation. There may be some of these fish don't spawn every year, and that may be some of the fish you're catching.

I'm not trying to unnecessarily limit people from fishing. Just that one specific area where they aggregate to spawn, put those off limits and let people fish outside those with reasonable limits. I really think the muttons you could probably – since they're not really undergoing overfishing like you say, you probably could fish them outside those areas with reasonable limits. It's just those specific areas where they aggregate and they really do form tight aggregations, like Riley's where there are thousands of them. I just don't think you should be right on top of them fishing at that time of the year especially.

MR. CONKLIN: Well, I wouldn't recommend closing them except in the spawning aggregations that are known. Most of the fish that are caught, there are not enough to make even two boxes out of 11 or 12 boats, but they are 15 pounds and up. They are dead when they get to the top, you know. Their gills and their spines, their gills are just popping out of their skin. I would just leave them alone except in spawning aggregations.

MR. JOHNSON: Is this a permanent closure or is this something just during the spawning period? Year round closure?

MR. DeMARIA: Even Chris Koenig and others agree with me. There are certain hotspots where these fish aggregate. There are permits that come there at different times of year, black grouper; and like Riley's Hump, it would be a year-round thing but just for that specific place. There are some species that really don't form these huge aggregations.

I don't think yellowtail do, red grouper don't, definitely, so they might not benefit from these specific sites, but certain species that really aggregate in tight schools like the Nassau grouper in the Caribbean, the muttons and all that would benefit from a spatial closure rather than a seasonal one. That is all I'm talking about is that one specific site right there that we know of in Western Dry Rocks.

MR. FEX: Yes, I just want to make a comment. I think it was a year or so ago we as an AP agreed and sent a motion to the council to close that area because of what you guys have seen. I personally don't fish in the Keys. That was my point, so I would hope we'd look at this, because it is finally to see that the council has brought it forth and documented. I was just making that point. Like I said, you guys fish there; I'll support whatever you want, but I just wanted to make that point.

MR. STIGLITZ: If the fishery is not being overfished and is not in trouble, we've already got Riley's Hump, where the majority of these mutton snappers spawn. I think you need to leave it open for these guys. When they are there on that spot and there are people that can't catch a mutton snapper year round, they can go there and go catch one. A mutton snapper is not like your red snapper where you can just go target them and go catch a bunch of them.

There are a few wrecks where you can go catch mutton snappers on, but mutton snappers are a bycatch. When we go yellowtail fishing, we catch a mutton snapper now and then; it's a bycatch. Even with your recreational guys, when they're fishing year round, if they catch a mutton snapper out on the reef, it is a bycatch. Very few people just go target muttons other than on some wrecks. If it's not being overfished, I think you ought to leave it alone and let these people catch them.

**MR. SMITH: Let's throw a proposal out there for Alternative 2, Subalternative 2A.**

MR. JOHNSON: Seconded by Jim. Do we have anymore discussion on this?

MR. DeMARIA: What Richard is saying along the reef; certainly, they don't target them, but on these specific aggregation sites they do go out there to target mutton snapper. Leave them alone at these sites when they're spawning and let them fish outside year round.

MR. ATACK: I would think that we would try to be a little more proactive than that. We're talking about a very small area to close. It's a big ocean out there. You can catch mutton snapper everywhere else; and if this is the spawning area where they all aggregate, they should be allowed to spawn and not be targeted.

I mean we heard stories last year about the guys catching the mutton snapper and putting them in the boat and all the roes coming out of the snapper. It is wasteful. You should allow the fish to

spawn and get your maximum sustainable yield with a very small area closure. It's not much to give up for a sustainable fishery.

MR. SMITH: When I think of stone crabs and lobsters, which I'm sure Richard can relate to very well, we don't keep the ones that are spawning, we let them go. We have a very sustainable fishery. Where we're looking, I believe where we're looking in the future and that's what we're working toward, the future. Sustaining conservation is save today for tomorrow, so that's what we're working towards. It's a difficult deal, Richard, I agree. I myself have gotten very few mutton snapper, but I don't go fish this area.

MR. GOULD: Is this area in Florida state waters or in the EEZ?

MR. DeMARIA: I believe it's in state waters, but we could certainly make recommendations. The Sanctuary is considering this, too.

MR. GOULD: My concern was if it was in the EEZ, this looks like a very, very good feel good measure, we're going to let them spawn and everything, but just because it's a law doesn't mean that it is going to be adhered to, more or less. Where is the enforcement for this action going to come from, state, federal, a combination of both? Do they have the resources for it? That spot we're finding with a lot of the MPAs that are being shut down is a chronic violation of these areas. You can shut it down but who is going to keep somebody from going in there and fishing? That is my concern.

MR. DeMARIA: This is within ten miles of Key West, and it's only state waters because Western Dry Rocks breaks the surface and they draw a line three miles from any point that breaks the surface, kind of an odd thing. I think there is plenty of enforcement there, plus there are numerous dive boats right at Western Dry Rocks that would see people fishing in there. This would have plenty of enforcement, this area.

MR. JOHNSON: **Okay, let's go ahead and make a vote on this thing. All in favor; any opposed? The motion is approved.** Moving on to bag limits, does anybody have any preference on these bag limits? All I will say is we're under a five-fish bag limit for vermilion snapper. Do we really need a ten-fish bag limit on mutton snapper recreationally? I'm hearing that we don't catch them that much, they are not targeted. I don't know; somebody can weigh in here.

MR. SMITH: I'm with you, Robert, that is a lot of mutton snapper, it's a lot of mutton.

MR. BOWEN: Where are we at on reaching the ACL on them?

MR. DeMARIA: The mutton snapper, I guess it's one that is just falling through the cracks. There is a ten-fish bag limit on them, but only five-fish bag limit on gray snappers. It doesn't make sense. Here is a fish that gets 15, 18 pounds or so and you can have 10 of them, and another fish that is really I don't believe is in much trouble at all, the gray snappers, but you can only have five. It doesn't make a lot of sense and that should be looked at by both state and this council.

MR. JOHNSON: The size limit is 16 inches; is that correct?

MS. BROUWER: The landings of mutton right now through June actually are at 37 percent of the ACL.

MR. BOWEN: Fifty percent of the year and 37 percent of the ACL is met?

MS. BROUWER: That was the recreational.

MR. GOULD: What is the closeness of the ACL prior to the economic downturn when we had all the little boats dropping out before? You are looking at where we are only at 37 percent of the ACL; but with the lack of effort on the recreational side, this can very well be construed that there are not a lot of them; but if the effort is not there, well, you are not going to have the landing data either. We need to look at that very closely and be very careful on any decisions you make on reducing the limit at this time. Sometimes you just need to step back and take a deep breath and think about it.

MR. JOHNSON: Well, we can look at Alternative 3 there, which would only be during the spawning months if you are looking at something sort of in between. That way if somebody did happen to have a secret mutton spawning rock someplace, it would limit the damage.

**MR. SMITH: Anybody out there fishing hook and line have had five-fish limit of mutton snapper recently? I make a proposal that we -- a motion excuse me, what was that Alternative 3; no, no, excuse me, Subalternative 6B; there you go, thank you. That is the five per person per day.**

MR. JOHNSON: Do we have a second to this motion; seconded by Don. Anymore discussion on this, guys?

MR. STIGLITZ: If the fishery is not being overfished, there is not a problem in the fishery, 37 percent of the ACL has been caught, why are we taking fish away from people? I've listened for a day and a half you charterboat guys fighting over a 28-inch fish here, and now you want to take fish away from our people for no reason at all.

I don't understand the reasoning behind it; we've all been fighting to get our fish back. We've got a fishery that is perfectly healthy. We've got miles and miles of bottom of a spawning aggregate that is not allowed to be touched by anybody. There are millions upon millions of mutton snapper on that Riley's s Hump that spawn year after year. There is a man right there that has dove down there and watched them do it, and he swims in clouds of them that you can't see through.

Here we are wanting to take fish away from people for no reason. I don't understand the reasoning behind this, but you want to take five fish away from me, or my son, or my kids or my parents or your kids or somebody else for no reason. Please somebody explain to me a reason why you want to take fish.

MR. JOHNSON: That's all valid points. Anymore discussion?

MR. DeMARIA: Richard, I think it is called being proactive, so we don't find ourselves in a situation like we are with red snapper where it is closed completely a few years down the road, where years leading up to that everybody thought things were fine and then all of a sudden, well, we don't have any red snapper, we need to close it completely. We're just trying to avoid that with reasonable regulations.

MR. SMITH: Well, let's see, Richard, a lot of what you said makes great sense, but unfortunately we are talking about fisheries management and it doesn't always make great sense. Let me give you a for instance. There was a day in Florida when you could keep 50 spotted seatrout. They had to be 12 inches, though.

The same day you could keep 50 red fish. Well, they had to be 12 inches, though. What did we do in Florida? Does anybody know what happened to those fish in one day? We went from 50 to 0 on red fish in one day. I'm not saying if that was right or wrong, but that's what we did. We're looking ahead.

It's a hard thing to do and it's going to heat up our emotions, because we're used to a baseline that is different than what is coming to us now. It's going to be different in the future. It's different now than we all perceive it. Going back to that, we went from 50 red fish and 50 spotted seatrout in Florida to zero and then one.

Trout I think it was five or four, so my numbers are kind of off, but 50 to 0, 50 to 4 or 5; this is the kinds of things we're going to look at. Before I made the motion, I asked how many people caught five in a day; how many people had had one angler on their boat catch five? I've never seen it happen myself. I think that we have to be the ones that set reasonable limits. Now these aren't reasonable times, I agree.

MR. HARTIG: I do know a little bit about mutton snappers. I did my thesis in college, age growth and reproduction on mutton snappers in the area where I fish. I also worked on a CRP on muttons for three years. It just ended a year and a half ago. I live in the area right on the edge of that tropical bottom. We catch a lot of muttons.

I have been approached by some of the – we have a mini-headboat fleet, the smaller type headboats that fish from 6 to 12 anglers. One of the guys in particular has asked me why is the bag limit on mutton so high? He said we fish this same area every day and with the bag limit the way it is, it is hard for me to put limits on my fishermen and tell them they can't catch more than five muttons.

He is concerned and I know some of the other guys are as well that this day after day after day where they fish, that that is a lot of fish to take out of that bottom where they fish. He is concerned about localized depletion, for one thing, in his area with the bag limit as high as it is. I agree with Don as well; muttons have fallen through the cracks. They are our second largest snapper. They get up to be 30 pounds.

A ten-fish bag limit is out of step with all the other snapper bag limits we have. Now I understand, Richard, exactly what you are saying. You make great points, but still for the sustainability for the long-term health of this resource, I think a reasonable bag limit of muttons will go a long way to help us have this in perpetuity. That's just the way that I see it.

MR. STIGLITZ: I'm not fighting for me. I've got a license; I can have as many as I want. I can have as many as my boat can float off. I'm not fighting for me; I'm fighting for you guys, the charterboat guys and stuff. All I've heard for a day and a half now and every time I come here you guys are screaming that you are taking fish away, you're taking fish away. Now we're taking fish away from what I see, there is no scientific data. If there was any data saying that, look, we ought to do this, I'd be 100 percent behind you. But just to watch you guys fight; shut them down, I don't care. I've got a license. I can have all I want.

MR. DeMARIA: Having a 10 fish per person bag limit on mutton snapper, especially outside of these aggregation sites, is like having a speed limit on the highway of 300 miles an hour. Nobody reaches it; it is ineffective. Now if you want to put a speed limit of 300 miles an hour on a race track, maybe that will have an impact, I don't know, but not out in the highway.

That is the thing; we're just trying to be proactive with the muttons, try to do something that makes sense. As far as no science, well, there are not too many of us that are scientists on this panel anyway so all our advice we offer is non-scientific anyway, so I don't know what the science has to do with it.

MR. JOHNSON: Okay, guys, we need to move along through this thing or we're not going to be done. **Let's go ahead and vote on this. Do we have anybody opposed to the motion? Seeing two opposed, the motion is approved.** I would say this; we've been asking for the same thing on gray triggerfish, and the council has been reluctant to give it to us for some reason. We've made that recommendation ever since I've been on the AP, to go from ten to five on gray triggerfish. For some reason they haven't done it. We're going on triggerfish now; how about that.

MS. BROUWER: There were actually a few more actions dealing with gray triggerfish in this list when we presented it to the council in September. The council talked about it. In fact, we had taken some of those out to scoping early in the year, and the council said, well, we've got the gray triggerfish stock assessment coming up next year, so let's just hold off and wait and see what the assessment shows and then change things accordingly. The only thing that was left is Action 4, which would simply change the measurement or how triggerfish are measured to be consistent with what is being done in state waters.

MR. JOHNSON: Does everybody understand that? Do we have a preference?

**MR. ATACK: I guess I'd make a motion to go with Alternative 2, to make it fork length.**

MR. JOHNSON: Do we have a second; seconded by Kenny. Any discussion on this? Jack.

MR. PERRETT: Yes, I just wanted to make a comment supporting what you were already saying there about the triggerfish. In the Northeast Florida area around Fernandina Beach, which I'm 50 miles north of you, I'm very concerned about the population of triggerfish because there has been so much fishing pressure on them because we closed everything else.

I certainly would support reducing the bag limit like you talked about. It sounds like we're not going to do anything until we get the assessment done, but I think that is a species that locally is in trouble. I'm primarily a diver and I used to see, you know, they were a nuisance. We didn't

even shoot them, we were hunting other things. I dove last Sunday and I think I saw two triggerfish, and I would normally see 100.

MR. JOHNSON: Yes, we'll have some discussion on that in just a second, but let's go ahead and vote on this motion. **Do you have anybody opposed to this motion? One opposed; motion is approved.** I'm not saying the gray triggerfish are in trouble. I just think if you look at the reality of what is happening on the water, people are not reaching a ten fish per person bag limit.

MR. BOWEN: Only on the east coast of Florida is it ten per person; it is 20 everywhere else, because it goes in the aggregate.

MR. GOULD: Up off the coast of North Carolina the triggerfish are in part of the aggregate limit. If we don't have anything else, we can have up to 20 of them. In the right conditions, no current, the right kind of weather, I can go out there and pretty well reach that most every trip, no matter what is on the boat.

But we're very, very current dependent. If there is any current, you might as well forget it. We've got a healthy stock up there where I'm from. A lot of our local charterboats have started targeting them, days that the wahoo, dolphin, tuna is not going on. They are coming in with 18, 20 fish per person, no problem, doing it in a couple of three hours in a day. Anyways, just thought I'd but my two cents worth in.

MR. ATACK: Yes, up our way I know when the grouper is out they've been targeting triggerfish over the last few years, a lot more landings. The fish houses I'm talking to would like to see a minimum size of 14. I guess that is not on here; we talked about it earlier. The yield is lower on the 12 inches and lower, so the fish get to a certain size for a little bit longer and you get a higher yield on it and you'll get more out of your fishery. You'll get your MSY easier. They would like to see like a 14-inch minimum size on the fork length.

MR. GOULD: What is the size of the fish when they start becoming viable as far as reproduction is concerned? John.

MR. JOHNSON: The biology of gray trigger; I know they're a harem fish, I do know that. John will look that one up and get back with it. Any other discussion on gray trigger?

MS. BROUWER: The next action has to do with hogfish. We had followed the AP's recommendation. I think it was April of last year you recommended an increase to 18 inches or something like that. That was taken out to scoping and then it turned out that it was probably too high.

We came up with some other alternatives. Currently there is a discrepancy also in the way the size limit is specified. It's in fork length in the South Atlantic and in Florida, and in North Carolina it is total length, so there is some issue there. Alternative 2 proposes to increase it to 13 inches fork length in federal waters; and Alternative 3 proposes 14 inches fork length in federal waters.

MR. STIGLITZ: Number one, is hogfish being overfished at all?

MR. JOHNSON: That's a good question, we don't know.

MR. GOULD: Okay, once again go back to my question – I thought we were on hogfish there a minute ago – what is the breeding size of the hogfish for maturity? Is it 15 inches, 20 inches or whatever because we need to get close to that to give them a chance to breed anyway once before they get killed?

MR. DeMARIA: A 12-inch hogfish is a tiny fish. It might be a good-sized speckled perch or a bream, something like that a pan fish, but it's a really small hogfish. You're talking about a fish that has a potential to get pretty big. The biggest one I ever got was 26 pounds. I think increasing it to 13 or even 14 inches wouldn't hurt, certainly. There is quite a bit of support for it among divers that I know of. Eighteen, it would be fine for you all up this way, but we tried it once before and it didn't fly very well in South Florida, but 13 or 14 is I think reasonable.

MR. ATACK: To answer your question, there was a SEDAR done I think back in '03 and they were looking at about 18 inches is where the stock wants to naturally switch from I think female to male. That is the kind of range you're looking at. If the fish is pressured and overfished, then that size goes down, because the fish have to switch over and they're stressed at a much smaller size.

My recommendation would be at this point go to 14 inches and that's a two-inch increase. Flounder has a minimum size of 15 inches. You're talking about if minimum size for flounder is 15; a 14-inch hog is not that big. It wouldn't be much to switch it to 14; there wouldn't be a lot of impact on that.

MR. JOHNSON: Back to the triggerfish, I don't know what percentage is sexually mature, but they are little, six or seven inches. Don.

MR. DeMARIA: I don't understand what's going on with the male hogfish. A big male hogfish up your way will be a nice fat fish; but when they change over in our area at such a small size, at 13, 14 inches or so they're thin. They're all head and there is just a very thin body. I don't know what's going on. I don't even shoot them. I'd always look over top of them and see and they're just a thin fish. There is something biologically going on with these fish when they are forced to change at a smaller size, I believe. I think a size increase is warranted on these fish.

MR. JOHNSON: Okay, we have a preferred alternative on the hogfish, 13 or 14 inches; which one do you guys want to go with? Is somebody going to make a motion?

**MR. ATACK: I'll make a motion; preferred alternative is Alternative 3, which is the 14-inch fork length.**

MR. JOHNSON: Second by Kenny. Do we need any more discussion on this? Richard.

MR. STIGLITZ: In the area that I'm at 14-inch hog snappers just about don't appear. We don't see them. Down in the Tortugas we get them, but in the bays and stuff where the people of Marathon see them, the majority of time they have to look over 10 and 11 inch fish and pick through to find a 12 or a 13 inch fish.

If you go to 14 inches, you're pretty much going to shut down the hog snappers for a couple weeks. Well, I've been doing it since 1969 and they haven't been big there since 1969, Jim. This is not just something that just started happening that the fish got smaller. I've been there since 1969 doing it and them fish have been small in that area my whole life.

MR. FEX: Yes, just a question; you say in the Bay, am I correct; you're fishing in the Bay?

MR. STIGLITZ: The Bay's and the shallow waters where the snorkeling is being done.

MR. FEX: Okay, I just wanted to make sure, because I'm thinking of Tampa Bay, and I've lived in Tampa Bay, so I'm just thinking of this.

MR. STIGLITZ: Florida Bay.

MR. FEX: Okay, inshore.

MR. JOHNSON: **All right, folks, do we have any more discussion on this one? Okay, anybody opposed to this motion? The motion is approved.** I think we're moving to black sea bass and the fishing year.

MS. BROUWER: That's right; Action 6 again deals with modifying the fishing year for black sea bass. This is something that the council has talked about on numerous occasions and here we are talking about it again. You can see what the alternatives are on the screen. There are four of them.

MR. SMITH: I suspect this is going to be difficult because of our problem of managing such a huge amount of area. I kind of want to hear what Terrell has got to say about this one.

MR. GOULD: Looking at the discards that we have from the time we start our season, which is basically the first of April right on through the year, this is a very hard one, because they are very, very prolific everywhere up and down the coast. Everybody knows it; they are bigger and bigger every year.

We're throwing back fish when they get shut down and before the season even opens that are in the three to five to six pound range, which was unheard of off North Carolina ten years ago. I've got very, very big questions about how the science is treating these fish. I think that the stock is getting a lot better quicker than what anybody could ever think it was.

We need to cut down some of the mortality. One, what I would like to see is it start the first of April. It takes a lot of pressure off of my brethren there in the charterboats, the headboats, and the recreational side. It would give them a better chance for our fisheries manager to have a better count to see what is really, really going on.

What I would really like to see is a higher ACL. I've asked John Carmichael to get in touch with one of his buddies that is a statistician and figure out what the square mileage is from a point south of Cape Hatteras all the way down to the east side of the south side of Florida just to see what kind of rings these fish have.

What I want to do is go with a fish per square mile at 408,000 pounds for recreational. I'm afraid you're going to find out, as everybody already knows, it is just a pittance of what the stock really is, because this is a very, very prolific trip fish. North of Cape Hatteras I think the limit is, what, 25 per person; yes, 25 per person north of Cape Hatteras. We get five south of Cape Hatteras.

On my boat there are days that we throw back anywhere from 3 to 600 a day. I've got a witness sitting here behind me that can attest to that. I know you're grinning. That being said, I think this needs to be looked at very, very close. I would like to see it set back from the first of June to the first of April just from a discard point of view.

Not that I'm going to be able to get away from them while we're fishing, but it will help my business out, it will help the recreational fishermen out, and it will help out all the support industries that supplies us, the fuel suppliers, hotels, the whole nine yards. That's what I would like to see.

MR. BROWN: Well, you know, with mutton snapper and yellowtails and all that, I don't have a dog in that fight, because we don't catch that many of them, or we don't catch any muttons, but like Terrell we catch a lot of black sea bass; it's constant. I've got a 12-person charter tomorrow, and it's going to be pathetic because they want to go bottom fishing and I know what's going to happen. It is just like that every trip.

We've got to do something about getting this ACL straightened out. I would love to see it go to April 1, I would, but I'm kind of like scared. I'm wondering if we don't adjust this ACL before we do that, then black sea bass might be closed in June. What will we do then?

MR. GOULD: Well, if you look at it, it might give us some leverage by starting this earlier, having a better count of what we're bringing in and give some fuel to the fire. I personally would recommend doing like we've started doing. We're putting a Go Pro down, every trip that I fish, every stop that we go down, good, bad, ugly, whatever, and I am really amazed at the fish that we are seeing down beneath the boat, which can be used scientifically or fuel for fire, whatever later on.

You know as well as I do these fish are so prolific and you're getting a pittance out of them. When the commercial pot sector started getting more and more restricted, I started seeing a big uptick in the fish stocks. I'm all for commercial fishermen, but when somebody was going out popping 150 traps 24/7, 365 days a year, it didn't give the fish a lot of chance. Now they're getting a breather. I'm all for relaxation and doing everything that we can to make it last as long as we can, but we're down to the bare minimum as far as what we can keep.

MR. BOWEN: I'm all for April 1 start date on the sea bass, but the only way I would be for the April 1 start date is if we increase the ACL. Without increasing the ACL and we start fishing on sea bass April 1, we're going to go through a summer or go through the summers without sea bass because the ACL is going to be met so quickly. **I would like to go ahead and make a motion for the council to please revisit the ACL for sea bass. The ACL is 409,000 pounds.**

MR. GOULD: You have to remember, Zack, for the last two years we've been dunned 100,000 pounds out of that, 58 each year. This year is probably going to be another 50 or 60 out of that,

so always take that into consideration.

MR. JOHNSON: I want the maker of the motion to realize we already made a motion earlier about council revisiting the probability of rebuild, which they would have to do to revisit the ACL.

MR. BOWEN: Mr. Chairman, at the last council meeting, actually the one before that so that would be, I guess June, they voted to raise the ACL and it got shot down by the council seven to five; but since that vote there have been several new council members and the council members have changed a little bit. If they could just revote on the vote they had that was shot down seven to five, that would be okay. But we can't change the start year on sea bass without an increase in the AC, or we'll go a summer without catching. We'll be releasing sea bass all summer long.

MR. JOHNSON: Okay, do we have a second on this motion? Don seconded it. Go ahead, Don.

MR. DeMARIA: We don't have any black sea bass in the Keys at all; I've never seen one. But I do dive a lot around Florida and up the coast with Jim; and certainly when I get out of the Keys up around Jacksonville and on the Gulf Coast and the Carolinas, I see quite a few diving. It seems like all the people I'm talking with, I haven't heard anybody yet say that they think there is a serious problem with them like we've heard with mutton snappers and amberjacks. I don't really hear any great concern about them. It makes me think that it probably wouldn't be out of line asking the council to revisit it.

MR. BROWN: I'll just be real brief. I agree with what all these guys are saying, okay, as far as revisiting and trying to get the change in the year, but last year we had to do a lot of switching around and trying to figure out what to do in March and April. I ended up sheepshead fishing a lot and going and getting fiddler crabs and that was a pain in the butt. But, anyways, we go to the local, a close-in reef to fish for those, 12 miles offshore, a little outside of state waters and some of the places you pulled up on, you would start fishing and the sea bass would come up around the boat in clouds. I am telling you the water was black with them.

I started telling some of the inshore guys about it and they were like, oh, yes, we go out there and we throw some chum in the water and fish for them with fly rods. I was thinking, damn, that is the first time I ever heard of that. But the sea bass are so thick now, they come up to the top and the fly rod fishermen fish for them.

MR. JOHNSON: I got you. Guys, let's go ahead and vote on this motion.

MS. BROUWER: Just for the record, I wanted to remind you that the council did consider this in June of this past year. They looked at any possibility of increasing the ACL and the only way that can be done is if they change the probability, reduce it back down to 50 percent, which we talked about yesterday. That is not something the council can easily do. It has nothing to do with the council not wanting to do this; it is just the way things are right now. They just are not really allowed to lower that probability.

MR. ATACK: John Carmichael, I've got a question. In the black sea bass fishery, the biology of this fish is much different than all the other fish we have in our fishery. All the females are like 10 or 11 inches or smaller, then they go to male. And then trying to be proactive here, if we

only harvest fish that are 13 inches or bigger, then can't you figure out what that does to our ACL, because you haven't touched any of the biomass for the breeding females.

Unlike other fisheries where we're taking out the breeding stock, if we did that, none of the breeding stock would be touched. You are only harvesting the larger males; you still have males large enough to spawn with. That would give us our MSY. We would probably almost have no catch limit, because you're not touching the breeding stock that is out there breeding every year, right? Can't we recalculate how that would affect the fishery?

What they used to do with the 10-inch limit, the pots would go through there and take the larger portion of the female breeding stock out. That is probably the main reason we got into where we were with the fish being overfished. But with the last couple years with the closures, a long closure and winter, the stock has rebounded. We see three, four times what we used to see and larger sea bass.

MR. CARMICHAEL: Well, I definitely would not say that if you raised a size limit to some level you don't have to have any other limits; that is not going to be the case. It is true; they have a different life history. It is not unique to them. There are quite a few things within the snapper grouper complex that follow this type of strategy.

One of the big questions with these types of stocks is how important are those big males to spawning success? You can't just remove all the males. You couldn't just fish unlimited on everything under 13 inches, take them all out of the population and think that it would necessarily be very productive because it probably wouldn't. There needs to be two to tango. You are going to have to have the males out there. We don't know what is limiting. It is one of the difficulties with protogynous stocks in general is that you don't know what is limiting.

Are the males end up being limiting so that if you really have to worry if you take too many of those big old males, are size limits detrimental to populations like that because you're forcing the effort over to one sex component of the population? Those are the kind of things we kind of don't know with these.

What we do know that happened during high exploitation was the size at which they changed and the age at which they changed sex began to go down. It was pretty good evidence of the exploitation that supported what the stock assessment was showing years ago. Then as the exploitation has been reduced, you see that trend coming back and getting back to where they are waiting a little bit longer before they start change.

There are queues that go on within the individual fish and within the aggregations to let them trigger whether or not they are going to shift their sex. There is a lot of research that goes into that. There are fish like this in all the oceans, and there are a lot of people looking at it and we really don't know in most cases what the real limiting factors are.

There is a bit of risk in just thinking that you can set a particular size limit and then fish on them pretty heavily after that, which is quite different from a stock that doesn't sex change. If you took something like, oh, we looked at the hogfish, there are females that mature at age two, about nine inches maybe, seven to nine inches. I guess about nine inches on them; it was seven on the triggers.

You take a fish that has a regular strategy and you set a pretty big size limit, then you usually think, yes, you could fish really hard on that group because I'm preserving male and female spawners and I can go at them. You have to be more careful with that in the case of sea bass actually because of the sex changer issues.

MR. JOHNSON: Okay, guys, we need to either withdraw this motion or vote on it. As Myra has explained, we've already recommended the council revisit the probability of rebuild.

MR. BOWEN: My point is since they voted back in June, there have been several council seats that have changed and I think that vote would change. I would ask the council to revisit the ACL.

MR. JOHNSON: Okay, good enough. **Let's go ahead and vote on this motion. Do we have anybody opposed to the motion? I have two opposed; the motion carries.** I'm just going to throw this out just for thought for the group. I don't think we have it in the recreational fishery, but we talked about the fishing year on black sea bass. A split season might be in order for that.

You've got Mark over here talking about he's going to go fishing tomorrow and he's not going to be able to keep any sea bass and he's going to catch a bunch of them. It might be where you can figure out when are they the most valuable to you. Are they valuable in the summer when other species are available or are they valuable in the fall when the other species aren't?

Not simply because other species might be close, because hopefully we're going to get to the point where some of these other species are available more on a year-round basis. But we know from water and temperatures and things like that that black sea bass traditionally were a wintertime fish. The thing to think about maybe is do we want to do something with that? Do we want to look at maybe having a month or two right at the beginning of the season to cut down on the discards, and then maybe have it shut down and then open back up in the fall; Just a thought. Go ahead, Mark.

MR. BROWN: Yes, I've got a question for John, and I think I've asked him this before. I was considering making a motion, but I wanted to ask you this question. If sea bass were closed January, if it was to like mirror what is going on with grouper, you know, close it January, February, March, April for four months and then open it up May 1, so it opens at the same time as grouper; would that help us as far as adding anything back in to the ABC or the ACL or whatever? Would it help us any way for extending the season linked with the possibility of the council voting for the 50 percent probability?

MR. CARMICHAEL: I don't think shifting the timing would add anything to it. Black sea bass are relatively shallow and don't have a very high discard mortality rate. The commercial pot fishery operates in a way that when they're not able to catch sea bass they don't go out there and fish, so you don't have a lot of losses due to discard mortality.

That is the only thing that would potentially add some back in there. If we were taking a bit out because of discard mortality during the time when other things are open and sea bass is closed, then in that case, yes, that would work out, but that isn't the case with sea bass. Shifting it around isn't going to add any more poundage back to your ACL in any way.

What would make a difference is, yes, the probability of success makes a pretty big difference. Now the council has discussed this a lot, and I think they recognize it is very difficult to set 50 percent. They feel a need to be more conservative, and their guidance is that they should be more conservative than the 50 percent.

The SSC looked at it and they recommended a slight difference from the 66 percent but not a lot; not enough to probably make a huge difference in what the outcome would be. But if the council were to, say, be interested in that, they could have projections done at 62 instead of 66. What I really think though is going to offer the most hope for sea bass is getting the assessment update done and getting an analysis of the good year class that happened or two, maybe, that happened soon after the last assessment was done. That is what is really going on; we had a really good year class and it came right after the assessment was done. That coupled with either 62 percent or some other number the council might choose should make a pretty big difference.

MR. BROWN: Yes, but with it at 62 or whatever percent, it would still hold us down though. If it were at 50 percent, we'd be in a lot better position as far as being more flexible, wouldn't we?

MR. CARMICHAEL: Certainly at 50 percent, there would be more that you could catch. The concern the council has expressed is that when you've had overages, it is difficult to push it to the limit and that there is guidance that is the most liberal you should be, and you should really be slightly more conservative. That is what they have to weigh.

They will do that in December, I fully expect, because they asked that the SSC give them a recommendation, and the SSC did, which to me signals, all right, they want to discuss what the SSC said and look at this again and consider if they want to make a change. We'd like them to make a change in December, because we want to have an assessment update coming to them. We'd really like to know what P-Star should be used in that assessment update.

MR. BROWN: I guess I'm just struggling with the fact that vermilion are 40 percent. It seems to me like sea bass are at least on that same level of size of the stock or more. I don't understand why the P-Star has got to be so much higher.

MR. CARMICHAEL: Vermilion at a 10 percent adjustment. Vermilion is not overfished and not overfishing. Black sea bass, because it is still – I think in the last assessment it is definitely still overfished. I think overfishing had ended in the last assessment, perhaps, or it was like 1.06 or something like that. A status change in black sea bass would put it closer to vermilion snapper. That's the one difference in sea bass and vermilion; sea bass is still on the rebuilding schedule.

The biomass is not – at least as of the last assessment the biomass had not exceeded the MSY level. But once it's recovered, then there will be another automatic change. Essentially from the perspective of the control rule, it will change that level a little bit. Black sea bass in my mind could easily shift to where when it's not overfished anymore and you are just dealing with the overfishing situation where it is maybe very similar to vermilion.

MR. JOHNSON: Okay, guys, do we have a preference on modifying the fishing year for black sea bass recreationally? Zack.

MR. BOWEN: Not without raising the ACL.

MR. JOHNSON: Well, let's give the council a little guidance here, guys. Does anybody have a preference there?

MR. ATACK: Does anybody want to look at a split season or do you just want to look at when it starts; what do you guys want?

MR. THOMPSON: Well, I have a preference for April 1, because we need those bass at that time. I know I don't want the closure either. My question is we are fishing for bass in April now because we just tell them we have got to throw them all back. Our dead discards, are they counting against our ACL on that?

MR. JOHNSON: Yes, your discards count.

MR. THOMPSON: Then I mean I'm fishing now; at least I'd be able to keep them in April if they're going to count them, anyway.

MR. JOHNSON: Right, you would just probably – the fishery would end up shutting down probably by June, with all reality.

MR. THOMPSON: My question is are they counting against me now, anyway?

MR. JOHNSON: Not at the same rate. The point I'm trying to make guys is when are the fish the most valuable to you? That's what you need to think; when are they the most valuable to my business?

**MR. BOWEN: I'd like to make a motion that we go with Alternative 1, no action and keep the fishing year beginning June 1.**

**MR. JOHNSON: Okay, do we have a second to that motion? Seconded by Mark. Anymore discussion? No further discussion; do we have anybody opposed to the motion? Three opposed; the motion is approved. Go ahead, Gregg.**

MR. WAUGH: Just to clarify a statement that was made; the discard mortality does not count towards your ACL. It is picked up when the assessment is done. The ACLs are just specified in terms of landings, so it is just what is landed.

MR. BOWEN: That being said, Robert, would you pull back your opposed vote?

MR. THOMPSON: No, I still want it open in April.

MR. DeBRANGO: Just like the vermilion, what does the season last, what, one month, a little over month?

MR. BOWEN: Not for recreational; it lasts nine.

MR. DeBRANGO: It lasted nine months in the recreational?

MR. BOWEN: It always does.

MR. DeBRANGO: I don't know; it is like a – split season, definitely, I think we need to make a recommendation on the council looking at a split season for the sea bass for a couple of times a year just to help them out for people's businesses. An off-the-wall thought here is maybe even two weeks on and two weeks off type of thing throughout the year; make it last throughout the year or something; some way so they can fish them all year round or even closer.

MR. JOHNSON: All right, so you want to put that in the form of a motion? Go ahead, Mark.

MR. MARHEFKA: All right, I'm going to open up a real can of worms here with an acronym. How would IFQs work for the charter/headboat fishery and extending and you can pick and choose when you actually use what you wanted to go and do for your fishery? Come on now; what's good for the goose is good for the gander again.

MR. DeBRANGO: Well, before he goes fishing, he's going to have to buy them from me, because I'm going to buy them all up and I'm going to sell them to him for three dollars a pound. **All right, so I'll make the motion then, a motion for the council to look at a split season on the sea bass.**

MR. JOHNSON: Seconded by Don. How about some discussion, some brief discussion on this. Okay, the motion is that the council recommends a split season for black sea bass. If there is no discussion, we'll go ahead and vote on it. **All opposed to the motion. None opposed, motion is approved.** Go ahead, Jim.

MR. ATACK: Do you guys want to consider changing the bag limit on the recreational side to extend the season? I guess currently it's five; is that right? Would you want to look at three?

MR. BOWEN: No.

MR. JOHNSON: This may all change if the stock assessment reflects what we all know, that there are lots of sea bass out there. Commercial fishing year for black sea bass, does anybody have a preference on this one? Go ahead, Kenny.

MR. FEX: Yes, I just want to make a comment. I do like the 50-pound trip limit before that. This year it opened in July. It was very good, it seemed like it extended the season, because we had vermilions to catch along with the black sea bass, so it didn't start in June where we just directly targeted them. I talked with other another council member about that and he said the 50-pound trip limit starting in May would actually be a good idea until July opening black sea bass for the pot season.

MR. CONKLIN: I would leave it like it was last year. I don't know how it happened, but the Mid-Atlantic and up east they were closed when we got opened. The price blast, it was phenomenal all along. If anything, I think just leave it like that or once we get the stock assessment back, I'm sure they are probably going to have to raise the TAC for us.

MR. JOHNSON: Okay, do you want to put that in the form of a motion? Go ahead, Kenny.

MR. FEX: You would be looking at Alternative 2, because it actually opened in July this year. And I agree with you, we did have a great price on them. The season lasted longer and everything. I was just interjecting that point that the council member had looked to get us something started in the beginning of the year in May, as grouper opens. I was just throwing that out. I will support whatever you guys want to, because I'm commercially fishing. But July did make a big effect opening both vermilion and black sea bass at the same time. We got a good price across the board.

MR. MARHEFKA: Well, just sort of following the trends of the past couple years that we've had with what's going on with our fish and when we have openings and closings. I'd like to go and see the black sea bass open up the first of April, to be honest with you – yes, first of April or March, whichever one, March and April, because we're seeing what's going to happen is our vermilion snapper is going to open up in January.

Those vermilion snapper, the trends are going to be shut down by March. What do we have? I mean, what do we have to go and fish on in March? Groupers are closed, red pogy are closed. I'm just trying to go and try to balance out the year with us here with having something to go and at least go and put food on our table and pay the bills, keep the lights on. I think price-wise, I think because there is not going to be much around at that time, anyway, our prices are going to go and be through the roof, unless, of course, the Mid-Atlantic is open during that time, which I don't really know at that time, Phil, or not if they are, but it would give us something else that we could go and have to fish on.

I remember the last two years; I know this year is even going to be worse; as stocks rebound on the fish we're going to be catching them up quicker. I think it's just something – **I'd like to go and make a motion that we change the start year for black sea bass commercially in the first of March.**

I'm going to go through the first of March, because April once again April was the worst. We lasted two months this year on it. It is a bad time of weather for us. I think it is going to go and last up into May, but that's my own feeling on it.

MR. JOHNSON: Okay, do we have a second on this motion?

MR. BOWEN: I have a question. Not that I'm for or against, Mark, I'm not a commercial fisherman, but yesterday I tried to make a motion that wasn't part of the alternative, and I was told that the council wouldn't consider it, and I just want to know the difference.

MR. JOHNSON: This one is upcoming. It is not something they are going to address at the next meeting. There is time for them to revisit it and analyze it.

MR. BOWEN: Okay, all right, I'll second Mark's motion then.

MR. JOHNSON: **Okay, any further discussion on this motion? Do we have anyone opposed to this motion; five opposed. Okay, I guess the motion is approved. How many are for it? Gretchen has got her hand up. Okay, motion carries.** Just a thought here on the

golden tilefish fishery, they set aside a certain allocation for the hook-and-line portion, because it is now a gear- restricted fishery. It's a longline endorsement. Black sea bass commercially also has a pot endorsement now. I don't know if the group wants to make any kind of recommendation to council about maybe setting aside a specific allocation for commercial hook and line. Just a thought. Now is the time to do it if anybody has that idea.

MR. MARHEFKA: You could change the whole motion then; you could just go and open it up for vertical hook-and-line fishery then. Yes, I mean a 50 pound trip limit isn't even worth enough to go and economically pull your boat away from the dock and go down the creek. You need to go and have something available for us to actually sort of be going after; so if you were to go and bump it up to even a 500 pound trip limit or something like that.

MR. THOMPSON: I think that with the May 1 opening it was just – instead of throwing back your bycatch when you're grouper fishing, you get to keep 50. I'd like to see 100, 150 pounds, but you are not leaving to go for 50 pounds.

MR. JOHNSON: My point being if the council looked at giving a certain allocation of that fishery, especially seeing that it is going to have an increase, it is going to be rebuilt in the future somewhere; does the hook-and-line commercial fishermen want a certain allocation? If so, then you could maybe stagger the opening to address the market concerns and have it open a month or two early for the hook-and-line guys. Zack.

MR. BOWEN: Well, we just want to keep in mind that the higher the trip limit, it is like we said yesterday on red snapper, would we rather have one per person and fish on them four weekends or two per person and fish on them two weekends? The same goes with the commercial fellas on the sea bass. You start getting a 500 pound trip limit or a 300 pound trip limit; that ACL is going to be met pretty quick.

MR. JOHNSON: But the pot fishery catches the majority of the fish is what we're getting at.

**MR. FEX: Yes, I make a motion that the council consider allocating pot fishermen and hook-and-line fishermen their own allocations.**

MR. JOHNSON: Seconded by Greg. We'll just leave it up to council to figure out what kind of percentage that would be. **Any other discussion on this motion? Okay, any opposed to this motion? Seeing none opposed, the motion is approved.** Jim.

MR. ATACK: With the March 1 opening, if we do that, prior years it has been closed until May 1; what is the spawning season on the black sea bass? Are we now moving in there to targeting them on their spawning season?

MR. FEX: It actually is starting in February and goes all the way through May, and that is actually why the rationale of the June opening has been.

MR. JOHNSON: It's different by region, though. In Florida the bulk of the spawn is January and February and pretty much done by March.

**MR. ATACK:** The other thing I'd like to consider is recommending to council – I guess I can make this as a motion to consider increasing the commercial size limit on the black sea bass to match the recreational of 13 inches. My reasoning for that is what I talked about before; it will leave more of the biomass out there. Like Carmichael said, it's a hardy fish; you have very low bycatch mortality. It should help the sustainability of the fishery.

MR. JOHNSON: Do I have a second on this motion? Seconded by Phil. Is there any discussion? Go ahead, Kenny.

MR. FEX: I think you'll have a problem with the trappers, because then they've got to reconfigure their traps. They are trying to already phase out their older traps to avoid bycatch. They are going to have to keep on phasing their traps out. You might get an argument on that side; so just to give you a heads up on it.

MR. ATACK: Yes, I realize that. When Tom was here, we talked about this a year ago. They were looking at what size mesh they would need to go to.

MR. MARHEFKA: Yes, a 13-inch fish is about a 1.75 pound fish. You are basically going to go and sort of take this resource and get it away from a lot of people who normally go and eat black sea bass, because it is going to go and economically get it out of touch for them. They are not going to be able to afford to eat black sea bass unless they go catch their own, and it is at 13 inches already.

All I'm trying to say is that we keep on moving away and away for a lot of the people who normally go and eat seafood, and they're not going to be able to eat this wild-caught seafood. We're sort of isolating ourselves of who is going to go and be able to eat this product. It's something to think about. Nothing to change this motion, but just to think about.

MR. JOHNSON: Okay, no further discussion, we'll vote on the motion. Go ahead, Gretchen.

DR. BATH MARTIN: I was just looking at the regulations and should this motion be reversed? The commercial right now is 11 and the recreational is 13.

MR. JOHNSON: Thank you. Okay, now we can vote. **Is anybody opposed to this motion? Seeing none opposed, one opposed. Motion is approved.** We're going to go to vermilion snapper now. Modify the commercial trip limit for vermilion snapper; does anybody have any thoughts on this one? Go ahead, Phil.

MR. CONKLIN: I would recommend to the council if we don't get an increase of a TAC, that they reconfigure the amount of fish we can catch by trip limit where we can fish year round. We're going to miss the best markets of the year coming up here. You are going to miss Christmas, and the way it's going we're going to miss Easter. I mean, you are taking a lot of revenue away from people that have a chance to make something. They need to make everything they can and to figure out a way to keep us fishing year round. If it has to be cut the TACs or cut the trip limit, so be it.

MR. JOHNSON: Okay, you are a fish house owner and I talked with you earlier about how many times these guys actually came in with 15 boxes. Do you want to choose a lesser alternative there they've got some to choose from; 10 box trip? Go ahead, Kenny.

**MR. FEX: Yes, I'd like to make a motion to make another alternative for consideration that the council could look at, and it be that a trip limit be 50 percent of the vessels historical capacity.** That way the boats that are bigger, up to 1,500 pounds. That way a boat that is bigger like Phil's boats or whatever, they are limited at 1,500, but that 1,500 don't slow me down. I mean I had one trip. I'd rather it slow me down so we can extend the season.

The vessels in my harbor are small boats. They have a capacity of 2,000 pounds so 1,500 don't slow them down. I think the problem is – and I'm not saying the problem by any means, but the majority of the vessels in the fishing industry commercially are 30 to 40 foot vessels. The old, big boats are getting out of it. I would rather limit the smaller boats so that they diversify their catch. That way we get diversified catch to the market and a better price.

MR. JOHNSON: I think you probably are going to get a lot of opposition among the fishing community on this but maybe not. Go ahead, Jim.

MR. ATACK: I'm going to throw something out there.

MR. JOHNSON: We need to deal with this motion first; do we have a second?

MR. SMITH: Rodney Smith, I'll second that.

MR. JOHNSON: Rodney seconded it. Jim, go ahead.

MR. ATACK: In the bluefin fishery, the way they do it is they change the number of fish you can catch per day as the season goes on versus the ACL. One option we could ask council to do maybe is have a sliding scale trip limit, where maybe in the summer – I'm just throwing out a number – 500 pounds, and then you watch where you are for the ACL.

They could increase that trip limit to 1,000 or 1,500 later in the year if it looks like you're not going to make that ACL. That is a little bit different thinking than what we've been doing, but that is what they do. They'll go from one bluefin per day or three or four or cut it back to two. On a month by month, I think that's what they do.

MR. FEX: I understand your rationale, but I don't think the council keeps up with the numbers fast enough. As you see, we had a lag time in our number counting. At 500 pounds, Mark over there would be really upset at that. His boat holds quite a few pounds. I would at least consider something higher than that. Believe me; I'm not trying to limit nobody. I just want the season lasting longer. I'd rather be limited myself so I can have more days later on.

MR. ATACK: Yes, I guess my thought was it could be 1,000 or 750, whatever a number needs to be and then in the summer you are catching other fish. Then later in the year when some fish are already caught, now you could up the limit on B-liners, where he doesn't have a mixed bag for a trip that he could target a higher percentage or higher poundage of B-liner. Just something I'm throwing out.

MR. JOHNSON: Just a couple thoughts here; I know a guy that just built a 32-foot boat. He's got a 50-box capacity. I don't like the way this is going, because everybody's boat can hold different amounts of fish boxes and ice. It looks like a big can of worms. The council has in the past in some fisheries had a trigger of X amount of the ACL being met.

They can step down the trip limit, which would sort of address what Phil was talking about, keep the guys fishing longer. You could go from, say, the 15-box limit to when 75 percent is projected to be met, to 500 pounds, something like that. There are a lot of options here you could think about. But go ahead, Kenny.

MR. FEX: Yes, and again I was just throwing this up as an alternative to put in the mix. I'm not saying this is what we recommend. I just wanted that on the list of things to look at. I'd rather be limited myself so that the season will last. That's all I'm looking at. A step down at 75 percent down to a 500 pound trip limit, I'm fine with that, too. This is an alternative I want on the paperwork to go to public scoping. That's all it is.

MR. DeBRANGO: Yes, I kind of agree with Phil over there. The worse thing in the world on these markets is derby fisheries and the commercial fishery doesn't last long. Yes, it's a shot to take even less on your boats, but the better thing for the market is to have a product stretched out as long as possible, especially if everything comes in and everybody and their brother is fishing and in closes in a month, and then they've got all this product on the market.

Well, you're not doing yourself any good there. You are actually doing yourself worse, where you can stretch it out, even 400 pounds or something like that that we're seeing, and you might be able to make this last half the year, because we can't do anything until they readjust the TAC. The way to go about this I think is to look at it and say what is going to be best for our moneywise until they see that the TAC should be increased, and you know what it takes.

MR. JOHNSON: Yes, and remember, guys, they're fixing to adjust the TAC on vermilion. You are going to get more vermilion this year on the commercial sector, hopefully this year. Again, you can look at the trip limit. The no action is what it is set at now. If you want to step that down a little bit, then go to some kind of step down like I was talking about, but we need to vote on this motion first.

MR. FEX: Yes, that motion doesn't reflect exactly what I said. I said the vessel historical capacity up to 1,500 pounds. That's all I want to do is change that. That way the verbiage is correct.

MR. JOHNSON: Okay then, are you going to have a control date on the vessel's historical?

MR. FEX: Historical is part of the control.

MR. JOHNSON: A guy just built a new boat; he has to go back to the boat he used to have?

MR. FEX: What it does is it keeps the people from trying to build a bigger fish box. Do you know what I mean? I would hate for me to try to put a 50-box thing on my boat, and its 38 foot.

It would sink my vessel. That's all it was. I'm just trying to go off historical capacity. Tradition; that's all it is.

MR. JOHNSON: Okay, all right, we've got a motion here. **I'll say who all is in favor of this motion? Okay, we have three. Who is opposed? Okay. the motion fails.** Does somebody want to make an alternative motion? Go ahead, Mark.

**MR. BROWN: I'd like to make a motion for Alternative 3 and then when the ACL is 75 percent to revert to Alternative 4.**

MR. SMITH: Rodney Smith; I second that.

MR. JOHNSON: Okay, we've got a second on that motion. Is there any discussion?

MR. ATACK: I guess right at to say the thousand pounds, right; Alternative 3 is a thousand pound gutted weight, and then we reduced it to the 500 pounds; isn't that what you are asking? That way you've got the poundage in there on the motion.

MR. THOMPSON: I just think that since the only thing that they can fish for at that time, you really need 15 boxes in January to go fishing.

MR. JOHNSON: I'm hearing from most of the guys that they are not getting 15 boxes; that is what I'm hearing. I'm not sure how much we're going to hurt the fisherman, but go ahead, Kenny.

MR. FEX: Back to your point; triggerfish open up, grunts open up, and joltheads open up, a lot of fish are open up in January so really you're not limiting them. That's a great idea. There are other fish we can catch that we interact with at that time. The only thing at that time is grouper and red porgies we're not actually.

MR. THOMPSON: I'm not really that opposed to it. What you just mentioned, you don't really get much money for them there. I don't know, I mean a thousand pounds would be it, but it would be tough.

MR. BROWN: Yes, Robert, what I was hearing though is that the season is not extending out long enough for them and they are just trying to extend it further. They're just trying to find something.

MR. MARHEFKA: At the next council meeting Myra will they have an analysis on this, or is that something that has already been pulled. Didn't we have – when we first started the 1,500 pound trip limit issues, there was a whole step-down already that they did this?

MS. BROUWER: Yes, you're right, I believe the council looked at an analysis that included the 1,000 pounds when they did Regulatory Amendment 9. We would pull that analysis out and probably update it with more recent information and put it out there for them to consider it again.

MR. JOHNSON: **All right, if there is no further discussion, can we vote on this thing? Do we have anyone opposed to this motion? Seeing none opposed, motion is approved.** Mark.

**MR. MARHEFKA: Yes, I think this is a good time for me to go ahead and punch this in here. I'd like to make a motion. The motion is for the council to do another shakeout of the snapper grouper unlimited permit holders by using Amendment 8 of June 1996 as a mirror to this motion with a possible change in the control date.**

MR. JOHNSON: Can you update the group on what that really means?

MR. MARHEFKA: Basically since nobody was here in '96, what it did is we did the two for one and also set up that if you didn't produce a thousand pounds of fish in one of the last three or four years – I think it was like from '93 to '96 is what we did – then you then retired your unlimited permit to a 225.

What we want to go and do is just do a little bit of housekeeping here and clean up some of this permitting mess that has been going on. The rationale for this is because as we're starting to go and see lower and lower fish trip limits and things like that and other people starting to go and boats will be getting in the industry and are in the industry, we want to just sort of clean it up a little bit.

MR. JOHNSON: Okay, but what control dates are you going to use, back in time in the nineties?

MR. MARHEFKA: Well, if it was my choice, yes, because when the control date back in 1996 got put in place, it said in the Federal Register that you may or may not be able to go and continue to participate in this fishery at that time. Until then, when we first went and went with this amendment, and now we're sort of going backwards, it never really closed up like it should have closed up. It never reduced really the amount of people who were in this industry. Yes, I'm sorry for people who got in after that, but I've been sitting around the table for a long time waiting for something to go and come good of this, and I'm not seeing anything but bad.

MR. DeMARIA: Again, just like, was it a year ago when this was brought up, I think we should be trying to figure out ways of including commercial fishermen in the fishery and keeping them in business rather than excluding them. This excludes people.

MR. JOHNSON: Yes, there are a lot of people that have bought permits and that is going to be an issue. Go ahead, Mark.

MR. BROWN: What are the numbers that you're talking about, from the time that you're saying to current, the impact on the fishery has been with additional commercial permit holders?

MR. MARHEFKA: Well, I'm maybe so much not looking at the permit issue of it; but back in, what was it, 2006 up five years prior to that we were producing a million two vermillion snapper. We got reduced by 50 percent, and we're not seeing the reduction in the amount of people who are harvesting it. Economically it is sort of kind of crimping down on us just like it is you guys in the charter/headboat sector, too. I'm wanting to go and sort of tighten things up a little bit.

MS. BROUWER: I just need some clarification on this. Does this motion indicate that the council should take the same approach that they took in 1996 and apply it to the current permit

holders or go back to historical landings for folks in the fishery to 1996? I'm not sure exactly what it means.

MR. MARHEFKA: Well, yes, I mean all I'm trying to go and do is that there have been a lot of permits that have been bought and sold. There are a lot of permits that are sitting out there that aren't even being used right now that could go and come and be entered into this industry at any time. I'm really kind of – as we are starting to go and council talks about going and giving us more TAC to fish on, we're going to go and be seeing some of these people – you know, these are going to be more vessels that have just been sitting out there that haven't been really in the commercial industry. What is our snapshot here? I mean, if you want to go and bump up the control date on up to – that is up to the council – I myself, I am just sort of standing on where we were years ago.

MR. DeMARIA: Again, the last time this came up I was the chairperson, and I got numerous nasty e-mails from people what the hell are you trying to do to us, put us out of business. You're trying to exclude commercial fishermen. If this comes up again and we pass this, it should be as Mark Marhefka's motion not Robert Johnson's or Don DeMaria's or anything like that. Let Mark take full credit for this one that he is trying to eliminate fellow commercial fishermen.

MR. MARHEFKA: Well, then raise it up from 2009 to 2011 as your control date. I mean, the bottom line is – well, never mind. Yes, this is Mark's motion, okay.

MR. JOHNSON: I see what your intent is. It is trying to address concerns that the council has had, too, of people entering the fishery that have been sitting on the sidelines. I know money is tight, but maybe a better way to address this would be some kind of permit buyout program by the council so they could just buy them if these people aren't using them. There are probably a lot of guys that would be willing to sell. Just taking it from somebody, I don't like that myself either.

MR. BOWEN: Mr. Chairman, I think what Mark is trying to say is you are not taking it from anybody that is using it. You're taking it from people that are sitting on the sidelines that is not using it, anyway.

MR. JOHNSON: Zack, I can speak personally to this with a black sea bass pot endorsement. I can speak personally. I didn't use it for one year and that one year I didn't participate cost me my endorsement, one year. I jumped into the fishery because I was told it was going to be open. It has ramifications when you make things like this.

MR. BOWEN: I'm not saying I'm for or against it. I was just trying to clarify Mark's position.

MR. BROWN: We talked about this yesterday. I understand where you're coming from, but also I have my concerns, too, about how to structure that. I want to make sure that it doesn't eliminate people that are in the fishing industry, that have been in the fishing industry their whole lives and that their whole livelihood depends on fishing.

I struggle with going about anything with taking away anybody's livelihood or taking away their opportunity to make a living. I know in the king mackerel industry when you have a king mackerel permit like I do, you have to have, what is it, 75 percent of your income is derived from

fishing, or 50 percent. You have a percentage of your income is derived from fishing in order to continue to hold that permit. I know that every month I fill out logbooks, whether I go fishing or not. I send those in.

I don't know if all these other permit holders do that or not, the ones you say are sitting on the sideline. I'd kind of like to also see the numbers from the impact on the fishery over the years like you said since 2006. What has been the impact on the fishery from other fishermen that have entered the fishery that are impacting what you're saying? I'm just trying to rationalize that.

MR. ATACK: I'd like to suggest maybe amending your motion to read council should consider instead of do and instead of shake out, I guess do an analysis and come up with some options.

MR. JOHNSON: Is the maker of the motion willing to that?

MR. MARHEFKA: Go for it; that's fine.

MR. JOHNSON: He says go for it.

MR. JOHNSON: We'll go ahead and break. I know a lot of guys have flights, so when we get back let's make it a quick one and we need to rock and roll. We'll take a real quick break.

MR. JOHNSON: Guys, we need to get started; we've still got quite a bit to cover. All right, Mark had a couple more things he wanted to add. Go ahead, Mark.

MR. MARHEFKA: All right, basically the way it was in '96, it took one of the three years that you produced a thousand pounds. Basically Amendment 8 was you had to produce a thousand pounds of fish in one of the three years in the criteria to go and stay in the unlimited snapper grouper fishery or you ended up getting a 225 permit.

The same thing is what I'm looking on doing here is with the control date of 2011, is if you produced, and let the council figure – I'm not trying to put people out who are fishing right now, but it is just my understanding, I just made a phone call. There are 75 latent permits out there sitting around that are not even being used.

At any point in time these folks can come into this fishery and be a huge impact of what is going on. It is happening to our tilefish right now; there are latent permits that are sitting out there. You've got big boats coming in over from the Gulf of Mexico, because they are shut down, and they are now starting to be reintroduced into our fishery.

This is the reason why I want to do this shakeout. I'm not trying to put people out of business who didn't get in after the '96 control date for Amendment 8. It is just we have some stuff happening out there that is just lying around that needs to go and be addressed.

MR. BROWN: If you're going to do this, can something be added in there? We discussed the difference between the individually held permit and the corporate permit and then the impacts on somebody that had a family business and were in it, they can only really pass it down to their children; can there be a percentage or something in there of the amount that is derived from

fishing on that permit? Like I said, with the king mackerel, I mean, 75 percent or something in order to keep them from losing their permit if they're in the fishing industry is what I'm saying.

MR. MARHEFKA: I guess my question in that is what is the definition of being in the commercial fishing industry, if you are just selling fish, if you are a charter/headboat person? I think this is something we can look at later on down the line if the council decides to go and do it. I mean, we've got a lot more to talk about and I think I've made my point, but, yes.

MR. JOHNSON: Okay, Mark, one thing to clarify, do you want that to say possible change or change in the control date to 2011? I just hate to see somebody suffer through the bad time of this fishery, even if they were only landing 750 pounds or 1,100, whatever, be excluded.

MR. DeBRANGO: Yes, the State of Florida has a requirement with just their state fishing licenses, like the restricted species, which you all know. It gives you a three-year time period where if you didn't make \$2,500 I believe is the charter, and it is \$5,000 in the commercial; didn't attribute in your taxes \$5,000 or \$2,500 to your income that way, then you would lose your license. You would not be renewed. That is just a thought I throw out there.

MR. MARHEFKA: I guess I could go and change it with a control date that is determined by council, just to close this up, because we could go round and round for several hours on this. There are control dates out there already.

MR. STIGLITZ: Is there some way of adding a part to this after this – drop the two for one sale on the snapper grouper permits? If you dropped this, I don't know how many permits are actually in the fishery now, what, about 600 left, somewhere in that ballpark? If you were to get rid of the latent permits now, what would be fishing would be fishing and then eliminate this two for one after this.

MR. MARHEFKA: I'm just going to go and leave it as is, and I think the council gets my intent. We'll just go and take it from there. We did this last AP and we all voted for it, yes, and now we're having problems with it today. I'm sort of confused.

MR. STIGLITZ: I agree with you 100 percent; I'm 100 percent behind the motion.

MR. DeMARIA: I'm not going to support it, because I think there are other ways of reducing the pressure like a government buyout or something like that. I'm not in favor of putting fishermen out of business that have been in it for many, many years and like you maybe had a few years that were off and coincided with this timing that didn't qualify. I think people that have those permits have invested a lot. They add value to their boat. It is a retirement package. I don't want to see them put out like this. There are other ways of doing it, I believe.

MR. STIGLITZ: This isn't a retirement plan; this is a fisheries plan. Just like our lobster program with the tagging program; there were people buying into that and they were leasing it, and they like to have ruined our lobster business. And that's what they said, this is our retirement. We're not working on people's retirement; we're working on a fishery.

You have 75 latent permits out there that can go back and jump into this fishery that come in your backyard or your backyard or your backyard and impact your fishing. Most of these

permits that are sitting there are speculators that have bought these permits and are just sitting there waiting on sucking up the big money because there is a limited number of permits there. There is nobody going to be put out of fishing that has been fishing and using that permit if this goes through.

MR. MARHEFKA: The council cannot go and give money to go and buy out boats. And the feds; it has already been discussed before, it would have to be an industry buyout, so everybody who has invested in the industry would have to go and come up with the money to go and buy them out. It could be a loan that we would have to pay back. If we want to keep on going down this scenario, it comes down to IFQ, because that is the only way that a buyout would come out, and it's been done in the northeast, also.

MR. JOHNSON: Mark, the only problem I have with this is the control date to be determined by the council. I mean, if you are trying to not eliminate anybody that has been in the fishery the last two or three years, why wouldn't you put a control date on it right now? Then you've done the same thing. You've told them what – you've given them some guidance and not to step back into time or anything like that; just to go with the most recent participation.

MR. ATACK: I guess you are also looking at if it is 75 permits, you are talking 750 to 1.2 million dollars worth of permits that you are getting ready to say are not worth anything. People think their permits are worth 10 to 15,000 dollars apiece. If you just eliminate them and take them out, you are taking that from them. It is a value; and depending when you did the control date, what about the people that just bought a couple and converted it to one? They spent 15, 30,000 dollars to get a permit.

MR. MARHEFKA: Well, Jim, I've been in the fishing business for over 32 years and in 2007 when they took our vermillion from a million two down to 600,000 pounds; I've lost well over a million dollars since then. Yes, you make investments, you make bad investments, and you make good investments. I'm sorry, but my personal feel about this is that if you aren't in it, you are not in it.

MR. MUNDEN: North Carolina fishermen still complain about being shut out of the fishery in '96, so I'm still hearing this from fishermen who were snapper grouper fishermen. But what I hear from fishermen all up and down the coast is that the only way they can survive is to have the flexibility and hold the permits to move in and out of various fisheries. The fishermen say, well, I left the snapper grouper fishery and it recovered; and when I got ready to go back in it, because I was fishing for something else, my permit had been revoked. I would have a hard time supporting this motion.

MR. JOHNSON: Yes, and, Mark, to use the logic you're using, and I understand, believe me I feel your pain, four years ago I was running 400 and something trips between two charterboats and I ran 198 last year. We can all talk about what fisheries regulations have done to our business, decimated us. I just think there was probably a better way to do this than this, but you have your opinion.

MR. MARHEFKA: Well, Robert, I don't know, maybe we need to go and get some suggestions from you if there is a better way. I know you're Chair and can't do a motion, but I'm open to whatever. If you want to go and put the control date back up there to being 2012, that is fine.

MR. JOHNSON: Well, that would help, but it still doesn't address what Red was saying about the flexibility of people moving in and out of fisheries. I think the two for one, the council made a really bad technical error allowing that loophole for the corporate permits, but we can't do anything about that now.

I mean, the two-for-one idea was the right idea, and it worked. It took the fishery; it greatly contracted the fishery, but I don't know where we go from here. I don't have the answer, but I just don't like this one. Myra tells me I'm getting in the weeds and we need to make a – in an inadvertent way she said that. Let's go ahead and vote on this motion if we don't have any further discussion. We'll just do it this way; all in favor of this motion; and everyone opposed. Motion failed.

MS. BROUWER: What I was saying is there is an agenda item that we had included under other business. Since we're talking about the future of the snapper grouper fishery, perhaps this is a good time to get into that discussion since it looks like we're running out of time, anyway. The whole point of that was the council intends to meet on Monday of the council meeting week in Wilmington to have a workshop where they're going to talk about visioning and the future of the snapper grouper fishery.

They had asked that the AP provide any recommendations or any insight or anything they wanted to bring to the table for that discussion. It's going to be a public meeting; fishermen, of course, anybody is welcome to come. But it is intended for the council members to engage in this discussion, and I'm going to go ahead and let Michelle talk about it a little bit more.

DR. DUVAL: This was something that as you guys are running out of time here, we were running out of time at our last council meeting unfortunately to discuss this. This is something that I requested be put on the agenda for the December council meeting. I know that this is something staff has been interested in for a while as well as other council members, and the council simply hasn't had the time with having to focus on meeting certain Magnuson mandates

I'm not trying to speak for any other council members here. I would just say that from my perspective I feel like we've been sort of in a almost like a crisis management mode where we go from one fishery to another fishery to another fishery just looking specifically at, well, how do we manage, how do we solve the problems with black sea bass, now how do we solve the problems with golden tilefish, now how do we solve the problems with this?

We're not stopping to consider the bigger picture of what do we want the fishery to look like in ten years? That really requires a lot of input from you guys, from other stakeholders in the process, folks from restaurant owners to folks involved with various chambers of commerce. We heard a lot about that in June with regard to impacts of the red snapper closure on a whole variety of folks in Florida.

I view the opportunity that we have to meet on Monday morning of the December council meeting as really kind of a kickoff and I guess an opportunity for council members to discuss and try to answer some questions with regards to what does the ideal fishery look like and what sort of framework or a process that we would want to undertake to try to get input from you and other stakeholders throughout the region to build what that vision for a future fishery should look

like? Really kind of in a way almost create like a strategic plan for how to get there so that when we do develop management actions, we've got a big goal in mind for what we want things to look like. I'll just stop there. I'm happy to answer any questions from anybody. Thank you.

MR. FEX: To your point, Michelle, you have got figure Magnuson has come out and it has really forced a lot of things on us. We're trying to manage this stuff so we can all keep working year round, and our numbers aren't working out to be that way. But as the stock assessments will hopefully increase, we would still like to keep under the same management.

I know from what you sound like, it almost sounds like going towards the catch share just from my perspective, and that's the last thing we want. We don't want to give the rights to the fish to somebody else. I personally think we're heading in the right direction. It's going to be a struggle for us. We're getting reduced by our amount of fish, but we're headed in the right direction.

That's why we all come together and try to allow the spawning closures and everything to go in effect so we can help rebuild, but we'd still all like to keep working and also to the market to have fish year round. But when your numbers get cut, it is hard to do that. We can go the way we're going, and I think we will achieve our goal. How fast the goal needs to be achieved might be a question.

DR. DUVAL: To that point, Kenny, I never mentioned the phrase catch share, you did. I'm not at all; just for clarification. Just to relate a couple of things, like some of the things that I hear from fishermen when they come into my office is that – and things that have been mentioned around this table today, that they want a year-round fishery, that they are tired of discards and throwing things back. One of the things that I've said to folks is, okay – and I know that this is going to vary geographically from North Carolina through to the Keys. We have geographical differences just within North Carolina and just within Florida.

But I say to folks, well, what are four or five species that you all would want to see open at the same time so that you can avoid having to throw fish back and you can avoid having those discards? I have this vision of, well, here are kind of the months of the year across the top of a white board and then here is a column of species on the left-hand side.

You can kind of go through and draw some lines of when you'd like to see those species open, when they occur in your error, and the ones that you are encountering on the same trip so that you are not in a situation where you have to throw fish back. That's all that I'm saying. If you guys feel like the road that we're going down is working, that is important input.

I think from my perspective I almost feel like we're a little bit myopic and a little too focused on one fishery at a time, one fishery at a time, one fishery at a time. I guess if I had a better sense from you all, from other folks, what we really want the fishery to look like in ten years.

MR. BROWN: Michelle, what I'd like to see is that we close the gap on the uncertainty in a lot of the speculation that is put into the modeling. That is why I proposed looking at trying to close some of that with getting more information that is factual from the private recreational sector. I think that the closer we can get to getting the data better in the future will provide a lot better of an access for us to the fisheries.

When we look at what happened with the red snapper; and according to what everybody is saying we didn't meet the numbers that were put out there for us to be able to harvest. If that is the case, how many other times is there some fluctuation in the actual landings compared to what is being projected? How much uncertainty is actually in there? What I'm saying is let's try to reduce some of that in the future and let's get better with the data, let's get closer to the numbers so maybe we can see these seasons extended and get higher ACLs.

MR. DeMARIA: As long as I've been involved in this process, I don't really see a clear vision from NMFS or the council in where they want to be in 10, 20, to 50 years down the road. If I'm mistaken and there is a vision, then there is certainly not a plan on how to get there. I think the vision should be – and I've talked to a lot of fishermen – is they just want to be able to fish year round as long as they can.

We've got to come up with something that allows people to fish year round, I believe. The only thing I can come up with – and I gave Myra a little message and maybe you've typed it out and you can put it up – is some system of well thought out and very well placed marine reserves. They could be shelf-edged ones up and down the coast with the understanding that once these things are in place, that fishermen can fish year round outside them with reasonable restrictions.

I don't see any other course to take. We don't want catch shares, we don't want this, we don't want that, and obviously we have to have something in place if we're going to fish year round. If Myra puts that up there and if you want to reword it in any way, maybe a guarantee from NMFS that once these things are in place, we'll be able to fish year round. I don't know, but I really don't know how else to get there.

MR. SMITH: Two points; one, I am looking at this preliminary agenda and it is only three hours, right? I think perhaps we could send some comments to you?

DR. DUVAL: You could send comments to me, you could send comments to any council members, and you could send comments to staff; any input or thoughts. Obviously, as Myra said, this is public; anyone is welcome to attend. You are not going to solve the world's problems in three hours, certainly. That's why I said I sort of view this as the kickoff.

MR. SMITH: Well, from looking around we might not even be able to describe them all in three hours. Also, back at home we do a lot of kid's educational programs on fishing. That is where I focus; you're talking about focus, right. I see a fishery that from the recreational side there is no buy in. You just have the boat and you go. It doesn't matter how you release them; some release better than others, the equipment you use, the whole nine yards.

I've been thinking best practices, those kinds of things, and that is where I would like to see it go. I support some of what Don was saying about areas, that maybe if we protect certain areas, then we can fish in the rest of the areas and we can cut back on the seasons, those kinds of things. Because year-round fishing is definitely better for the people on the ground, the guys that sell the gas and sell the boats, and sell all the equipment, because we lose peoples when there are gaps.

Every tackle shop we lose, we're losing access; and how many mom and pop tackle shops have gone down. This isn't all part of this process; it is also the economical river that is going by. I personally would love to see a best practices workshop online or in person that recreational anglers would have to go to if they want to participate in this process.

MR. DeBRANGO: I'll second it. Also, what I wanted to say is when you put these things together and you're handing us all this as to look at changing fishing seasons and all that, I know you have models and everything in your runs when you do your data streams and all that; well, what happens if we change this, okay what happens if we cut the TAC?

What is our projected outlook, sort of like a construction calendar or even a graph, a good graph with the streams, so we can look at a whole entire picture where the graph is saying, well, we've got this fishing season, this is my projection on this map of a year. Okay, it's going three months. We have all our different lines of our fill-ins, just like a regular outlook calendar.

As we look at that, then we sit there and you can even run different sensitivity runs. Okay, if we cut the TAC this much, well, we're going to look at this graph right here with this that we're voting on it is going to extend it four months at the current rate of fishing and the current way things are going.

A little graph a little just something to look at like that is going to help us a little bit; you know what I'm saying? That way we can actually look at the whole big picture, have a graph of the whole year with all the different fisheries, with spreading it out and we can try and adjust certain things this way, with the knowledge of markets and everything, too. A visual aid would be nice as we do this, basically.

MR. DeMARIA: This is not intended to be the only recommendation on a vision on how do we get there, just one option that the council should consider. I would be hesitant to support reserves unless I thought there was a way built into them that would open up more fishing opportunities outside the reserves. That is the whole point of these things. I would not want to see them in addition to some of the stuff we recommended today as an alternative to some of the stuff we recommended today and some of the rules on the books.

MR. DeBRANGO: Yes, I've talked about this with you and to me – I'm not a sightseeing diver, I'm not Mr. go down there and swim with a turtle and take my picture, that's not me. But the one, the only, the most amazing I would say the things that really stuck the pictures in my head were down in the Keys in these sanctuaries.

And I've said this, I've been on record before saying it, was when I jumped down in the middle of these sanctuaries and I'm sitting there and there were lobster five high stacked on top of each other, sitting right next to me – I mean, yes, I don't have a sling or anything on me to grab them and put them in a bag, and they know that. I'm swimming in a school of black grouper.

It has been the most positive thing, because these things are actually spawning in there. They are doing everything and there is zero pressure in these areas. It's almost like American Aquaculture without the regulations from the FDA and labor involved. It is natural aquaculture and it is a pretty good thing. If nobody has seen these things, I invite them to actually go put a snorkel on, because they are not deep. They are, what, 15, 20 foot. You can go sit down on the bottom for

an hour and a half if you want and just hang out with them and just kind of think of how things used to be.

MR. PERRETT: I guess we think about long-term vision, 10 or 20 years. How could we not have a goal of getting all of this fishery back to maximum sustainable yield? That has got to really be the long-term goal that we focus and look at. How to do that, we've talked about a lot of different ideas and I don't think there is going to be one silver bullet. I think it is going to have to be a combination of those.

One of the things that Rodney said though and I really do support is that we've got to get more participation from the recreational angler. I'm talking about myself here. If they are going to play in this game, there needs to be some requirements about how they behave, how they collect data, how they support the fishery.

Otherwise we're going to be in this guessing game about what is going on long term. I think that is one of the things that we think about long-term plans, but how do we get those, how do we educate them? It could be very similar to hunter's education requirements in the hunting industry. You can't play in that game unless you've gone through the classes; you understand in this case how to release fish, the different patterns around the fish and those types of things.

There are some things I think we can look at, but again I don't think there is a silver bullet. I think marine preserves that we talked about, that's are part of it. We may end up with groups of fish like Michelle was talking about where we have got one group of fish that is a six-month season, we've got another group that is another six-month season, so you guys can fish year round, but you can't fish for all species year round. We group them into parts where we won't be killing the fish when we are fishing for certain species.

I think it is going to be a combination of all those things to get us to that potential vision long term. Based on what I've heard – this is out of my first meeting. Based on what I've heard the last day and a half, I think this group of people in this room and I think the council can work together to get there. Thank you.

MR. SMITH: That is what the council goal is to have sustainable fisheries. If we don't cut down discard catch mortality, that isn't going to happen. The way to do that is to teach people how to release fish properly. Who are the biggest users; recreational anglers. Now I might be missing something, because I quite often do, but that is my focus. If we can cut those numbers down and we can educate recreational anglers, we've made a real big step to making our fisheries more sustainable.

MR. ATACK: I agree with what Rodney and Jack said. Also, I think we focus too much a lot of times on one stock at time. We need to kind of back up and look at the whole picture and come up with some what you call best management practices for marine fisheries management and then apply those practices by the specific species.

I guess we've got 73 species, so what's good for black sea bass may not be good for B-liners or vice versa., so I think we need to look at the biology of the fish, the minimum spawning sizes on the fish and be proactive. We can't be responding after a fish is overfished. I think we need to set up good management practices by species, make this chart up for all of them, when do the

different ones spawn, when are they interacting, and then see how that lays out to see what makes sense for which species we should be targeting and what times of the years.

Based on their mortality, release mortality, whether they have barotrauma or not, use those things to help set up how you plan to manage that species. The recreational side, I agree with what they said about that. In addition, too, we need to really have some good data reporting. In ten years, hopefully we'll be where – we have pretty good data reporting on the commercial side. If we get that on the recreational side and then we really know what is caught and know what is released, that will decrease the uncertainty so that we can then have our ACLs or whatever we're going to have as more reliable numbers.

MR. DeMARIA: This wasn't meant to be the silver bullet. I guess that is where the reasonable restrictions part came in that I put in. If you want to add your recommendations onto the same motion or a list of them, I'm just trying to get something out there that we can agree on and send to the council. It has got to be a lot of different things, and that is what I meant by reasonable restrictions in addition.

MR. FEX: Back to Michelle, about three years ago I had the AP agree on starting everything in May and letting it extend all the way in until the end of the year until every quota got met. It would probably end in December. I find it good because you get away from all those dead discards; but then the market doesn't find it good, the retail people don't find it good.

Then I had to reconsider that. I'm still fine with doing that starting everything in May and let us all fish commercially all the way until all the quotas are met. That would be good, because you diversify your catch, you get less discards and everything, but then you also in turn have a shutdown of the fishery from January until May. I see a vision in a sense, but we've got to satisfy different people in this. I'm fine with it, because I commercially fish and that's all I do, so I would take four months off, but some people can't do that.

MR. JOHNSON: I am just going to add sort of on what Jim said. Ecosystem-based management is where we've got to go in the future, that cause and affect the decisions. We can't just micromanage all these fish species like we're doing. We save one and another one falls through the crack. It's just my thoughts on that; just look at the whole system as a whole and hopefully we'll get there.

MR. SMITH: Don, could we put in that where it says bag and size limits, even though I know it is kind of foggy, it would say best practices in there, too? Okay, you see where I'm talking about, Myra?

MR. JOHNSON: Also at the last council meeting, or the June meeting John Jolley had mentioned on the MPA issue, and I thought it was a pretty good idea about instead of taking bottom and habitat away from fishermen; some of these species do benefit from artificial reefs. It would seem like a really good way to attack that MPA issue is to actually go into an area and build a reef. You could design them for whatever species you wanted to benefit the most.

You are not taking anything away from the fishermen; you are putting something where he has never been able to catch a fish before. He probably would be a little bit more willing to accept

that rather than you go take away his honey hole, some place he has fished since he was a little boy. I thought that was a really good idea, something that should be pursued.

Do you want to vote on this amendment? We had a second by Greg. Greg, you did second this amendment? I mean motion – I'm back on amendments, I'm sorry. It is getting late in the day.

MR. DeMARIA: The reserves could certainly include what you just describe there. There is no limit on what kind of reserves. I think that could be a good idea if you put it in proximity to known spawning areas with some wrecks and whatnot, because they do prefer wrecks rather than bottom.

MR. JOHNSON: You want to add natural occurring or manmade or do we need to put it in there or do you just want to leave it as is?

MR. DeMARIA: Sure, add it if you want, that is fine with me.

MR. JOHNSON: Okay, are we ready to vote? Do we have anybody opposed to this? Wow, motion is approved.

MR. CARMICHAEL: All the other ideas, Michelle wrote them down so don't think that anything you said isn't going to be considered because it will.

DR. DUVAL: I will go back and harvest everything from the minutes of this meeting as well. Nothing has not been recorded, thanks, but I really appreciate you guys taking at least a little bit of time here to provide some feedback to me and the other council members who are here in person. We very much appreciate all of your input on any topic. It is incredibly valuable to us and we listen. Thank you.

MR. JOHNSON: Okay, guys, I hate it but we've got to charge ahead here. We're still on Amendment 14, and this was about the recreational bag limit of vermilion snapper. Do we have any thoughts on this? I think in light of the fact that we're going to have hopefully some kind of increase; go ahead, Kenny.

**MR. FEX: I motion we leave Alternative 1 as the preferred.**

MR. JOHNSON: Second by Jim. Are there any opposed to this or any discussion first?

MR. BOWEN: Yes, it just went up awfully quick; can I look at it?

MR. JOHNSON: Okay, we'll put it back up. Go ahead, Jack.

MR. PERRETT: Do we know where we are at on the ACL for the recreational fisherman, what percentage we are hitting?

MS. BROUWER: I'm going to look that up for you in a minute.

MR. HARTIG: While she's looking at that, can I just ask one thing before you get too steeped down in this – the question I would have for the recreational representatives is as we look at

doing something with vermilion with the increased TAC, should we look at increasing the bag limit or getting rid of the closed season? What is more important to you in that regard?

MR. PERRETT: Okay, from our perspective, I'm in the northeast Florida fishery and for us to go vermilion fishing, we have to target the species. We've got to go anywhere from 50 to 60 miles offshore. I would much prefer a higher bag limit and a shorter season if we're going to go out and target them for the area that I'm fishing in.

MS. BROUWER: For vermilion, we are at 5 percent of the ACL, recreational.

MR. JOHNSON: So why are they closed? Let's clarify that's not the whole year. That is through June, so that is just the very start of the season. I'm sure it's much higher than 5 percent.

MR. CARMICHAEL: One thing real quick is a more appropriate question would be how close to the ACL did we come last year? That is a more appropriate question, because the effort has been down since 2008 so you will get a little bit of an idea. Actually, you really need to look at the suite of years to see where you are. I am not sure with vermilion, but I think it's about half for at least some of the species I've looked at.

MR. BOWEN: As a charter headboat representative for the State of Georgia, I would – and, of course, knowing that we're only at 5 percent of the ACL through June –

MR. JOHNSON: Sixty percent for the year prior.

MS. BROUWER: Sixty-four percent.

MR. BOWEN: We reached 64 percent in 2011 of the ACL. For me, as a charter headboat representative for the State of Georgia, I would like to see the extended season. We've been living on five per person now for a couple of years, but if we can do some model runs to see what kind of limit we can have fishing 12 months on the vermilions, it sounds like maybe we can go a full year of fishing and maybe raise the bag limit. That would be ideal, but if we could only do one or the other I prefer the longer fishing season. It is something we can sell a charter trip in November that we can't sell one now.

MR. GOULD: Well, I've got to agree to a certain extent to my compadres there from Georgia. But where I'm from, if everybody remembers when they were dicking this around about going from a ten to five or six, the vote with the council was very, very close on taking it down to eight. I think it failed by, what, one or two votes? It was one or two votes.

For my business purposes, due to the winter weather and the distances that we have to go, I pretty well stay to the dock during the winter. I would much rather see an eight per person and take it from there and see how close we get to the ACL. Like I said there before repeatedly, we're seeing more and more and more and more discards. I think just about as many discards there as were on the sea bass with these vermilions, so I don't think eight per person is out of the question.

MR. JOHNSON: Are there any other comments? As a headboat/charterboat operator in Northeast Florida, I don't have to go near as far as Jack. We have vermilion 20 miles from our

dock. I would much rather see reasonable bag limits for a longer period of time. I think that is my vision for the future; we've got to get these bag limits.

People have got to get off this I've got to go catch a thousand pounds of fish to be happy. Get them reasonable so it is worth them going. They can enjoy some fresh fish, but we can have longer seasons so we stay working, stay supporting the businesses that depend on us. We have a motion which was Alternative 1; we had a second. **Is there anymore discussion before we vote on this? No discussion. Do we have anybody opposed to this motion? None opposed, motion carries.**

MR. DeBRANGO: I want to make a motion that Myra goes ahead and writes that application so I can download it on Apple ID so we can to some real-time reporting.

MR. JOHNSON: Yes, we're now on the commercial opening for the second season, which as of right now is January 1. We've heard some discussion about the value of that fish to the marketplace at that time of year. Are there any thoughts on this one? Do you all want to leave it the same, which would be no action? Go ahead, Phil.

MR. CONKLIN: I would say change it to open March 1 where we would get Easter in, where we've got B-liners to fish to sell at Easter time when the market is really good.

MR. JOHNSON: Okay, I'm going to speak to this one personally. I think last year that first opening, over 30 percent of the B-liners came from Northeast Florida, and you are going to eliminate those guys if you do that.

MR. CONKLIN: Well, they still can fish on them. They can still go fishing but it would be at a later date.

MR. JOHNSON: It would be two months, three months before the first opening. You would have the openings almost on top of each other.

MR. CONKLIN: Well, you would keep fishing.

MR. JOHNSON: Well, we're hoping with an increased ACL and the trip limit modifications we'll put on the table here for the council, with the step-down; hopefully that season will last is what we're hoping. Anyway, does anybody have a preference? Phil said he would rather open it in March. Is that going to be a motion, Phil?

MR. CONKLIN: Throw it out there and see what everybody else says.

**MR. FEX: I'd rather leave it at status quo. We lose grouper in December; at least in January we get to open and target B-liners, and then B-liners in July. I see it's fine that way. I'd like to interject a motion. I don't know which alternative it shows -- no action, Alternative 1 as a preferred.**

MR. JOHNSON: Okay Kenny has made a motion; do we have a second on that?

MR. SMITH: I'll second that.

MR. JOHNSON: Seconded by Rodney. That is just a leave it as it is, status quo. **Do we have anybody opposed to this motion? None opposed; motion is approved.** Okay, this was to modify the recreational closed season for vermilion. I guess a lot of this hangs on the assessment.

MR. ATACK: Based on what they were saying, the ACL should go up. We're only hitting 64 percent of it last year, right? Why wouldn't we extend the closure from November 1 to a later date?

MR. DeBRANGO: 2A, right, is that what you're saying?

MR. BOWEN: Again, from a charterboat/headboat perspective, it sure would be nice to fish on vermilions in the month of November, to be able to fish on them in November. I'm all in favor of Subalternative 2B. I would like to actually make a motion that we recommend 2B.

MR. JOHNSON: Okay, this one is not going to be looked at in the next meeting so we have some flexibility to make a substitute motion on these; to recommend a new alternative is what I'm saying.

MR. BOWEN: I'm okay with 2B.

MR. JOHNSON: That's fine.

MR. BOWEN: That might be different for some guys south of me in Florida that actually fish in December; but from Georgia if we could fish on them in November, that would be a plus.

MR. WAUGH: Just a quick point for you all to consider; in 2010 the recreational sector caught 84 percent of the ACL; in 2011 you caught 64 percent; halfway through the year you're at 5 percent. Why do you want a closure? I mean, why don't you recommend no closure?

MR. BOWEN: Okay, that's great. It just wasn't up there as an alternative. Okay, well, I make a motion we fish on them 12 months out of the year and raise the limit to 10 per person.

MR. JOHNSON: I have a question for council staff. Why can't we just have a start day on this? Why do we have to pick a closed? Why can't we just say it starts on this date?

MR. WAUGH: This closure was put in when we needed a percent reduction in harvest to end overfishing. That was in the old way we managed. Now we're in a new way of managing with these hard quotas on the recreational side as well. You don't need to restrict fishing unless you are bumping up against your ACL. I would urge some caution to getting rid of the closure and raising the bag limit; get rid of the closure and then see what happens in a year or two and then you can adjust it.

MR. ATACK: Gregg, what happens if we exceed the ACL, because you're talking about a November 1 closure now, which is a five-month closure, right? We're getting 64 or 84 percent depending what year it is. If we exceed the ACL what happens the next year?

MR. WAUGH: The council would look at it more closely, because I don't believe there is a payback provision for vermilion. It is not overfishing and it's not overfished.

**MR. BOWEN: Okay, I'd like to make a motion we eliminate the closure and keep the bag limit at five per person.**

MR. JOHNSON: That was seconded by Mark. Can we go ahead and vote on this one? **Is anybody opposed to this motion? Seeing none opposed, the motion is approved.** Okay, the next one is the red porgy. Now take into consideration that the recent stock assessment was not real good on red porgy.

I don't know if we need to spend a lot of time trying to give an increase to something that they may give us a decrease. I think the council has decided right now just to go with status quo. I'm just giving you some information on that. Does anybody have a preference?

**MR. SMITH: Yes, Alternative 1.**

MR. JOHNSON: Do I have a second on that? Seconded by Greg. **Any discussion? Do we have any opposed to this motion; one opposed.** I said any discussion. Oh, I'm sorry, Terrell wants to discuss, go ahead.

MR. GOULD: All right, this is on the red porgy, changing it up to – or keeping it at three. I've been of the opinion for years now that keeping it three is ludicrous. As many as we're throwing back, we're not even coming close to the ACL on them I don't believe every year. Why not increase it to four, go from three to four? That's just what I say, I'd like to see my customers get one more per trip instead of throwing it back and possibly having it die or swim around there with its guts hanging out. Put it to use instead of wasting it.

MR. JOHNSON: Okay, if somebody can check and see what percentage of the ACL the recreational sector had on red porgy. I think the point was, Terrell, that the recent stock assessment was not good. The council has I think seen a way of not decreasing it as of this time, but I think if we go for an increase – we'll find those numbers for you. While Myra is looking for that, does anybody want to talk about the next one so we can get it lined up here. It's the commercial head count for red porgy. Go ahead, Kenny.

MR. FEX: I just want to make a comment on it, I'm not making a motion. It is right; the red porgy assessment did come out bad. From my understanding, it actually might decrease in the bag trip limit or the head count on the fish, though. I am not saying a motion, but 120 might be the only rational one.

MR. JOHNSON: Phil, you second that. Yes, what I'm looking at as a charterboat operator, that is one of the few fish recreationally – now hopefully B-liners will be in the future – that we were able to catch in, say, January, February, March, because it is still open recreationally. We were able to catch that fish. We had a slow day trolling.

If we increase that limit and there is the lowering of the ACL, we very well may end up with that fish not being available. That was just my thoughts on that. We caught zero red porgies last

year; it's not in the website. Okay, we had a motion; we had discussion on that motion that was Alternative 1 for the recreational bag limit for red porgy remaining at three per person.

Do we have any opposed to that motion? Okay, we have one opposed; that motion is approved. That was Rick. The next one would be the commercial trip limit. Did we have a motion on that already? Okay, does anybody have any preference there?

**MR. ATACK: Our preferred option is Alternative 1, to go with the current commercial headcount at 120 fish per trip.**

MR. JOHNSON: Do we have a second? Second by Kenny. Discussion? Greg.

MR. DeBRANGO: I think we should raise it. Right now we don't have the stock assessment coming in, but this is another fish that is doing fine no matter what the stock assessment says. I guess we're going to have to decrease it. They are piranhas. It is just like the sea bass and everything else; they are all over the place out there. I'm seeing them, like I said, way inshore and everything. I think until they kill it, recommend – you know, it is nice to have those 120, but it would be nice to have 240 on the boat or 200.

MR. JOHNSON: Again, if they lower that ACL, though, even at the 120 the fishery may close down early. That is just what we're trying to keep people fishing.

MR. GOULD: Have we ever thought for just a minute, folks, that we're dealing with some fatally flawed data here dealing with the red porgies? They really don't know. They've got their idea, but from what I'm seeing off my boat and what I'm being told, it doesn't jive. It doesn't jive by a thousand percent.

I would look to see an increase for the commercial boys to 160; they're strapped enough as it is. If the landings go down, cut it back if we have to, but the commercial boys are being strapped enough and that extra 40 fish will make a difference at the end of the year for them. Give them a chance; I'd like to see it go to 160 for them.

MR. DeBRANGO: Yes I agree; it's a bycatch right now. Nobody is just jumping on their boat and going porgy fishing for 120 fish. Well, give them 160 fish so he's happier going.

MR. JOHNSON: We can sit here and debate the flawed science until the sun goes down, but the facts are with the stock assessment this is how many fish there are there and this is what the ACL is going to be set. Do we want to have a trip limit that is going to allow these guys to fish longer, or do you want to give them a bunch of fish for a short period of time and then not be able to keep them and throw them back the rest of the year?

That is what we're looking at; that is the actual situation. We have this motion. Is there anymore discussion? Do we have anybody opposed to this motion? **The motion is approved.** Okay, now we're going to go to this aggregate grouper limit. Jim pointed out last meeting that the recreational gag grouper ACL has never been more than 50 percent full. He thought it was appropriate that we had an increase in the bag limit. There are some alternatives here to modify the aggregate grouper bag limit. Does anybody have a preference? Zack.

MR. BOWEN: I have a question. If the increase in bag limit for gag grouper goes in effect and the ACL is met; is there a way that we could not shut down the other shallow water groupers? Can we pull the gags out? Do you see what I'm saying; see what I'm trying to get at?

MR. JOHNSON: Right now it's a choke species. I know the council is aware of that issue and I know there is some discussion about how they're going to address that and set up separate ACLs. Well, there are already separate ACLs, but remove it as a choke species, I think.

MR. BOWEN: Okay, I cannot support a raise in gag grouper limit if it is going to still be a choke species and shut down the shallow water groupers. I think anybody that would support that – anyway, I couldn't support a raise in a bag limit with gag grouper if it is going to be the choke species.

MR. GOULD: I think a good compromise in this would be to go ahead and go to four grouper. You could have three reds, two Nassau – not Nassau there, but scamp, excuse me – I did it, go and slap me – three reds or two reds and a scamp grouper, and keep it at one gag. If the gag grouper gets up to within 75 percent of its ACL, cut it back to no gags and revert back to the three.

A lot of my customers, especially on the 18-hour trips, don't have a real hard time most of the time reaching that limit, but they're the ones that fish hard for it. The ones that don't know how to fish for them don't do it. I would like to see it keep it at one gag grouper and increase it up to four in combination with, say, two reds and maybe a scamp or three scamps plus the gag. I think it would be fair to everybody.

MR. JOHNSON: Okay, gag grouper are not a choke species in the recreational sector. That doesn't apply to the recreational sector. You can forget about the gags closing down the other shallow water groupers.

MR. BOWEN: I just want some clarification and on record. If we raise the bag limit of gag grouper and the ACL is met, then you're telling me that the other shallow water groupers will not close.

MS. BROUWER: That accountability measure is only for the commercial sector, so it is tied to the commercial ACL. When that ACL is met, the shallow water grouper commercial harvest closes.

MR. BOWEN: Okay, but my question was still not answered. I would like a yes or no, please.

MS. BROUWER: That would be a no.

MR. BOWEN: Okay, then I can support it.

MR. ATACK: Yes, the trends we had up at the last meeting, the gag grouper was less than 50 percent of the ACL. The red grouper was like a third of the ACL, and the scamps were also less than 50 percent of the ACL for the last few years. By increasing the gag from one to two, you will not double your landings.

We could probably really go back to the five-grouper aggregate and still be within all the ACLs for the recreational side, but we're not proposing that right now. One of the alternatives is the four aggregate and two gag. I think that is a very conservative approach.

MR. BOWEN: Just keep in mind I don't think an assessment has been done on scamps or red grouper. I think that is two species – well, I know an assessment has not been done on scamps. You might want to keep that in mind.

MR. ATACK: True, the assessment hasn't been done, but we're going by the last assessment where they said these are the projected landings we could have. We have been leaving a lot out there the last few years, so the stocks should be in better shape than what they projected. I think we're in a safe territory here by increasing the limits.

MR. JOHNSON: Okay, 2014 is going to be the gag grouper assessment.

**MR. PERRETT: On this one, I'd like to make a motion that we support Subalternative 2A, which is to increase the grouper bag limit to four with two gags based on the information we were just talking about.**

MR. JOHNSON: Do we have a second; several seconds. Okay, just going to for discussion purposes, I am just going to say this on the record. This goes sort of to the heart of what we're talking about, though. Do we want more for a shorter period of time? I mean, are we really catching that many groupers that we need to have two gags? I'm just saying that in my area probably not so much, not on a real common occurrence, but maybe other places.

MR. BOWEN: Well, it was my understanding that the closure that we have on grouper is just a spawning closure. I think you made mention that won't ever be open again.

MR. JOHNSON: That is correct, so they have a four-month protection. I'm just throwing that out there, though, just to say that if we have a stock assessment in 2014 and it comes back and they lower that ACL, you could get into a situation where you lose your gag grouper, say, October. Go ahead, Mark.

MR. BROWN: I'm kind of with Robert on this, too. I hate fiddling with anything when we've got it going in a direction right now to where we're not worrying about it. But if we start fiddling with the amount that we can keep, then we might be shut down early.

MR. ATACK: Yes, I would agree with that if we were getting close, but we're talking about we're less than 50 percent. We may be at 75 percent or 60 percent if we make this change. It's not like we're even close to the limit. It's an opportunity to give something back to the recreational side. With the one-gag limit, there are times where if you catch a couple gags, you've got to let one go. It is an opportunity with the aggregate limit and the gag being at two to decrease some of the bycatch mortality.

MR. BOWEN: Yes, but, Jim, the new assessment is coming up in 2014. Again, I'm all for status quo, keeping it at one.

MR. GOULD: I just want to remind everybody that the pressure on these fish has been way down for the last four years. By increasing it for a year or two, see where it goes, if the pressure increases on the recreational side, bring it back down to three. But from a business point of view, I don't see any reason right now not to increase it by one fish. It is good for me, good for you, and good for you. If our fisheries managers sees where it is going up too quick, we can always go back to the three. That is what I would recommend from a business point of view on my side.

MR. JOHNSON: Any other discussion or do you all want to go ahead and vote on this?

MR. DeBRANGO: Yes, the majority of the recreational people I know, if they get one grouper on their boat it is a pretty doggone good day. Diving and stuff, unless I go deeper and everything, I really don't see them. I don't see a whole bunch of them out there. It is an unpopular opinion, but I really don't think the gags are doing as good as everybody thinks they are.

MR. BOWEN: I agree.

MR. DeBRANGO: To raise it, why raise it right now? Like I said, the majority of the boats, half the people don't even know how to catch a gag. The other half that finally do, they're ecstatic, and that is a great day for them. I don't think raising it at all is good.

MR. STIGLITZ: I don't see why a recreational person needs more than three groupers. Gag groupers have got to be 24 inches. That is a 12, 14 pound fish. I don't catch gags very often. A 24-inch black grouper is 12 pounds, somewhere in that ballpark. If he catches two gag groupers and two red groupers, that's a freezer full. I don't think a recreational guy needs to go out there; because if he's going to go do that, then he is going to take half of them and go to the market and he's going to sell them. I don't see a reason to increase it at all.

MR. SMITH: I just wanted to make a comment about Richard. I so much agree with you, and it is kind of like the mutton snapper; maybe we should go back and limit them to three.

MR. STIGLITZ: Shut them out completely.

MR. ATACK: Yes, that is kind of what I was going to say. I mean muttons is at five, grouper used to be five.

MR. STIGLITZ: Mutton snappers are 16 inches.

MR. ATACK: Mutton snapper go 15 to 30 pounds.

MR. JOHNSON: Okay, guys, Julie is going to get angry at you if you keep talking over each other. Terrell, one more comment and then we're going to vote on this thing. Let your vote show how you feel about it. .

MR. GOULD: Okay comrades, I just wanted to point out that this is a capitalist country. To take somebody's right away from possibly having two fish that they can take home, freeze and

eat on through the winter to me is not right especially when the limits or the ACLs are not getting anywhere close.

There are places off the coast of North Carolina within four or five miles of the beach that little boats go in the fall and commercial fish. If anybody wants to know about it, I can get you on some of them boats and let you go out with them in the fall when they're fishing them. But, anyways, I would really like to see it go to four fish, try it, see where it's at. It is good business for me, it is good for my customers to take some fish home that is good eating; and as far as selling them is concerned; everybody knows it's illegal to sell recreationally caught fish.

MR. BOWEN: If and when this motion fails, can I go ahead and make a motion that we keep it at status quo?

MR. JOHNSON: We've got to vote on this one first. Okay, I've got a motion here we need to vote on. Who is opposed to this motion? Okay, who is in favor of it? Do I need to vote?

MS. BROUWER: Only if there is a tie; is it a tie?

MR. JOHNSON: Let's do it again. **Who is in favor; who wants the increase in the recreational limit? Let me see it again, guys; that is in favor. Okay who is opposed to this increase? Okay, motion fails.** Okay, Zack, you can make your alternative.

**MR. BOWEN: I'd like to make a motion we keep it status quo, one gag.**

MR. SMITH: I second that.

MR. JOHNSON: Okay, if there is no discussion, let's vote on this one. **Who is in favor; who is opposed? The motion is approved.** Okay, I know some people have to get out of here. Do you all want to go ahead and finish this up? We've only got two more items. One of them is the Coral Amendment 7, extension of the Oculina Critical blah, blah, blah.

MR. BOWEN: I'd like to make you aware I have two pieces of new business once this is done; so if you want to figure that in the time, it won't take long to go over them, but I do have two pieces of new business once this agenda is completed.

MR. DeMARIA: I think it is always helpful to spend some time with other business and let people voice their opinion in addition to what the council has recommended, so maybe we ought to break for lunch.

MR. JOHNSON: Well, we're supposed to be done by 3:00 and its 1:00 now. Go ahead, Mark.

MR. BROWN: I'd like to push forward and finish.

MR. JOHNSON: That's what I would like to do, if it matters. All right, carry on. Do we want to tackle the Coral Amendment or do you all just want to go straight to other business? We've got this Nassau grouper we probably need to talk about as well; at least give the council some direction on our feelings on that. All right, we're opening up the floor to other business. Who wants to go first? Zack.

**MR. BOWEN:** All right, Mark, this is kind of on the same lines we had a discussion earlier. **I would like to make a motion for the council to consider again a moratorium on all snapper grouper permit holders in the for-hire sector in the South Atlantic.** This has passed one time before and we had a control date. It even got published. I think the control date was September of 2005 or something, if I'm not mistaken, but I sure would like for the council to consider a moratorium on the for-hire snapper grouper permits in the South Atlantic.

MR. SMITH: I'd second that, but I'd like to know for how long.

MR. JOHNSON: Do you want to put a control date on that, Zack?

MR. BOWEN: It's up for discussion. I just kind of wanted to bring it up to the AP and let's talk about it. I think we have done this about three times and the control date keeps getting – last time it was 2005, I think, but again open for discussion whatever you all think. Roy said one time; well, we've had a lot of people come into the fishery since then. I think that was several years ago for the 2005 control date.

MR. JOHNSON: Had a lot of them go out of the fishery since then, too.

MR. BOWEN: I agree.

MR. DeMARIA: Just a point of clarification; do you mean a moratorium on the issuance of any new permits?

MR. BOWEN: That's correct.

MR. MARHEFKA: Clarify for-hire.

MR. BOWEN: Snapper grouper permit holders in the for-hire sector; that is correct. No, what I'm asking for is no more issuance of snapper grouper charter/headboat permits in the South Atlantic.

MR. BROWN: They already have it in the Gulf. I'm pretty sure the Gulf established that quite a few years ago.

MR. BOWEN: That's correct.

MR. JOHNSON: In the Gulf it is six-pack and headboat. In other words, it is all for-hire if you take somebody fishing for-hire. Yes, you can sell them. They are transferrable on the Gulf.

MR. BROWN: Should we have a two-for-one buyout then?

MR. JOHNSON: I'm not sure. I don't think that is the case in the Gulf. I do think they have some length and size.

MR. BOWEN: Mr. Chairman, I'm not asking for existing permits. I just would like them to consider not issuing anymore.

MR. JOHNSON: I understand that. I was just looking for somebody from council may have known in the Gulf what happens after you do that. I think over there on the headboats it is how many passengers you carry. There is a bunch of stuff. Any other discussion?

MR. MARHEFKA: Why?

MR. BOWEN: To protect our fisheries from new people coming in; and when I'm done in 30 years, if I'm lucky enough to live that long, I have a permit that is worth something.

MR. JOHNSON: So do we have any further discussion on this? This came up last time and Zack knows how I feel about this.

MR. BOWEN: That's the reason I want to bring it up since you got the Chair and you couldn't vote.

MR. SMITH: Zack, what is your permit; is there a value on that permit now?

MR. BOWEN: Yes, sir, \$15.00.

MR. JOHNSON: **Okay, we can go ahead and vote on it. Do we have anybody opposed to this? Who is in favor? I got more than six.**

MR. BOWEN: We've brought this up again. This has passed on the AP level several times in the past and nothing has been done with it, but I just wanted to reiterate it again. Probably not anything going to happen, but I sure would like to see it.

MR. JOHNSON: Any other business?

MR. BOWEN: **I have one more. I would like to make a motion for the council to revisit the mandatory circle hook and try to abolish that rule.**

MR. JOHNSON: Do we have a second on this motion? Second is by Greg. Do we have discussion?

MR. MUNDEN: Mr. Chairman, I would like for the maker of the motion to provide the rationale for this motion.

MR. BOWEN: Because the fish I'm catching with my circle hook, I have to pull them out of their throats. The way I fish, I see more fish being gut-hooked with circle hooks than I do J hooks.

MR. SMITH: Well, I'm not completely surprised by that, but I am surprised that it is happening like that because that is not typical. I was a charter captain using circle hooks for a number of years and that just wasn't what I saw happening. We were using chunks of bait for red fish quite often and live bait. That is just my observation.

MR. MUNDEN: Zack, what are your feelings as to why you are deep hooking with circle hooks, because that it not the design of the hooks. Is it the size you were using or the way you are using them? What is the rationale for that?

MR. BOWEN: I'm not sure, and I'm using several different sizes from very, very small for the triggerfish to very, very big for the grouper. Sea bass are swallowing them to their throats. The deckhands on the boat, they have to reach down with the pliers and it does more damage. In my opinion, it does more damage for a fish to be hooked with a circle hook than it does the J hooks.

When my customers set the hook – when they used to set the hook with a J hook, most of the time – and you have exceptions with anything, but most of the time with the J hooks they were hooked right in the corner of the mouth. I used to use a long shake J hook where the deckhands could actually just take and pop the hook out of the mouth.

It would cause less damage. I've used these circled hooks, been mandated to use them now for, what, two or three years. At first I said, well, we'll work though it and see how it goes, and it has not gotten any better. I've changed the type of rig we're using, the type of weight we're using. I've changed different size circle hooks and it is no better. The discard mortality off of Georgia with a circle hook is considerably much higher than it was with a J hook.

MR. FEX: Yes, I feel for what you're saying. I'd forewarn, though, if you do switch back to that, that the discard mortality rates might change, and in turn we might lose fish through stock assessments, because they do take the discard mortality out in the stock assessment. I understand where you are coming from, because I argued that at so many council meetings and spoke against it. Now I'm using circle hooks and the mortality rate has dropped, so it has helped the assessments. Watch what you're wishing for.

MR. JOHNSON: All right, can we go ahead and vote on this thing? The motion is for the council to revisit the requirement for circle hooks. Let's just go this way. **All in favor of this motion; all opposed. The motion is approved.**

MR. BOWEN: Mr. Chairman, if I could say one thing, I think the reason this even come about was there was one study – and I'm recalling from memory but I think Karen Burns in the Gulf. They based this rule on one study, one.

MR. SMITH: You know, Zack, the de-hooker, the deep throat de-hooker, removing them from their mouth; I mean, through the throat really has been an effective tool on my charters. We caught more fish, because we could get fish back in the water when the fish were biting quicker without ever touching the fish.

MR. BOWEN: Yes, for what I see with the deckhands, when they put the de-hooker in their throat and the way the circle hook is actually curved, it rips their gills out, it really does. I'm not sitting here lying. If I didn't think it was better for the fish, I wouldn't have mentioned this. It is better for the fish for what I see with the J hook.

MR. GOULD: Just my two cents worth; our mortality rate has gone up quite a bit since the introduction of circle hooks in our fisheries. The gut-hooking of them is a lot more lethal with a circle hook then what it was with a J hook. I don't think it was a good idea to make us use them

then, and I don't think it is a good idea now just because it tears the fish up a whole lot more. When you are having to de-hook fish and go through the necks, bam, bam, bam, bam, bam like we have to do on the headboats, it has been real, real lethal to a lot of the fish that we've been catching.

MR. BROWN: One thing with the circle hooks, too, you've got to hesitate and a lot of times you have to tell the customers, you know, you've got to wait rather than snatching it right away, and so the longer you wait the more opportunity for the fish to get further gut-hooked.

MR. FEX: Okay, Kenny, you had something else under other business.

**MR. FEX: Yes, I'd like to make a motion to remove the corporate permits from exemption from the two-for-one permit transfer.** The rationale is the corporate permit I believe is just like a corporation. It is to make sure that the corporation is not liable during any legal issues; but when you make a permit corporate, we have lost the two for one.

MR. JOHNSON: I understand that. I think there is a legality issue here that this cannot be done, but we can definitely tell them to look at it. Go ahead, Richard.

MR. STIGLITZ: You're not transferring the permit; you are selling the corporation. If the permit is in the corporation, you are not transferring the permit, somebody is buying the corporation. You can't take a permit from a corporation just because it is being transferred, and that is how it is being done. The permit never gets transferred. It never goes under any transfer process or anything else. If you have a corporation and I want to buy the corporation, I have to buy the whole corporation. I don't buy just the permit; I have to buy everything that is into the corporation.

MR. FEX: Yes, then you say that my vessel with my permit on it is not a corporation. No, I understand this, but that is my understanding, because my boat and my permit is a business. I can sell it, but then I have to get two for one from somebody else or vice versa to transfer it. The corporation is a legality to maintain that they are not responsible, that an individual is not responsible during legal issues. That's why corporations were really actually invented.

MR. JOHNSON: Okay, do we have a second on this? Did anybody second this motion? Don seconds this motion. Let's go ahead and vote on it. **Is there anybody opposed to this motion? Let me see those opposed. Okay, all in favor. I could raise my hand to break the tie but it is not going to happen.**

MR. BOWEN: I abstained.

**MR. DeBRANGO: I'd like to make a motion to abolish all the ITQs in the wreckfish industry and make it an open fishery.**

MR. JOHNSON: Does anybody want to second that one?

MR. SMITH: I'll second it.

MR. JOHNSON: Do you want to have them some kind of federal permit requirement or are you just going to open it up to anybody that has a boat and wants to go wreckfishing?

MR. DeBRANGO: They already have a federal permit, but what's happened now is, like I said, with the extensive cuts in the industry now – and that is an expensive fishery to go – there is a lot of expense involved, a lot of weather. So just make it to where if you are going to fish it – there are only a couple of people that do it, anyway. Just allow people that are in it just to go do it until the quota is met, until they get a stock assessment and raise what they've done.

MR. JOHNSON: Do you want to reword that to say historical participants or something like that? The way it is worded anybody could go catch wreckfish.

MR. DeBRANGO: Yes, we'll have to add that there is a wreckfish permit, and the requirement of the wreckfish permit I believe is you have to have a snapper grouper permit also. You would have to meet all the requirements to go fishing.

MR. ATACK: Really, you just want to say abolish the ITQs, right?

MR. DeBRANGO: Yes, within the wreck fishery.

MR. JOHNSON: **Did we have a second on that? We've got a second. Do we have any discussion? Do we have anybody opposed; none opposed.** Go ahead Gretchen, I'm sorry, go ahead.

MS. BATH MARTIN: I was just trying to I guess understand the rationale when the cut has nothing to do with the ITQ.

MR. DeBRANGO: Well, the problem is that fishermen that were historically in the industry for the whole time, when they did this cut, what they did was when they did the ITQ they bought a percentage when they all thought they were buying poundage. With that percentage, the people that didn't get greedy, didn't go buy all the ITQ up, they had enough to fish and maintain their livelihood, well, their percentage was nothing and now they are gone out of business. By abolishing the ITQ, they can go back fishing.

This person especially has been involved in it since the very beginning. It is not fair what has happened, it is not fair especially with the stock cut from two million to 230,000 or something like that. Why? It is a healthy fishery. If they don't know, I'll take them out there and show them.

MR. JOHNSON: Okay, let's go ahead and vote on this thing. Do we have anybody opposed to this motion? Seeing none opposed, the motion is approved. Is there anybody else under new business? Do you want to talk about this Coral Amendment 7 real quickly? Well, I want to talk about it real quick.

Because the extension of that, there is some concern among the Ponce Inlet boats that is going to extend up to what they call the Steeples, which is an historical fishing area those guys have fished since they've been fishing out of there. It would prohibit them from ever anchoring on those steeples. I'll just go on the record and say they're dead set against it.

MR. SMITH: We're going to have to protect habitat. I like drift fishing.

MR. GOULD: Some people just don't have the opportunity or the type of boat where they can drift fish, and I'm one of them. I would like to see before anything was done photographic damage of these reefs done on a consistent basis. I know how we have to anchor down where I'm at. I make 90 percent of my drops, 95 percent of my drops out in the sand off of the hard bottom. I make it a point to. I use a thousand feet of line at times to anchor the boat.

MR. JOHNSON: Yes, this is Rusty Hudson and he pretty much speaks for that large group of fishermen I'm talking about. They are pretty well organized down there. He is just going to read and just explain a little bit to you all real briefly what we're talking about.

MR. HUDSON: Rusty Hudson, President of Directed Sustainable Fisheries and representing the East Coast Fisheries Section. This HAPC that we learned about at the recent Coral and Deepwater Shrimp AP meeting; for several council meetings I had requested that the Snapper Grouper AP be included in on the discussion of the expansion almost to St. Augustine to the 29 degree 43 minute mark from Cape Canaveral.

Some of the lines that have been drawn go way inshore; in one case way inshore of what we call the Big Ledge. It encompasses 20 something miles of wrecks and big ledge and good fishing bottom that is just to the inshore of these Steeples. These Steeples actually exist in the 240 to 300 foot range. Some of that is where some *Oculina* has been groundtruthed on the south end in Cape Canaveral, directly out there and directly east of Ponce.

But, the Steeples end shortly after you get up around the Daytona area, and the Steeples are in part made up of some *Oculina*. That could be motor fished. That is not an issue out there. But the big break is – because that is where a lot of our grouper and stuff, you have to kind of get them to come to you up the current. Once you get up above what we had used to call about the 44/275, 44/300 line, which would probably be about somewhere around the 29 degree 10 minute mark or something like that, they still went another 45 miles up north.

That winds up creating another problem, because then you're getting into some low relief hard bottom where there are a lot of snowy and blueline tile, as well as some shallow water grouper and red snapper. We just don't feel that it is justified to go that far up. We agree with the rock shrimpers that area, when they're using meters, should be roughly 70 meter to maybe 100 meter. Originally it was supposed to be 90 on the offshore side.

But the inshore side of going inside a 50 or 60 meters is just not justifiable in our minds, because then that eliminates anchoring, and then that makes it very difficult to fish the Big Ledge. If you have some of that in some of the areas, you will understand what I'm trying to talk about. Now you already have a copy of my comment that was submitted to the AP, and I described in there using feet and fathoms and the meters and everything else.

This will be coming more of a discussion. We hope to have and we've been told we may have a joint meeting between the Habitat AP, which is meeting next week. You ought to take a look at that briefing book. There are 26 attachments in there, including the July – I think it was in July

of 2012 they went out and then they were starting to look at all these MPAs from North Carolina right on down.

It is a 700 and something page document, but it just got released. You all don't see it, but you open the briefing book you can see it. That information may be very useful for you on your next meeting once they get into the depths of this discussion. As far as it goes, the Coral AP, the Habitat AP, the Snapper Grouper AP, The Deepwater Shrimp AP all need to come together and be able to discuss the bona fides of this kind of expansion.

This HAPC on back to the south, you know, it wouldn't be a great leap for them to eliminate any possession of snapper grouper and just eliminate all fishing in that same region. If they do that, then you have this one massive MPA, no take. That kind of stuff I believe kind of hurts the fishing interests, both private recreational and any charterboat, and definitely the commercial guys.

I used to live out there. Just where I describe in this one page document, the Roll Down, that is to the southeast of St. Augustine and northeast of Ponce. It takes a good three and a half, four hours to get up in that region; and to fish it, you have to know the bottom. A lot of recreational guys don't get up there unless they are just trolling around for a marlin.

As far as the headboats, they don't get out there. I got the headboats to come out there back in 1980. I caught a lot of grief from the commercial guys for doing that, but they came out there and the current wasn't running and they were able to fill that boat with snowy groupers and blueline tile and red pogies and vermilion in about an hour and a half.

These were 90-passenger headboats. Then they wound up coming back and did it again, another two days. But then that last day they got up there, they got waylaid. The only reason they went up there was because we had that Labrador Current going on inshore, and that is what we call a Lockjaw Current, so those animals don't tend to bite much, because they are sort of like frozen in space.

If you can understand what we're saying is that this is something that will unfold just like the Regulatory Amendment 14. I submitted a comment on that. All of this is unfolding for you and I had brought my chart. You can see the range of steeples that had been laid out on these charts, unlike the way it is on the NOAA charts. You just don't see this stuff laid out here. This is fishing knowledge that has been presented here. That's all I say is that we need to be able to have everybody in these APs, all the ones that I said, understand the negatives and the positives of what they are trying to do. Thank you.

MR. JOHNSON: Thank you, Rusty. He sent everybody a copy of that in your e-mail, and you can read his comments on there. Does anybody want to say anything about Nassau grouper? Go ahead, Greg.

MR. DeBRANGO: I'll reiterate exactly what Rusty said. When I was grouper snapper fishing, that was a huge part of my livelihood in there. You don't actually anchor on these steeples; you actually anchor away from them and you bring yourself back in the tide. You fish these things – as a matter of fact me and Scotty, we spent some time together on them.

The Oculina is big enough. I mean, and these steeples they are actually sporadic. It is not like it is a steeple every few feet. It is a giant steeple and then they come down right past it to the baby steeples. The 28 fathom ledge is something you guys fish all the way up to Triple Ledge and goes up there. It is a movement of fish.

If they close all this down, there is not much left for the Daytona people. I mean, there is not much left south that you can do because of the Oculina the way it is now. But if they close more of this bottom in the steeples, they are taking even more away. I guess you could look at the argument that we're getting ready to get into with the Federal Register with the speckled hind and the Warsaw. They do live in this area and that is something that we're going to have to look at, too.

MR. OSBORNE: Yes, this Oculina Bank thing, if there ever was a working MPA, that's it, but it's doing just what Don was describing. It's massive. The south end of it, the fish we used to catch out there in the summertime, the groupers, and the jacks, it covers so many species of fish. It's all no take.

There are some on the north end that you can powerhead and take a few fish, but it's doing just what Don said. It is protecting a massive amount of fish, and we're picking on the edges of it. To make it any bigger is ridiculous and it would devastate. With the inshore grouper closure, I have no more groupers, because that was where I caught the rest of them.

Where I could go catch groupers now outside of the closure, it's gone. The only thing we've got left – we're not even touching that thing just the very edges of it. The steeples where Rusty is talking about, where me and Greg jack fished and grouper fished, that is just the very north end where it is starting to fall apart. Yes, there is some Oculina there but you've got the better part of that area, a big, big part of it closed.

MR. DeMARIA: Years ago, I guess prior to 1990 there used to be huge fields of Oculina just north of Jupiter, I guess around Fort Pierce or so. Friends of mine have video of it. It's not there today; it has all died off and crumbled down. It had nothing to do with fishing pressure or anchoring or anything like that. It was a cold water event or algae that smothered it; I don't know what.

I'm all for protecting coral from fishing gear if there is a reason for it, but I think there are other factors that have come into play on this Oculina. This stuff inshore is maybe a little different than offshore, I don't know, but I just know that one big patch of it, Bill Parks has video of it and it was thriving. It was two feet thick or so. It's just not there today.

Nobody drug nets through it. Nobody smashed it or anything like that. It just somehow died off from an upwelling or an algae bloom or whatever. The algae blooms I think are really doing a number on our corals. I just wanted to throw that in there. There may be other causes other than fishing gear.

MR. JOHNSON: Thank you for that comment, Don. Is there any other business?

**MR. BOWEN: I thought of one more. I would like for the council to visit mandatory reporting for the for-hire vessels in the South Atlantic.** We have that on headboats but we don't have it on six-pack boats and it sure would help. No, we don't; that's state.

MR. JOHNSON: We don't in Florida either. I think this is a good idea. Do we have a second on this motion? Several seconds. **Okay, is there anybody opposed to this?**

MR. BOWEN: It sure would help with our data stream and get more accurate information on what's being landed.

MR. JOHNSON: It would get a more accurate idea who actually is a charterboat, too.

MR. BOWEN: There we go.

MR. JOHNSON: Anyway that's a good idea. It was approved unanimously. Does the AP want to send a message to the council about the Nassau grouper listing? Go ahead, Don, some comments on that.

MR. DeMARIA: I'm not sure there is going to be a whole lot gained from changing the status of this fish from protected to endangered. If it was a fish that formed big aggregations in the Keys like it does through the Caribbean, I would say yes; but as long as I've been in the Keys and even when I first got there in '78, talking with the old timers, there was no real talk of spawning aggregations of Nassau.

There were some big landings, but those in the Lower Keys mainly came from Cay Salle area in the Bahamas. I just don't know, it is one of those fish, it may be spawned elsewhere down in Cuba or Grand Cayman or Central America, and we just get the recruitment from there. I don't know what else we could possibly do to protect this fish.

Listing it as endangered, there would be a bigger fine that would deter people a little more, but I really don't know that we would accomplish a whole lot. It certainly would inconvenience a lot of people. Fishing practices would probably change if you had any chance of encountering an endangered species. I think we need to go back and NMFS needs to go back and look at some of the historical data and see if there were aggregations. I might be wrong, but I don't believe there was, and there really is a need to change the listing on this one.

MR. JOHNSON: Do we want to make a recommendation? I don't know if that would be in the form of a motion; just a recommendation that the council realizes there were no known spawning aggregations of Nassau grouper historically.

MR. DeMARIA: I think for NMFS to go back and research the historical data on this and determine if there did indeed exist aggregations in the Keys at one time. I don't believe they did, but go back and research this thoroughly before coming to a decision on it.

MR. JOHNSON: I got you. Okay, do you have something to add there, Ben?

MR. HARTIG: Yes, just a little bit. I think Don has hit on something that is very important in this re-evaluation of Nassau, because we caught a lot of Nassau groupers where I am, but they all

came from the Bahamas. In that historical timeframe, I think I've only seen two since the late seventies in the area where I fished from Palm Beach all the way up through Stuart there.

I mean, yes, there were landings of Nassau grouper, but they predominantly came from the Bahamas during that timeframe when we were allowed to fish there. That is a problem in the historical evaluation, and that is one of the comments that I was going to send personally in to NMFS about that.

MR. BOWEN: Ben, did you see two or did you see one twice?

MR. DeBRANGO: For looking for historical data, I'm willing to submit a Loran book of a compilation of thousands of numbers all the way up the coast with records from the eighties, early eighties where if you thumb through that book you are going to be hard pressed to find a Nassau grouper. I'm talking where we're catching 90 grays on spot, 90, 100 snapper on spot.

I'm sure Mr. Hudson over there can submit something similar, but I would require some sort of privacy on it. I was looking through it the other day. I was thinking about them like Nassau grouper; I can remember maybe catching two in my life. To say we're curtailing the environment, well, this is not their environment; it is over there in the Bahamas.

MR. GOULD: With this new push for the endangered species on the Nassau grouper, we have to look at a history over the last few years of what has been happening in different forms and strategies to control our fisheries. Just last year the Atlantic sturgeon was put on the endangered species list. This was pushed by one of the conservation groups.

It went through; it was directly aimed at ending the inside net fishing in North Carolina. Now with that being said, the first one that gets caught in a net, there goes your net fishing. They are going to file a lawsuit and that's the end of that. The collateral damage out of this is going to be the inside recreational fishing.

You let somebody drum fishing, striper fishing, or tarpon fishing catch one or two of them some time or another, then you're going to have more and more restrictions on the inside. That's your collateral damage. In the meantime, several years previously, and I think they've refilled the suit from what I'm hearing, there was a suit filed to declare the white marlin an endangered species, put them on the endangered species list. Are any of you familiar with that? Okay this was directly directed at our offshore longline fisheries, swordfish, dolphin, tuna, and stuff like that. Well, if they can get them declared an endangered species, white marlin is a bycatch of the offshore longline fisheries. Your collateral damage will be your sportfishing and commercial trolling, which you catch white marlin as a bycatch. There goes your collateral damage right there; you are out of business on that.

The speckled hind and your Warsaw grouper that they were pushing there last year to be put on the endangered species list, up there where I fish we don't catch a lot of them, once in a very, very, very great while. But once again you catch one of them, there goes your commercial fisherman. You catch one recreational fishing, there goes your other under the ESA.

You've got to look at why these are being pushed, how they are being pushed, and figure a way to fight them, because it is nothing to me but a big land grab and a control of your fisheries.

Think about the forces that are pushing this behind the façade that is presented in public. That's all I've got to say.

MR. JOHNSON: Okay, do we have anything else under other business? If not, Myra has an announcement.

MS. BROUWER: We received this information from NMFS this morning. Gag and shallow water grouper and commercial red snapper are going to reopen for eight days. NMFS is going to issue a fishery bulletin with two days' notice.

The rule right now is up in Washington, so it is being reviewed, so we don't know just when the opening date is going to be. For red snapper, 25 percent was caught in the first opening. There is going to continue to be a 50-pound trip limit, and gag is at 93 percent of the quota. Yes.

MR. BROWN: Are they going to open it recreationally, too?

MS. BROUWER: This is commercial.

MR. BOWEN: Let me get this correct; they are going to open up the red snapper commercially because 25 percent was only caught, but recreationally we won't have the numbers until March. The tentative numbers show that we were way less than the 9,000 fish, and we're not going to be able to have them added in 2013; is that correct? If so, that just seems awful strange to me.

MR. JOHNSON: To address that, Zack, we've talked about a lot here about the problem with recreational reporting, and this is it right here. If you had good reliable data, then, yes, we probably would get another opening, but we don't have it. There is not a whole lot that can be done. I agree with you, we didn't catch our recreational ACL or were that far under it. The facts are we just don't know. Whereas, in the commercial sector dealers are reporting so they do know. They have a pretty good handle on what got caught.

MR. BOWEN: It gets back to that recommendation that we as a group need mandatory reporting requirements in the recreational sector. That is a sample of it right there. Whatever it needs to be done to be implemented needs to be done.

MR. JOHNSON: Well, we all agree on that. Guys, I thank you so much for being very, very patient with me in my amendments and motions and all that stuff. Everybody drive safe. Thank you, we're adjourned.

(Whereupon, the meeting was adjourned November 8, 2012.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By:  
Graham Transcriptions, Inc.  
November 2012

### **INDEX OF MOTIONS**

PAGE 12: Motion that the ABC be equal to the ACL for the red porgy. Motion carried on Page 12.

PAGE 12: Motion to recommend that the council consider going back to a 50 percent probability of success for black sea bass. Motion carried on Page 16.

PAGE 18: Motion for a total re-visitation of wreckfish. Motion carried on Page 19.

PAGE 19: Motion that council look at how regulations might have affected the catch of the Warsaw and speckled hind. Motion carried on Page 19.

PAGE 23: Motion that if the council decides to move forward with a 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. Motion defeated on Page 23.

PAGE 30: Motion to establish fishing on a two weeks on and two weeks off schedule for the golden tilefish longline fishery or other alternative such as every other week to slow down the harvest and prevent waste. Motion carried on Page 30.

PAGE 39: Motion that the recreational (private) snapper grouper fishery should be under a lottery system in which an individual cannot hold a permit for more than three years consecutively and must be required to report all catches. Motion defeated on Page 39.

PAGE 52: Motion to request that the council explore a snapper grouper stamp or endorsement for the private recreational sector to provide data that each state could use to improve private recreational catch monitoring. Motion carried on Page 54.

PAGE 55: Motion to accept Alternative 2 as a recommendation. Motion carried on Page 56.

PAGE 59: Motion to accept Option 1 as a recommendation. Motion carried on Page 59.

PAGE 60: Motion that if the council does consider a spawning season closure, it should be for all sectors and not just commercial. Motion carried on Page 60.

PAGE 65: Motion to ask council to look at reopening the shallow water grouper fishery based on the gag ACL will not be met and with a small trip limit of maybe gag of 50 pounds per trip. Motion carried on Page 68.

PAGE 68: Motion that when 75 percent of the gag quota is caught, reduce the trip limit to 500 pounds. Motion carried on Page 69. (This motion was not read into the record before it was voted on and unable to know exactly what the motion was after debate and changes.)

PAGE 72: Motion to support Alternative 3 as the preferred. Motion carried on Page 73.

PAGE 82: Motion to accept Alternative 3C as the preferred alternative. Motion carried on Page 83.

PAGE 83: Motion to recommend Option 4C as the preferred option. Motion carried on Page 85.

PAGE 86: Motion to accept Alternative 5 as the preferred alternative. Motion carried on Page 86.

PAGE 86: Motion to adopt Subalternative 6D as the preferred alternative. Motion carried on Page 86.

PAGE 88: Motion to stick with Alternative 7, but also recommend a later start date on red snapper. (Motion carried on Page 88, but what is the actual motion and who seconded?)

PAGE 89: Motion made but what was the motion? Motion carried on Page 90.

PAGE 93: Motion to approve of Alternative 2 as the preferred. Motion carried on Page 94.

PAGE 95: Motion to recommend Alternative 5 as the preferred alternative.

PAGE 99: Substitute motion to change the motion wording to just say the AP supports removing the blue runner from the fishery management plan. Motion carried on Page 100.

PAGE 105: Motion to recommend Alternative 2A as the preferred. Motion carried on Page 105.

PAGE 106: Motion that Alternative 1 be the preferred. Motion carried on Page 106.

PAGE 109: Motion that the amberjack size limit would be the same for recreational as it is for commercial. (Results of the vote not given on the record)

PAGE 112: Motion that Alternative 1 be the preferred. Motion carried on Page 112.

PAGE 114: Motion to recommend that Alternative 2, Subalternative 2A be the preferred. Motion carried on Page 115.

PAGE 116: Motion to recommend Subalternative 6B as the preferred. Motion carried on Page 118.

PAGE 118: Motion to recommend Alternative 2 as the preferred. Motion carried on Page 119.

PAGE 120: Motion to recommend Alternative 3 as the preferred. Motion carried on Page 121.

PAGE 122: Motion for the council to revisit the ACL for black sea bass. Motion carried on Page 125.

PAGE 127: Motion to recommend Alternative 1, no action, as the preferred and keep the fishing year beginning June 1. Motion carried on Page 127.

PAGE 128: Motion for the council to consider a split season for black sea bass. Motion carried on Page 128.

PAGE 129: Motion to recommend changing the start year for black sea bass commercially to the first of March. Motion carried on Page 129.

PAGE 130: Motion that the council consider allocating pot fishermen and hook-and-line fishermen their own allocations. Motion carried on Page 130.

PAGE 130: Motion to recommend to the council to consider increasing the commercial size limit on the black sea bass to match the recreational of 13 inches. Motion carried on Page 131.

PAGE 132: Motion to make another alternative for consideration by the council that a trip limit be 50 percent of the vessel's historical capacity. Motion was defeated on Page 134.

PAGE 134: Motion to recommend Alternative 3 and then when the ACL is 75 percent to revert to Alternative 4. Motion carried on Page 134.

PAGE 134: Motion for the council to do another shakeout of the snapper grouper unlimited permit holders by using Amendment 8 of June 1996 as a mirror to this motion with a possible change in the control date. Motion was defeated on Page 139.

PAGE 146: Motion to recommend Alternative 1 as the preferred. Motion carried on Page 148.

PAGE 148: Motion to recommend Alternative 1 as the preferred. Motion carried on Page 148.

PAGE 150: Motion to eliminate the closure and keep the bag limit at five per person. Motion carried on Page 150.

PAGE 150: Motion to recommend Alternative 1 as the preferred. Motion carried on Page 150.

PAGE 151: Motion to recommend Alternative 1 as the preferred; to go with the current commercial headcount at 120 fish per trip. Motion carried on Page 151.

PAGE 153: Motion to support Subalternative 2A as the preferred. Motion defeated on Page 155.

PAGE 155: Motion to keep it status quo, one gag. Motion carried on Page 155.

PAGE 155: Motion for the council to consider again a moratorium on all snapper grouper permit holders in the for-hire sector in the South Atlantic. (Result of the vote not announced on Page 157.)

PAGE 157: Motion for the council to revisit the mandatory circle hook and try to abolish that rule. Motion carried on Page 158.

PAGE 159: Motion to remove the corporate permits from exemption from the two-for-one permit transfer. Motion defeated on Page 159.

PAGE 159: Motion to abolish all the ITQs in the wreckfish industry and make it an open fishery. Motion carried on Page 160.

PAGE 163: Recommend council visit mandatory reporting for the for-hire vessels in the South Atlantic. Motion carried on Page 163.

**Generated**

Nov 08, 2012 08:29 AM PST

## General Information

**Webinar Name**  
SAFMC Snapper Grouper Advisory Panel Meeting

**Webinar ID**  
849755970

**Actual Start Date/Time**  
Nov 07, 2012 07:46 AM EST

**Actual Duration (minutes)**  
589

**Clicked Registration Link**  
70

**Opened Invitation**  
111

**Total Attended**  
23

## Session Details

<b>Neer,Julie</b>	<b>julie.neer@safmc.net</b>
-------------------	-----------------------------

**Attended** Yes

**Registration Date** Nov 07, 2012 09:30 AM EST

**Organization** SEDAR

**Unsubscribed** No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Nov 07, 2012 09:30 AM EST	Nov 07, 2012 05:25 PM EST	383.22

**Interest Rating**

**Attendee's In-Session Level of Interest:** 33

[Registration Q & A](#)

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<b>Von Harten,Herman</b>	<b>capt_bo@hotmail.com</b>
--------------------------	----------------------------

**Attended** Yes

**Registration Date** Nov 06, 2012 10:53 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Nov 07, 2012 09:06 AM EST	Nov 07, 2012 05:18 PM EST	492.08

**Interest Rating**

**Attendee's In-Session Level of Interest:** 42

[Registration Q & A](#)

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

**harvey,james** jamesmharvey@earthlink.net

**Attended** Yes

**Registration Date** Nov 07, 2012 09:26 AM EST

**Organization** nas

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:38 AM EST	Nov 07, 2012 10:12 AM EST	34.05

**Interest Rating**

**Attendee's In-Session Level of Interest:** 24

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**Easley,Otha** otha.easley@noaa.gov

**Attended** Yes

**Registration Date** Oct 19, 2012 06:17 PM EDT

**Organization** USDoC, NOAA, NMFS, OLE, SED

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 10:22 AM EST	Nov 07, 2012 05:24 PM EST	422

**Interest Rating**

**Attendee's In-Session Level of Interest:** 78

[Registration Q & A](#)

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**Takade-Heumacher,Helen** [htakade@edf.org](mailto:htakade@edf.org)

**Attended** Yes

**Registration Date** Nov 07, 2012 10:44 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 10:44 AM EST	Nov 07, 2012 04:16 PM EST	330.37

**Interest Rating**

**Attendee's In-Session Level of Interest:** 31

[Registration Q & A](#)

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**Martin,Anna** [anna.martin@safmc.net](mailto:anna.martin@safmc.net)

**Attended** Yes

**Registration Date** Nov 07, 2012 09:33 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:36 AM EST	Nov 07, 2012 04:10 PM EST	393.98

**Interest Rating**

**Attendee's In-Session Level of Interest:** 27

[Registration Q & A](#)

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**FARMER,NICK** [nick.farmer@noaa.gov](mailto:nick.farmer@noaa.gov)

**Attended** Yes

**Registration Date** Oct 17, 2012 10:20 AM EDT

**Organization** NOAA FISHERIES

**Unsubscribed** No

[In Session](#)

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

Nov 07, 2012 09:21 AM EST Nov 07, 2012 12:37 PM EST 196.78

**Interest Rating**

**Attendee's In-Session Level of Interest:** 24

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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[Post Session Survey Questions](#)

**McGinn,Rebecca** [littlefish@yahoo.com](mailto:littlefish@yahoo.com)

**Attended** Yes

**Registration Date** Nov 07, 2012 03:44 PM EST

**Organization** Fish House

**Unsubscribed** No

[In Session](#)

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

Nov 07, 2012 03:45 PM EST Nov 07, 2012 03:49 PM EST 4.27

**Interest Rating**

**Attendee's In-Session Level of Interest:** 33

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

**Attended** Yes

**Registration Date** Nov 07, 2012 09:11 AM EST

**Organization** safmc

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:12 AM EST	Nov 07, 2012 03:59 PM EST	405.43

**Interest Rating**

**Attendee's In-Session Level of Interest:** 34

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

**ODell,Julie** **julie.odell@safmc.net**

**Attended** Yes

**Registration Date** Nov 07, 2012 07:56 AM EST

**Organization** SAFMC

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 07:57 AM EST	Nov 07, 2012 07:58 AM EST	.5

**Interest Rating**

**Attendee's In-Session Level of Interest:** 70

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**DeVictor,Rick** [rick.devictor@noaa.gov](mailto:rick.devictor@noaa.gov)

**Attended** Yes

**Registration Date** Nov 07, 2012 09:23 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:24 AM EST	Nov 07, 2012 04:42 PM EST	437.48

**Interest Rating**

**Attendee's In-Session Level of Interest:** 32

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

**Bell,Melvin** [bellm@dnr.sc.gov](mailto:bellm@dnr.sc.gov)

**Attended** Yes

**Registration Date** Nov 05, 2012 11:46 AM EST

**Organization** SCDNR

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:05 AM EST	Nov 07, 2012 04:01 PM EST	243.8

**Interest Rating**

**Attendee's In-Session Level of Interest:** 58

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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**Larkin,Michael** michael.larkin@noaa.gov

**Attended** Yes

**Registration Date** Nov 07, 2012 12:57 PM EST

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
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Nov 07, 2012 12:58 PM EST	Nov 07, 2012 03:22 PM EST	144.27
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**Interest Rating**

**Attendee's In-Session Level of Interest:** 29

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

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**reinhardt,james** james.reinhardt@noaa.gov

**Attended** Yes

**Registration Date** Oct 31, 2012 03:21 PM EDT

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
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Nov 07, 2012 08:52 AM EST	Nov 07, 2012 03:11 PM EST	330.4
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**Interest Rating**

**Attendee's In-Session Level of Interest:** 36

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**Cardin,Robert** **cabbagepalm@yahoo.com**

**Attended** Yes

**Registration Date** Nov 07, 2012 08:44 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 08:47 AM EST	Nov 07, 2012 09:31 AM EST	43.73

**Interest Rating**

**Attendee's In-Session Level of Interest:** 49

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

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**woods,victor** **victwoo8@aol.com**

**Attended** Yes

**Registration Date** Nov 07, 2012 02:24 PM EST

**Organization** Grand Strand Saltwater Anglers Association

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 02:25 PM EST	Nov 07, 2012 03:01 PM EST	35.43

**Interest Rating**

**Attendee's In-Session Level of Interest:** 69

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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

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

**Attended** Yes

**Registration Date** Nov 07, 2012 09:04 AM EST

**Organization** SC-DNR / SSC

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:05 AM EST	Nov 07, 2012 12:21 PM EST	133.3

**Interest Rating**

**Attendee's In-Session Level of Interest:** 26

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

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**Byrd,Julia** julia.byrd@safmc.net

**Attended** Yes

**Registration Date** Oct 22, 2012 09:03 AM EDT

**Organization** SEDAR

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:01 AM EST	Nov 07, 2012 05:35 PM EST	514.72

**Interest Rating**

**Attendee's In-Session Level of Interest:** 30

[Registration Q & A](#)

[Questions Asked by Attendee](#)

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**Mahood,Robert** **robert.mahood@safmc.net**

**Attended** Yes

**Registration Date** Nov 07, 2012 09:34 AM EST

**Organization** SAFMC

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
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Nov 07, 2012 09:34 AM EST	Nov 07, 2012 05:04 PM EST	449.52
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**Interest Rating**

**Attendee's In-Session Level of Interest:** 28

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[Questions Asked by Attendee](#)

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**McCollum,Frazier** **frazier.mccollum@gmail.com**

**Attended** Yes

**Registration Date** Oct 29, 2012 09:35 AM EDT

**Organization** Fishermen

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
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Nov 07, 2012 09:04 AM EST	Nov 07, 2012 10:39 AM EST	95.25
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**Interest Rating**

**Attendee's In-Session Level of Interest:** 43

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[Poll Questions](#)

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

**Attended** Yes

**Registration Date** Oct 17, 2012 09:48 AM EDT

**Organization** NMFS

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
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Nov 07, 2012 08:51 AM EST	Nov 07, 2012 04:24 PM EST	452.03
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**Interest Rating**

**Attendee's In-Session Level of Interest:** 58

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

**crabtree,roy** **roy.crabtree@noaa.gov**

**Attended** Yes

**Registration Date** Nov 06, 2012 09:14 AM EST

**Organization** SERO

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
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Nov 07, 2012 09:37 AM EST	Nov 07, 2012 10:01 AM EST	23.45
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**Interest Rating**

**Attendee's In-Session Level of Interest:** 52

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

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

**cardin,robert** **bobbycardin772@aol.com**

**Attended** Yes

**Registration Date** Nov 07, 2012 09:54 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 07, 2012 09:55 AM EST	Nov 07, 2012 05:36 PM EST	460.92

**Interest Rating**

**Attendee's In-Session Level of Interest:** 38

[Registration Q & A](#)

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[Post Session Survey Questions](#)

**Eich,Anne Marie** **annemarie.eich@noaa.gov**

**Attended** No

**Registration Date** Oct 17, 2012 09:45 AM EDT

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
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**Interest Rating**

**Attendee's In-Session Level of Interest:**

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**Amick,Steve** **steveamicks@aol.com**

**Attended** No

**Registration Date** Nov 07, 2012 10:22 AM EST

**Organization** Safmc

**Unsubscribed** No

[In Session](#)

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

**Interest Rating**

**Attendee's In-Session Level of Interest:**

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[Questions Asked by Attendee](#)

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**Heil,Dave** **dheial331@gmail.com**

**Attended** No

**Registration Date** Oct 30, 2012 03:43 PM EDT

**Organization** Florida Saltwater Anglers

**Unsubscribed** Bounce

[In Session](#)

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

**Interest Rating**

**Attendee's In-Session Level of Interest:**

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South Atlantic Fishery Management Council  
Snapper Grouper Advisory Panel

✓ Robert Johnson, Chairman  
804 Shore Drive  
St. Augustine, FL 32086  
904/794-2628 (ph)  
jlfishing@bellsouth.net  
(Charter/Headboat) 3/10\*

✓ Jim Atack, Vice-Chairman  
111 SW 20<sup>th</sup> Street  
Oak Island, NC 28465  
910/520-8279  
Jim.atak@ADM.com  
(Rec.) 9/10\*

✓ Zack Bowen  
11 Kingsridge Court  
Savannah, GA 31419  
912/898-8760 (ph)  
fishzack@comcast.net  
(Charter/Headboat) 6/09, 9/12\*

✓ Mark Brown  
3642 Pandora Drive  
Mt. Pleasant, SC 29466  
843/881-9735 (ph); 843/881-4446 (f)  
capt.markbrown@comcast.net  
09/12\*

Bill W. Cole, Jr.  
406 Penrose Court  
Greensboro, NC 27410  
336/294-3919 (ph)  
willardcole@me.com  
6/09, 9/12\*

✓ William "Phil" Conklin  
548 Mary Lou Avenue  
P.O. Box 972  
Murrell's Inlet, SC 29576  
843/251-1437 (ph); 843/947-0079 (f)  
(Wholesale/retail) 4/95, 6/98, 12/01, 12/04, 6/08, 6/11\*

✓ Don DeMaria  
P.O. Box 420975  
Summerland Key, FL 33042-0975  
305/745-3045 (ph); 305/745-1235 (f)  
dondemaria@aol.com  
(Comm.) 3/90, 8/96, 3/00, 3/03, 3/06, 6/09\*

✓ Blaine Dickenson  
150 E. Palmetto Park Road, Suite 500  
Boca Raton, FL 33432  
561/391-1900 (ph); 561/391-1933 (f)  
bcd@dmsrlaw.com  
(Recreational) 12/08, 6/11\*

✓ Kenneth Fex, Jr.  
122 NE 38<sup>th</sup> Street  
Oak Island, NC 28465  
910/620-5847  
kensurfex@gmail.com  
(Comm.) 12/08, 6/11

✓ Terrell Gould, Jr.  
P.O. Box 1663  
Morehead City, NC 28557  
252/342-8322 (ph)  
lgould@ec.rr.com  
(Charter/Headboat) 12/06, 3/10\*

Rob Harris  
2611 Gulfview Drive  
Key West, FL 33040  
305/587-6718 (ph)  
rw\_harris@msn.com  
(Recreational)  
6/09, 9/12\*

✓ Mark Marheika  
Abundant Seafood  
976 Houston Northcutt Blvd.  
Suite 3-141  
Mt. Pleasant, SC 29464  
843/478-5078 (p)  
abundantseafood@gmail.com  
(Comm.) 11/00, 6/04, 9/07, 9/10\*

✓ Fentress "Red" Munden  
P.O. Box 1165  
Morehead City, NC 28557  
252/726-9015 (h)  
252/241-9541 (m)  
fenmunden@gmail.com  
09/12\*

(Continued on next page)

# South Atlantic Fishery Management Council Snapper Grouper Advisory Panel

(Continued)

✓ Scott A. Osborne  
1309 S.E. Laconia Lane  
Port St. Lucie, FL 34983  
772/263-3548 (ph)  
(Comm.) 12/06, 9/10\*

✓ Jack Perrett  
909 Gene Bland Road  
Jesup, GA 31545  
912/424-2604 (ph); 912/427-5382 (f)  
Jack.perrett@rayonier.com  
09/12\*

✓ Rodney Smith  
265 South Robert Way  
Satellite Beach, FL 32937  
321/750-3374 (ph); 321/777-4928 (f)  
irlcoast@gmail.com  
(Media) 12/08, 6/11, 9/12\*

✓ Richard J. Stiglitz  
1068 Lemon St.  
Okeechobee, FL 34974  
863/467-0234 (ph); 863/467-0234 (f)  
ladycrys@aol.com  
(Comm.) 6/09, 9/12\*

✓ Robert Thompson  
5241 Hwy 17 Bus.  
Murrells Inlet, SC 29576  
843/602-0910  
Capt.Thompson@gmail.com  
(Charter/Headboat) 6/11\*

## AT-LARGE

✓ Dr. Gretchen Bath Martin  
1639 Canady Rd.  
Wilmington, NC 28411  
910/319-7563 (ph); 910/319-7563 (f)  
gmartin@edf.org  
(NGO) 12/11\*

## WRECKFISH REPRESENTATIVES

Paul Reiss, Chairman  
135 Queen St.  
Charleston, SC 29401  
843/870-9810 (ph); 843/853-5083 (f)  
Pwr050@yahoo.com  
(Comm.)  
4/95, 6/98, 12/01, 12/04, 6/08, 6/11\*

✓ Gregory DeBrango  
2036 Coco Palm Drive  
Edgewater, FL 32141  
386/663-2704 (ph); 407/842-1304 (f)  
gdebrango@yahoo.com  
(Comm.)  
12/01, 12/04, 6/08, 6/11\*

Samuel B. Ray, III  
2323 High Tide Drive  
Charleston, SC 29414  
843/763-2510 (ph)  
(Comm.) 12/06, 3/10\*

# South Atlantic Fishery Management Council

## 2012 - 2013 Council Membership

### COUNCIL CHAIRMAN:

✓ **David M. Cupka**  
P.O. Box 12753  
Charleston, SC 29422  
843/795-8591 (hm)  
843/870-5495 (cell)  
palmettobooks@bellsouth.net

### VICE-CHAIRMAN

✓ **Ben Hartig**  
9277 Sharon Street  
Hobe Sound, FL 33455  
772/546-1541 (ph)  
mackattackben@att.net

**Steve Amick**  
6902 Sandnettlles Drive  
Savannah, GA 31410  
912/429-3537 (ph)  
912/898-0361 (f)  
SteveAmicks@aol.com

**Mel Bell**  
S.C. Dept. of Natural Resources  
Marine Resources Division  
P.O. Box 12559  
(217 Ft. Johnson Road)  
Charleston, SC 29422-2559  
843/953-9007 (ph)  
843/953-9159 (fax)  
bellm@dnr.sc.gov

**Anna Beckwith**  
1907 Paulette Road  
Morehead City, NC 28557  
252/671-3474 (ph)  
AnnaBarriosBeckwith@gmail.com

**Tom Burgess**  
P.O. Box 33  
Sneads Ferry, NC 28460  
910/327-3528  
tburgess@embarqmail.com

**Dr. Roy Crabtree**  
Regional Administrator  
NOAA Fisheries, Southeast Region  
263 13<sup>th</sup> Avenue South  
St. Petersburg, FL 33701  
727/824-5301 (ph); 727/824-5320 (f)  
roy.crabtree@noaa.gov

✓ **Dr. Michelle Duval**  
NC Division of Marine Fisheries  
3441 Arendell St.  
PO Box 769  
Morehead City, NC 28557  
252/726-7021 (ph); 252/726-0254 (f)  
michelle.duval@ncdenr.gov

**Lt. Mario Gil**  
U.S. Coast Guard  
Brickell Plaza Federal Building  
909 S.E. First Avenue  
Room 876/ DRE  
Miami, FL 33131-3050  
305/415-6768 (ph)  
305/415-6791 (f)  
Mario.g.gil@uscg.mil

**Doug Haymans**  
Coastal Resources Division  
GA Dept. of Natural Resources  
One Conservation Way, Suite 300  
Brunswick, GA 31520-8687  
912/264-7218 (ph); 912/262-2318 (f)  
doughaymans@gmail.com

**John W. Jolley**  
4925 Pine Tree Drive  
Boynton Beach, FL 33436  
561/732-4530 (ph)  
jolleyjw@yahoo.com

**Deirdre Warner-Kramer**  
Office of Marine Conservation  
OES/OMC  
2201 C Street, N.W.  
Department of State, Room 5806  
Washington, DC 20520  
202/647-3228 (ph); 202/736-7350 (f)  
Warner-KramerDM@state.gov

**Dr. Wilson Laney**  
U.S. Fish and Wildlife Service  
South Atlantic Fisheries Coordinator  
P.O. Box 33683  
Raleigh, NC 27695-7617  
(110 Brooks Ave  
237 David Clark Laboratories,  
NCSU Campus  
Raleigh, NC 27695-7617)  
919/515-5019 (ph)  
919/515-4415 (f)  
Wilson\_Laney@fws.gov

**Jessica McCawley**  
Director,  
Florida Fish and Wildlife  
Conservation Commission  
2590 Executive Center Circle E.,  
Suite 201  
Tallahassee, FL 32301  
850/487-0554 (ph); 850/487-4847 (f)  
jessica.mccawley@myfwc.com

**Robert E. Beal**  
Acting Executive Director  
Atlantic States Marine Fisheries  
Commission  
1050 N. Highland St., Suite 200 A-N  
Arlington, VA 20001  
703/842-0740 (ph); 703/842-0741 (f)  
rbeal@asmfc.org

✓ **Charles Phillips**  
Phillips Seafood / Sapelo Sea Farms  
1418 Sapelo Avenue, N.E.  
Townsend, GA 31331  
912/832-3149 (ph); 912/832-6228 (f)  
Ga\_capt@yahoo.com

**Tom Swatzel**  
P.O. Box 1311  
Murrells Inlet, SC 29576  
843/222-7456 (ph)  
tom@swatzel.com

# South Atlantic Fishery Management Council Staff

✓ **Executive Director**

Robert K. Mahood  
robert.mahood@safmc.net

✓ **Deputy Executive Director**

Gregg T. Waugh  
gregg.waugh@safmc.net

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✓ **Public Information Officer**

Kim Iverson  
kim.iverson@safmc.net

✓ **Fishery Outreach Specialist**

Amber Von Harten  
amber.vonharten@safmc.net

**Senior Fishery Biologist**

Roger Pugliese  
roger.pugliese@safmc.net

✓ **Fishery Scientist**

Myra Brouwer  
myra.brouwer@safmc.net

**Coral Reef Scientist**

Anna Martin  
anna.martin@safmc.net

✓ **Fishery Biologist**

Dr. Mike Errigo  
mike.errigo@safmc.net

**Fisheries Social Scientist**

Dr. Kari MacLauchlin  
kari.maclauchlin@safmc.net

✓ **Staff Economist**

Dr. Brian Chevront  
brian.chevront@safmc.net

✓ **Science and Statistics Program Manager**

John Carmichael  
john.carmichael@safmc.net

**SEDAR Coordinators**

Dr. Julie Neer - julie.neer@safmc.net  
Julia Byrd - julia.byrd@safmc.net

**SEDAR Admin/Outreach**

Andrea Grabman  
andrea.grabman@safmc.net

✓ **Administrative Officer**

Mike Collins  
mike.collins@safmc.net

**Financial Secretary**

Debra Buscher  
deb.buscher@safmc.net

**Admin. Secretary /Travel Coordinator**

Cindy Chaya  
cindy.chaya@safmc.net

✓ **Purchasing & Grants**

Julie O'Dell  
julie.odell@safmc.net

# PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

Snapper Grouper AP Meeting  
November 7, 2012  
N. Charleston, SC

<u>NAME &amp; ORGANIZATION</u>	<u>AREA CODE &amp; PHONE NUMBER</u>	<u>EMAIL ADDRESS</u>	<u>P.O. BOX/STREET CITY, STATE &amp; ZIP</u>
<i>Richard Johnson Big Fish</i>	<i>386-239-0948</i>	<i>richjohn@aol.com</i>	<i>PO Box 9351 32180-9351</i>
<i>Debra C. Fisher</i>	<i>386-663-2704</i>	<i>debra@c.fisher.com</i>	<i>2036 Coogan Dr, Ft 32141</i>

South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405  
843-571-4366 or Toll Free 866/SAFMC-10

**Generated**

Nov 08, 2012 12:32 PM PST

## General Information

**Webinar Name**  
SAFMC Snapper Grouper Advisory Panel Meeting

**Webinar ID**  
386212458

**Actual Start Date/Time**  
Nov 08, 2012 08:38 AM EST

**Actual Duration (minutes)**  
317

**Clicked Registration Link**  
48

**Opened Invitation**  
101

**Total Attended**  
14

## Session Details

<b>Mahood,Robert</b>		<b>robert.mahood@safmc.net</b>
<b>Attended</b>	Yes	
<b>Registration Date</b>	Nov 08, 2012 09:41 AM EST	
<b>Organization</b>	SAFMC	
<b>Unsubscribed</b>	No	

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Nov 08, 2012 09:41 AM EST	Nov 08, 2012 01:38 PM EST	237.67

**Interest Rating**

**Attendee's In-Session Level of Interest:** 7

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

<b>Neer,Julie</b>		<b>julie.neer@safmc.net</b>
<b>Attended</b>	Yes	
<b>Registration Date</b>	Nov 08, 2012 09:05 AM EST	
<b>Organization</b>		
<b>Unsubscribed</b>	No	

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Nov 08, 2012 09:09 AM EST	Nov 08, 2012 01:53 PM EST	283.78

**Interest Rating**

**Attendee's In-Session Level of Interest:** 14

[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.

**cardin,bob** **bobbycardin772@aol.com**

**Attended** Yes

**Registration Date** Nov 08, 2012 09:06 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

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

Nov 08, 2012 09:09 AM EST Nov 08, 2012 01:55 PM EST 286.22

**Interest Rating**

**Attendee's In-Session Level of Interest:** 24

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

**von harten,herman** **capt\_bo@hotmail.com**

**Attended** Yes

**Registration Date** Nov 08, 2012 09:12 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

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

Nov 08, 2012 09:13 AM EST Nov 08, 2012 01:55 PM EST 281.97

**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.

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

**Attended** Yes

**Registration Date** Nov 08, 2012 08:56 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

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

Nov 08, 2012 08:57 AM EST Nov 08, 2012 01:55 PM EST 297.58

**Interest Rating**

**Attendee's In-Session Level of Interest:** 12

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

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

**Attended** Yes

**Registration Date** Oct 30, 2012 03:44 PM EDT

**Organization** Florida Saltwater Anglers

**Unsubscribed** No

[In Session](#)

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

Nov 08, 2012 09:08 AM EST Nov 08, 2012 01:46 PM EST 273.55

**Interest Rating**

**Attendee's In-Session Level of Interest:** 57

[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.

**Easley,Otha** otha.easley@noaa.gov

**Attended** Yes

**Registration Date** Oct 19, 2012 06:16 PM EDT

**Organization** USDoC, NOAA, NMFS, OLE, SED

**Unsubscribed** No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Nov 08, 2012 09:20 AM EST	Nov 08, 2012 01:39 PM EST	258.48

**Interest Rating**

**Attendee's In-Session Level of Interest:** 11

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

**Byrd,Julia** julia.byrd@safmc.net

**Attended** Yes

**Registration Date** Oct 22, 2012 09:04 AM EDT

**Organization** SEDAR

**Unsubscribed** No

[In Session](#)

Join Time	Leave Time	In Session Duration* (minutes)
Nov 08, 2012 08:38 AM EST	Nov 08, 2012 12:53 PM EST	255.42

**Interest Rating**

**Attendee's In-Session Level of Interest:** 8

[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.

**martin,anna** **anna.martin@safmc.net**

**Attended** Yes

**Registration Date** Nov 08, 2012 09:21 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 08, 2012 09:22 AM EST	Nov 08, 2012 01:41 PM EST	259.45

**Interest Rating**

**Attendee's In-Session Level of Interest:** 9

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

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

**Attended** Yes

**Registration Date** Nov 08, 2012 09:19 AM EST

**Organization** SAFMC

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 08, 2012 09:20 AM EST	Nov 08, 2012 01:55 PM EST	275.18

**Interest Rating**

**Attendee's In-Session Level of Interest:** 9

[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.

**Summerall,Craig** **csummerall@sc.rr.com**

**Attended** Yes

**Registration Date** Nov 08, 2012 11:52 AM EST

**Organization**

**Unsubscribed** No

[In Session](#)

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

Nov 08, 2012 11:53 AM EST Nov 08, 2012 12:43 PM EST 50.3

**Interest Rating**

**Attendee's In-Session Level of Interest:** 28

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

**Bell,Melvin Bell** **bellm@dnr.sc.gov**

**Attended** Yes

**Registration Date** Nov 08, 2012 09:28 AM EST

**Organization** SCDNR

**Unsubscribed** No

[In Session](#)

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

Nov 08, 2012 09:28 AM EST Nov 08, 2012 12:15 PM EST 167.42

**Interest Rating**

**Attendee's In-Session Level of Interest:** 19

[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.

**Helies, Frank** **fchelies@verizon.net**

**Attended** Yes

**Registration Date** Nov 08, 2012 09:45 AM EST

**Organization** GSAFF

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 08, 2012 09:45 AM EST	Nov 08, 2012 01:39 PM EST	233.47

**Interest Rating**

**Attendee's In-Session Level of Interest:** 8

[Registration Q & A](#)

[Questions Asked by Attendee](#)

[Poll Questions](#)

[Post Session Survey Questions](#)

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

**Attended** Yes

**Registration Date** Oct 17, 2012 09:48 AM EDT

**Organization** NMFS

**Unsubscribed** No

[In Session](#)

<b>Join Time</b>	<b>Leave Time</b>	<b>In Session Duration* (minutes)</b>
Nov 08, 2012 08:38 AM EST	Nov 08, 2012 01:55 PM EST	316.88

**Interest Rating**

**Attendee's In-Session Level of Interest:** 21

[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.

**Freeman,Robert** **sunrise@coastalnet.com**

**Attended** No

**Registration Date** Oct 27, 2012 03:36 PM EDT

**Organization** Sunrise Charters

**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](#)

**Cox,Jack** **dayboat1965@gmail.com**

**Attended** No

**Registration Date** Oct 26, 2012 10:07 PM EDT

**Organization** SAFA

**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](#)

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\*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** Oct 17, 2012 10:20 AM EDT

**Organization** NOAA FISHERIES

**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](#)

**Eich,Anne Marie** **annemarie.eich@noaa.gov**

**Attended** No

**Registration Date** Oct 17, 2012 09:46 AM EDT

**Organization**

**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](#)

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**Harris,Rob** **rw\_harris@msn.com**

**Attended** No

**Registration Date** Nov 08, 2012 09:44 AM EST

**Organization** SAFMC S/G AP

**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](#)

**steele,phil** **phil.steele@noaa.gov**

**Attended** No

**Registration Date** Oct 31, 2012 11:02 AM EDT

**Organization** NMFS

**Unsubscribed** No

[In Session](#)

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

**Interest Rating**

**Attendee's In-Session Level of Interest:**

[Registration Q & A](#)

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