

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

COUNCIL SESSION

**Savannah Hilton DeSoto Hotel
Savannah, GA**

March 9, 2012

SUMMARY MINUTES

Council Members:

David Cupka, Chair
Robert Boyles
Dr. Roy Crabtree
Dr. Michelle Duval
Duane Harris
Tom Swatzel
Jessica McCawley

Ben Hartig, Vice-Chair
Tom Burgess
Mac Currin
Lt. Robert Foos
Doug Haymans
Dr. Wilson Laney
Charlie Phillips

Council Staff:

Bob Mahood
John Carmichael
Mike Collins
Dr. Kari MacLauchlin
Kim Iverson
Julie O'Dell
Dr. Brian Chevront

Gregg Waugh
Dr. Mike Errigo
Anna Martin
Myra Brouwer
Roger Pugliese
Andrea Grabman

Observers/Participants:

Monica Smit-Brunello
Scott Sandorf
Phil Steele
Dr. Bonnie Ponwith
Anna Beckwith
Dr. Marcel Reichart
Lt. Brandon Fisher

Dr. Jack McGovern
Bob Gill
Otha Easley
Andy Strelchek
Kathy Barco
Martha Bademan

Additional Attendees Attached

The Full Council Session of the South Atlantic Fishery Management Council convened in the Madison Ballroom of the Savannah Hilton DeSoto Hotel, Friday morning, March 9, 2012, and was called to order at 8:30 o'clock a.m. by Chairman David Cupka.

MR. CUPKA: We'd like to go ahead and convene the meeting of the South Atlantic Council. The first order of business will be adoption of the agenda. Are there any changes to the agenda? Seeing none, then our agenda is adopted. If you will give me the ability to switch things around if I need to, I know depending on how it goes Bonnie has got a flight to catch and we may have to switch it around in order to get her report. We'll just have to wait and see how time goes.

The next order of business will be approval of the minutes from our December 2011 meeting. Are there any corrections or additions? Seeing none, is there any objection to approving them? Seeing none, then our minutes are approved. Before we get into our committee reports, I just want to take a minute to recognize Bob Gill, who is Chairman of the Gulf of Mexico Fishery Management Council; and as always, we appreciate your being here, Bob, and thank you. All right, we are going to go right into our committee reports then. First is the Ad Hoc Data Collection Committee.

DR. DUVAL: The Ad Hoc Data Collection Committee of the South Atlantic Fishery Management Council met on March 5, 2012, at the Savannah DeSoto Hotel. The members of the committee are myself, Jessica McCawley is the vice-chair, David Cupka, Charlie Phillips and Tom Swatzel.

The agenda was adopted with the addition of a presentation by Steve Turner from the Science Center, and there were no minutes since this was the first time the committee met. The committee received presentations on North Carolina daily dealer reporting by Don Hesselman, ACCSP dealer reporting by Mike Cahall, and the status of quota monitoring by Steve Turner with the Science Center,

Bonnie Ponwith agreed to provide details on the Center's new quota monitoring program to the council. The committee reviewed the scoping document to modify federally permitted seafood dealer reporting requirements, and this document proposes modifications to the seafood dealer reporting requirements for fisheries management plans of the Gulf of Mexico, South Atlantic and two joint fishery management plans. The committee reviewed current dealer reporting requirements and considered the purpose and need in the three proposed actions.

Action 1, what dealer permits would be required and for which species; Action 2, how frequently and by what method would dealers be required to report; and Action 3, are there penalties for non-reporting or late reporting. The committee discussed a purpose statement and modified the wording to consider all species included in management plans.

On behalf of the committee, I so move to recommend adopting the revised wording for the purpose statement, which is to change the current reporting requirements for those individuals or organizations that purchase species contained in fishery management plans managed by the Gulf of Mexico and South Atlantic Fishery Management Councils. Is there

any discussion of this motion? Is there any objection to this motion? Seeing none, that motion stands approved.

The committee also discussed the purpose statement and modified the wording to consider all species included in management plans; and on behalf of the committee I so move to recommend adopting the revised wording for the needs statement, which is to ensure landings of managed fish stocks are below annual catch limits, improvements are needed to the accuracy, completeness, consistency and timeliness of data submitted by federally permitted seafood dealers.

This action will aid in achieving the optimum yield from each fishery while reducing, one, undue socio-economic harm to dealers and fishermen; and, two, administrative burdens to fishery agencies. Is there any discussion of this motion? Any objection to this motion? Seeing none, the motion stands approved.

With regard to Action 1, the committee discussed whether to create a universal dealer permit or separate Gulf and South Atlantic permits. There was interest in separate permits given that the two councils may want to specify different requirements such as phasing in electronic reporting or requiring electronic reporting upon implementation.

The committee discussed removing options to simplify the document, and on behalf of the committee I so move to recommend adopting the IPT recommendation to delete Alternative 2, Option 2A. Is there any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.

The committee also discussed options about inclusion of South Atlantic coral and sargassum and including shrimp dealers in the dealer reporting requirements; and on behalf of the committee I so move to recommend removing South Atlantic coral and sargassum from Options 2B and 2C. Any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.

Also on behalf of the committee, I so move to recommend adopting the IPT recommendation to delete Alternative 3, Option 3A, and to remove South Atlantic coral and sargassum from Options 3B and 3C. Any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.

Action 2 considers potential changes to the frequency and method of reporting for federally permitted seafood dealers. Alternatives 2 and 3 include options for electronic data reporting. The committee considered the Gulf Council's suggestion to include an additional alternative to phase in electronic reporting over time due to concerns that daily reporting and/or no purchase reporting requirement may be burdensome to seafood dealers.

The committee noted that it is in the best interest of the fishermen and dealers to have accurate quota tracking to avoid overages and paybacks and was agreeable to the Gulf adding such an alternative for the Gulf but not the Atlantic. The committee directed staff to, one, add the provision for emergencies currently implemented for ITQ programs; two, clean up the no action

alternative to reflect what is currently in the regulations and what frequency dealers have been requested to report; and, three, clarify that bimonthly means twice per month and that the Science and Research Director gets reports on the 15th and last day of the month.

On behalf of the committee I so move to reword Alternatives 2 and 3, Options 2C and 3C to read “Forms must be submitted either weekly or daily as determined by the Science and Research Director. On behalf of the committee I so move. Is there any discussion of this motion? Any objection? Seeing none, that motion stands approved.

On behalf of the committee I also move to modify Alternatives 2 and 3, Options 2E and 3E to read “Forms must be submitted either weekly or daily as determined by the Science and Research Director. Is there any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.

With regard to Action 3, the committee discussed concerns about whether the council has authority to levy penalties for non-reporting. The committee directed staff to, one, add current requirements that are in place now and indicate the council’s intent to keep them prior to scoping; and, two, ensure that dealers must make their fish available for inspections and sampling.

The committee discussed the intent of this action and on behalf of the committee I so move to change the title of Action 3 to “Requirements to Maintain a Dealer Permit”. Is there any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.

The committee added an alternative to this action as well; and on behalf of the committee I so move to add an alternative that for the first infraction a fine in accordance with the NOAA GC penalty schedule be administered. Is there any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.

The committee added another alternative to this action and on behalf of the committee I so move to add an alternative to read: “A dealer would only be authorized to receive commercially harvested species if the dealer’s previous reports have been submitted by the dealer and received by the National Marine Fisheries Service in a timely manner. Any delinquent reports would need to be submitted by the dealer and received by the National Marine Fisheries Service before a dealer could receive commercially harvested species from a federally permitted U.S. vessel.” Is there any discussion on this motion? Any objection to this motion? Seeing none, that motion stands approved.

The committee also discussed Alternative 4, and on behalf of the committee I so move to remove Alternative 4. Any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved. **The committee approved the document for scoping and on behalf of the committee I so move to approve the document as modified for the Gulf Council to take to scoping.** Any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.

The committee received a report from Anna Martin, council staff, on comments received during scoping on Data Collection Actions and the Comprehensive Ecosystem-Based Amendment 3. **The committee then reviewed the potential actions and options to be evaluated and on behalf of the committee I so move to direct staff to develop these items further and bring back to this committee at the June meeting.** Any discussion of this motion? Any objection to this motion? Seeing none, the motion stands approved. Mr. Chairman, that concludes my report.

MR. CUPKA: Thank you, Michelle; questions for Michelle? Seeing none, before we move on to the rest of our committee reports; in my haste to get things moving this morning, I forgot to take our roll call, so starting back there with Mr. Gill, if we can and come on around.

MR. GILL: Bob Gill, Gulf Council liaison.

MR. SWATZEL: Tom Swatzel, South Carolina council member.

DR. DUVAL: Michelle Duval, North Carolina.

DR. LANEY: Wilson Laney, U.S. Fish and Wildlife Service.

MR. BURGESS: Tom Burgess, North Carolina.

DR. PONWITH: Bonnie Ponwith, NOAA Fisheries Service.

MR. STEELE: Phil Steele, NOAA Fisheries Service.

DR. CRABTREE: Roy Crabtree, NOAA Fisheries.

MS. SMIT-BRUNELLO: Monica Smit-Brunello, NOAA General Counsel.

MS. McCAWLEY: Jessica McCawley, Florida.

MR. HARRIS: Duane Harris, Georgia.

MR. HARTIG: Ben Hartig, Florida.

MR. MAHOOD: Bob Mahood, council staff.

MR. CUPKA: David Cupka, South Carolina.

MR. CURRIN: Mac Currin, North Carolina.

MR. WAUGH: Gregg Waugh, council staff.

MR. PHILLIPS: Charlie Phillips, Georgia.

MR. HAYMANS: Doug Haymans, Georgia.

MR. BOYLE: Robert Boyles, South Carolina.

LT. FOOS: Robert Foos, U.S. Coast Guard.

LT. FISHER: Brandon Fisher, U.S. Coast Guard.

MR. EASLEY: Otha Easley, NOAA Office of Law Enforcement.

MR. CUPKA: All right, thank you. Duane, are you ready to give the Law Enforcement Committee report?

MR. HARRIS: Yes, sir, Mr. Chairman. The Law Enforcement Committee met on Tuesday, March 6, in Savannah and received a report from the Law Enforcement Advisory Panel containing their recommendations on issues being addressed by the council. The Law Enforcement Advisory Panel met on March 5 in Savannah and had the following recommendations on developing South Atlantic Fishery Management Council amendments and other items of interest.

With respect to Amendment 18B and Regulatory Amendment 12 for golden tilefish, they recommended requiring VMS for the golden tilefish fishery and all highly regulated fisheries for both enforcement and safety reasons and to consider a bycatch allowance for the longline golden tilefish fishery and should one develop for snowy grouper.

With respect to the Comprehensive Ecosystem-Based Amendment 3, the LEAP recommended that we refer to previous recommendations for area closures, i.e. boxes, follow this closely to the latitude and longitude lines as possible. Two; to consult 622.35 I2, Code of Federal Regulations reference to stowing gear and transit provisions pertaining to MPAs, but the language can be adopted and altered accordingly to be applicable to the deepwater shrimp fisheries.

Three; if transit is allowed through HAPCs, request that industry increase the ping rate for VMS. Four; the LEAP favors using stowing of gear instead of corridors for transiting closed areas in addition to speed restrictions, i.e. no less than 5 knots. In the event minimal speed is not sustainable, vessel must communicate to the appropriate contact.

With respect to the Golden Crab Amendment 6, Action 10, the LEAP recommends Alternative 2, eliminate the small vessel subzone within the southern zone that was originally established to protect against very large vessels fishing in the subzone. Action 12, VMS on golden crab vessels is endorsed for many reasons, not strictly for enforcement, i.e. safety, information on the footprint of the fishery, et cetera.

The LEAP supports Alternative 2, Subalternative 2C. Alternative 2 is to require all fishing vessels engaged in the golden crab catch share program to be equipped with VMS. The purchase, installation and maintenance of VMS equipment must conform to the protocol established by NMFS in the Federal Register; and Subalternative 2C, the purchase of VMS equipment will be reimbursed by National OLE VMS Reimbursement Account if funding is available.

Installation, maintenance and communication costs will be paid for or arranged by the shareholder. Action 15, the LEAP recommends Alternative 2, which is to establish approved landing sites for the golden crab catch share program. All participants must land at an approved landing site to participate in the program, and such should be approved by NOAA Office of Law Enforcement and state agencies. With respect to the Law Enforcement Officer of the Year Award, recommends council staff will distribute nomination forms and directions to the LEAP for the 2011 Law Enforcement of the Year Award by the end of April 2012.

With respect to limiting the number of black sea bass trips; one; enforcing the number of black sea bass trips might be challenging and consider call-in and call-out requirement, VMS, et cetera, to facilitate enforceability. Two; trip tickets alone would not be enough to enforce, will require on site enforcement in addition to trip tickets.

VMS would be ideal, but a call-in program would also be feasible. Three; determining compliance at sea of such a limit on trips would be problematic. With respect to Amendment 18A, the LEAP questions how will replacement tags work with a specified number of pots? The council has approved submission of Amendment 18A, which specifies 35 pots per trip. Consider a call-in system to recover lost tags and traps. Mr. Chairman, that completes my report.

MR. CUPKA: Thank you, Duane; any questions for Duane? Seeing none, then we will move to our next committee, spiny lobster, Jessica.

MS. McCAWLEY: The Spiny Lobster Committee met on March 6, 2012. The members of the committee are myself, Ben Hartig as vice-chair, Roy Crabtree and Robert Foos. John Jolley is also on the committee but he was not present at this meeting. The committee received a report on comments received at the Gulf Council public hearings in addition to Gulf Council actions in regards to the Joint Spiny Lobster Amendment 11.

In February the Gulf Council approved modifications to three of the proposed closed areas and approved Amendment 11 for submission to the secretary. Council staff also provided a summary of public input from the South Atlantic public hearings and comments on the DSEIS. The committee reviewed Spiny Lobster Amendment 11.

Under Action 1 the committee reviewed modifications to three proposed closed areas, Area 2, 15 and 30 that were approved by the Gulf Council. The committee approved the area modifications and did not change the preferred alternative and option. The committee also reviewed Action 2 and did not change the preferred alternative.

The FWC is working with industry on a study to explore options for gear marking over the next year. The results of this study will be provided to the councils for decisions on future actions to satisfy line marking requirements and the biological opinion. The committee approved a motion to submit Amendment 11 to the secretary.

The committee made the following motions. On behalf of the committee I so move to approve the area modifications to Areas 2, 15 and 30 on Action 1. Is there any discussion on this motion? Any objection to the motion? Seeing none, it is approved. **The committee made**

another motion and on behalf of the committee I so move to send Amendment 11 to the secretary and deem the codified text as necessary and appropriate and give staff and council chair editorial license to make changes as necessary. Is there any discussion on this motion?

MR. CUPKA: This will take a roll call vote; and as soon as Mr. Mahood gets his list we'll do that. Okay, Bob, do you want to proceed with a roll call vote.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Currin.

MR. CURRIN: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: The vote is unanimous.

MR. CUPKA: Okay, thank you; questions for Jessica? All right, thank you, Jessica. We'll go to our next committee, Ecosystem-Based Management, Mr. Harris.

MR. HARRIS: The Ecosystem-Based Management Committee met on Tuesday, March 6, in Savannah, Georgia. I am not going to read all the preamble to the meeting minutes. They are available to you; they have all been e-mailed out to everybody. I am going to go directly to the motions.

Motion number one is to move the recreational tag program measure to CE-BA 4 and to move designation of Snapper Ledge as an MPA to CE-BA 5 or future amendment, and on behalf of the committee I so move. Is there discussion of the motion? Is there any objection to the motion? Seeing none, that motion is approved.

Motion number two was to drop African Pompano from further consideration. The motion was approved by the committee and on behalf of the committee I so move. Is there discussion of that motion? Is there any objection to that motion? Seeing none, that motion is approved.

Motion number three is to wait to consider measures for hogfish and gray triggerfish until after the 2013 assessments. On behalf of the committee I so move. Is there discussion of that motion? Is there any objection to that motion? Seeing none, that motion is approved.

Motion number four is to include Items 1, 3 and 9 in CE-BA 3 and approve the distribution of work to committees as shown above, and on behalf of the committee I so move. Is there discussion of that motion? Is there any objection to that motion? Seeing none, that motion is approved.

Motion number five was to include the range of alternatives presented for the northern extension of Oculina HAPC, including the Coral AP recommendation, and on behalf of the committee I so move. Is there a discussion of the motion? Any objection to that motion? Seeing none, that motion is approved.

Motion number six is to adopt the Coral AP recommendation for extending the Oculina western boundary as an alternative, and on behalf of the committee I so move. Is there a

discussion of that motion? Is there any objection to that motion? Seeing none, that motion is approved.

Motion number seven is to include a transit provision as an alternative as defined by the Law Enforcement Advisory Panel, and on behalf of the committee I so move. Is there discussion of that motion? Is there any objection to that motion? Seeing none, that motion is approved.

Motion number eight for the Stetson-Miami Terrace HAPC include the Coral AP recommendation as an alternative, the staff recommendation as an alternative, and the no action alternative; and on behalf of the committee I so move. Is there discussion of that motion? Is there objection to the motion? Seeing none, that motion is approved.

Motion number nine is to accept the staff recommendation for extension of the Cape Lookout HAPC and the no action as alternatives for AP input and IPT analysis; and on behalf of the committee I so move. Is there discussion of that motion? Is there objection to that motion? Seeing none, that motion is approved. Mr. Chairman, that completes my report.

MR. CUPKA: Thank you, Mr. Harris; questions for Duane? Seeing none, then we'll move into mackerel, Ben.

MR. HARTIG: The Mackerel Committee met on March 6. All the members of the committee were there with the exception of John Jolley, and most of you know John's circumstance. I would just like to take this opportunity that I did have an extensive conversation with John on the way up. He is doing quite well. He is mending. He said he is going to be at the June meeting, so we all wish John a speedy recovery. I did make him laugh during the conversation.

In the Mackerel Committee, the agenda was adopted without any additions and the minutes were approved. The committee received a number of presentations; one, the status of commercial catches from Dr. Jack McGovern; the status of recreational catches from Dr. Ponwith; and North Carolina's experience with state-by-state quotas by Don Hesselman, North Carolina Division of Marine Fisheries, and that was an interesting presentation.

We had presentations by Jack Holmes and Terry Adkins on the importance of tournament sales of fish. Jack Holmes was from Southern Kingfish Association and Terry Adkins was from Blue Water Promotions, and those were also interesting presentations. Also, the state directors prepared data on the numbers of tournaments and catches in their state for use in Amendment 19.

Doug Haymans reviewed Georgia data; Michelle Duval gave a brief overview of North Carolina. Jessica McCawley stated that in Florida there is very little data on tournament sales, and the South Carolina data is being consolidated to avoid showing confidential data; and that will be provided.

The committee reviewed the scoping documents for Coastal Migratory Pelagics Amendment 19 on the permits and sale issue, and modified alternatives as shown below. Under Action 1, Option 1 and Option 2 remain the same; but we added Options 3 and 4. Option 3 was to modify

the Spanish mackerel permit to be a Spanish mackerel/cobia permit, and Option 4 was to allow individuals with the following permits to sell cobia; and that would be king mackerel and Spanish mackerel permits, reef fish permits in the Gulf, snapper and grouper permits in the South Atlantic and dolphin and wahoo permits.

There was direction to staff to clarify whether the income requirements would be used. Under Action 2, potential no sale provisions; we modified Action 4 and 5 to read “Option 4, for a person aboard a vessel to be eligible to sell cobia in or from the EEZ of the Atlantic or Gulf of Mexico, a commercial vessel cobia permit must have been issued to the vessel and must be on board.” Option 5 was to allow commercial sale of cobia with either a king mackerel or Spanish mackerel commercial permit.

Nothing was done in Action 3, those remain the same. At this time the Spanish mackerel gillnet endorsement, that was also the same; we didn’t change any of those alternatives. **On behalf of the committee I would move to approve Amendment 19 Scoping Document with the changes previously stated.** Is there any discussion of that motion? Any objection to that motion? Seeing none, that motion is approved.

The next agenda item, the committee reviewed the scoping document for Coastal Migratory Amendment 20, which was the boundary and transit positions, and added modified alternatives that affect South Atlantic fishermen as shown below. Under Action 3 we added new Option 4; establish a commercial quota for North Carolina and one for South Carolina, Georgia and Florida combined for king and Spanish mackerel and cobia.

MR. WAUGH: Ben, that’s for Action 6.

MR. HARTIG: Action 6, I’m sorry, Gregg. Thank you for clarifying that for me. **We added a new Option 5, and I so move to add Option 5, establish a commercial quota for the Mid-Atlantic Council area for king and Spanish mackerel and cobia.** Is there any discussion on that motion? Any objection to that motion? Hearing none, that option is approved.

Under Action 5 the committee directed staff and the IPT to work on the wording for describing the modifications needed for the Atlantic Migratory Group under Action 7. **On the committee’s behalf I so move to approve Amendment 20 Scoping Document with the changes made for scoping.** Is there any discussion on that motion? Any objection to that motion? Hearing none, that motion is approved. Mr. Chairman, that concludes my report.

MR. CUPKA: Thank you, Ben; any questions for Ben? Seeing none, then we’ll move on to our next committee, Shrimp Committee Report, Mr. Boyles.

MR. BOYLES: The Shrimp Committee met on March 6, 2012, here in Savannah, Georgia. Council staff provided a presentation on limited entry program in the rock shrimp fishery, including a description of limited entry permits and potential latent permits. Ms. Laurilee Thompson of the Deepwater Shrimp Advisory Panel provided additional input on concerns that the number of limited entry permits will continue to decline and suggested that the council consider a provision to maintain a minimum number of permits for rock shrimp.

The committee directed staff to work with the Deepwater Shrimp Advisory Panel on the issue for a future amendment. The committee also received a presentation on the royal red shrimp fishery, including a briefing on landings and participation. The committee discussed overlap of South Atlantic rock shrimp and royal red shrimp fishermen and also overlap with Gulf shrimp fisheries.

The committee raised a concern that some vessels harvesting royal red shrimp may not have vessel monitoring systems in place because it is not required for Gulf royal red shrimp vessels. The committee directed staff to work with the advisory panels and report on how many royal red vessels also hold rock shrimp permits and Gulf shrimp permits for the purpose of determining whether all royal red vessels have vessel monitoring systems.

Council staff provided a summary of public comments from scoping meetings on Shrimp Amendment 9. The committee reviewed the actions in Amendment 9 and provided staff with direction for development of alternatives. The committee also approved appointment of Trish Murphy of North Carolina and Aaron Podey from Florida to the Shrimp Review Panel.

The committee made the following motions; the motion was to remove shrimp abundance as criteria in Part 1, and on behalf of the committee I so move. Is there any discussion on the motion? Doug.

MR. HAYMANS: After some discussion after yesterday's committee meeting, we realized that maybe we were painting ourselves into a box and we didn't allow for anything except severe winter requests; but there may be times when there is something other than extreme temperature that would cause us to ask for a closure such as black gill; and so we needed to add back in the 80 percent reduction in abundance.

I would like to offer a substitute motion, if I may, and I would move to include an alternative in Action 1 that allows a state to request a concurrent closure with information demonstrating a decrease in shrimp abundance or information that water temperature has been below a specific temperature for at least one week with options of 7, 8, 9 degrees centigrade for water temperature.

MR. BOYLES: I have a motion by Mr. Haymans. That's a substitute motion; is there a second? Second by Charlie. Further discussion? For those of you keeping score, I think this will also affect the following two motions that the committee made. So from our parliamentarian, I suppose, Joe, this would have the effect, if passed, I think of substituting for the following two motions. Is everybody clear where we are?

Is there any further discussion on this motion? Any objection to this motion? Seeing none, that substitute motion becomes the main motion. The main motion; any further discussion on the main motion? Any objection to that motion? Seeing none, that motion carries.

MR. HAYMANS: Mr. Chairman, one other thing is that's actually the title of the action. I just realized as we were reading through the action is talking about a closure in the case of severe winter weather, and we may need to ask staff to relook at that because it is not necessarily winter weather.

MR. BOYLES: I think we can give that direction to staff. Again, I think the purpose here is to evaluate conditions that may warrant states to go directly to the regional administrator to close the EEZ to trawling. Again, the following two motions regarding the time period and the three- and four-week criteria were substituted so we will move on.

The committee also made a motion to appoint Aaron Podey from the Florida Fish and Wildlife Conservation Commission to the Shrimp Review Panel and on behalf of the committee I so move. Is there any discussion on this motion? Is there any objection to this motion? Seeing none, that motion carries.

The final motion was to appoint Trish Murphy of the North Carolina Division of Marine Fisheries to the Shrimp Review Panel, and on behalf of the committee I so move. Is there any discussion on this motion? Is there any objection to this motion? Seeing none, that motion carries. Mr. Chairman, that concludes my report. Thank you.

MR. CUPKA: Thank you, Robert; questions for Robert? Seeing none, before we move on I would like to take this opportunity to recognize Kathy Barco, who is the chairlady of the Florida Fish and Wildlife Conservation Commission, and, Kathy, it's good to see you again and we really appreciate you taking time out of your busy schedule to be here with us at this meeting. The next committee is Information and Education, Mr. Boyles.

MR. BOYLES: The Information and Education Committee met on Wednesday, March 7, here in Savannah. The committee reviewed recommendations received from the Snapper Grouper Advisory Panel regarding outreach and communication and provided direction to staff. The committee received an update on the development of the Smart Phone application for distribution of regulation information.

In addition, the committee received presentations regarding the use of social media for outreach. Amber Von Harten with South Carolina Sea Grant Extension provided an overview of the final report from the Regional Social Media Workshop, including recommendations and online survey results. Emily Muehlstein, outreach specialist with the Gulf of Mexico Fishery Management Council, gave a presentation on the Gulf Council's use of social media.

The presentation included an overview of how the council utilizes Facebook, blogs and various online forums to provide updated information on council issues. She also provided insight on staff responsibilities and time involved in the use of social media tools. In addition, the committee discussed the current format used by the South Atlantic Council for public hearings and scoping meetings.

The committee provided the following directions to staff. Regarding the Snapper Grouper AP recommendations, we asked in addition to new information provided in the decision documents following each council meeting staff should provide a brief but thorough explanation to AP members regarding the council's rationale in choosing management alternatives that are not consistent with AP recommendations for various amendments.

For the Smart Phone regulations application we recommended including references for highly migratory species; modify the disclaimer to include reference to the code of federal regulations as the official source for regulation information and to explore options for including regulations for the national parks as part of the application menu.

Regarding the social media recommendations, the committee recommends staff move forward with the use of social media tools starting with Facebook and blogs. The committee stressed the need for accuracy in posting information in response to inquiries. Regarding public hearing and scoping meeting recommendations, we asked to maintain the current format for the meetings but modify the way that public testimony is taken by council members.

We asked to designate a single council member to take formal testimony while allowing other members of the council to observe presentations and participate in informal conversations with attendees; finally, to explore the use of social media tools for posting public hearing and scoping meeting presentations and for soliciting public comment. Mr. Chairman, that concludes my report.

MR. CUPKA: Thank you, Robert; questions for Robert? Wilson.

DR. LANEY: Robert, I think that there should be one minor addition there and that was regulations for National Parks and National Wildlife Refugees; that was the other one.

MR. BOYLES: So noted, Wilson; thank you for that.

MR. CUPKA: Okay, our next committee is Executive Finance, and the Executive Finance Committee met in joint session on March 6 in Savannah. The minutes from the December 2011 Executive Finance Committee were approved and the committee received presentations on the following agenda items.

Number one, report on the calendar year 2011 council final expenditures; Mr. Mahood briefed the committee on the council's final expenditures for calendar year 2011. He indicated that we finished the year in very good shape and that reduced expenditures during 2011 provided funds to carry forward into 2012.

These funds are critical to the council's future operations as we brace for potential budget cuts in the latter years of our five-year grant. Two, review and approve the draft calendar year 2012 council activity schedule and budget; Bob directed the committee members to Attachments 2A through 2F, which include the draft calendar year 2012 budget, the NOAA funding allocation table, council activity schedules, FMP Amendment timelines, and our operations agreement. These documents are the basis for developing our 2012 budget.

He explained that we are looking at about a 4 percent reduction in our council line item budget in this current year. However, level funding will be maintained and the other NMFS line items from which we receive funds as depicted on the NOAA allocation table. Funding shortfalls from the cuts the council will experience this year will be made up from the calendar year 2011 carry-forward funds.

Bob explained the procedure for developing the activities schedule. He pointed out that the only major change from the earlier budgets the council has reviewed is that there is a recommendation to increase the state liaison grants by \$5,000 each. Gregg Waugh reviewed where the council stood on current ongoing amendments and planned activities.

He briefed the committee on the details that were provided in the amendment timeline table. He pointed out the schedule is very full and that council guidance to staff is needed. Staff requested that the council develop specific priorities and guidance to staff on timing. During the discussion, it was clear that CE-BA 3 dealing with Warsaw grouper and speckled hind was the number one priority and needed to move forward quickly.

Committee members discussed what they believe the other various priorities should be. Dr. Crabtree pointed out we also needed to move quickly on addressing modified ACLs under MRIP and associated allocations. There was considerable committee discussion on how to proceed and how priorities should be established.

Staff was directed to draft a priority list with revised timelines based on the committee discussion. It was decided that the committee would wait until the committee report at the council full session to pick priorities and establish timelines. Each of you was given a hard copy handout of some draft information that staff has put together, and I'm going to turn it over to Gregg to go through this. We did take some actions subsequent to this. I don't know if they are reflected in this or not, Gregg.

MR. WAUGH: I don't think they are. The one we did add was this analysis of the voluntary IFQ. That's in the spreadsheet that is projected, but I believe that was not added to the list that was distributed to you. To review this, CE-BA 3, the intention is to approve for public hearing in June, public hearings in August, and finalize in September or December.

Now within that, we had a question about workshops and the idea of holding five workshops, so at some point we need to talk about that. Regulation Amendment 12 addressing golden tilefish will be finished, and it's anticipated that you will give final approval at this meeting and that will go to the Secretary of Commerce by the end of the month.

Then, as was mentioned, beginning work on the Comprehensive ACL Allocation Amendment, this is looking at the new numbers for Golden Crab Amendment 6. Based on the committee actions, we were anticipating you picking all your preferreds in March and then we finalize it in June and submit it after the June meeting.

Joint Mackerel Amendment 9 dealing with permits and sale; approving for public hearing in June, public hearings August, finalized in September or December at the latest. Mackerel Amendment 19, 20, and the Joint Dealer Amendment are joint with the Gulf, and thus far this schedule is being coordinated with them. We anticipate being able to meet that, but we need to reexamine that based on adding the work on this Comprehensive ACL Allocation Amendment.

18B, which is the Golden Tilefish; you added some alternatives here. We would have a final public hearing in June and it is anticipated we would give final approval at June. The Joint

Dealer Amendment and Mackerel Amendment 20 are on the same timeline right now as Amendment 19.

The Joint Dealer Amendment will make sure we have dealer permits required for our fisheries and address timelines for when data must be reported and what conditions are necessary for a dealer to continue with the permit. Mackerel Amendment 20 has boundaries and transits. The biggest issue in this is that this has the alternatives that would allow us to address the results that are coming out of the cobia stock assessment.

Remember, Amendment 18 set a fixed boundary at the council boundary, but the stock assessment appears to be done using the Florida-Georgia line as the fixed boundary, so we'll need some mechanism to deal with those results. Then Shrimp Amendment 9, we have those public hearings in August, so thus far we were laying it out at the same timeline.

Then you added to the list the analysis of the Voluntary IFQ Program. Needless to say, these are listed in numerical order, but the way this is laid out is the intent that all of this get done. I think with the addition of beginning work on this Comprehensive ACL Allocation Amendment now, we have to reexamine these other items.

MR. CUPKA: Okay, we'll open it up for comment. Any suggestions? Do you want to deal with the priorities first, Gregg?

MR. WAUGH: That's entirely up to you.

MR. CUPKA: Why don't we do that? We know that Warsaw and speckled hind was discussed as our top priority; does anyone have any problem with that?

MR. PHILLIPS: Mr. Chairman, we are going to have these workshops with the fishermen to look at areas for speckled hind and Warsaw and at the bottom we've got the analysis for the Voluntary IFQ. While we're having these workshops, would it make sense to have a discussion on how we want our fisheries to start looking and tie that in with the IFQ?

If it's nothing but more than just a questionnaire or something they could fill out; do we want to go down the road of endorsements, because we're going more and more endorsements it seems like, so if it's nothing but just a simple questionnaire so we can kind of get a feel on what kind of direction we want to take.

MR. MAHOOD: Two things, Charlie; one, I personally think we need to focus on getting the information on speckled hind and Warsaw; number two, we're not allowed to administer questionnaires without going through a long process of developing those and getting them cleared through the Paperwork Reduction Act.

MR. PHILLIPS: Mr. Chairman, I guess there is no way to even take public comment or have a room discussion or any of that?

MR. MAHOOD: Charlie, I think we are really talking to a focused group; and as a matter of fact, there is still some debate about whether these will be invited participants whose specific knowledge to have input with other people. Obviously, they're open meetings, but you can't have 50 people sitting there trying to have input on something like this.

I think it is going to be a specialized group looking at folks that fish out in the deepwater and have knowledge of these species. My take on the looking at the voluntary catch shares, that's something we really need to be looking at beyond 2012. We've got a pretty full schedule. That's going to take a lot of work if we're going to do a good job on that.

MR. CURRIN: Yes, just regarding the workshops, I mentioned it yesterday, and I'd like to I guess hear from the staff about timing of those workshops and whether we would be best served by trying to get those in between now and June, or it would facilitate the staff's scheduling and work to hold those things between June and September meetings; any thoughts?

MR. WAUGH: In part it depends on your overall timing. If you want that input before you approve it for public hearing, then we would have to have them before June. We already have our SSC scheduled in April and the Snapper Grouper AP in April. Our thought was to hold one of those workshops one evening while the Snapper Grouper AP was meeting in Charleston.

That would be easily handled with the current timeframe. The other one that's a little different is the suggestion that perhaps one of these workshops be a combination of invited scientists, fishermen who are knowledgeable about locations and have that as more a workshop that would certainly be open to the public. But similar to how we conduct our meetings, it would be the workgroup that's doing the discussion and an opportunity provided for public comment.

The public would be there and be able to see everything. It might be good to try to get that one in before June, if possible. Again, I think it would be helpful if you had some of that input before June; so that at June if it is your intent to approve some alternatives to go out to public hearing, you have that input. We could hold some of those workshops during the public hearing process to refine areas. But, again, if the idea of the workshop is to gain a lot of public input before you go out to public hearings, then we may need to do them before June.

MR. CUPKA: I think the idea of a workshop with invitees is something that we heard from Don DeMaria who is chairman of our AP and something that he had suggested. It's something they used during the Tortugas work. Robert.

MR. BOYLES: Rest easy, I'm not going to talk about ITQs or IFQs for a moment, but I do want to take the opportunity to challenge us as a council to think about big global kinds of issues. In my brief time on the council I feel very unfulfilled from the standpoint of trying to get a handle on where we're going.

Part of that has been because of statutory mandates that we've worked devilishly to take care of, and very, very difficult issues like Amendment 14 and MPAs. Some of the most enriching conversations I've had with our constituents have been answering the question where do you want your fishery to be, what are we managing for, and what are we managing to?

I have no quarrel with the priorities that are listed here, but I do think we've got to step back to the degree that resources allow us to, and we've got to start thinking about what we want to do and what we want this fishery to be. I just would challenge each of us to think about these kinds of questions. I have been so wrapped around the axle, whether it's been IFQs, whether it's been red snapper, whether it's been ACLs; and I think our constituents deserve better than what we have been able to give them. I just challenge us to keep that in mind. Thanks.

MS. McCAWLEY: Yes, I agree with everything that Robert is saying, and I would like to see us look forward to some sort of vision for how we're managing fisheries instead of always managing and looking in the rearview mirror. Also, back on the Warsaw, I agree with everything that's been said.

I was hoping that at least between now and June we could have this focused workgroup meeting, or whatever we're calling it, with the group of experts. I also agree with not pairing the meetings with any other topic. I'd like to make sure that we have people there and they're focused on this one topic on those areas and not there to talk about anything else at that particular meeting.

DR. DUVAL: Mr. Chairman, ditto, I agree with some things that Robert said with regard to visioning. I don't think there is anyone around the table who would disagree with that. I know that is something that staff is interested in as well, but we've also been constrained by the requirements of the law and the things that we've had to get done.

We certainly do have a full plate for next year, but I wholeheartedly support embarking on some kind of visioning session, and perhaps we can learn some lessons from what the Mid-Atlantic has done. I know their process has been very extensive and very labor intensive. Maybe that's not quite the road we want to take, but I would encourage us to look towards that. I also agree with Jessica, I'd really like to see that focus workgroup of experts before the June meeting. I think it's really going to help us in our deliberations in June. Thank you.

MR. CUPKA: We have had these discussions before for those of you who are new on the council, believe me. It is something that we all want to do, but we just haven't been able to up to this point with the press of other things and mandatory deadlines and things, but it is certainly very much in our mind, I can assure you of that. Wilson.

DR. LANEY: Mr. Chairman, I, too, agree with a lot of what Robert said, and I'll just note that at one point in time the council was moving toward an ecosystem model for the South Atlantic. I think that would be a very significant and important tool for the council to complete. I think council's attention was obviously diverted from that by the need to meet the regulatory mandates, but to the extent that we could pick that effort back up again and push that to some sort of completion that would be good.

There are, in addition to Ecopath/EcoSim, which is where the council was headed, there are additional ecosystem modeling tools out there now that I think might shed some light on exactly what kind of fishery the council might want to have in the future.

MR. MAHOOD: Yes, two things, one David kind of hit on. We had an Allocation Committee, and one of the charges of the Allocation Committee was to look ahead and determine what we would like our fisheries to look like in the future. Unfortunately, we just couldn't agree on what we wanted our fisheries to look like in the future. It's not that easy; it's more complex.

You're dealing with fisheries that have existed a certain way forever and to make change in that is very difficult. Number two, the Mid-Atlantic Council visioning, I think Ben pointed out he was very impressed with what they're doing, that he learned up at the CCC meeting in January. I've talked to Chris Moore, and we really almost had them come to this meeting to tell us where they are and what they're doing, but they didn't feel like they were quite far enough along.

We'll be in contact with them; and when they feel like they have reached some conclusions and decisions and have some sort of recommendation to us, we'll have them come and make a presentation to our council. I know their chairman is very excited about the way it's gone so far. We can look forward to that and that may be a jumping off point on what you're looking at.

MR. BURGESS: Robert touched on several things, used the word constituent, and where we're going with this. I think about what we heard last night at the public hearing and also the question-and-answer session. Being a commercial fisherman for 42 years and I listen to fishermen's comments and I can relate to them.

I think they've come up with some great ideas and to incorporate into our future management as we develop and change and hopefully as these ACLs go up with the stock assessments because that is the direction we're hoping this all will go in. I think they come up with some great ideas and it seems to be a step-by-step process. I don't think we're going to be able to do any real big and major things that are going to change things all at once. I think it is going to be a combination of listening to the fishing communities and responding to that in a way that we're able to and continue on that line.

MR. HARTIG: I felt strong enough to make a motion today, but I'm not going to do it because we do have a vehicle that looks like in the works where we have a step-off point, so I'm not going to do that now. That has been a very high priority of mine, and I know yours, too, Robert, and all of the members of the council. At least we've got somewhat of a plan now.

MR. CUPKA: All right, back to the task at hand. I think Gregg has added a couple more things to the list.

MR. WAUGH: Yes, Phil was kind enough to remind us that pending in snapper grouper, we haven't gotten there yet, but we anticipate a direction to resubmit the Transferability Measure from 18A. This will be pretty straightforward, and I've already had some preliminary discussions with Jack how we do that. That would be done prior to the end of the month. And then if we get this request for an emergency rule, we will have to draft a letter right after the March meeting. Those are two things that are direct follow-ups from this meeting, and so those would be done right after the meeting.

MR. CUPKA: Okay, let's see if we can't come to some conclusion on some of this. Now in regard to the workshop, kind of where we are now is I guess we could hold a workshop with the AP when they meet and try and hold at least the scientist/fishermen workshop before June, and then the other ones between the June and September meeting. Is that agreeable; will that help?

DR. CRABTREE: On the Transferability Measure it says resubmit by March. We'll have to vote that up at the June meeting. It's a plan amendment.

MS. SMIT-BRUNELLO That's right, under the Magnuson Act you'll have to take action on it again and you can revise it as you want, so that should be scheduled for June.

MR. CUPKA: Okay, thank you. One big unknown in this that is obviously important, but we don't know what kind of workload it's going to result in is the work that has to be done based on the MRIP re-estimations, and we need to wait until we get some results from the workshop to be held later this month. That's a real unknown to me. I don't know, Gregg, if you've had any discussion with staff or any thoughts on that. It's obviously important and we need to move ahead when we can, but I just don't know what all is going to be involved at this point.

MR. WAUGH: I think perhaps what can begin is we've used the ACL data base that's housed in the regional office for working on the Comp ACL Amendment, is they can begin updating that and getting a data set together that we can use. Our discussions at the staff level, we're just concerned that if we put this issue back in for your discussion starting in June, people may have different ideas about allocations that may not be straightforward, just updating the numbers.

We're not sure when we're going to have the numbers. There are several workshops and work that needs to be done. I think in terms of our recommendation the IPTs, the staffs in the background can begin compiling the data, and once those data are finalized then bring it to the council.

You can see you've got a lot scheduled for June, and our concern is resurfacing allocations and then re-specifying all those ACLs prior to us having the actual numbers to work with is going to make it more difficult to deal with speckled hind and finishing all these other amendments. It's likely that information will be available – after the SSC meeting in October is when we'll have our recommendations, so perhaps we could start looking at that in December.

MR. CUPKA: In regard to the analysis of voluntary IFQs, there has been some comments made I guess that should be a lower priority than some of these other things. Any comments in regards to that? Duane.

MR. HARRIS: Mr. Chairman, I don't know what we mean by lower priority with respect to timing. That's the only question I have. I think it's important that we begin work on this voluntary IFQ analysis, but I'm not going to say that I'd put it above some of these other items as far as priority is concerned, but I don't want to lose it from our list of things that we need to be working on.

MR. CUPKA: Yes, and I don't think the intent was to lose it or not work on it. It is just in terms of staff time. I mean they have plenty to do. Roy.

DR. CRABTREE: Well, I have concerns, back to the ACL re-specification, with waiting until December to take that up. We really need to get that done; and if we wait until December, we'll be well into next year before we get that done, and I'm afraid we could end up having some fisheries close down in the interim.

I'm of the mind we need to be taking final action on that by potentially December or at the latest the March meeting, or we could head for some real troubles, I'm afraid. I know there are a lot of issues with timing and all those kinds of things, but there is some urgency to getting this done and these ACLs recalibrated by early 2013. Maybe what we could do in June at least, Gregg, is lay out a plan for how we're going to get there and the steps and things like that, but I would think we need to get into that discussion earlier than December.

MR. CURRIN: Yes, Roy, it concerns me greatly to get too much into the weeds in that whole amendment until we've got the numbers that we know we are going to be using. I can certainly see making some progress with development of a skeleton sort of document and some planning and that sort of thing. Maybe we've got enough history with how we've approached allocations through our Allocation Committee and the previous council actions. I know there is some disagreement and some concern about the timeframe selected for the use of Boyles' Law.

Certainly additional alternatives could be added to look at that. Other than just creating some alternatives which we've used before in the Comprehensive ACL Amendment and the allocation issues that we've had in the past, I don't see how much more progress we can make until we've actually got those numbers. Maybe there is a way to do it, but I'm having a hard time finding it.

DR. CRABTREE: Well, the Calibration Workshop is going to discuss ways for calibrating back in time, and that's going to happen in March. We could take one of the methodologies they come up with and calibrate back and have essentially a calibrated set of numbers that hopefully will be fairly similar to what we then get later in the year.

We could go ahead and plug those into our control rules and our formulas and look and see how much difference does all this really make in terms of the allocations and ACLs and things? For most species I don't think this is going to make large differences, because there aren't patterns, but for some species it will make differences. I think we could look at those things. I think there are questions like do we want to continue to go back before – if 1995 is as far back as they're going to correct, do we want to use anything prior to that in terms of allocations or do we want to shift at all to focus on those years? I think those are things we could make progress on.

But the problem – and I understand the discomfort with it, but the problem is if we wait until December we are going to not have this corrected until late 2013, and we're going to have fisheries that we potentially are shutting down based on MRIP catch estimates and MRFSS ACLs, and we can't let that happen.

Despite our comfort levels and things, I think we have to do the best we can to get these numbers corrected in early next year. I think to do that we've got to come in and look at this earlier. It may be that if we're not going to make changes to the formulas and we're just going to stick in the new numbers into our current control rules and things, that we can find an expedited way to do that that doesn't require a lot of NEPA analysis and things.

It may be similar with the allocations, that if we're not going to change the formulas, we're just going to put the new numbers in, but I think if we wait we are going to end up with a lot of emergency rules to head off closures. I think somehow we need to find a way to move more quickly on this.

MR. HARRIS: I agree in part with what Roy said, and I think some of these are going to be fairly simple, but one of the things I think we need to do is an analysis as to whether these new numbers that we're being given would have possibly changed the assessment. I think we need to know – we need to have somebody tell us would the assessment have changed if these new numbers had been applied?

If it would have changed, then I don't see how we can do anything without an updated assessment. I think that's one of the first things we need to know. Some of them I agree with Roy. I think they can be very simple, and I don't think it's going to mean a lot, but others might be more problematic.

DR. CRABTREE: Well, I think that is one of the questions we need to pose to the SSC. There is no question the assessments will change. If you change the numbers going in, in terms of the landings, the numbers coming out are going to change. The issue is I don't expect in many cases the status of the stock is likely to change.

But if, for example, with yellowtail snapper, the catch estimates are higher across the board; the trends are all the same, they are just higher. When you rerun the assessment you are going to get higher estimates of MSY and presumably you are going to get higher ACLs out of that. The question is to me, okay, given that is the case, if the catch estimates are routinely 30 percent higher, can we go in and scale up the ACL by 30 percent as an interim measure until we have time to rerun the assessment?

If we are not able to do that, it would seem to me we are going to have to go in and scale the catch numbers down by some amount to compare them with the numbers out of the assessment. There is not going to be certainty to all this, but we can't not do something or we are going to have really out-of-sort numbers.

I think we need a lot of advice from the SSC and the Science Center as to how to handle that, because we will be years before we get all these assessments run to incorporate this. We are going to have to find some way to get through this, and it's not going to be perfect and it's going to have some uncertainties in it.

MR. CURRIN: Roy, how comfortable are you that the results that come out of this Calibration Workshop are going to be universally acceptable, agreeable or agreed upon and usable with that

single effort? I assume that's a multi-day workshop, and we're asking a lot for the people participating to come up with some guidance or advice.

Are you real confident that in fact after that one meeting that they're going to be in agreement, and, yes, here is a perfect way to go forward and that our SSC and everyone else is going to say, yes, that's a perfectly acceptable methodology, or is it going to take more time than that? Most things take more time than that.

DR. CRABTREE: I don't know the answer to that, Mac. I know when you go in and rerun these assessments you are somehow going to have to deal with this discontinuity in the recreational catches. If you can't calibrate them back, then you are going to have to deal with it somehow that the numbers aren't comparable. I don't know how you are going to deal with that.

If we can't calibrate prior to 1995, then it seems to me that is a strong reason for us to go back in and change our timelines that we are basing our ACLs and allocations on, but that is something we'll know by June what did come out of this workshop and look at them, and I see Dr. Carmichael will pontificate.

MR. CARMICHAEL: Yes, I think so; I mean Mac is right, it is a tough task. That's one of the reasons why SSC representatives have been brought in to open the door for that dialogue with them and make sure the SSCs are aware of what is being discussed at the workshop. Part of the discussions during the workshop is presentations from the Northeast and Southeast Centers about the impact of the re-estimates on their assessments.

As far as what each region is doing to address that, I'm not in that loop. I know from the organizational efforts that there was some anticipation that some benchmark stock assessments would be run with those revised data so we have some quantitative evidence of how they might impact different stock assessments.

Then I think in terms of buy-in, another step is having a desk review from CIE representatives. Hopefully, by having it peer reviewed, the SSC people, the scientists on there will have a more comfort in accepting its results. What is envisioned is that there will be good buy-in of the process by bringing in all these people and hopefully looking at it from several different angles; so that then all the recommendations can be applied.

We expect that will obviously take some additional time and, of course, present some creeks that we aren't prepared to bridge, but we'll deal with that like we always do. I'm pretty optimistic that the SSCs that are involved in this are probably going to be supportive of the results. I'll be surprised and somewhat disappointed if some of them come up and completely dig their heels in and don't want it. I think the same goes for the Science Center representatives, too.

I think given the role that they've played in preparation – and there has been a lot of behind the scenes work. Some folks up within the agency, they started looking at how you would deal with this problem maybe six months ago. The workshop is in some sense a culmination of a lot of effort. But as you know I am often naïve about how well these things will be received.

MR. CUPKA: Okay, we're getting somewhat I think in the weeds there. We need to get back to the original topic, which were priorities and timelines. Are there any additional comments in regard to that? I don't know that we've given you a whole lot of direction at this point, Gregg, but we've given you some.

MR. CURRIN: Well, my concern, David, big concern is that if this ends up on the same level as the efforts for speckled hind and Warsaw, that we're not going to be able to pull them both off. I mean if those were just the two issues, we get rid of the other two issues in CE-BA 3, I have a question for you guys; I mean they are both huge efforts, very time consuming.

Maybe I can see – instead of December, maybe let's start cranking on this thing hard in September, but I think we've got a lot of time and effort that is going to have to be put into CE-BA 3 and particularly that speckled hind and Warsaw issue, to have that meet anywhere close to the timeline that we hope and desire. That's my big concern, Roy, because I see this ACL thing as being a massive effort as well; think back to the Comprehensive ACL. I know we've got templates to use, but –

DR. CRABTREE: We could make it that way, I believe, if we want to reinvent everything; but if we try to keep this to just change the numbers and pump out new estimates, I don't think it has to become that difficult or complicated. I mean most of the decisions have been made. Now if we come in and say we want to reinvent the whole allocation game, then, yes, it could take a considerable amount of time.

My suggestion would be if people want to reinvent the allocations that's fine, but let's do that separate. Let's keep the goal here to just correct the numbers and get the new numbers put in place and make a minimum of decisions here. If we do that I think we can reduce the amount of work to get it going. But we are in a bind, we were in a bind last year and the year before with monumental amounts of work that had to be done by a day and we got it done.

Unfortunately, we all would like to think we could catch our breath now, but that is not the case. We've got a big mountain of work and it has to get done. We're just going to have to figure out the best way through it. I think if we come back to this topic in June and ask staff to really think this through and come back to a discussion, we could have a lot better idea. We'll already have the workshop behind us, and I think we'll have a lot better idea of what this is going to entail and where we are going to go at that meeting, and then we deal with the rest of the timelines at that point.

MR. CUPKA: This is obviously going to take a lot of coordination and cooperation between the Science Center and the Regional Office and our staff and the SSC. There is a lot involved here.

MR. WAUGH: What I'm hearing is the intent is at June to bring something to you that updates you on where we are with the process, and then at June for you all to decide on your approach; are you just going to use the same allocations and just update the numbers? If you all decide that at June, then we can bring you something back at September. Obviously if it is going to be a bigger endeavor, then it will be later than September.

But if by June we have numbers and the approach is clear and you all decide just to update your allocation formulas, we won't have the SSC's revised ABC recommendations until prior to the December meeting, but we can brief you as to where we are and get your direction in June.

MR. HARTIG: Yes, to that point, Gregg, the main thing is to look at some numbers and see how the allocations with the new years are going to work. It would be nice to be able to see comparisons of the two and how that's going to impact either fishery, so that would be nice to see.

MR. MAHOOD: Maybe this is a question for John. At the Calibration Workshop maybe one of the charges could be to look at how much change is significant relative to taking action on, because like Roy said some of them there isn't much change and maybe we don't even have to do anything with it. There may come out to just be a handful that we need to address; and if that's the case, that is going to make it simpler instead of trying to go in and recalibrate something 1 or 2 percent difference.

DR. CRABTREE: Well, I think for a lot of them the changes will be not very much, but I think even for those we ought to put the new numbers in; and if the ACL comes out just a little different, okay it's a little different, we put it in place; but at least then they are corrected. Some of this is about being able to say these are based on the best available science.

I think for most of these stocks it isn't going to make much. I think we're going to find out that there is just a handful of them that it is going to make a big difference in, but I still think we need to correct them, and that's why I don't think this necessarily is that overwhelming a task if it doesn't really change things very much and you just pump in the new numbers and here it is.

MR. CURRIN: Roy, are you comfortable with the approach that Gregg outlined? That gives me more comfort. I was reading your suggestion that we need to start cranking on this between now and June.

DR. CRABTREE: I think that's fine. I'd like to see, like Ben said, some examples of here are the new numbers, here's some species; if you plug these new numbers in, here is how much difference it makes. Then I'd like to hear about the workshop and their suggestions; and if you follow what they said, here is what you would come out with and some of those kinds of things. Then I think at the June meeting we need to have a pretty solid path forward and a timeline laid out as to what we are going to do and when it's going to happen.

MR. CUPKA: I think that is a reasonable request to have that by the June meeting. Gregg.

MR. WAUGH: The intent would be that we would make sure – we've got our Dolphin and Wahoo AP Meeting, and so that committee, but all the committees that dealt with allocations we would present this information to those relevant committees in June; obviously, snapper grouper being the biggest one, but there are others, and then at June decide on the approach.

MR. CUPKA: Do you have enough direction, Gregg? All right, let's move on then. I knew that was going to take some time but it was important to have that discussion. The next thing we

heard a report on was review of the President's 2013 budget. The committee reviewed the NOAA/NMFS budgets.

Bob informed the committee that during a recent CCC conference call we were informed that the President's 2013 budget proposed about a 14 percent cut in the council's line item funding. Although this would put a dent in our 2013 budget, it is anticipated that we are well situated to handle the cut as we have been planning on it budget-wise.

The next thing was a brief report on the January 2012 CCC meeting. Myself and Vice-Chairman Hartig briefed the committee on the meeting. During the meeting it was learned that the council would be included on the Regional Planning Boards under the National Ocean Council. Also, the councils received recognition from Dr. Lubchenco relative to their accomplishments in meeting the congressional mandates and establishing ACLs.

Under other business Bob informed the council about the upcoming Department of Commerce Inspector General Review of the council and NOAA Fisheries rulemaking process. There were no motions during that committee meeting, but we do have one thing that we mentioned that we want to get concurrence on.

We had a discussion about the deadline for presentations and all materials. As I indicated then, I've noticed that the amount of material we've been getting at the meeting has had a tendency to increase. Staff has suggested that maybe we should establish a deadline for all this material to be in as of the second briefing book mailout; is that correct, Gregg?

MR. WAUGH: Yes, our preference would be the first briefing book, but that would give you all a two-week window to look at materials, but I think given the workload that is unrealistic. I don't think it's fair to you all and conducive to good decision-making to not give you that week before the council meeting to look at materials.

I have difficulty keeping up with the flow of materials at the meeting and it makes it very difficult for you all. Yes, our suggestion would be that second briefing book deadline, all material presentations must be distributed to you all. If anything comes in after that, it goes to the next meeting.

MR. MAHOOD: Yes, we did have this before; and then as we got into the real busy times, I think the council instructed staff that if it was information that was pertinent to the decisions they were going to make they would take it right even up to the meeting. It is difficult at times to get all of the information to the council; so if you make a motion and you favor cutting it off at the second briefing book, that's great for us, but just be on notice that we've tried to do this before and it kind of reverted to get the information to us even if it is at the council meeting.

MR. CUPKA: Well, if we did pass a motion, I think there may be occasions when there is material that we definitely need and we could give some discretion to staff on that. Duane.

MR. HARRIS: Mr. Chairman, I'm prepared to make a motion that all materials and presentations to be presented to the council be submitted to staff prior to the mailout of the second briefing book unless an exception is made by the council chair.

MR. CUPKA: We have a motion on the board, is there a second; second by Tom Swatzel. The motion is all the materials and presentations to be presented to the council be received by staff prior to the second briefing book deadline unless approved by the council chair. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

I want to try and get through one other quick committee meeting and that's SEDAR; and then after that we'll take a fifteen minute break. I would like to get this one out of the way because the next one is Golden Crab and that is going to take a little while. The SEDAR Committee received a progress report on ongoing SEDAR assessment projects and discussed future assessment priorities.

The Southeast Fisheries Science Center reported that a red snapper benchmark should not be pursued in 2013 due to concerns over the short time series of new information sources. Therefore, the previous plan of conducting an evaluation of survey needs or survey trends and removals under the moratorium regulations will be followed.

The evaluation should include information through 2012, should be reviewed by the SSC, and be available to them in time to support updated fishing level recommendations presented to the council at our June 2013 meeting. The committee supported the 2014 assessment priorities as listed and added black sea bass and greater amberjack as stocks to consider if additional assessments can be completed.

Findings of an MRIP project investigating electronic logbooks for headboat vessels were reported to the committee. The committee was also briefed on evaluation of and implementation plans for electronic reporting by the Southeast Headboat Survey. An overview of revised recreational catches from the MRIP estimation process was provided.

The committee was briefed on an MRIP workshop addressing volunteer angler data and an upcoming workshop to be held in conjunction with SEDAR addressing calibration of MRFSS and MRIP estimates. No motions were made during the committee meeting. Are there any questions on the SEDAR report? Seeing none, then we will recess for fifteen minutes.

MR. CUPKA: If everyone can take their seats, I'd like to go back into session. The next report will be the Golden Crab Committee Report. The Golden Crab Committee met on Wednesday, March 7, and reviewed Draft Amendment 6 and recommendations from the advisory panel, IPT and council staff.

The committee discussed and made changes to the amendment, which are recorded in the following motions. First of all, in regards to the Purpose and Need for the amendment, there was a motion to delete Item 7 of the Purpose and Need and on behalf of the committee I would so move. Is there a discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 1 dealt with establishing eligibility criteria for a Golden Crab Catch Share Program and there were no motions made in regard to Action 1. **Action 2 dealt with the initial apportionment of catch shares. Motion 2 was to change the preferred alternative to Alternative 5 and eliminate the two subalternatives, and on behalf of the committee I would so move.** Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Motion 3 was add new Alternative 7 to Action 2, distribute initial apportionment of catch shares through an auction. All eligible entities as determined in Action 1 would be able to participate, and on behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 3 dealt with establishing criteria and structure of an appeals process. Motion 4 was to select Alternatives 2 and 2D as preferreds, and add the term “If the amount of set-aside for appeals is exceeded, then the shares and annual pounds of all IFQ shareholders would be proportionally adjusted”, and on behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 4 deals with establishing criteria for transferability. There was a motion to add the word “valid” before “golden crab permits” in Alternatives 2 and 3 and add the following to Alternatives 2 and 3: “Participants cannot possess shares or allocation without a valid golden crab permit” and designate Alternative 2 as our preferred. On behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 5 deals with defining of quota share ownership caps and there were no motions made in regard to Action 5. **Action 6 deals with the use it or lose it policy. There was a motion made to reword Alternatives 2 and 3, add new Alternative 4 as per staff recommendations and chose Alternatives 4 and 4A as preferred, and on behalf of the committee I would so move.** Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

There was another matter that we discussed but we didn't come to any closure on it and staff would like some direction on it. Additionally, the committee discussed but did not resolve what exactly would be revoked should a shareholder not meet the percentage average annual pounds landing requirement.

Again, there was discussion about would they lose the whole 10 percent or if they had fished 7 percent would they lose the difference. It would just be 3 percent and I know there was discussion on that but we didn't resolve it. I would open the floor to see if anyone wishes to make a motion. Charlie.

MR. PHILLIPS: Mr. Chairman, I believe it was the intent that they would lose the percentage that they didn't fish. I'm not quite sure quite how to make that motion.

MR. CUPKA: Is that the understanding of the rest of the council members of the committee?

MS. McCAWLEY: Yes, that was my understanding as well after the discussion. I know we went round and round about it, but yet that was my understanding as well.

MR. CURRIN: I'm fine with that but I'd just note that it's not very punitive. The measure itself is not very onerous for the people to remain in the fishery, but I'm okay with that if that is the way the committee wants to go.

MR. CUPKA: Monica, do we need a motion on that or can that just be direction to staff to include in the document?

MS. SMIT-BRUNELLO: I think for the record it would be nice if there was a motion. It would be better.

MR. CUPKA: Okay, does anyone wish to make the motion? Charlie, do you want to take a stab at it?

MR. PHILLIPS: Yes, Mr. Chairman. I would make the motion that the amount of their quota proportionately that did not get fished would revert back to a common pool to be redistributed.

MR. CUPKA: Is there a second on the motion? No second. Okay, let's wait until he gets it up on the board. We weren't going to take action until he did, but I did want to get a second just for purposes of discussion. Okay, Duane seconded it. Brian.

DR. CHEUVRONT: As you have it now your motion is that, say, for example, your current preferred is that they would have to fish 20 percent on average. If the person fished 15 percent on average, the way you have it worded now is that he would lose 85 percent of his individual allocation. If you really want to make it clear that you're talking about the difference between what was fished and what was required to be fished, you need to make that clear in this motion. I think what you need to do is the amount –

MS. SMIT-BRUNELLO: Well, Charlie used the word proportional and it's not in the motion, the amount of the quota proportionately, and I'm not sure what exactly that means, but I don't know if that would help you or not help you.

DR. CHEUVRONT: I think that gets it, Gregg.

MR. CUPKA: Should we say something like individual allocation rather than quota?

MR. PHILLIPS: Yes, any help I can get is welcome.

MR. MAHOOD: Is it that did not get fished or was not harvested? I could go out there and fish and not catch anything.

MR. PHILLIPS: Was not landed.

MR. CUPKA: Would be returned to the pool to be distributed to the other permit holders.

MR. PHILLIPS: To the other permit holders.

MR. CUPKA: Proportionately or something?

MR. PHILLIPS: Proportionately.

MR. CUPKA: Monica, we're working on it.

MS. SMIT-BRUNELLO: When you're redistributing and you're saying proportionately, does that mean equally, each person gets an equal cut or is it in relation to how the initial distribution was made?

MR. PHILLIPS: It would be according to how the initial distribution was made without the person that's losing getting a share of that.

MS. SMIT-BRUNELLO: Okay, so we can work that up in the discussion, and maybe we could even, I don't know Brian, come up with some examples to clearly illustrate for everybody what this means. I don't know; we'll try.

MR. CUPKA: Okay, Charlie, wait a minute, Monica has got something else.

MS. SMIT-BRUNELLO: Scott makes a good point. Are you talking about allocation or shares? I think you're probably talking about shares, because allocation is something that you are going to distribute at the beginning of each fishing year and so you want the shares.

MR. CUPKA: Okay, good point. Well, do you want to read your motion again?

MR. PHILLIPS: **The amount of the 20 percent portion of the individual shares that were not landed would be returned to the pool to be distributed to the other permit holders proportionately according to the initial distribution without the person that is losing the portion of their shares.** I don't know if we need that last sentence because we are saying to the other permit holders. Do we need that last sentence?

MR. CUPKA: It probably doesn't hurt to have it in there; it will be perfectly clear. Further discussion? Duane.

MR. HARRIS: I'm not sure I understand what the amount of the 20 percent portion means. Is that clear to everybody else because it's not clear to me?

DR. CHEUVRONT: Right now your current preferred is Preferred Alternative 4 that requires them to fish on average 20 percent of their shares every year in a three-year running average. This 20 percent portion is what would be used to make the determination as to whether or not they actually landed enough. For example, if they only landed 15 percent on average on the three-year running average, they would take the difference between the 20 percent they were required to land and the 15 percent they actually landed, figure out what that is and that's what they would lose.

MR. HARRIS: I understand the explanation, Brian. I just think the wording of the motion is fuzzy to me, and it's fuzzy to Monica, too.

DR. CHEUVRONT: De-fuzz it, please.

MR. CUPKA: Andy, do you have something?

MR. STRELCHECK: A couple things; you don't want to refer to initial distribution; you want to refer to the shareholdings at the time that this gets redistributed. There will certainly be potential for the share cap to come into play so you wouldn't redistribute to anyone that's already at the share cap. That can be a clarification we make. I know in the Gulf they give staff some authority to rework an alternative after the council meeting, so maybe we just do that. We I think understand your intent but we'll wordsmith it and bring it back to you in June.

MR. CUPKA: Well, we can do that because it's coming back to us in June and we'll take a look at the wording at that time. All right, further discussion on the motion? Is there any objection to the motion? Seeing none, that motion is approved. Charlie.

MR. PHILLIPS: Mr. Chairman, per Mac's comment that this may be not a slap on the wrist, per se, I think it might be good to put on the record that should an issue of a considerable amount of the TAC not being fished, that we may want to go back and revisit ways to ensure that this TAC is fished and spread around and people that may need shares and they're not getting them lease-wise or something, I think we might want to put it on the record that we want these things fished.

DR. CHEUVRONT: Mr. Chairman, once you get finished with some of that, it would be helpful – there was in the committee meeting the version of the motion that changed the wording of Alternatives 2, 3 and 4 had a couple of errors in it. What I did was, when I corrected it I made those changes that should have been in there and they are highlighted in the report. It would be helpful if we just get some kind of approval from the council as to whether they agree with those corrections.

MR. CUPKA: All right, you should have that in front of you as part of Brian's report. Under Alternative 3 it was talking about a 30 percent; and then Subalternative 2B, somehow it got put in as 10 percent. I think that was from cutting and pasting. That 10 percent needs to be 30 percent. And then in Alternative 4 where we are dealing with a 20 percent, again because I think a cutting and pasting, it's indicated as 10 percent. Subalternative 2B should read 20 percent and not 10 percent. Is there any objection to staff changing that?

MR. CHEUVRONT: Mr. Chairman, also the numbering of the subalternatives under Alternative 3 and Alternative 4 needed to be corrected as well.

MR. CUPKA: Right, any objection? I think that can be direction of staff, so we'll take care of it that way. All right, that brings us down to Action 7, which is the cost recovery plan. **There is a motion for Action 7 to change the preferred from 2B to 2A and select 2, 3, and 4 as preferreds, and on behalf of the committee I would so move.** Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 8 deals with revising the boat length limit rule. A motion to approve the IPT recommendation, which is to rename this action from “Establish Boat Length Limit Rule” to “Revise Boat Length Limit Rule”; add new Alternative 3 from the AP, and choose the new Alternative 3 for Action 8 as our preferred, and on behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved.

Action 9 deals with modifying the regulations on the golden crab fishing zones. A motion to make Alternative 2 our preferred for Action 9; on behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Another motion to concur with the IPT recommendation, changing the name of Action 9 to “Modify Regulations and Golden Crab Fishing Zones”, and on behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 10 deals with modifying the small vessel subzone restriction. Motion to revise the no action alternative as recommended by the IPT and designate Alternative 2 as our preferred, and on behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 11 is to modify one vessel, one permit policy for golden crab. A motion to adopt the IPT’s recommended language changes, which is to rename Action 11 as “Modify One Vessel One Permit Policy for Golden Crab”, change the alternatives as recommended by the IPT and choose Alternative 2, Subalternative 2B as the preferred; and on behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 12 deals with monitoring and enforcement. A motion to select Alternative 2, Subalternative 2C as our preferred; and on behalf of the committee I so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved. Action 13 deals with establishing criteria for new entrants program, and we deferred action on this to full council. I think Brian has some alternatives that he wants us to look at, so I’ll turn it over to Brian.

DR. CHEUVRONT: Yes, Gregg, if you can scroll down, Action 13, Establish Criteria for New Entrants Program. Based on the discussion that the committee had, we came up with some new alternatives. Alternative 1, no action would remain the same as it was previously, do not create provisions that assist new entrants in entering the fishery.

Alternative 2 was when a golden crab permit is transferred to a new entity, the following minimum percent of the current total ACL must be transferred along with the permit. Subalternative 2A is 1 percent; Subalternative 2B is 2.2727 percent, which lines up with what you have voted on to have as a minimum amount of the ACL that needs to stay with each permit; and Subalternative 2C, which was a suggestion that was made during the committee meeting.

MR. CUPKA: Yes, I don't think we voted on 2.2727. It just turns out that's what the percentage is when you apply the action that we took. One question I had is on Subalternative 2C, if 2.27 is the minimum, does that mean that either the person selling the permit or the person purchasing the permit would have to buy additional landings in order to do something with that. Because it's above the minimum amount, there could be cases where that part would exceed it. I think you and Andy discussed this yesterday.

DR. CHEUVRONT: Yes, we did, Mr. Chairman, and it's quite possible that a permit that is assigned the smaller amount may not actually have 5 percent of the allocation assigned to it. We would need some direction from the council if you wanted to pursue this as to how you would handle those scenarios where an individual permit did not actually have 5 percent of the total ACL assigned to it.

MR. CUPKA: All right, we'll open up for discussion. Mac.

MR. CURRIN: David, this whole measure really, as I see it, primarily just protects a potential purchaser. As we had some discussion the other day, if someone is foolish enough, in my perspective, to buy a permit that doesn't have any poundage or enough poundage to allow them to fish, I don't see any value there.

People do crazy things and it might happen, but really what this does is sets some minimum amount of poundage that if a permit is sold or transferred, then it is going to attempt to make it worth fishing. I can live with this measure at some reasonable level, probably 5 percent, or I could easily live without this measure in the document at all and let the buyer beware as far as transfers of permits. That's my interpretation; maybe there is something more to it.

MR. CUPKA: Other comments? Do you want to take action on this or do you want to bring it back at the June meeting for a final?

MR. WAUGH: We need your direction now.

MR. CUPKA: Well, it seems to me 5 percent would be good in some ways. It would ensure that there was enough there I guess to fish, although 2.27 would give them, what, 45,000 pounds approximately under the current ACL. I don't know if that's enough. It seems like it would at least get the person into the fishery and give an opportunity to make a couple trips and then maybe purchase some additional allocation. It just seems to me like the 5 percent is going to create all kinds of problems trying to do that.

DR. CHEUVRONT: Just sort of looking at the landings, in the 12-year time period that is considered in the FMP, over half of the 11 permits did not land 2.2727 percent in any given year and many of them landed nothing.

MR. PHILLIPS: Mr. Chairman, I agree wholeheartedly with Mac. If we were going to stay with the 2.2727, then that gives them a start and they may be able to lease shares that they can't afford to buy. That just may be the get in the door; and at the price that they tell me those crabs were selling for, that is enough money where you could get in and at least probably pay for your gear

and stuff. I don't have a problem with leaving it there; and like Mac I almost don't have a problem with not having it at all. It's just do we want to protect them or not?

MR. CUPKA: Okay, we will need to take some kind of action or it won't be in there, I guess.

DR. CHEUVRONT: Mr. Chairman, you already have a version of this action in there that you asked us to revise. You either need to remove the action, you need to choose a preferred, change the alternatives, but you need to do something at this point.

MR. CURRIN: Yes, Mr. Chairman, I'd move that we just remove this action, move it to the considered but rejected appendix.

MR. CUPKA: Okay, we have a motion; is there a second; second by Charlie? Is there any discussion on the motion? **Okay, the motion would be to move Action 13 to the considered but rejected, and that includes both the old and the new wording.** Discussion on the motion? Is there any objection? Seeing none, that motion is approved.

That brings us down to Action 14, which deals with the annual pounds overage. There is a motion to select Alternative 3 as our preferred, and on behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.

Action 15, approved landings sites; motion to select Alternative 2 as our preferred with current Subalternative 2 as a preferred, and on behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection?

MR. WAUGH: Alternative 2A.

MR. CUPKA: I did say that; I said select Alternative 2, didn't I, as a preferred with current **Subalternative 2A as a preferred.**

MR. MAHOOD: You left the "A" out.

MR. CUPKA: Okay, if I did, I'm sorry. **On behalf of the committee I would so move.** Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved.

There are a couple other issues that we need to deal with. First of all, after we were through with our discussions, there was a suggestion or recommendation by NOAA General Counsel to make a wording change for Actions 1 and 4. The committee recommended changes to ensure that the word "valid" appear before the words "golden crab permit". **NOAA GC recommends that council consider revising the wording from "valid golden crab permit" to read "valid or renewable golden crab permit in Actions 1 and 4; so I would entertain a motion on that.**

MR. CURRIN: So moved.

MR. CUPKA: We have a motion; is there a second; second by Charlie. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved. Monica, in looking this over, in an earlier version we had an action which dealt with annual pounds on the ownership cap and somewhere along the line that got removed.

The situation is if we don't take some kind of action, a person could have the 49 percent share ownership cap in place but they could still go out and lease allocations, which would give them control of more than 49 percent of the allocation. I'm going to ask Monica to comment on this, but my understanding is that she is suggesting that maybe we need to put that in there; and if so, I think Brian has worked up some alternatives to deal with that.

MS. SMIT-BRUNELLO: That's right, Mr. Chairman, the Magnuson Act, in addition to requiring share caps, requires establishment of other measures to prevent an inequitable concentration of limited access privilege. In a prior version that existed, I think last September, we did have a cap on the allocation. I think it was an action with a number of alternatives, and I think Brian might have that.

DR. CHEUVRONT: That is the exact one that was removed in September.

MS. SMIT-BRUNELLO: I would suggest that we put that back into the document unless you want to change any version of it, any of the alternatives, the wording or anything like that; and then that, of course, will come back before you in June with analysis when you see it.

DR. CHEUVRONT: And you would need a preferred. If your intention is that you don't want any shareholder to have any allocation in excess of the initial allocation share cap that you have assigned, you would want to choose Alternative 2 as your preferred.

MR. CUPKA: Okay, are there any further questions on just what we're trying to do here? Does anyone wish to make a motion? Mac.

MR. CURRIN: David, I'd move that we add the following action back in and select Alternative 2 as a preferred. This is the action dealing with defining annual pounds ownership caps.

MR. CUPKA: Is there a second; second by Charlie. **The motion is to add the following action which defines annual pounds ownership caps back into Amendment 6 and select Alternative 2 as the preferred.** Is there any discussion on the motion? Is there any objection to the motion? Seeing none, that motion is approved.

Also during our discussions, Andy brought up a request that we consider or I guess when the rule is developed, that instead of the term "catch share" that it be referred to as an "IFQ". This is because a lot of their materials that they send out to participants is worded in terms of IFQ. I don't know if we need a motion on that or if NMFS would just make that change when they draft a rule for this.

MS. SMIT-BRUNELLO: Well, when it comes back before you in June, you will have the proposed rule and that will have the language in there, so I think that if you deemed that rule is

necessary and appropriate that you would be adopting that change. You could make a motion now and suggest that you do that, but I don't think that you need to do that now because you will see it in June.

MR. CUPKA: That was my understanding, too, and also we could just give direction to staff when they revise this document to change that.

MR. WAUGH: It's going to be in the codified text. We are not going to go back through and revise the entire document. My understanding is as long as the codified text tracks that wording, we'll be okay.

MR. CUPKA: Is that all right, Monica?

MS. SMIT-BRUNELLO: It's all right with me, I'm not sure if it's all right with the Fisheries Service. Maybe we want some discussion.

MR. STRELCHECK: Catch share is a more generic term for an Individual Fishing Quota Program, so I think if we just have a paragraph or something up front that explains that this is an individual fishing program in the document, that will save us a lot of time searching for catch share and replacing it with IFQ throughout the document, and then we'll make the revisions in the codified text.

MS. SMIT-BRUNELLO: That's an excellent suggestion.

MR. CUPKA: Sounds like a plan. Okay, I think that's all the things that we need. I guess I should mention, though, I don't know about the rest of you but I was pretty surprised on some of the testimony we heard during the public comment period. I think all of us had been working under the assumption that this was kind of a unanimous program that was wanted by all of the fishermen.

It was somewhat of a surprise; no, it was a big surprise to learn last night that this was not the case. Roy had some concern about it. We've gone on record as saying that we're not going to implement any catch shares unless the fishermen want it, and I guess that would indicate a majority of the fishermen want it. I don't know if we need to take some action to try and gauge what that level of support is at this point or not.

DR. CRABTREE: Well, we have been on record that we were only going to put in place a catch share program if the majority or I guess the participants want it. I think there is some doubt in my mind right now whether the majority of individuals in this fishery want it or not. We could do a referendum of sorts between now and June and answer the question.

My understanding, I've been advised that we would not have to go through the PRA process because it is a one-time collection and it's less than ten individuals. I think the council could contact these folks, send them a letter and ask them to indicate their position on it. Then at least we'd have something we'd know. My worry is if we go through with this and the majority of them don't support it, that is going to have some ramifications for how people view our process.

MS. SMT-BRUNELLO: Just as a suggestion, the Magnuson Act contains three different kinds of referendums or referenda – I'm not sure which the plural is – three different kinds that are described in the Magnuson Act, but they don't apply to this council. One way is it applies to New England on two-thirds; the other two apply to the Gulf, one for red snapper, one for any other kinds of catch share I guess, if you will, programs.

I don't know that you need to use the word referenda. If you were going to do this, I would suggest you call it a letter of interest or a letter or something. You can call it referenda if you want, but that kind of gets us into Magnuson Act issues and I don't know that you need to do that because you are not bound by the Magnuson Act to do that, and you are not required. Just for discussion purposes.

MR. CUPKA: Yes, we have had discussions before, if we ever got to a point where we conducted a referendum exactly how it would be conducted; would it be each person or would it be based on catch history or number of permits and all that kind of stuff.

DR. CRABTREE: Yes, that's fine, we can call it something else, but I'd just like to see if we could send – I think what is it, eight people? That's what folks were saying. If we could get those individuals, all eight of them to take a position on a piece of paper so we had something at the next meeting. It seems we could write them all a letter asking them to respond and come back to us. We might have to follow up with them to see what their position is.

MR. CUPKA: Let me ask Andy, is eight the correct number at the current time, Andy, do you know?

MR. STRELCHECK: I think that is approximately correct. There is one person that holds three permits, but of those three one is jointly held with someone else. Do we treat that as a separate entity? Those are the nuances that we'd have to consider here, but you are looking at a universe of probably eight or nine that would be part of this.

MR. CUPKA: It's definitely below the ten so we don't have to worry about the Paperwork Reduction Act, but we do need I guess to give staff some direction as to how some of these nuances such as what Andy just mentioned would work out.

DR. CHEUVRONT: Yes, and that's really important. I think you need to make that decision before any vote is taken, because at least a couple of these permit holders do own more than one permit. If you're going to decide to do this by permit versus permit holder by entities, it could skew or change the results of the vote.

I think you need to come up with your criteria for how you're going to tabulate the votes if you're going to go with this route before we leave here today so that there is no question that somehow later on you changed how you were going to tabulate the votes to make the outcome come out one way or the other. Please be as explicit as possible, whether you want to weight votes at all by landings as been done in the Gulf or if you want to do it by permit holder or if you want to do it by entity. I think that would be really helpful to staff.

MR. HARTIG: Well, I would certainly suggest that we look at a weighted vote on golden crab; weighted by landings of the participants. That's what I would like to see done. If that's the intent of the council, that would be great, but that is what I would like to see done.

MR. HARRIS: I'm not going to suggest that we not allow them to vote, but I'm pretty miffed that we've gone so far down the road in developing this amendment and at the last second it appears that it could be derailed by a couple of individuals that show up, that knew what was going on the entire time and didn't bother to participate in the process; or it appears that they didn't bother to participate in the process. I'm just putting that on the record.

MR. CUPKA: I guess, too, if we were to go the route that Ben is suggesting, based on landings history, if I'm correct that we'd also have to probably choose some time period to look at that landings history.

DR. CRABTREE: Well, I think you would, and isn't it possible given the way this fishery operates that one individual then could be in favor and everyone else opposed and it would pass? I'm not sure that's – we've talked about having support in the fishery for things; I'm not sure that really gets you there. Now we did do a weighted vote for red snapper in the Gulf. We were required to, it was in the statute, but when we did the grouper we did not do a weighted vote.

We defined who was a substantial participant, meaning you had to have some minimal level of landings. Then it was one permit, one vote. I guess I was thinking more about just of the entities in this fishery, are they for it or against it? Now if we have people who hold permits but never fish and don't have any landings, we could potentially find a way to deal with that. But I worry, Ben, if it was weighted, just one individual could determine it.

DR. LANEY: My initial reaction was to go along with Ben's suggestion, but Roy makes a good point. If that turns out just to be one individual, you're basically then authorizing a monopoly, which I don't think would be on our intent; but on the other hand, I think the expressed intent would be to keep those fishermen who have been actively participating in the fishery in the fishery. Those were the ones it seems to me had pursued the program. I don't know; it's a complicated situation. I think we need to come up with some way to deal with it.

MR. BOYLES: I'm just wondering – we've struggled, and this as in many cases is an allocation issue. We are on record with some kind of formula for allocation and I wonder if we could apply that algorithm to landings; and if that's a way to ameliorate concerns about a monopoly, as Wilson suggests, allow but still continue to have based on landings.

MR. PHILLIPS: Well, Mr. Chairman, if I understood properly, it wasn't going to be necessarily a referendum letter we're sending out. We're just going to send out a letter of their position. When that comes back, I don't see any reason why staff can't break that out into how it looks from weighted pounds, how it looks from counting permits, and how it looks from individuals, and then it comes back to us and then we've got it broken out each way. Then we can hash out really what's there and then make our decision on that, or can we do that?

MR. CUPKA: No, I think you need to decide ahead of time how you're going to do it rather than look at what the results are and then decide.

MR. HAYMANS: I don't know where all of the deliberations have been in the past with regards to we're only going to do it if the entire fishery wants to do it, but we've entered this new discussion about voluntary catch shares. I understand where that went yesterday, or the day before, whatever it was, but might this be an opportunity with limited changes to allow these gentlemen who are in this very small fishery; if they want to take their part of the quota and keep it, might this be a chance for a voluntary IFQ in this fishery with minimal changes?

DR. CHEUVRONT: Without naming names and whatever, the folks who are in opposition would end up with a greater portion of the landings if they participated in the catch share than if they did not, and substantially more. Many of these permits will be getting more allocation in one year than they've landed in the entire 12-year history combined that was considered in the development of this amendment.

MR. CURRIN: Two observations or one observation and then a possibility to chew on; I think it is important that whatever way we go about this, that we base it on the number of permits. The whole amendment is based on the number of permits, so we've got 11 permits. Whatever we decide to use as a qualification criterion or weighting, I believe it should be based per permit.

The only other thing, a simple way perhaps to consider it is to pick some period of time and look at the presence or absence of landings. If they had landings over the last two years, last three years, last five years, that would qualify that permit to vote. If they had no landings, that permit would not be allowed to vote. Just to think about it, I don't know, as a possibility. There certainly are many, many more ways to go about it.

MR. CUPKA: Well, that's partially I guess what they did in the Gulf, where they defined a substantial participant. That is a part of what you are getting at there with looking at the level of landings.

MR. STRELCHECK: As I looked at who holds permits, there are 11 permit holders as you are well aware. Nine of them are uniquely held by individuals who are partners or corporations. If you're looking at a landing criterion, for instance, in the last three years – I don't have 2011 data so that would change things – you are looking at six permits that reported one pound or more of golden crab landings during 2008 through 2010.

MR. CUPKA: Yes, I tried counting it up and I got nine, I think nine individuals who had permits. We've heard from I guess six of them so far. There are three of them that I don't believe we've heard from one way or the other. It seems to me, again, we aren't held by the PRA requirements.

If we wanted to pursue it on one permit holder or one individual per vote or something or per letter of interest, we could do that. It would be one way to go, but we need to decide something on how we are going to proceed with this. We aren't restrained by anything in the Magnuson Act at this point.

DR. LANEY: Mr. Chairman, regarding your comment about the substantive permit holders. Andy, what do the landings look like? Is there some sort of threshold that we could use that would clearly define those who had substantial landings that would reduce the pool down somehow?

MR. STRELCHECK: Certainly, you could come up with some sort of landings threshold based on what I just said. Five permits don't have any landings, period, so that's I think your initial threshold. Now, whether you want to consider something that is kind of a minimum level of landings, and I can look at it and give you an idea of how many, for instance, land over a certain amount, if you would be interested in entertaining that.

MS. SMIT-BRUNELLO: Andy, you said though that didn't include 2011 data?

MR. CURRIN: First question, Andy, do we have the 2011 data that is available?

MR. STRELCHECK: I'd have to check with the Science Center to see how complete it is. The fishing year ends in December so that goes through data entry, so it might not have all been entered. We should have a good portion of 2011 entered, but not all of it.

MR. CURRIN: Okay, but it's not complete?

MR. STRELCHECK: Correct.

MR. CURRIN: I feel comfortable with drawing the line at 2010. Mr. Chairman, I'm going to move, just to get us off the block here, that in order to qualify a permit to vote, it must have landings in two of the last three years, 2008 to 2010, to be specific. Qualifying permits are allowed one vote; and that we ask them to submit those votes to us via letter or whatever the appropriate vehicle is.

MR. CUPKA: Okay, we have a motion; is there a second; Tom Swatzel. Discussion on the motion? Duane.

MR. HARRIS: Are we calling this a vote or just an expression of interest or disinterest, because vote seems to have a higher connotation to me that we are bound by a vote? Maybe that's the intent of the council; it certainly wouldn't be my intent.

DR. LANEY: A question for Monica and that is if we establish criteria like this, that obviously will cut out anybody who doesn't meet those criteria, so are we running afoul of the law somehow? Basically if there are permit holders who didn't have any landings who don't meet those criteria, then they wouldn't get a vote, if we call it a vote. Are we going to run afoul of due process if we do that?

MS. SMIT-BRUNELLO: I think that you can set up the way you would like this to be conducted. These people, in terms of due process, no, I don't think you are running afoul of it, because they can come to the June meeting and tell you how they feel, tell the council how they

feel about this particular process. I think that they'll have plenty of opportunity to speak. I also think you have quite a bit of latitude in how you want to structure this.

You may decide that this is going to be the be-all and end-all and you are going to make your decision on this or you may decide that for some reason in June, even though the vote turns out a certain way – I'm not saying that you are going to go this route, but I'm just trying to make sure that you have the maximum flexibility under your authority that you have, so you'll take this into consideration. I think that's the best way to look at this for your June deliberations.

MR. CUPKA: Yes, and I don't think anything we do could do away with due process. I mean if somebody wanted to take us to court, that is always an option, or take NMFS to court. No matter what we do that option is always there for them, so we haven't taken away any due process for individuals.

MR. HARRIS: I'm still hung up on this vote word, and I would much rather it say something like expression of interest rather than vote, because I think if we did go to court, vote to the courts might carry a higher weight than expression of interest.

MR. CUPKA: Do you want to offer an amendment, a friendly amendment?

MR. HARRIS: Yes, I would offer a friendly amendment to change the term "vote" to "expression of interest" and make the wording fit the expression of interest phrase.

MR. CUPKA: Yes, that's a good point; two of the last three years is not 2008 through 2010. We can use that time period but I wouldn't say the last three years. Tom.

MR. SWATZEL: One other issue we keep talking about substantial majority. I assume that in a vote like this it is a simple majority.

DR. CRABTREE: This is not a binding vote on you. Although if the majority of them vote against it, it would put us in an awkward position, but it's not like in the Gulf or New England where the statute ties you to the outcome of it.

MS. SMIT-BRUNELLO: That's what I meant about maintaining the flexibility of all the authority the Magnuson Act gives you. This will be something you consider when you come back in June; but that's right, it's not binding.

MR. CUPKA: It's just one factor in the decision. Jessica.

MS. McCAWLEY: How are they going to express the interest, and is there a timeline on them expressing that interest? For example, if we are looking to take a vote in June and are we asking that to be tallied, say, by the end of May? But then let's say that someone comes to the June meeting and then they express their interest in a different way than what they had expressed however we are going to poll the people now. It seems like there should be a timeframe on this.

DR. CRABTREE: One other friendly amendment; I'd suggest you take the word "NMFS" and replace that with the "council", because this is your poll and you guys are going to need to send it. It's not a referendum; you are seeking public input here.

MR. CUPKA: I don't know that we want necessarily to say the results have to be compiled prior to May 18, but we certainly need a response by then or cut off responses.

DR. CRABTREE: Provide input prior to May.

MR. CUPKA: I don't know about provide, we could request that they –

DR. CRABTREE: I'd suggest, since this is a very small number of people, that Brian or someone call them up, tell them this is what we are going to do and you are going to get this letter, we want to know what you guys think so please respond and please send it back to us, so that everybody knows what's going on.

MR. CUPKA: Okay, and that doesn't need to be a part of the motion; that can just be direction to staff. All right, is everyone satisfied now with the way it reads?

MR. CURRIN: David, if I might, if it is not clear, my intent here is that the individual permit must have recorded landings, not the individual that owns the permit, but that particular permit must have been used. That is my intent. Is that the way it is interpreted? Is everybody okay with that? An individual that owns multiple permits, he may have landings on one permit and may have none on the other, or whatever, but only those permits that have recorded landings, but that is my intent.

The motion is in order to qualify a permit to express their interest in Amendment 6 a permit must have landings in two of three years, 2008 through 2010. Qualifying permits are allowed to express their interest once per permit. Council will send a letter and the individuals are to provide input prior to May 18, 2012.

MR. CUPKA: Is there further discussion on the motion? Mac?

MR. CURRIN: And, David, I'm more than miffed, Duane, by this coming in at this late date. I don't know exactly what's going on, but I've got some suspicions that miff me even more about it. I think it goes well beyond the development of this. If I'm correct in my suspicions or assumptions, then it goes well beyond the development of this amendment and the golden crab fishery and the people participating in it. It's damned irritating to me to have this come up at this late a date.

MR. CUPKA: Further discussion on the motion? Is there any objection to the motion? Seeing none, that motion is approved. That concludes the business of the Golden Crab Committee. Next we have the Catch Shares Committee, Ben.

MR. HARTIG: The Catch Shares Committee met on March 8 in Savannah. The council received a presentation on the Voluntary Individual Fishing Quota Program for several species in

the snapper grouper complex in the South Atlantic by representatives of the South Atlantic Fishermen's Association.

The committee made the following motions; Motion Number 1 was to move that the committee recommend the council initiate development of an amendment to institute a voluntary IFQ program based on the proposal offered by the South Atlantic Fishermen's Association. That motion was disapproved by the committee.

Motion Number 2; and I so move the committee recommends the council initiate an analysis of South Atlantic Fishermen's Association Proposal for a voluntary IFQ program. Is there any discussion of that motion? Is there any objection to that motion? I see three objections. That motion passes. Do we have to do the affirmative also in this? That was a yes. All in favor.

MR. CURRIN: Just for the record, let it reflect that I abstained from the vote. I won't be around when you guys are looking at this, and I certainly don't want to obligate you one way or the other to do it, so it's your call, have fun.

MR. HARTIG: Gregg, you have the numbers; that vote passed with eight in favor, three opposed and one abstention.

MR. STEELE: I go on record as an abstention, also, but I would like to ask could you give us a little bit more input at what you think that the analysis should contain.

MR. HARTIG: That's a good question.

MR. HARRIS: Let Andy tell us.

MR. HARTIG: Andy asked you. All right, one of the things in the analysis that I was concerned about was that this program had moved all permits forward for consideration. We didn't see any of that in their proposal, what those impacts would be, and whether or not the council even wants to go down that road.

My interpretation of this from the Catch Share Committee would be to keep it to the snapper grouper species and not include those other permits, but their recommendations came forward to use all the fisheries that those people participated in, and that makes it much more complicated. The other things that I was looking at as far as – I mean it is going to be complicated.

I am not prepared right now to tell you all the analysis. What I was going to do was to get with staff and to talk to them and to talk to other council members about what they see to go into the analysis. It's not clear yet what this analysis is going to show. That's really where we stand, Phil, and I appreciate you asking that. That's a good question.

DR. DUVAL: Mr. Chairman and I guess Phil, my concern was just how something like a voluntary catch share program would run alongside the endorsements that we've looked at for

both black sea bass and golden tile, so that is something that I would want to see included in the analysis.

MR. HARTIG: Any other discussion? Thank you, that concludes my committee report.

MR. CUPKA: Thank you, Ben. I'm going to switch around our agenda a little bit. Bonnie has a plane to catch, and before we get into snapper grouper, which Mac says is short, but we never know on these things until we get in them, so with your indulgence I'd like to ask Bonnie to give her Southeast Fisheries Science Center Report next, and then we'll go back to the agenda.

DR. PONWITH: The first thing I'd like to do is give you an update on the status of our fishery-independent data collection. This is kind of an overview, reviewing materials you've seen before. Again, prior to 2010 our Fishery Independent Reef Fish Surveys were performed solely by the MARMAP Program, and you can see the types of gear that were used and the types of studies that were incorporated in that work.

The SEFIS Program began in 2010 with the increase that we received in that year for fishery-independent data collection, and it was \$1.5 million. In 2011 we began using video cameras system-wide in all of the collections that we were doing, which was a very good advancement of that effort. Again, the survey area that we're working in runs from North Carolina to Florida, Continental Shelf and the Shelf Break Waters.

This just gives you a view of the progress we've made in the trap sample size across the different surveys that we're using. In 2011 we're up to 1,024 traps sets for our collections, which is considerably higher than the history. For 2012, what we're looking at right now is – again, we've already discussed the 40 percent reduction to the MARMAP program. This is a significant impact to the collective and the work that we're doing.

MARMAP has been made aware of that and they are working on what a 40 percent budget would look like. We have raised this to the attention of the people we brought in to do the independent peer review of our collective efforts in the South Atlantic to get their advice on how we would go forward or redistribute our effort to make sure that the very highest level work is where we are making those investments.

It's probable that the impacts are going to be reduction in video trap sample size, and it has implications for the red snapper video index, which is not good news. It would impact our ability for continuing the longline surveys in 2012. That interrupts a long survey time series that we have and reduces the amount of data we've got available for SEDAR.

For 2012 and beyond the planned days at sea that we have for SEFIS is 79 days at sea, which is an increase over last year. MARMAP is to be determined while we continue to work through this dilemma. We're expecting to deploy greater than 500 again with MARMAP, it's to be determined.

The budget in 2013, of course, is a work in progress. The President's budget included FY11 levels for MARMAP, which was full funding, and we'll see how that plays out in the

development of the 2013 budget. For red snapper assessments, if we continue to look at the 2011 level funding, which is the higher level, we are going on the premise that the video-based index of abundance is going to be a useful input into the stock assessment, and we've got a precedent for that in the Gulf of Mexico.

I'd like to get back to Mac on his question on how many years of data they accumulated before they used it in the Gulf of Mexico. The answer is not going to be clear, and the reason is they had about ten years worth of data in the Gulf of Mexico before it was used for the first time in a stock assessment, but that weight wasn't driven by how long it took the data to stabilize. It was driven more by how long it was before the next stock assessment was done.

In other words, they didn't set the date based on when the data stabilized. It would take a little more analysis, kind of a statistical analysis of the data to answer it strictly from the angle. I'm not sure how much utility going through that analysis would be, but in discussing with the analysts in the Gulf of Mexico they are saying you were right to be conservative in our expectations. Three years is the absolute bare minimum in a perfect world it is going to be somewhere out from there.

I think going to the SSC, as we've discussed, is going to be a valuable drill to look at the stability of that data. We may end up being able to see trends early on; we may not be able to. The FY11 videos are currently being analyzed. It's a labor-intensive process, as you can well imagine; but we're going through that process right now and I'll report back, of course, to the council when we are at a point where we've got some results from that.

We are also happily – we've been awarded money through the Cooperative Research Program to actually expand on work that Florida is doing through the Cooperative Research Program to collect some additional hook gear collections of red snapper. This is to augment the age composition data to get at the question of how is the age structure of that stock responding to the management measures you've put in place. That is an overview of where we are in the fishery independent data collection. Before I move on, let me just ask if there are any questions.

MR. CURRIN: Bonnie, are there any speckled hind or Warsaw that have been identified in the video samples; and if so, are those being included in the data bases that will be used to analyze the location and sighting of the possible MPA?

DR. PONWITH: I showed a slide in an earlier overview presentation – I think it was two councils ago – that went through a list of the species we were seeing in the video and a list of the species we were seeing in the traps and how they compared. I don't remember what the incidences of those species are, but I can look that up for you. I will say this is not a red snapper survey; this is a reef fish survey. Absolutely all species that we encounter in the traps and in the video are being documented, so this is going to serve us very well going into the future because of that.

MR. CURRIN: I just want to make sure that if they are in fact there that they get entered into these data bases that Andy and Nick Farmer and Roger and everybody else is analyzing.

MR. PONWITH: That's an excellent point, Mac. Ben.

MR. HARTIG: Bonnie, when that new state work is starting to be done, my only question during development – and I tried to get Rusty, and he did, he followed through with it, to contact you and to make sure that the samples were being collected in a way that they can be used in the assessment. As long as that is clear to me that is going to be done, that's great.

DR. PONWITH: The state of Florida has a superb track record of being very collaborative with us so that we can squeeze every ounce of value out of those collections as we possibly can. We are working closely with that existing project to ensure that the two are complementary, and basically that means that we're following a sample design that aren't in conflict with one another, and also that we're focusing our effort north of where the Florida effort is. It gives us the spatial coverage we need for this to be extremely valuable.

Okay, on to the next, we've got some slides here talking about bycatch monitoring. The fisheries that we're monitoring in bycatch, the National Bycatch Reports lists 43 fisheries in the continental southeast. We've got observer programs for six of these fisheries; the South Atlantic shrimp, Gulf of Mexico shrimp, pelagic longline, bottom longline for shark – that's Gulf and South Atlantic – the shark drift gillnet, Gulf and South Atlantic; and the Gulf reef fish, which incorporates several gears that you can see listed there.

We have also explored or actually have in place electronic effort logging in the Gulf of Mexico for the shrimp trawl fishery, and that's a piece of equipment that is VMS-like but not VMS. In other words, it is not linked into the enforcement effort. It's a piece of equipment that logs the vessels speed and enables us to use an algorithm to tease out what percentage of the time the ship was away from the dock – it was actually trawling – based on vessel speed.

It gives us highly refined effort so that when we use that effort associated with their landings we get highly refined catch-per-unit effort, which is an important input in the stock assessment for the shrimp species in the Gulf of Mexico. There have been efforts in our region and outside of our region looking at video monitoring for augmenting observers being physically aboard the vessels. We've conducted work in the vertical line fishery in the South Atlantic and also the bottom longline fishery in the Gulf of Mexico. A third project is being conducted this year in the Gulf by the Shareholders Alliance and in the Environmental Defense. They are looking at both vertical line and bottom longline fisheries.

It is a low sample size, but we think it would be valuable. At this point in our region we haven't reached a point where these pilots have been implemented at an operational scale, but I do think that this is valuable since actual observers on boats, human beings on boats is a very costly enterprise.

We don't envision this ever replacing observers on the boats, but it certainly is a good way to augment the sample size. Improvements that we have underway for bycatch monitoring is we've contracted for a review of our commercial finfish fishery observer programs, and we expect to see a set of recommendations on both the design that we use for deploying observers and for the

algorithms we use to expand the data that we get in the observed fisheries to make sure again that we're getting the biggest bang for the buck in these very expensive observer programs.

Another thing that we're doing is a study this year looking at electronic reporting for the observers while they're aboard a vessel. The reason that motivated this is we've got a couple of fisheries where the interaction with protected species is a very critical issue. Regulations were cut to try and mitigate for a higher than desirable interaction rate and being able to get the data to the Science Center, to SERO, to the council more quickly was beneficial.

And that's in addition for fisheries that are being monitored under catch shares, it gives an opportunity for those data to be provided in near real time. Again, this is just an example of the west Florida shelf, which is the fishery that we were interested in taking a look at in deploying these electronic reporting capabilities with the observers.

Again, these are the types of vessels that we're talking about using these on. The program relies on some sort of a tablet device that's protected in a rugged case linked via satellite with a Wi-Fi modem. All of our observers carry a satellite phone with them so it gives them the communications capability and then to develop the application for delivery of these data, and, then, of course, the data base that we modernize the data base that we are using to collect these data in.

The progress thus far, we've purchased the hardware. The data base is being converted from, I think it was an access data base; we are converting it to Oracle, and that's underway. We're working on issuing the contract for the application development. We're almost ready to issue that contract, and we're expecting to have this work done by December 12.

The next is update on the headboat data entry, where we are on that. The 2000 logbooks have been collected and the entry is completed and the estimates are done. I just got word this week that the estimates for 2011 have been QAQCed and they are ready for release. I believe that when they are released they are posted to the MRIP website, so we can expect to see those this week.

While we are on the subject of the headboat, we talked earlier in the committee meeting for data collection on headboat electronic reporting. What I'd like to do is ask the council if we can put on the next data collection committee this issue of the headboat electronic reporting. What I'd like to do is get the council's views and hopefully blessing on moving forward with this, including the regulatory requirements for weekly reporting. This would be a really good boost to having data more readily available and at a higher periodicity to refine our ability to project out when these quotas have been met.

I know that the headboat is only one portion, but to the extent that headboat landings track the for-hire and the private boat landings, they can be used as kind of a leading indicator of what is going on in those other fisheries; and as we know the lag in those other two estimates are considerably longer.

Last, what I'd like to do is show you the dolphin and wahoo recreational landings. Through 2011, and just the caveats for folks that can't see, the area for the dolphin recreational landings are Maine to Florida. The MRFSS data are the unweighted estimates through 2011, recognizing that Wave 6 is still preliminary. Of course, the headboat survey data was not available at the time that this slide was made.

With those caveats, the landings are 6.8 million pounds for 2011. You can see how both the effort and the landings relate to our historical trends for that fishery. For wahoo, same set of caveats, the landings are 725,000 pounds. Again, you can see how that tracks with the historic landings. That is the last slide. Any questions?

DR. DUVAL: Bonnie, just with regard to the observer program data. I know that in North Carolina we are developing a Section 10 permit application as a result of the Atlantic sturgeon listing, and I'm wondering if the data from the southeast observer programs can be made available to North Carolina or any other state with regard to sturgeon interactions that might have occurred within those fisheries that you observed just to help give us some estimates.

DR. PONWITH: I'd be happy to talk with you offline. The thing that we need to do is, of course, protect at all costs the confidentiality provisions for using those; and as long as we're attentive to that, I'm certain that we can help in the sharing of those data.

DR. DUVAL: Well, North Carolina is all about confidentiality of our data, so we understand that.

MR. HARRIS: Bonnie, at the risk of alienating my friends from the state agencies and recognizing the cost of observer programs, it seems to me that spending money on observers for the shrimp trawl fishery might be better spent on other observer programs. Can you comment on that?

DR. PONWITH: There are requirements for observers on shrimp trawl fisheries. I know in the Gulf of Mexico the bycatch on shrimp trawls, it is a critical input for the red snapper stock assessment; because not only do we have bycatch reduction devices, basically TEDs, for protected species like sea turtles, we also have bycatch reduction gear that reduces finfish and that is a pretty important thing. Before I would do any shift like that, I would certainly consult with my colleague, Dr. Crabtree, in the region on what our legal obligations are in that fishery.

MR. HARRIS: Just to follow up, I understand the situation in the Gulf of Mexico, but in the South Atlantic bycatch in shrimp trawls has been well known for a long time. There has been lots of research from bycatch in shrimp trawls both before and after TEDs and BRDs were required. That's my question, and I don't know how Doug and others feel about it, but I just think the money would be better spent on other observer programs.

DR. LANEY: To Duane's point, Mr. Chairman, I guess one concern I have is regard to bycatch of Atlantic sturgeon; and given the fact that there are at least some data streams out there that suggest some improvement in that stock, the likelihood is that the encounter rate for Atlantic

sturgeon in the South Atlantic shrimp fishery could be increasing over time as that stock recovers.

The other thing I wanted to offer is that we do have 23 years of data on encounter rates for Atlantic sturgeon off the coast of North Carolina; and I think, Bonnie, NMFS should have that data set. We've provided it to the folks that are in the process of developing critical habitat proposal for Atlantic sturgeon; but if you don't have it and you need it, just let us know and we'll provide that to you.

Our tow times are different from the commercial fishery and I'm not sure how our mesh sizes compare, but at least it gives some indication of what the encounter rate is off North Carolina and Virginia during the wintertime. It is a pretty narrow, spatio-temporal window, but at least we do have those data and we'd offer those up if those are useful.

MR. CUPKA: Thank you, Wilson. I was kind of hoping to finish this up so that we could – the reason why is because it is getting close to checkout time. Are there people here and council members who need to check out yet? Charlie, if you don't mind holding your question, let's break and give these people an opportunity to check out. Let's take about a 15-minute break and then we'll come back if that's all right.

MR. CUPKA: If everyone will take their seat we will try and finish up so everyone can get on the road. Charlie, you had a question for Bonnie or a comment.

MR. PHILLIPS: Bonnie, the money to pay the observers, is it just from you or are there other grants and places where that money comes from that maybe we could encourage those people to cover their cost more, so that you wouldn't have to?

DR. PONWITH: Right now 100 percent of the observer work done by the Southeast Fisheries Science Center comes from my budget. I do correct that; the MRIP program pays for some level of observers aboard headboats in the South Atlantic.

MR. CUPKA: Okay, any other questions for Bonnie? Tom.

MR. BURGESS: Bonnie, I have been asked to do a discard logbook for the third year in a row, and I was wondering how important this is.

DR. PONWITH: I cannot overestimate how critical, timely and very precise data in those discard logbooks are to the process. Those data form an essential component in the stock assessment. Observer programs for fisheries that we have are used to groundtruth those, the observations that we're receiving from fishermen in those logbooks, but again those data are absolutely critical to the stock assessment process and our understanding of the status of those stocks.

MR. BURGESS: Just a comment as far as with the dealer reporting and the timeliness of it as we're moving towards an electronic reporting, I am really looking forward to having the ability to monitor the ACL better. I know in Regulatory Amendment 9 there was some thought on

dropping the trip limit for certain species when a certain portion of the ACL was met – this was a request by fishermen – and also, say, closing the black sea bass pot fishery with a certain amount left and leaving it open for hook-and-line fishing with a small trip limit.

I think we talked about this a little earlier today, and I think this could be a very valuable tool for the commercial fishing industry, and I'm really looking forward to pursuing it, bringing it back out to the public and letting them know that this tool is available and if they would like to proceed.

MR. HARTIG: Yes Bonnie, back to Tom's question – and thank you for answering those questions, but the thing is I look at this from a fisherman's perspective, and I'll fill out logbooks every year if you want me to, the discard forms. That doesn't bother me in the least, but when you piggyback on top of that that you have to fill out the economic information; and then when you make a change this year, there is one more calculation I have to make.

It does take a significant amount of time to get those done to the best of my ability. I wish you'd go back and revisit piling on the economics on top of the discard, because that is a lot to ask a fisherman to do, to be honest with you. To be able to get good information on both of them, I don't think you need to pile them on top.

DR. PONWITH: What I will do is go back and discuss with our folks what the protocol is for – I know we exchanged e-mails on the protocol for the bycatch report, the discard report. I'll check and see what the protocol is for the economic report. If the protocol is the same, that would explain why you are having to do both.

What I want to do is rule out that there is some mathematical advantage to if you do one you've done the other one. I hear what you are saying and I'll have that discussion with our folks and see if there is a way to dissociate those two requirements, but right now I would say that my suspicion that you had to do both was the same reason that we gave you for – yes, but I'll go back and revisit that.

MR. CUPKA: Any other questions or comments? If not, we're going to move on into Snapper Grouper, Mac.

MR. CURRIN: The Snapper Grouper Committee received our usual updates on the landings and status of the recreational and commercial landings under the quotas. We received updates on pending amendments and actions that the council has taken. There was an issue with Amendment 18A. One of the measures got confused and had to be corrected.

That needs to be done outside of the approval of Amendment 18A as it is in the secretary's office now. There was a motion addressing that from the committee. **That motion was to ask staff to prepare a document to allow for the transferability of endorsements and address the renewal of endorsements separately from the snapper grouper permit and ask that this be brought to the council for final action at the June meeting; and on behalf of the committee I so move.** Is there discussion? Any objection to that motion? I see none; that motion is approved.

As a note, that included intent to include addressing this issue of renewal of expired versus non-expired endorsements. **Another motion from the committee recommending development of an emergency rule to delay the opening of the commercial black sea bass season until Amendment 18A is in place, but no later than July 1, 2012; and on behalf of the committee I so move.** Is there a discussion? Any objection to the motion? I see none and that motion is approved.

We got into Regulatory Amendment 12 regarding golden tilefish and got an overview from the staff on that action. **A motion from the committee to adopt Alternative 5 under Action 1 as our preferred, and on behalf of the committee I so move.** Is there discussion of that motion? Any objection to that motion? I see none, that motion is approved. **Another motion from the committee to select Alternative 2 under Action 2 as our preferred.** Is there any discussion of that motion? Gregg.

MR. WAUGH: Just to clarify that what is shown here is the preliminary estimate and your intent is that the final number will be calculated just prior to publication of the final rule when we have better data on what has been landed this year.

MR. CURRIN: That was my understanding, Gregg. Roy.

DR. CRABTREE: Did we roll by the Emergency Rule Request or are we out of sequence?

MR. CURRIN: The Emergency Rule for 18A, we did, yes.

DR. CRABTREE: That has to be a roll call vote.

MR. CURRIN: Thanks, Roy. Joe, do we need to do anything from a parliamentary procedure to get rid of that previous motion? You're okay; you can handle that administratively. Thank you.

MR. MAHOOD: All right, Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: No.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: It passes but not quite unanimously.

MR. CURRIN: Dr. Crabtree.

DR. CRABTREE: I know I'm getting puzzled looks but our instructions are to vote no in emergency rules so that it is not unanimous, which preserves the secretary's discretion as to whether to approve the rule or not, and it does not indicate anything with respect to my opposition or what we may do with it.

MR. MAHOOD: Monica, does that subvert the Magnuson Act by doing that?

MS. SMIT-BRUNELLO: No.

DR. CRABTREE: Of course not.

MR. CURRIN: All right, I think I made the motion to select Alternative 2 under Action 2 as our preferred. If not, I do so on behalf of the committee. Is there discussion of that motion?

MR. HARTIG: Mr. Chairman.

MR. CURRIN: Yes, Ben.

MR. HARTIG: I would make a substitute motion, if that's the correct way, to not have an ACT for the golden tilefish commercial sector.

MR. CURRIN: There is a substitute motion from Ben to not select an ACT for the commercial sector golden tilefish ACL. Is there a second; second by Charlie. Discussion, Ben.

MR. HARTIG: Yes, the golden tilefish, as you saw in the Southeast Fisheries Sciences when they looked at the P-star value, we started out with over a million pounds and now we're down to quite a bit less than that. I'm not sure of the number; it's around 600,000 – I think 609,000 if Gregg was correct on that. I don't think we need to do an ACT for this one right now. I think golden tilefish is in good enough shape that we don't have to proceed with the ACT for the commercial sector.

MR. PHILLIPS: Mr. Chairman, I also think as time goes on and we tighten up on these dealer reports and the timeframe, it's going to be easier for Roy and the Science Center to figure out exactly when to shut it off so we're not going to have these overages.

MR. CURRIN: Yes, we all hope we'll get there, Charlie, and we hope we'll get there soon, but looking at our past history and our capability in the present, we are not there. We don't have any payback provisions in this fishery; we probably should. If we did, it wouldn't be a pretty thing.

I'm not supportive of the motion I think given our past history that we should consider an ACT. Any further discussion on the motion? All in favor of the motion raise your hand; all opposed, two opposed. The substitute motion is now the main motion. Is there any discussion on that motion? Is there any objection to that motion? I see none, that motion is approved.

Another motion – before we get into that, there is an issue everybody should have received – and the next motion is to approve the Regulatory Amendment, and I guess that will be another roll call vote, will it not? Before we get into that, there was an e-mail that I think everyone received. Someone brought up the possibility at least that if there are additional landings, which are likely as I understand it, to occur in the earlier segment of the fishery, the one that just ended, that we may well reach 75 percent of the quota.

The rule that is in effect now says that when 75 percent of the quota is reached the trip limit drops from 4,000 to 300 pounds. That potentially could come into effect, I presume, unless we take some action to keep that from happening. I don't know what the committee's desire is, but I feel like we need to discuss that before we approve this action.

DR. CRABTREE: Jack had given me the numbers, and when we had the ACT we were at 75 percent of the quota. I guess with the vote we just had –

DR. McGOVERN: It's 67 percent of the ACL.

DR. CRABTREE: We are at 67 percent of the ACL, so unless you change something I would think the fishery would open up for a few days and then the trip limit would kick in. I think what we would do is when we open the fishery we would announce that a few days later the trip limit would kick in. That's what will happen unless you do something; and if you don't want that to happen, then we are going to have to talk to Monica about how to deal with that, because we will have to take an action at this meeting to change that.

MR. CURRIN: That's what we need to decide I guess at this point. There are two ways you can look at it, and I spoke to Ben about it and Ben said he thought, yes, we ought to let the longline guys go ahead and participate, which would necessitate action. My thoughts were that measure is in Amendment 13C to allow the hook-and-line sector some access to the golden tile fishery.

It hasn't really worked out that way for the large part and this may provide an opportunity. I guess the downside of that is, depending on what that actual amount of fish available is and only hook-and-line folks are involved in it, then there is some possibility it may not get caught. On the other hand, when the trip limit was dropped to 300 in the past, the longline fishery never stopped. They continued to fish on those 300 pounds. I don't know; other thoughts on what you want to do.

MR. HARTIG: My original thought was just to go ahead and let the longline fishery fish, but as we're going we started out with 171,000 and now we are down to 158 as of today; is that correct? Gregg, you don't know?

MR. WAUGH: I haven't gotten any revised numbers other than what we projected at the committee.

MR. HARTIG: How many pounds would be left for the reopening?

MR. WAUGH: Right now as of the numbers we had at the committee, the preliminary – well, that was with the ACT 158, so 10 percent above that. I can pull that.

MR. HARTIG: About 170,000. Well, I talked to Roy about this earlier this morning and we could put the removal of the trip limit in with this regulatory action, with this framework. The crux of the matter is does the committee want to move in that direction?

DR. CRABTREE: Ben, how many days for them to get one longline trip in, like longline trips are a couple of days, typically?

MR. HARTIG: Typically they have gotten to be two days in this past year.

DR. CRABTREE: Jack, would you guess that where we are now, one or two longline trips would get us to 75 percent?

DR. McGOVERN: Probably.

DR. CRABTREE: The way you sit now – unless other landings show up before we open and if you left it the way it is now, we could give enough time for longliners to get a couple of trips in and then the rest of it would go to the vertical line guys. If no more landings show up everybody would get a crack at it. I don't really have a preference one way or another. It seems the way we're going in 18B was to give 25 percent of this fishery to the vertical line guys, but I'll leave it to you folks. I just want a decision, because I don't want to –

MR. CURRIN: Other thoughts, what do you want to do? In view of the circumstances I think it will work out close to the same either way. It's just a matter I guess if we take some action, then the longline guys can work on a 4,000 pound trip limit as opposed to a 300 pound trip limit, and that's probably got some bycatch benefits.

I don't know how much they reduce their gear to try to target those 300 pounds versus 4,000. I would hope some, but I don't know. What's your pleasure? Without a motion, it is going to carry forward and the region is going to lower the trip limit to 300 pounds as soon as they've got a feeling that 75 percent of the ACL is caught.

MR. PHILLIPS: Mr. Chairman, with the price of fuel going where it is, I don't see making them go out there just to catch 300 pounds of fish when they go make a couple of 4,000 pound trips and be done with it. It just seems to be cleaner that way.

MR. CURRIN: Well, that's the way it will be then; we'll rely on the region. I think everybody understands that probably they'll catch more than the whatever small percentage is, and it depends on how many days of fishing they get, I guess, but that will at least give them a shot at it early on, and it will open up later with whatever is left I guess under 300 pounds.

MR. HARTIG: We've got some tile fishermen who have stayed to the bitter end, and this has come up. Would it be in order to hear from two of them about what they think we should do?

MR. CURRIN: I'm happy to do that if they can quickly come up and express an opinion on it; or you can talk to them, whatever you'd like to do. While Ben is conferring with the fishermen back there, and I appreciate him doing that, just for the record there is another action in Regulatory Amendment 12, and that is dealing with the Recreational Accountability Measures. The reason there is no motion from the committee is that we didn't change the preferreds from our previous action. We chose to keep those the same.

The other issue that we've got left hanging here, and we discussed it a little bit, was the start date. We had some input from some folks about September 1. That's the only thing that I heard from anybody, but I think at the very least we need to give some direction to staff. Perhaps a motion would be in order to make that crystal clear. We'll need some input after we dispense with this issue of the 300 pound trip limit, and we can discuss that to get ahead if you'd like.

DR. CRABTREE: That's all I heard from the public was September 1. No one offered an alternative date. That would be my intent.

MR. CURRIN: Yes, and I'd be comfortable with that.

DR. CRABTREE: That leaves plenty of time I think from the –

MR. CURRIN: Do you want to offer a motion, Roy, and we'll just make that official. That will make it clean.

DR. CRABTREE: Move that we request that I open the fishery on September 1.

MR. CURRIN: Motion by Roy, second by David? Any discussion?

DR. CRABTREE: That's not the motion. The motion would be that we request that NMFS reopen the fishery on September 1.

MR. CURRIN: Okay, the motion is that we request that NMFS reopen the golden tile fishery on September 1, 2012. Is there any discussion? Any objection to that motion? Yes, Roy.

DR. CRABTREE: I don't think, Gregg, we need a letter from you or anything. I think just the motion is good enough.

MR. CURRIN: All right, is that clean enough? Are you okay or do you want me to read it, Joe? All right, we did change a little wording. **Okay, the motion is to request that NMFS reopen the golden tilefish commercial fishery on September 1, 2012.** Is there any discussion? Any objection? I see none, that motion is approved.

MS. SMIT-BRUNELLO: I guess while he's finishing this up I could just discuss some procedural aspects. If Ben says, yes, the fishermen would like that 300 pound trip limit removed, that is an action in Amendment 18B; but when I reread Amendment 18B, and I can point you right to where it is in your briefing book, that action was discussed in connection with other actions, including giving the commercial hook-and-line guys a piece of the fishery, a specific allocation of the fishery, and along with other measures, so I don't know that you have adequate analysis to review to show what the effect would be.

It would be my suggestion that given that that's not complete, that you try to fashion an emergency rule request, which could probably be a better vehicle to remove the 300 pound trip limit. Now we can get into all of what you would need to – what the justification would be, but maybe you want to wait and hear what Ben says and then discuss that. While you're waiting, if you want, the Amendment 18B is Attachment 2C to the Snapper Grouper Section, and it's Action 8, which is PDF Page 188 it starts on, I think, hard copy 136. At least you know where it is in the record for you to review.

MR. CURRIN: Yes, and I wanted Ben to hear what you had to say, too.

MS. SMIT-BRUNELLO: I'll give him the short version.

MR. WAUGH: Just one point to consider in this, when we do an emergency request, it is easy for us, all we have to do is write a letter, but it puts quite a bit of work on the region. Not saying that should be the determining factor, but just keep that in mind and we've already given them one emergency request.

MR. CURRIN: Ben, you didn't hear that while you were talking to those guys, but it's perhaps not quite as clean as we might envision to modify that. Monica, you might want to give him the short version.

MS. SMIT-BRUNELLO: That is an action to remove that 300 pound trip limit in Amendment 18B, but when I reviewed the analysis and the discussion in Amendment 18B, it discussed the benefits or pros and cons of that action in relation to the other types of actions that would affect it that were in 18B, including giving the hook-and-line segment of the fishery a specific allocation.

My suggestion is that you do not have adequate analysis before you right now to simply pull that action out of 18B and put it in this Regulatory Amendment because there are other alternatives to consider. A cleaner and better way, if we can justify it, would be to go the emergency rule route to remove the 300 pound trip limit. Now depending on what you're going to tell us, if you want to pursue that, then we'll get into emergency justification and all that and we can discuss that on the record.

MR. HARTIG: The fishermen are actually pretty fine. They are okay with the way things are right now. They are okay with possibly having a longline season, and they said that they would go and stretch it out among themselves within industry as long as they could. They would go to a smaller trip limit themselves. They are okay with trying to spread the harvest of tilefish out through the entire year to be able to get more market availability of tilefish through that season, so it makes is simpler. They are okay with where we are.

MR. CURRIN: Okay, that's fine and I applaud them for doing that. It is encouraging to see people work together to try to maximize their benefits. That's good stuff. Any further discussion before we do the roll call vote on the approval of Regulatory Amendment 12 for formal review by the secretary? All right, Bob.

MR. HARRIS: You have to make a motion don't you?

MR. CURRIN: On behalf of the committee then, I move that we approve Regulatory Amendment 12 for formal review by the secretary.

MR. MAHOOD: Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: That one is unanimous.

MR. CURRIN: Also, there is a motion from the committee to deem the codified text as necessary and appropriate and on behalf of the committee I so move. It's also a roll call.

MR. MAHOOD: Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Haymans

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: Also unanimous.

MR. CURRIN: Another motion from the committee to give the staff and council chair editorial license to make changes and corrections to the document and the codified text as necessary. On behalf of the committee I so move. Is there discussion? Is there any objection to that motion? I see none, that motion is approved.

The committee then got into Amendment 18B regarding golden tilefish, and on behalf of the committee I would move that we accept the IPT's recommendation for the new Purpose and Need. Is there discussion? Is there any objection to that motion? I see none, that motion is approved.

Another motion from the committee to accept the IPT's recommendations to change language in the action, select Alternative 2 as well as Subalternative 2A as preferreds, and remove consideration of a hook-and-line endorsement for the golden tilefish fishery. On behalf of the committee I so move. Is there discussion? Is there any objection to that motion? I see none, that motion is approved.

Another motion from the committee to give staff direction to change the language in Action 1 to reflect the council's intent to look at establishing an endorsement program for the golden tilefish longline fishery. On behalf of the committee I so move. Is there discussion? Any objection to that motion? I see none and that motion is approved.

Another motion from the committee to move Action 2 to the considered but rejected appendix. On behalf of the committee I so move. Is there discussion? Any objection to that motion? I see none and that motion is approved.

Also, another motion to add a new subalternative to read "to receive a golden tilefish longline endorsement, the individual must have an average of 5,000 pounds gutted weight golden tilefish caught with longline gear for the best three years between the period 2006 through 2010; and on behalf of the committee I so move. Is there discussion? Any objection to that motion? I see none, that motion is approved.

Another motion from the committee to add two alternatives similar to the previous one; one with 5,000 pounds and one with 10,000 pounds but include the year 2011. On behalf of the committee I so move. Is there discussion? Any objection? I see none and that motion is approved. Guidance to go along with that just for the record to possibly reconvene the golden tile workgroup, but proceed with establishing the endorsement program under 18B.

Another motion from the committee to give editorial license to the staff to clean up alternatives under Action 5 to reflect the adoption of an ACT in Regulatory Amendment

12. On behalf of the committee I so move. Remember what we did in Regulatory Amendment 12; we took that out so I guess I don't know what that does to this. We vote it down; I'm not sure.

MR. WAUGH: I don't know whether you have to vote it down. You were giving us editorial license. Now in looking at that, we will look at that with the understanding that there is no longer an ACT in Regulatory Amendment 12, so it may mean there are no changes but we'll look at it and determine that.

MR. CURRIN: All right, any further discussion on that motion? Any objection to that motion? I see none, that motion is approved. Thanks, Gregg, that makes sense. **Another motion from the committee to move Alternative 3 under Action 6 to the considered but rejected appendix. On behalf of the committee I so move.** Is there discussion? Any objection to that motion? I see none, that motion is approved.

Another motion to move Alternative 4 under Action 6 to the considered but rejected appendix, and on behalf of the committee I so move. Is there discussion? Any objection? I see none, that motion is approved. There is some guidance there that I would just point out to the committee to view and consider. I'm not going to read that into the record.

Another motion from the committee to give staff direction to change the title of Action 9 and edit alternatives accordingly, and on behalf of the committee I so move. Is there discussion? Is there any objection to that motion? I see none, that motion is approved. **Another motion to change the preferred under Action 9 to Alternative 4, and on behalf of the committee I so move.** Is there discussion? Any objection? I see none and that motion is approved.

Another motion to move Action 10 to the considered but rejected appendix. On behalf of the committee I so move. Is there discussion? Any objection? I see none and that motion is approved. **Another motion to move Action 11 to the considered but rejected appendix. On behalf of the committee I so move.** Is there discussion? Is there any objection to that motion? I see none and that motion is approved.

Another motion to move Action 12 to the considered but rejected appendix, and on behalf of the committee I so move. Is there discussion? Is there any objection? I see none, that motion is approved. We then took up the issue of Wreckfish Amendment 20B and discussed movement forward regarding that amendment in the context of everything else that we had going on.

There was a motion offered to postpone action on Amendment 20 until 2013 or later and on behalf of the committee I so move. Is there discussion of that motion? Any objection? I see none and that motion is approved. We then took up speckled hind and Warsaw grouper under CE-BA 3 and went through the decision document.

There were no motions regarding that but the committee made good progress with some suggestions and I think provided the staff with enough guidance to get them working toward development of a document for our consideration of our next meeting.

Then our last agenda item, Mr. Chairman, was a visit and presentation by our old friend George Geiger and Lauren Wenzel regarding the National MPA System, which they encouraged us to give consideration to allowing our eligible MPAs to be placed within that system. Unless there are questions or comments from the committee, that ends my report.

DR. CRABTREE: I apologize, but unfortunately we are going back to tilefish and the trip limit issue. This is what the regulations say. There is a clause, it says, however if 75 percent of the fishing year quota has not been taken on or before September 1, the trip limit will not be reduced. Now that means if we don't get anymore landings and we open September 1, and there is 68 percent then there would not be a trip limit. Given what we just decided, I think what I will do is open the fishery a week earlier and that way the 75 percent would likely be caught before September 1 and the trip limit would kick in. If you guys concur with that, that is what we will plan on doing.

MR. CURRIN: Think about that. If you decide to concur with Roy, and it makes perfect sense to me, what we'll need to do is readdress the previous motion that we had asking them to open it September 1 and perhaps modify that to August 15 or 20 or something. Roy.

DR. CRABTREE: Move to reconsider the motion to open the fishery on September 1.

MR. CURRIN: Is there a second; second by David. Discussion of that motion? Is there any objection to that motion? All right, that motion is now on the floor. Roy.

DR. CRABTREE: Move that we request that NMFS reopens the fishery in late August.

MR. CURRIN: Motion by Roy to request that NMFS reopen the fishery in late August and a second by Duane. **Okay, substitute motion to request that NMFS reopen the golden tilefish commercial fishery in late August of 2012; second by Duane Harris.** Discussion on that motion? Any objection to that motion? I see none, that motion is approved. It is now the main motion; is there any discussion of it? Is there any objection to that motion? I see none, that motion is approved. Anything else? All right, if nothing else, Mr. Chairman, that ends my report.

MR. CUPKA: Thank you, Mac. Okay, Roy, do you want to give your SERO report?

DR. CRABTREE: Yes, just a few things I want to bring up. One has to do with coral. On October 20 of 2009 we received a petition from the Center for Biological Diversity to list 83 species of corals under the Endangered Species Act. We went through a status review of that and that review was over the past year.

Of these 82 species, 7 occur in the Southeast Region. We have a court-ordered deadline to publish our determination if the species warranted listing under the ESA by April 15. Be aware

that this may happen before our next council meeting. Then I suspect most of you are aware that we published a rule listing five populations of Atlantic sturgeon along the U.S. East Coast.

We went through public comment and all on that. I know it's a controversial issue and I understand that most of the states don't agree with the decision. The Gulf of Maine population was listed as threatened and the remaining four populations, Chesapeake Bay, New York Bight, Carolina and South Atlantic are listed as endangered.

It's already illegal to fish for or keep Atlantic sturgeon, but we will have to go through Section 7 Consultations on fisheries and various things in order to deal with bycatch issues, and we're already working on that now for the shrimp fishery. The last thing I wanted to make you aware of is there is an executive order that exists that requires federal agencies that may have an impact on migratory bird populations to develop and implement a memorandum of understanding with the U.S. Fish and Wildlife Service to promote the conservation of migratory bird populations.

NMFS and the Fish and Wildlife Service have developed a draft memorandum of understanding that is available for review and I assume, Bob, you guys have that. If you don't, contact me, I can get it. I'm not aware that we have any bird bycatch issues in our fisheries, but I just wanted to make you aware that this is out. If you want to submit comments on that, we would appreciate you doing so. The comments would need to be in by April 13 of this year. That concludes my report, Mr. Chairman.

MR. CUPKA: Thank you, Roy. Questions for Roy? Okay, seeing none, that brings us down to Agency and Liaison Reports, and if you can keep them short so much the better. Let's start down there with Otha.

MR. EASLEY: I'll keep it short. Just two quick items then to share with you; our enforcement priorities are documented. They are finalizing that document this week. We should get that out to everyone in short order out of enforcement and then it goes up above that for their approval. Thank you for your council's input. I made a phone call earlier this week to have dealer reporting placed on our priorities when it wasn't there before so that my headquarters knows that we're going to spend some time on that and some resources on that effort.

In addition, on the second item I just wanted to share with you our JEA status. We've just sent out offer letters to the states, and to bring you up to speed I wanted to let you know how much money was offered to Georgia, South Carolina, and Florida. Georgia received an offer for a little over \$338,000 to do federal work; South Carolina, a little over half a million dollars; in Florida a little less than 1.1 million to do the bidding of the council and sanctuaries and protect the resources, et cetera; all according to the priorities document when it finally comes out. That ends my report.

MR. CUPKA: Okay, thank you, Otha. Any questions for Otha? Seeing none, then we'll move on to the Coast Guard. Robert, are you going to give it?

LT. FOOS: Thank you, Mr. Chairman, and good afternoon, council. Regarding Coast Guard enforcement over this fiscal year, so far we are up to 361 properly documented fisheries

enforcement boardings with an observed compliance rate of 97.7 percent. The most significant violation that we have come across in the past couple months was a commercial fisherman illegally fishing in the northern South Carolina MPA.

It was about a half mile in, anchored with 600 pounds of vermilion snapper on board. That was the first time we'd found a commercial fisherman fishing within one of those MPAs. On a personal level, as has been alluded to several times over this week, I will be transferring this summer.

I was selected to be the Admiral's Aide to the Coast Guard District 7 Commander, and this will not be my last meeting. I should be in Orlando in June, but I have very much appreciated the warm welcome that I received over the past several months, and I look forward to seeing you guys in June and continuing to work fisheries management. That concludes my report, Mr. Chairman.

MR. CUPKA: Thank you, Robert. Questions for Robert? Seeing none, then I'm going to ask Mac, we've got an issue we've been discussing. We really ought to take some action on so if you will bear with me I am going to ask Mac to present that to us.

MR. CURRIN: Yes, my concern in thinking about this whole golden crab issue is that with so many permits that are owned by individuals, that somebody might transfer to a family member or something a permit and create a vote essentially out of the context of what we've been discussing. I would like to offer a motion to clarify that the status of the permits be considered as of today's date, March 9, 2012. Today's the ninth; let's do it as of today.

MR. CUPKA: Yes, there is a motion on the board; do we have a second? Second by Ben? Discussion on the motion?

MR. HARRIS: Mr. Chairman, should that be as of twelve noon today, because there is still time left in the day.

MR. CUPKA: That's why I was suggesting we do it yesterday but whatever.

MR. CURRIN: I'll modify my motion then and we'll make it as of yesterday, 03/08/2012, if that is okay with my seconder. The motion now reads **the status of golden crab permits be considered as of yesterday, March 8, 2012.**

MR. CUPKA: Further discussion on the motion? Is there any objection to the motion? Seeing none, then that motion is approved. Robert, South Carolina.

MR. BOYLES: A couple of items I'd like to bring to the full council's attention. First of all, a tip of my hat to John Frampton, my boss. The Agency Director is retiring next week, on the 16th of March. Mr. Chairman, you and Mr. Mahood, our executive director, I really appreciate you making the effort to be at the celebration of John's career several weeks ago. I know he appreciated it, and I appreciate the support the council has given the agency and John specifically.

Our board has named Colonel Alvin Taylor as the director designee; and Colonel Taylor, no stranger to coastal and marine issues having spent the better part of his career on the coast. I'm excited for John in his new chapter of his life and also equally excited about Alvin Taylor as the new Director for the South Carolina Department of Natural Resources.

Speaking of natural resources, just a couple of things; our board has authorized us to proceed with seeking legislation to establish a daily bag limit on sheepshead of ten fish per person, a minimum size of 14 inches total length, and a boat limit of no more than 30. We are working through our General Assembly process to try to affect that.

This, of course, is as a result of the Comprehensive ACL Amendment that removed sheepshead from the Snapper Grouper FMU. In thinking about our Shrimp Committee Meeting, I appreciate the support of the council as we move to expedite our ability to respond to unforeseen environmental conditions.

Specifically, I think we had a much better shrimp season this year than we had anticipated. I appreciate the council asking or supporting our request to close federal waters, but it turns out we had a pretty decent year, a much better year on shrimp than we would have anticipated certainly this time a year ago.

Lastly, just to echo what Roy had said, or to affirm what Roy had said, we are concerned about the sturgeon listing, not only for its impact to fisheries, but specifically – or in addition to that, potential impacts on our sampling program that I think we all recognize and appreciate the value of data. That data is hard to come by sometimes, so we are concerned about what impacts that listing may have on some of our fishery-independent sampling. That concludes my report, Mr. Chairman.

MR. CUPKA: Thank you, Robert. Questions for Robert? I also think at one time Alvin was a member of our Law Enforcement AP, so he's familiar with our process. At John's retirement party, we had an opportunity to talk to him and he assures us he'll continue to do all that he can to continue to support the actions of this council. We appreciate that. Doug.

MR. HAYMANS: Thank you, Mr. Chairman. I'll just report on one item and that is something I've talked about a few different times in our agency report, and that is what we now call House Bill 869, or Saltwater Improvement Act. Basically, the three main things that are in this Act that we hope – it's made it through the house, we are three quarters of the way through our legislative sessions, so we hope that it's going to get finalized.

The three main things that are in it is, one, it aligns all of marine fisheries that are in legislation. It would allow the board to have some authority over those to actually manage those fisheries. It then gives the commissioner temporary authority to create closures by species for up to six months at a time.

For most closures that this council has, we would be able to match those closures if the commissioner so desired. Black sea bass being closed for eight or nine months, we might not be able to match that one, but we could up to six months. The final major thing there is that we are

creating a saltwater information program for licenses, and that is to help us to line up a little bit better with the National Saltwater Angler Registry.

It will require everyone who buys a fishing license to answer the question have you saltwater fished, and it helps define our telephone book a little bit better? But we are excited about HB 869, we think it's going to get through the Senate okay next week, and we'll put it into play January 1, 2013, so that's it.

MR. CUPKA: Thank you, Doug. Questions for Doug? Seeing none, then we'll move on to Jessica.

MS. McCAWLEY: I just have a couple items. I was going to let you know that we now have two new commissioners. We have Mr. Charles Roberts, who was appointed by the governor September of last year. He is from Tallahassee; he is the President of C.W. Roberts Contracting. He has previously served on the Northwest Florida Water Management Board.

We also have Ms. Liesa Priddy. She was appointed by the governor on January 6. She is from Immokalee and she owns and operates J.B. Ranch in Southwest Florida. Both of these commissioners have a long history of hunting and fishing, and they replace Commissioner Dwight Stephenson and Rodney Barreto on the commission.

We also have three commissioners that will come up for reappointment later this year. Also at our November commission meeting last year, the commission approved the relaxation of regulations on seatrout and redfish, so for redfish they approved an increase in the bag limit from one to two fish in the northern parts of the state; and for seatrout for recreational, the commission removed all the closed months and increased the bag limit in certain areas of the state.

For commercial they increased the months that we allow commercial harvest. Both of these actions come after positive stock assessments. For redfish, we hadn't modified the regulations for redfish in over 20 years, so we're excited about being able to provide these additional fishing opportunities.

MR. CUPKA: Questions for Jessica? Monica, did you have anything you wanted to bring forward?

MS. SMIT-BRUNELLO: A very long and large report, so just settle down. No, I don't have anything.

MR. CUPKA: We'll take it by reference. Roy, do you have anything else? Phil. Wilson.

DR. LANEY: Thank you, Mr. Chairman. I think everybody has my lengthy written report, so I'll just mention a couple of highlights. Our Assistant Regional Director for Ecological Services is going to be visiting South Carolina and North Carolina next week. We're collaborating with the National Marine Fisheries Service to educate our ecological services personnel on eelways, because we're working on a prescription with NMFS on the Toledo Bend Reservoir on the Sabine River. We are doing that next week.

Most of you I think are aware that we did find the American eel petition warranted so we are going to do a status review on that species, but my understanding from discussion with my Northeast Region colleagues is funding hasn't been allocated. That staff hasn't been designated yet, so they don't anticipate any action on that in 2012.

For those of you who are interested, the American Eel Assessment and the River Hearing Assessment have both been completed by ASMFC, and those will be peer reviewed next week in March at the Brownstone Hotel. If you've got nothing better to do, you might want to stick your head in the door on that.

The Status and Trends Report for the last 20 years for the Albemarle-Pamlico National Estuary Program has been completed and released, and that is on the website if you want to look at it. With regard to Atlantic sturgeon, my understanding is the Service has been in discussions with NMFS staff about how to continue the Service's conservation measures for Atlantic sturgeon.

Those would include the coast-wide cooperative tagging program that we've been doing with the Northeast Region and also the cooperative winter tagging cruise, which we will reinstate next year and hopefully be tagging Atlantic sturgeon on that. We'll be working with NMFS to get the necessary permits, and I think our regional director will be talking to Roy about how we can continue to do what we have been doing.

With regard to that Center for Biological Diversity petition, 374 of those species were found warranted of the 404 that they petitioned us on. We've been in discussions with each of you state directors I think with your staffs. We've had meetings with those folks to talk about how we proceed with Endangered Species Act activities.

We'll be looking at the potential for creating candidate conservation agreements or candidate conservation agreements with assurances for some of those 374 species. Then the last thing is with regards to the construction of the Rock Weir Fish Pass on Lock and Dam Number 1 in the Cape Fear River, I think I sent aerial photos out to some of you, but if I didn't shoot me an e-mail and I will. That construction is well under way.

We've already had fish ascending that fish pass even though it's only halfway finished. It's scheduled for completion next year. But we're very optimistic that Atlantic sturgeon and shortnosed sturgeon, American shad, striped bass are all going to be able to pass that Lock and Dam now and we will be doing studies.

Actually, Joe Hightower at the North Carolina Cooperative Fish and Wildlife Research Unit will be putting acoustic tags in American shad and striped bass, and the North Carolina Division of Marine Fisheries has already got acoustically tagged Atlantic sturgeon in the river. We hope to be able to report next year for sure about the percent passage rates for those species. Thank you very much.

MR. CUPKA: Thank you, Wilson; questions for Wilson? Duane.

MR. HARRIS: One question, Wilson, how much did that project cost or will it cost?

DR. LANEY: The Rock Weir Fish Pass? I'll get back to you on that. It was pretty costly because there was a huge scour hole under Lock and Dam Number 1 that the Corps had to fill in first before we could put the Rock Weir Fish Pass on top of it. It was pretty expensive, but I'll get back to you with a number on that. You're thinking New Savannah Bluff Lock and Dam, maybe in terms of – yes, I know they are considering the same thing there.

DR. DUVAL: Thank you, Mr. Chairman, just a few things. North Carolina is trying to develop a Section 10 Incidental Take Permit for our fisheries with regard to Atlantic sturgeon by April 6. We are definitely looking at this as being a multi-million dollar exercise just based on our experience with sea turtles, and we are certainly concerned about the significant impacts on our data collection programs.

We have some General Assembly activities. We have a Marine Fisheries Study Committee that has been going on since the beginning of the year, and their major focus is our agency and where to put it. They are looking at potentially merging our division with the Wildlife Resources Commission, which manages fish in inland waters as well as game and hunting activities, et cetera, possibly the Department of Agriculture. We are not certain where that is going to turn up, but I may be wearing a different color shirt the next time you all see me.

Also, we'd had a game fish bill that was introduced during our long session. There hasn't been any movement on that lately, but that may also come up. Our legislature reconvenes May 16. Finally, our commission just recently approved a few weeks ago our estuarine striped bass and spotted sea trout fishery management plan, and that concludes by report.

MR. CUPKA: Thank you, Michelle; questions for Michelle? Seeing none, then I'm going to ask our executive director if he has anything he wants to say about upcoming meetings or any other items.

MR. MAHOOD: Well, the next meeting will be in Orlando, Florida, and I can't remember the name of the hotel, but it's the same one we've met – Radisson, by the airport; it's easy to get to. That will be the week of the 11th through the 15th of June, so I guess we will see you all there if not before.

MR. CUPKA: Is there any other business to come before the council? Tom.

MR. BURGESS: Thank you, Mr. Chairman. It's come to my attention and I'm sure all of you about fishermen sending in their logbooks in a timely manner. I think as we move along, I think this is going to become more and more important as we go. I know there are issues with law enforcement. I think we've heard some discussion about that.

I know for a fact a specific case where they had trouble working on the case because of delinquent logbooks. I know Bonnie touched on it earlier about the importance of the discard logbook, which is sent in at the same time as our catch logbook. I think there is no need by the fishermen, I think to feel the need to send it in a timely manner, and I think that the seven-day period of sending it in was put there in the first place for a real good reason.

With that I would like to offer a motion, if I may, that the council send a letter to the Southeast Fisheries Science Center requesting that they get with the Regional Office and formulate a plan to deal with delinquent logbook reports and report this plan to the council at our June meeting.

MR. CUPKA: Okay, we have a motion by Tom; a second by Duane. The motion is for the council to send a letter to the Southeast Fisheries Science Center requesting they get with the Southeast Regional Office on a plan to deal with delinquent logbook reports and present the results at the June council meeting. Is there any discussion on the motion? Otha.

MR. EASLEY: It's a short discussion. NOAA General Counsel has already sent out an offer to do just that to Bonnie and myself, and to include anyone in Roy's staff so that we can develop a hopefully effective plan, including checklists et cetera to do just that, Tom.

MR. CUPKA: Thank you, Otha. Further discussion on the motion? Michelle, did you have something?

DR. DUVAL: Something entirely different, sorry, Mr. Chairman.

MR. CUPKA: Okay, further discussion? Is there any objection to the motion? Seeing none, that motion is approved. Ben, did you have something?

MR. HARTIG: Yes, it was just – and I said I'd wait until the next meeting. Basically when I fill out my reports, I am ten days behind already from the law, because you have to do it in seven days. I don't get my tickets and my logbook to be able to put the verification on the trip tickets for ten days. We'll discuss that; that can be fixed.

DR. DUVAL: Mr. Chairman; I apologize for bringing this up. This is actually in regard to I believe an experimental fishing permit, and this is sort of a bit of a breakdown in communication with myself and staff, but I have a letter of support from our biologist supervisor in our Southern District Office, Chip Collier, who is also our SSC member, regarding supporting Kenny Fex collecting red snapper and black sea bass during the closed season.

Kenny has worked with our division for over a decade to collect information on the commercial snapper grouper fishery off North Carolina, and we've sampled approximately 30 to 50 percent of his trips in recent years. He's also provided fish to us during closed seasons through a past exempted fishing permit, and we are certainly willing to work with him again to collect biological information on red snapper and black sea bass during the closed seasons.

These fish would not be sold and would be given to our staff, and we would be collecting data on age, length, weight, sex and maturity stage of red snapper and black sea bass. I do have a letter to this affect, which I can e-mail to Mike and ask him to quickly e-mail around to all staff members. I apologize for this. I thought that this was being submitted directly to council staff or to NMFS for this. I wasn't quite aware that this was being sent to me, so I'm not quite sure how to proceed.

MR. MAHOOD: Kenny needs to proceed by putting in an exempted fisheries permit request through the Regional Office, and then the Regional Office brings it to the council, and the council takes – well, the only action the council takes is a recommendation whether to approve or disapprove.

DR. CRABTREE: Yes, if you guys will contact our staff, Michelle, we'll work it out. Talk to Jack.

MR. CUPKA: Thank you. Any other business to come before the council? Seeing none, then I wish everyone a safe journey home and we are adjourned.

(Whereupon, the meeting was adjourned at 1:10 o'clock p.m., March 9, 2012.)

Certified By: _____ Date: _____

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March 21, 2012

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MONICA SMIT-BRUNELLO
JACK MCGOVERN
SCOTT SANDORF

FULL COUNCIL - ROLL CALL VOTE

Date: 3/19/12

Meeting Location: Savannah, GA

Issue: AMEND 18A (ADDRESSING TRANSFERABILITY)
ACTION 6 - EMERGENCY ACTION

	YES	NO	ABSTAIN
CUPKA	✓		
CURRIN	✓		
BOYLES	✓		
BURGESS	✓		
CRABTREE		✓	
DUVAL	✓		
HARRIS	✓		
HARTIG	✓		
JOLLEY			
HAYMANS	✓		
MCCAWLEY	✓		
PHILLIPS	✓		
SWATZEL	✓		

FULL COUNCIL - ROLL CALL VOTE

Date: 2/9/12

Meeting Location: Savannah, GA

Issue: Spiny Lobster 1/1

	YES	NO	ABSTAIN
CUPKA	✓		
CURRIN	✓		
BOYLES	✓		
BURGESS	✓		
CRABTREE	✓		
DUVAL	✓		
HARRIS	✓		
HARTIG	✓		
JOLLEY			ABSENT
HAYMANS	✓		
MCCAWLEY	✓		
PHILLIPS	✓		
SWATZEL	✓		

FULL COUNCIL - ROLL CALL VOTE

Date: 3/9/12

Meeting Location: Savannah, GA

Issue: S/C REG AMEND 12 + CODIFIED TEXT

	YES	NO	ABSTAIN
CUPKA	✓	✓	
CURRIN	✓	✓	
BOYLES	✓	✓	
BURGESS	✓	✓	
CRABTREE	✓	✓	
DUVAL	✓	✓	
HARRIS	✓	✓	
HARTIG	✓	✓	
JOLLEY			
HAYMANS	✓	✓	
MCCAWLEY	✓	✓	
PHILLIPS	✓	✓	
SWATZEL	✓	✓	

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FULL COUNCIL MEETING
 March 9, 2012
 Savannah, GA 31401

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AREA CODE &
PHONE NUMBER

NAME &
ORGANIZATION

<u>NAME & ORGANIZATION</u>	<u>AREA CODE & PHONE NUMBER</u>	<u>EMAIL ADDRESS</u>	<u>P.O. BOX/STREET CITY, STATE & ZIP</u>
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FULL COUNCIL MEETING
March 9, 2012
Savannah, GA 31401

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CITY, STATE & ZIP

EMAIL
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AREA CODE &
PHONE NUMBER

NAME &
ORGANIZATION

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