

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

DATA COLLECTION COMMITTEE

**The Beach House Hilton Head Island
Hilton Head Island, South Carolina**

September 17, 2015

SUMMARY MINUTES

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Additional Observers Attached

The Data Collection Committee of the South Atlantic Fishery Management Council convened in closed session in the ballroom of The Beach House Hilton Head Island, Hilton Head Island, South Carolina, September 17, 2015, and was called to order at 8:40 o'clock a.m. by Chairman Mel Bell.

MR. BELL: We will now call the Data Collection Committee together in open session. The first item on the agenda is approval of the agenda. Any changes to the agenda? Seeing no changes; the agenda stands. The next item is approval of the minutes from the June 2015 meeting. Any changes to the minutes? Seeing none; then the minutes are approved from the June 2015 meeting. That brings us to our first item on the agenda, which is a discussion of the National Observer Program. Do we have your presentation?

MR. WAUGH: Yes; you had a preliminary version in the briefing book and the revised version was sent out yesterday. Some of you may know Jane. Jane worked with us – I won't say how many years ago because I don't want to date Jane or myself; but she left us for Alaska, worked for the North Pacific, and is now in D.C. She knows what we deal with down here. I've told her that South Atlantic does not equal Gulf; so we're looking for some stuff for our side of the South Atlantic.

MS. DiCOSIMO: It is a pleasure to be back before the South Atlantic Council. It has been 21 years since my last presentation. I started 28 years ago, October 1987; the cold weather has preserved my youthful visage. I was in Alaska for 20 years. In June of this year I gave a briefer version of this presentation to the Council Coordination Meeting in Key West and was invited to come and present to the full council to highlight some of the features of the National Observer Program and to provide more information to the councils on their regional programs.

I'm just going to hit the highlights on the national program, on the regional program that affects South Atlantic fisheries, talk a little bit about how we're funded and touch the Regional Electronic Technologies Plans that the councils recently adopted through the National Marine Service and address a few future challenges on a variety of fronts.

The National Observer Program was instituted in 1999; but placing observers on commercial fishing vessels dates back to the foreign fisheries in the seventies. In the late nineties, the National Marine Fisheries Service Headquarters identified a need for improving the coordination across the different regional programs, particularly as they developed and expanded, and used the national office to communicate and advocate the mission of the observer programs, as well as developing national standards and policies to enhance high-quality data collection, as well as to quantify and characterize the different metrics for which we could evaluate the programs.

As you see on the slide, in the last several years nationally we have deployed 900 observers for 79,000 sea days in 48 fisheries; so it is a wide-ranging program. This slide indicates the trajectory of a number of different components of the national and regional programs. From the bottom up, we're looking at between 1998, the year before the program was instituted, through 2013. We've increased the federal funds, the number of fisheries, the contribution by industry towards paying for observer programs and the number of sea days.

What you don't see because we're including the last several years in this slide is the flattening of the trajectory of all of those components. Looking at a little bit more detail, this is the FY 2015 observer budget, very similar to the two previous years. You will see that the way that the observer programs are funded are through direct congressional budget lines; so the Congress is allocating specific dollar amounts each year to specific programs.

For the South Atlantic, the top two lines affect the observer programs here; and that the Atlantic Coast Observers with over three million dollars and East Coast Observers for \$333,000. You can see across the rest of the programs how that compares. You'll see a particularly high amount for the National Observer Program. Half of that twelve million dollars that we receive immediately goes to the regional programs based on a historic percentage allocation.

The other half is administered through my office; but again 90 percent of that also goes out the door to the regional programs. Some portion of it is equally split across the different programs. Others are making up a gap between what had been funded in the past to what is now coming in through the congressional lines. About eight or \$900,000 the last two years has gone out for electronic technology proposals.

Then we also have a reducing bycatch congressional budget line that is administered through my office. In the next slide how this all breaks out. If you will focus on the southeast column, the fourth column, you will see that the Atlantic Coast Observer Budget Line is split between the northeast and southeast; so the southeast got \$1.8 million. For the East Coast Observer Line, the southeast got 100 percent of that \$333,000.

Moving on down the rows of the National Observer Program's \$12 million apportionment, \$1 million of that went to southeast. There was a \$56,000 proposal that was successfully awarded. The South Atlantic/Gulf Shrimp Observers, 100 percent of that goes to the southeast, \$1.7 million, for a total of \$5 million.

Then you see here is that Bycatch Observer Budget Line, the last row, with an equal split among the programs and \$87,000 going to the headquarters office for administering that program, running workshops, et cetera. There are three individuals in my office. I'm the coordinator of the National Observer Program.

Lee Benaka has the lead on our bycatch issues and Dennis Hansford is a long-time staff person, a former fisheries' observer in the northeast, and he has the responsibility, among other things, of safety and training for observers. As I said, the national office has that coordination role. We are not involved in the development and direction of how the programs are designed and administered.

That is the responsibilities of the regional programs themselves. You will see on this slide sampling protocols, coverage level, safety training, observer deployment and debriefing, and data management and data analysis are all subject to the regional needs. This is a slide of the location of the regional programs distributed around the country. The Panama City Lab in Florida has the lead for the two fishery observer programs here.

This is a slide that just shows the comparison of observer coverage levels in your neck of the woods; so that you pretty much between an 8 and 28 percent range of observer coverage with the Shark Atlantic Shark Drift Net having the high at about 38 percent coverage level. Moving into a little bit more detail; there is two observer programs, one for southeast gillnet and for shark bottom longline and then a third exploratory or pilot type of program that's voluntary for mid-shelf and deepwater reef fish.

For this section of the presentation, I'd like to thank Dr. John Carlson of the Panama City Lab, who is the program manager and provided the following slides. For the Southeast Gillnet Fishery Observer Program, again managed in Panama City, the fishery is comprised of relatively small boats, 25 to 40 feet in length. It covers North Carolina to Texas.

The trips are typically overnight, and most vessels change species and gear types frequently in that fishery. The goals of the program; the vessels are selected for coverage by randomly choosing vessels from the pool of vessels each quarter. They provide estimates of sea turtles and marine mammal interactions.

They collect data on catch and bycatch of all species of fish, sharks and protected resources and then do some additional biological sampling. Each of these programs provide an annual report. I'm not an expert in any of these programs; but if you have questions, the annual reports are posted on the agency's website and council staff or I would be happy to get copies to you if you have more interest in learning more about that particular program.

The second program Shark Bottom Longline Fishery Observer Program, again managed at the Panama City Lab. These vessels range between North Carolina to Louisiana. The trips are about one to three days in length. They target large coastal sharks. The longline characteristics vary but the gear normally consists of about 8 to 24 kilometers of longline and between 500 and 1,500 hooks.

The goals of this observer program are to have a random selection of the vessels from a pool of vessels each quarter. The shark research fishery is five to ten vessels with 100 percent coverage. The program provides estimates of sea turtle and marine mammal interactions and collect catch and bycatch with additional biological sampling. Again, an annual report is provided by the lab and posted on the agency's website.

Now there is a third program for the southeastern U.S. Atlantic mid-shelf and deepwater reef fish fisheries that is administered by the Gulf and South Atlantic Fisheries Foundation. This is a voluntary reef fish program to characterize catch and discards within the snapper grouper vertical hook-and-line fishery, but the vessels are not randomly selected and there are no biological samples collected.

There is a need for additional information and better onboard documentation of the catch. This was funded by a MARFIN Grant in February 2014 to January 2015; but the funding has not continued past that first year. A total of 27 trips on 15 vessels with a total of 408 vertical line and trawling hauls were observed.

There is information in the report on the mean sampling rate; and funding is sought to continue this in 2016 from the ACCSP. Again, an annual report is posted on the website. I'm going to transition a little bit to just very generally cover the regional electronic technologies implementation plans. The council along with all the other councils worked with NMFS to adopt a regional plan for implementing electronic monitoring and electronic reporting like the next one to three years, three to five, and longer-term objectives.

This slide is just intended like a traffic light; green is good, yellow is in transition, and red is basically indicating no plans. Sometimes no plans means you've already successfully implemented and there isn't anything to expand; so red doesn't mean bad, it is just means there is no plans for future activities depending on these particular components.

Looking at the southeast column, you already have ER in place. You have planned for the next two years to expand it. There are no plans at this moment for future electronic reporting for observer data. You do not have electronic monitoring in place. There are no plans in the next one to two years, but you are thinking of expanding EM in the longer term for the shrimp fishery.

Then you see you've got already implemented for the next series of categories regarding the private fishery for collecting of cost information and for potential cost sharing for shrimp electronic reporting. In terms of budgets, you can see a fairly rapid expansion in the last several years, some concerted efforts to move implementation along for both electronic monitoring and electronic reporting.

We had I believe four requests for proposals last year that I was involved in reviewing across the nation different EM and ER proposals under a variety of different funding sources. We have a request in for \$5.56 million in the FY-16 budget. We're not sure how much of that we will get and exactly how much of that will be designated for cooperative research and for internal development of some of the programs that are in pilot.

This is just a real quick summary of the electronic monitoring purposes. We have one purpose being compliance monitoring. Basically are the regulations being followed? This is primarily used for, say, bycatch monitoring. We have other programs under development for management purposes to actually determine catch so that we can gauge the harvest against the annual catch limits and then also for scientific data collection.

We've had probably more than that, more than 30, we're probably in the 50 electronic monitoring pilot projects that have been funded over the last ten years or so. We have five EM programs that are implemented. We have one in the Atlantic highly migratory species' fishery and we have four programs for different sectors in the groundfish fisheries in Alaska.

We have three if not four EM programs in the pre-implementation stage; two in northeast, one for groundfish and the other for Atlantic herring and mackerel; one for the groundfish rationalized fishery in the west coast; and in Alaska the focus right now is on the small boat fishery and for Alaska's small boats between 40 and 57-1/2 feet.

In terms of lessons learned so far, we think electronic monitoring has a lot of potential benefits. It can suitable across a wide range of vessel sizes. It can be a useful compliance tool. We would intend it to be fully integrating the data collection tools that create a profile of fishing at sea. It potentially can be lower in costs than deploying people. It can be operated 24/7 where a human cannot.

The challenges are in species' identification. You don't always get lengths out of aiming a camera at a sorting table or on the rail. Estimating the weights of those discarded species, archiving and storing huge amounts of data, are we keeping the entire video stream, are we able to develop software that can just advance us to fishing incidents.

Cost and time delays associated with analysis of EM data; some of the programs use real-time data reporting. Every night that data goes to the observer program; it then goes to the region and is used for catch accounting, particularly on the catch share fisheries. Then regulatory and operational constraints, including enforcement – we have a number of enforcement and legal issues that we still are attempting to resolve.

If a provider company is contracted to collect and review the video data; is that owned by the agency, is it owned by the provider company, is it owned in a sense by the fishery that paid to have that data collected? Exactly how does the chain of custody occur? We have still a lot of issues to work our way through. I would circle back to the cost information.

It is very likely that if it is more costly to use cameras than people, we're not moving in that direction, particularly as we are transitioning toward having industry cover these costs. If it is not cost-effective, it likely won't go into effect. There are two recent cost papers released by the Greater Atlantic Regional Office indicating for the groundfish fishery in a hypothetical scenario that was intended just for illustrative purposes and not for cost efficiency that it could more expensive.

But for the Atlantic herring/mackerel fishery where it is much more compliance monitored and you're really only looking at did the fish go over the side, it could be cost effective; again using a hypothetical fishery because these program aren't implemented yet. There is a draft cost paper that may already be released.

I know the North Pacific Council's Observer Advisory Committee is meeting and tomorrow, and I think they're going to be looking at a staff paper on cost that also could indicate that the costs are not as low as one had told. The design of the program will indicate how the costs will be so you can focus your efforts to keep things cost effective, but it may also mean that you're not doing any additional type of sampling or data collection that might otherwise be obtained by a human.

We're not always thinking that we're going to replacing people with cameras, but we might be augmenting people with cameras. The cameras may work for compliance monitoring, but you're still going to need people on the boats taking samples. For future challenges with flat federal budgets – this is generally; this is not just on the EM now – we're not anticipating being able to increase observer coverage.

We have the pressure to implement electronic monitoring programs as well as electronic reporting and the lack of consistency and industry funding of observer programs and possibly electronic monitoring costs around the United States also is an issue. With that, Mr. Chairman, that is my presentation.

MR. BELL: I appreciate that; and it is sort of the high-level view of all this; and it touches on things that we've obviously talked about at previous meetings related to implementation of electronic technologies; and obviously ties into CE-BA 3 in dealing with bycatch reporting and that sort of thing. Any questions for Jane? Zack.

MR. BOWEN: Jane, thank you for the presentation. When you're talking about cost, if we're considering implementing this, wouldn't some of the cost be covered by the vessel owner or shouldn't it be?

MS. DiCOSIMO: That's the model, yes.

MR. BELL: And recall in previous discussions we've had in certain fisheries, particular larger fisheries in other regions where you see a lot of that; and, of course, we've brought it home to ourselves in looking at some of our fisheries and realizing that they're not as large in capacity or value; so a little more challenging for cost share perhaps in our area compared to the northeast or Alaska or Pacific Northwest. That certainly would be the model to follow is an industry share sort of thing as you can make that happen.

MS. DiCOSIMO: That's right and recall that the agency would always be responsible for what we call the infrastructure cost, the staff and the hardware and software that's needed to collect that information and use it for management. It is the at-sea portion, it is the camera on the vessel, perhaps the software that's needed, perhaps the data collection and to plug into the agency side; so it is cost sharing. It is not transferring the full cost, but there are significant infrastructure costs that are covered by the agency.

MR. BELL: Yes; and recall that we've had some discussions recently about looking at electronic reporting hardware, tablets and that sort of thing. Again, because of the flat budget situation, that may not be – you know, even the funding of things like that might be kind of difficult. We've gotten some feedback from the regional office on that. In the ideal world, that is the way it would work is cost sharing across the board. Jack.

MR. COX: As far as your electronic monitoring, as far as the hardware installation and the cameras and stuff, are you seeing a pretty drastic drop in the cost of that equipment? I've got cameras on my boat and we've got for \$500 a complete system to watch the monitored engine room and the shaft and things like that.

MS. DiCOSIMO: We've only this last year been collecting that cost information. Up to that point there was such an interest in the research and design end of things that we weren't really monitoring what things cost, but we're collecting that information as of 2015 and we're hoping to have a report pretty soon to try to catalog that, characterize it and share that information so that if there are cheaper systems, folks are aware of those.

MR. HARTIG: Jane, I can see in some fisheries, especially out towards Alaska where you've worked extensively, that if there is a particular choke species that is closing a fishery down early and costing a serious economic benefit; in those cases have fishermen come forward and said we're going to pay for the observer programs to prove that we can stay within that kind of choke-species' situation?

MS. DiCOSIMO: And that's exactly why there are four sectors in Alaska that have EM programs for exactly that purpose. It is the bycatch issue that is driving the interest in development of cameras on vessels.

MR. BELL: Any other questions? Well, thank you so much. All right, we mentioned CE-BA 3 so that will slide into our next area of discussion, which will be CE-BA 3. Chip is going to start out here with an update.

MR. COLLIER: I guess I can start off by saying it is back.

MR. BELL: It never went away actually, right? You'll recall that the CE-BA 3 has gone through I guess a long evolutionary process, which predates me here. Staff have come and gone and it is back; but the one component remaining in CE-BA 3 has to do with the bycatch issue.

MR. COLLIER: As Mel gave a little bit of history, CE-BA 3 actually went out for scoping back in January or 2011. It went to public hearings in June of 2012. Back then it had as many as nine actions; and some of those actions actually did not deal with bycatch. The one action that is left in it is looking to amend the Snapper Grouper, Dolphin Wahoo, Coastal Migratory Pelagic and Golden Crab Fishery Management Plans to modify the bycatch and discard reporting.

I have the three alternatives and I'll go through those. They are listed in CE-BA right now. The first one is no action and it describes exactly how the ACCSP released discard and protected species' module works. That is the current methodology that is accepted for these different fisheries.

Going into the ACCSP data, if you look at the qualitative standards, it has qualitative standards or quantitative standards for both commercial and recreational fisheries. For the commercial fisheries it has an observer program. It also has mandatory self-reporting. For the for-hire it has at-sea sampling and also intercept surveys.

For the private recreational fishery there is a component for recreational intercept surveys, recreational observer programs where possible and also verification of angler reports where possible. The reason for that "where possible" is it can be difficult to cover recreational fisheries with an observer program. You can't always put an observer on a recreational vessel because it doesn't have the necessary safety requirements.

There is some qualitative standards as well as the quantitative standards. For the commercial fisheries it can be interviewing fishermen at the dock and get reports. You can also get

entanglement and stranding reports as well. For the for-hire fishery there are call-in reports as well as the entanglement and stranding reporting.

Then for data collection overall, there is the Marine Mammal Authorization Program. There is the stranding and entanglement data from all commercial fishermen, for for-hire fisheries and also for recreational fisheries. Finally, there is port interviews to verify the voluntary data. Within the ACCSP, there is also training and outreach components to that.

There is also data elements in the reporting forms. There is standardization of the data elements that go into the ACCSP. There is a minimum that you can actually report. There is training programs for at-sea and observer samplers. That is not only for safety, but it is also for the overall data that is collected. Then finally there is pilot studies that have been collected in order to enhance the data collection.

Alternative 2 is a second option to this. That is going to require that commercial vessels with a commercial Atlantic dolphin wahoo permit, a Spanish mackerel commercial permit, king mackerel commercial gillnet permit; for-hire vessels with charter/headboat permit for dolphin wahoo, charter vessels for the coastal migratory pelagic, and private recreational vessels if fishing for dolphin wahoo or CMP in the exclusive economic zone, if selected shall use observer coverage, logbooks, electronic logbooks, video monitoring or any other method deemed necessary to measure bycatch by the National Marine Fisheries Service.

Then Alternative 3 just basically has four subalternatives and gives you the opportunity to select different fisheries to include for the observer coverage. That is all I have for CE-BA 3 is basically just a background on where we are and what we're going to be working on next year.

MR. BELL: Obviously, we will be working on this for a while; so as Chip said it is back. You have in your briefing binder I guess the last version of the document as it existed in February of 2014, I believe. Any questions for Chip at this point or discussion of moving forward with CE-BA 3?

Of course, in Executive Finance we'll discuss planning and timing and those sorts of things. The other half of this discussion was I guess Jack is going to talk to us a little bit about bycatch reporting in the southeast, where we stand right now. You should have received this last night I think from Mike.

DR. McGOVERN: I'm just going to update you on this workgroup that was established to update bycatch information in the southeast region. You may remember that Dr. Ponwith and Dr. Crabtree established a workgroup to review the standardized bycatch reporting methodologies. SBRMs are in place for the Gulf of Mexico, South Atlantic and Caribbean Fishery Management Councils.

That workgroup consists of Jim Nance and Liz Scott-Denton from the science center; Jenny Lee, Protected Resources; Bill Arnold, Steve Branstetter, me. Nick Farmer is the data person and Shepherd Grimes from General Council. Our charge is to review the SBRMs in place and then to develop suggested changes for SBRMs that can be made through the fishery management process.

This workgroup has met a number of times. We've developed a document, and this document includes summaries of SBRMs that are in place for 15 fishery management plans in the Gulf of Mexico, South Atlantic and the Caribbean. It summarizes data collection programs that are in place in all the different regions; and a lot of these data collection programs aren't included in the SBRMs. It includes a summary of fishery-specific bycatch estimates. Nick Farmer has done that.

We have some summaries of current observer coverage levels from the science center. We're also developing suggestions for improvements to SBRMs; and that is all in this document. Nick Farmer has taken that document and Nick put together this PowerPoint presentation to kind of summarize what we've done. Just some background information; National Standard 9 states that conservation and management measures shall, to the extent practicable, minimize bycatch and minimize mortality of such bycatch.

National Standard 9 also promotes development of a database on bycatch and bycatch mortality in a fishery to the extent practicable. The Magnuson-Stevens Act states that fishery management plans shall establish a standardized bycatch reporting methodology to assess the amount and type of catch occurring in the fishery.

Just to summarize some of the SBRM standardized bycatch reporting methodologies in place for snapper grouper; dolphin wahoo; coastal migratory pelagics, which is CMP; golden crab; spiny lobster and coral; the Comprehensive Amendment addressing the Sustainable Fishery Action requirements has the SBRMs for all these FMPs to include reporting requirements as specified in the ACCSP that Chip just went over.

Later Amendment 15B kind of updated that and said to adopt the ACCSP module; and until this module is funded, require the use of a variety of sources to assess and monitor bycatch, including observer coverage, logbooks, electronic logbook, video monitoring and other items. The Standardized Bycatch Reporting Methodology for shrimp is to adopt the ACCSP; and then, like snapper grouper, until its module is funded, require the use of a variety of other methods.

It also specifies that 20 percent of at-sea observer funds will be allocated to the South Atlantic and 80 percent to the Gulf. Current observer coverage is about 300 sea days, about 1 percent of the penaeid shrimp trips and a little bit less than 1 percent for rock shrimp trips. For Sargassum, the SBRM is 100 percent observer coverage and there are gear restrictions; but there is no harvest in this fishery.

This summarizes some discard reporting programs that are in place for the different fisheries in the South Atlantic. It shows for the different FMPs here; and then like, for example, snapper grouper we have discards being reported through the headboat observer program, MRIP. There is a headboat survey. There is some limited observer coverage and also a discard logbook.

There is the same coastal discard logbook for snapper grouper, dolphin wahoo and coastal migratory pelagics and reef fish in the Gulf of Mexico. Golden crab also has a discard logbook. It just summarizes for the different fisheries here. Nick has ranked all the different fisheries for all the FMPs from those with the most discards to those with the least amount of discards.

What is highlighted in yellow here is the FMPs and gear for the South Atlantic. Shrimp has the most discards followed by snapper grouper handline, dolphin trolling; and snapper grouper or pot are next; but for these fisheries that we'll see in a minute, most of the discards are actually dolphin in the case of trolling and black sea bass and pot. You go down the line here, there are fewer discards.

For snapper grouper handline; most of the discards are yellowtail snapper, gray snapper, black sea bass and red snapper. Nick notes there is a lot of uncertainty here, but it helps rank the species that have the top discards. This slide here shows the FMP, the gear and ranks the discard level, whether it is high or low and the top discarded species.

As I mentioned, handline is high with yellowtail snapper, gray snapper and black sea bass. Longline is low; buoy is low. For dolphin wahoo, handline is moderately high, but dolphin is the species that really is the top species for being discarded here, and the same thing with trolling. This shows the discards as an average from 2009 to 2013.

It shows very few discards with buoy gear; diving gear has few discards, but probably a lot of these discards are due to multiple gear types being used on the same trips. Actually these discards might be from hook-and-line gear. The same thing with trolling; this might actually be a coding problem here where trolling might actually be trap, because is coded as a "T" and another one is coded as a "TR" in the discard logbook.

Longline has low discards. It is primarily catching golden tilefish, but there is some bycatch of sharks here. Then handline is the gear that has the top amount of discards. For dolphin wahoo we see for handline and trolling, dolphin dominates the discards here. Discards are low for longline. Then the same sort of setup for coastal migratory pelagics; shrimp, golden crab, spiny lobster, CMP. Coastal migratory pelagics has moderately low discards.

Shrimp has high discards; golden crab, very low; spiny lobster, moderate; and there is no harvest for Sargassum. For the coastal migratory pelagic discards; gillnet, menhaden is the top discard. For handline is king mackerel; for trolling it is also king mackerel. There is not a discard logbook for spiny lobster, but we have some papers that give us an idea of what is being discarded in this fishery. They're from Matthews in 1997; and the top discarded species here are stone crabs, grunts, spider crabs.

Then for golden crab, discards are very low, it appears, and the discard is predominantly isopods with some crabs, hagfish sharks and hake. For shrimp, without an old study, without BRDs, it is primarily finfish; and then for rock shrimp the catch with BRDs is mostly rock shrimp, finfish, lizard fish, dusky flounder.

This shows snapper grouper discards. It shows the ratio of discarded-to-landed fish for headboat, charter, private; and then for commercial the discards are in numbers of fish and the landings are in pounds; so it just shows both of them. We can see some species that have discard rates. Black grouper is one. Black sea bass, red grouper, red snapper are some species with high discard rates.

For dolphin wahoo, the discards are fairly low and similar for coastal migratory pelagics. This last slide I show is some information on observer coverage from the science center. For the recreational sector there observer coverage on headboats. For snapper grouper, dolphin wahoo, coastal migratory pelagics, observers are placed on 9.5 percent of headboat trips out of North Carolina, 1.4 percent out of South Carolina, 3.4 percent out of Georgia and 1.5 percent out of East Florida.

There is some limited observer coverage for snapper grouper, as Jane talked about, from the Foundation. I think she said 62 days; I have an estimate of 57. There is some longline observed catch for dolphin wahoo from HMS; and there is some observer coverage for shrimp. That pretty summarizes where we are so far. We're continuing to work on this, and we are developing suggestions for standardized bycatch reporting methodology. We will be developing that more this fall.

MR. BELL: Roy and Bonnie, I really appreciate your putting this group together, and we appreciate them pulling all this information together. This is going to be important as we move forward with CE-BA 3 and then trying to make improvements to any type of bycatch reporting. Any questions for Jack at this point related to what is going on right now? Michelle.

DR. DUVAL: Jack, on the South Atlantic shrimp, that's just observers in federal waters, correct, like it doesn't include any state waters shrimp fishery?

DR. McGOVERN: That is from published studies, so I'd have to go back and look at the study and see where it actually took place. There is not a logbook so I'd have to go back and look and see if it included information from state waters or not.

DR. DUVAL: I guess my question was the observed trips are really just in federal waters; they're not in state waters?

DR. McGOVERN: That's probably a question for Bonnie; I'm not sure.

DR. PONWITH: About observer coverage in state waters?

DR. DUVAL: Yes; my question was just in terms of the South Atlantic Shrimp Fishery; the observer coverage for that fishery just pertains to trips that are occurring in federal waters. It doesn't pertain to trips in state waters.

DR. PONWITH: Typically those observer trips; the coverage is in federal waters. I can't say that there aren't some in state waters, because sometimes there are special projects and things; but for the most part, those selections are done on federally permitted vessels in federal waters.

MR. BELL: Right; and I'd be willing to bet you from what see, they kind of work that federal/state interface, so they might spend – even though they're federally permitted, it may be a trip that involves, in some case, both state and federal waters. Wilson.

DR. DUVAL: Jack, did you look at birds at all; you know, sea birds?

DR. McGOVERN: No; we haven't. We've looked at papers and that sort of thing that we have and the information that you gave us as well. We'll continue to look at that and see if there is bycatch of birds in there.

MR. HARTIG: This is probably a question for Bonnie; but the increase in the reef fish observer trips that you've made in the last couple of years; where did that come from? Was it a grant, was it your office. I had to contact the federal person to be able to deal with that.

DR. PONWITH: Well, as you saw from Jane's presentation, the budget lines that we used to fund our observer programs come from many different lines. Some of them are dedicated to a certain type of observer and that builds the observer coverage and that builds the base coverage. Others of them are competitive; is there a special project you need or are you dealing with a special problem?

We can compete for those funds and get a plus-up. I've have to actually go into the numbers to take a look and give you a direct answer; but what could be is that we got ephemeral money as a plus-up to deal with a specific problem and that is what created an increase. I can look into that and find out for sure.

MR. BELL: Roy, did you want to add to that?

DR. CRABTREE: Well, one difference in the Gulf, too, is there is the cost recovery money that comes out of the IFQ Programs; and a big chunk of that goes to the science center.

MR. BELL: Any other questions for Jack or observations? It good to see that we are moving forward and incorporate what we're learning into CE-BA 3 and make some improvements. You see how all this ties together, too. It is the use of electronic technologies where appropriate and affordable and what makes sense.

There is always a number of ways of making improvements to our observer-based bycatch reduction documentation. This is all great stuff; I'm really pleased. We're looking forward to moving CE-BA 3 along; and maybe we'll get that behind us and on to CE-BA 4 or something. Any other questions for Jack right now or anything related to this topic? Thanks, Jack. The next item on the agenda is an update – Roy.

DR. CRABTREE: Before we move off of – I mean, whether you want to call this CE-BA or whatever, but we're really sort of starting afresh I think with all the court decisions and things that have happened. The amendment is going to need to expand to include all of our fisheries. At least where we left off with it, it didn't included shrimp, which in fact has the highest level of discards.

It didn't include spiny lobster. I don't know if it has all the FMPs or not, but we're really going to need to do this comprehensively to address all of those fisheries. That means that some of this is going to involve the Gulf. One of the big issues in the litigation in the northeast had to do with how you prioritize funding when there is not enough funding available.

To the extent that the advice from our attorneys is that we need to address that; we may have to do this comprehensively with the Gulf, because at some point part of the prioritization that has to be made is how much is going in the Gulf and the South Atlantic. A lot of these pots are region pots; and it is not clear to me right now how much we're going to have to get into those things.

When New England did this, they did it as an Omnibus Amendment for the Mid-Atlantic and New England. Now, that has been subject to new litigation; and I don't know what the judge is going to come out of that. I think those are some of the questions that we're going to need advice from Monica's office on exactly what we need to do and how to approach some of those things.

MR. BELL: Yes; and that is a good point given the evolutionary process of CE-BA 3 and now we're years later. It is obviously going to require some adjustments, and like you said comprehensive needs to be comprehensive. We'll have to make appropriate adjustments to that. Monica, did you have anything to add to that?

MS. SMIT-BRUNELLO: Well, I had to step out of the room so I missed some of that, but I caught the end of it. I agree that a southeast-wide program would probably be the best thing here. In our office we're all talking about this now and will be. I'm not prepared to give you any further advice on what you need to do. Jack said, I believe, we'll have an additional presentation for you in December, hopefully, and then we'll come with some recommendations and those sorts of things. We're working on it, but it is a very complicated subject.

MR. BELL: Yes; and I think the important thing at this point is we are moving forward and making progress; and we'll run into some different hurdles as we kind of work through this in terms of structure and mechanics and how we do it. We are moving in the right direction; so I think that's positive. Wilson.

DR. LANEY: I guess a question for Monica; National Standard 9, is that only supposed to cover fish bycatch, and bycatch of marine mammals is covered under the MMPA and sea turtles under ESA; is that the way that works or as we start looking at bycatch in the South Atlantic fisheries should be considering marine mammals and sea turtles and sea birds, all of the other types of critters that are sometimes captured as bycatch as well?

MS. SMIT-BRUNELLO: Well, Wilson, that's a great question. This is the Magnuson Fishery Conservation and Management Act, but fish is very broad. Fish is defined; so I think we should be looking at all those various things, how the other laws address them, too, what plays into it. I guess I don't have a completely definitive answer because all these laws kind of work together or supposed to, anyway. We're supposed to pay attention to them to all of them under the Magnuson Act to make sure that we're compliant with all of them. I guess I will get you more information later on exactly legally how this plays out and works.

DR. CRABTREE: All I can tell you, Wilson, is if you look in the definition sections of the statute, bycatch is defined as fish which are harvested; so it is fish. Then you can go down the definitions and look at the definition of fish and fish means finfish, mollusks, setations and all other forms of marine animal and plant life other than marine mammals and birds.

Turtles are fish in the statute but marine mammals and birds are not. My read is that our standardized bycatch reporting plan doesn't deal with those at this point. Now, there are bills on the Hill and other things that are proposing to add birds to that and some other things; but for whatever reason that is what the statute says.

MS. SMIT-BRUNELLO: And I thank Attorney Crabtree for that.

MR. BELL: Any other discussion? Let's go ahead and move quickly to the next item, which Bonnie is going to give us a quick update on the commercial logbook pilot study.

DR. PONWITH: We are making good progress on this study. We've been giving reports at each of the Fishery Management Council Meetings. On the last report I gave the overview that we were well into the pilot phase of this where we're actually testing the equipment on the vessels that were selected.

Again, the premise of this is that the scientists create the data standards and say this is the format and this is the quality of the data that we need to have coming in. The vessel's job is to test different pieces of equipment and different types of software that are trying to meet those data standards. The people in the middle are commercial enterprises, vendors, whose job it is to take the data standards and take the needs on the vessels and meet in the middle to come up with hardware that can do the job and software that can do the job.

Then we used feedback from those captains who were involved in the pilot study to come back and say, "Well, the software is too complicated. I'm having to enter data too many times or too many different ways" – basically give feedback to the vendors who developed this equipment on how to do a better job of generating equipment that is going to be easy to use at sea.

That work has basically – it is coming to a close. The on-water part is coming to a close. Now, the next step is to take a look at the data that were collected during this sort of adaptive stage of at-sea and see how well those data meet our needs, the standards that we developed. The data have been delivered to ACCSP. It is in their hands.

We're in the process of evaluating the data, that feedback loop, do the data meet the standards that we developed or do we have to do tweaking on that part. Once that is done, we can bring the pilot study to a close and use what we learned from it to create some recommendations of how this could go fully operational.

I have a feeling that by the December meeting I'll have a better feel for how that data evaluation went. Right now they're in the very earliest phases of that. So far the feedback that I'm hearing from the industry has been good. They have been pleased to be a part of the study; and they are very aggressively participating in getting good feedback to the vendors on what is right and what is wrong about the hardware and the software. So far we're really pleased with the study and I'll give you an update in December on how the data piece of this is going.

MR. BELL: Great; and that is so important having the people that really have to use this stuff. I can tell you from personal experience of being on the receiving end of dealing with new military-related equipment and stuff; and you find yourself in the field wondering what idiot designed this

because they had no earthly idea. That is so important what you just described related to the fisheries and the application of it and then the next phase of being the data. Any questions for Bonnie at this point? Seeing none; we'll move along. Gregg, you're going to give us a quick update?

MR. WAUGH: Yes, very briefly. I touched base with Mike Cahall. They're testing the data feed now. This was an avenue we were pursuing where commercial fishermen could provide their logbook data electronically on a voluntary basis. They're testing the data feed now and hopefully they'll have it ready in a couple of a days to a couple of weeks. We should again be coming back in December with some concrete recommendations.

MR. BELL: Great; so stay tuned in December for lots of good stuff. Any questions for Gregg? What I'd like to do is take maybe a ten-minute maximum break and then we'll come back and deal with our big agenda item, which is going to be the discussion of the Charterboat Amendment. We're going to get started here. Gregg is going to walk us through initially here some discussion of the Joint South Atlantic/Gulf Generic Charterboat Reporting Amendment. That would be Attachment 7 in your briefing binder.

MR. WAUGH: This picks up where we left off at the Joint June Council Meeting. I'm just going to run through quickly just to remind you what is in here. We've got the purpose and need. The South Atlantic Council has approved both the purpose and need. The Gulf approved it. There is a slight modification that has been suggested by the Gulf Council staff.

Action 1 deals with charter vessel reporting. This is on Page 2. Our council has approved wording for Action 1 and the alternatives. The Gulf Council had slightly different wording. You directed us to get together and resolve some of those differences. The Gulf staff has proposed some new wording on Page 4 that modifies the wording of the action a little bit; drops out the reference to fishery management plans.

The Gulf does have a preferred for that alternative and that's to require that federally permitted charter vessels submit fishing records to the SRD for each trip via electronic reporting and via NMFS-approved hardware/software prior to arriving at the dock. I just call your attention to the note that the IPT has pointed out that it is going to be difficult to analyze the two different positions.

The South Atlantic Council has indicated they're leaning towards bringing the charterboats up to the headboats, which would be weekly reporting. That is something we will have to address. Action 2 deals with modifications to headboat reporting requirements. This starts on Page 6. Our council has approved wording for the actions and alternatives; no preferred alternatives yet.

The Gulf has some wording very similar; and at their last meeting they approved Alternative 4 as their preferred, which would require that headboats submit fishing records prior to arriving at the dock; so they're looking at trip level reporting. Again, the Gulf staff has some suggested modifications to the wording.

Again, the IPT is pointing out that the likely position that the South Atlantic is picking versus what the Gulf makes it difficult to argue within that same action why you have that divergent of a

requirement. Action 3 deals with the location reporting. This is on Page 10. We'll come back and walk through this, but I just wanted to refresh everybody's memory on what is in here.

Our council did approve Action 3 and the alternatives, modified with the proposed Gulf staff changes. The Gulf staff has some more changes that they're suggesting along with indicating that the Gulf has a preferred alternative of Alternative 2. That would require for-hire vessels to use NMFS-approved electronic device that automatically records vessel location at specific time intervals for later transmission.

They're doing real-time collection of fishing location information. Again, our initial step would not go that far, and that is going to be difficult to analyze those differences as well. Then the final, what was an action, was getting into the details of the data reporting – this on Page 13 – data reporting mechanisms and procedures.

Both councils approved a motion to remove that from being an action and include those details in the discussion. You gave us direction to add some additional material not all of which is in the document yet. At their last meeting the Gulf Council talked about this. They wanted a lot more detail in the document about the specifics of how this would work.

Even we though we attached the Technical Subcommittee's Report as an appendix; they approved a motion to request that the Technical Subcommittee look at this and develop a stand-alone reference document that lays out all of these specific details. We would need to discuss that some. I'm not sure that's required.

We have a lot of the details, and some of the details they're talking about are things that the agency would work out during the implementation phase. They also wanted some more information on cost and we've added that here on the bottom of Page 14. In terms of if we were to require that there be on board that reporting, you need to have a tablet.

The question arose – there is the cost information from our proposal that is being reviewed by ACCSP now to have a pilot to test this on our charter fishery. That shows you the cost you're looking at for these tablets. We sent a letter to the regional office asking if there were any funding available should the councils consider going this far to provide some assistance. The reply was that, no, there is limited funds for VMS units but nothing that would cover these tablets.

It would be up to the individual fishermen to cover the cost of the tablets and any data plan associated with that. We would need to resolve that and then talk about timing because there may need to be a slight modification to the timing. What Mel would like to lead off is discussion about how we structure this document.

There are a number of issues that are going to make it difficult to continue this as a joint amendment. Separate Gulf and South Atlantic – and this is on Page 16 of the decision document – Separate Gulf and South Atlantic Amendments were prepared for the Headboat Logbook Program; so there has been precedent for doing this.

We certainly need to work with the center and region to make sure that the components, data elements and other components are the same; and we were able to do that in separate amendments for the headboat sector. Separate amendments would address the IPT's concerns about analyzing the different timing for reporting in Actions 1 and 2 where they're going to trip level reporting that would require that these units be on the vessel and we're going with weekly reporting similar to what the headboats are doing now.

We may ultimately go farther; but that where you have given us guidance, that is going to be the first step that we try to achieve. Separate amendments would remove the consideration of VMS in the amendment even if noted for Gulf Council area only. That is a concern. You can see how that affected our visioning process where that is a lightning rod.

If that is in this amendment in any way, that is going to suck a lot of the attention to that item even though we're not considering it for the South Atlantic. Separate amendments would allow the South Atlantic Council to move forward with approval for public hearings and to hold public hearings; perhaps hold them in November or we may want to wait a little bit.

It would just allow us to move forward. I'm not quite clear on what the Gulf's timing is going to be now with referring this back to the Technical Subcommittee. Separate amendments would reduce the significant South Atlantic Council and staff workload. We wouldn't have to coordinate as much with the council. We'd certainly work with the region and particularly the center to make sure all the components are similar. With that overview, I'd be glad to answer any questions.

MR. BELL: Gregg did a nice job of summarizing the key points related to this decision that we're going to make here, I think. My vision of this was if we could come out of this with a program in place where our charterboats are on at least an equal footing with the headboats in terms of reporting; that would be a great thing.

Given that there are so many differences in key areas related to where the Gulf wants to go right now or where we're prepared to go or we feel we're prepared to go, it just seemed like we've reached a point where for us to move forward and move forward in a way that's acceptable within our region, we needed to consider separating from the joint aspect of this and move on separately. Since that's how the headboat reporting program evolved, it seemed to make sense. That is what I wanted to have a little discussion about, but that is just sort of my view of this right now.

MR. PHILLIPS: I'm not on your committee; but just a quick question. What will we lose by not having a joint – I mean, obviously if we separate it, we're going to be able to go ahead and so stuff like we want to do it, but will we lose something by not having a joint plan?

MR. WAUGH: Besides the fun experience of working jointly with the Gulf, I can't think of anything. I don't want to downplay the need to coordinate with the center on the data elements and those things; but we were able to do that with the headboat. I honestly can't see anything you'd be giving up.

DR. DUVAL: I think that would be my preference given what we're trying to do here is just bring a component of the for-hire sector that has not to report in this manner before just up to the same

level as the headboat sector. I'm sure Bonnie will probably address this when you get around to here, but it seems like the center already has the infrastructure in place for the level of reporting that is being required of the headboats right now. I might be concerned on the Gulf side that the additional level of the trip level reporting might require more infrastructure and IT management on their part; but I have no idea. Just given to where we want to go, I would much rather do this on our own.

MR. BROWN: Gregg, this goes through the ACCSP; is this part of that program where – I know with headboat, it goes through the center but does this have anything to do with what we've discussed in the past with it going to the ACCSP and then being distributed?

MR. WAUGH: That's part of what we removed from being an Action Item 4 to in the discussion. We would need to make sure that we have a clear indication of what your intent is. At least thus far the way we've talked about it is to try to get the data flow to where it goes to ACCSP first; and then the center, the region, the councils and the states have access to it.

There are some nuances that need to be worked out because the state of South Carolina already has their program ongoing; and so they prefer the data come to them to do the QA-QC, cleaning it up, making sure it is right before it goes to ACCSP. But within this we will have that discussion laid out there and certainly you're clear recommendation as to how you want the data flow to work. It could include the recommendation to have the data go to ACCSP first.

MR. BELL: That would be some of the details we'd need to work out. Right now we're just kind of a basic decision point here; but that would be an important thing at some point. Zack.

MR. BOWEN: Mr. Chairman, again I'd like to say I'm not on your committee but I do appreciate the continued allowance to let me speak on this issue, because this amendment is dear and near to my heart. Before Dr. Ponwith raised her hand, I was just going to maybe see if she or Dr. Crabtree from the regional office standpoint could maybe speak and elaborate on their opinions of us splitting this from the Gulf.

MR. BELL: That's an important consideration because that's where this comes together, obviously, and would have to be accommodated. Bonnie.

DR. PONWITH: One of the points that Gregg brought up has rationale for – one of the pieces of rationale for splitting is the sake efficient; that it is just easier for the South Atlantic Council to create something within the council than having to partner up with the Gulf. I'm certainly empathetic to that. It is a cost to have to collaborate because you have to sync up the timing and you have to do iterative reviews; and so I'm very, very empathetic to that.

In a way that is almost the exact parallel concern I have about the splitting. The reason is it is not as simple as just splitting the amendment and doing them separately. It is the fact that when you split them the likelihood of things being included in the amendments that are different from one another will occur.

Some differences will have no scientific consequences. Other differences will have scientific consequences and those are the things that I just want to bring to your attention. I want to just preface this by saying this isn't a plea to not do this. What I want you to understand are the potential scientific costs so you can bring that into the equation of making the decision.

Right now what I'm hearing as the differences that are causing the most concern are the weekly versus trip level reporting and also potentially the issue of having some geographic referencing and some monitoring capability or not on the vessels as part of the program. What happens is if that is the dividing point, then you'll have a system in the Gulf that reports on a trip level.

Basically, the notion is to report before they hit the dock and push the send button before they know whether they're going to be intercepted at the dock or not. In the South Atlantic it is to create a weekly report based on a collection of trip level reports. Conceivably you would be writing up those reports when you get home at the end of the day and submit them once a week.

The difference in that is the validation procedures for that would be very different. On the trip level you can actually match this is what an individual boat sent before they left; they were intercepted; you look at what was on the boat and you do a comparison of what was reported and what was on the boat and use that to generate correction factors for reporting error.

Reporting error happens all the time. It happens even in science is why you have those QA-QC procedures. In the South Atlantic the ability to match those reports against what was reported on a trip-by-trip basis becomes a little more difficulty and less valid; and you're more likely going to have to build algorithms that look at what is an average report and compare that to what is an average observation on the intercepts and compare average to average.

It can be done; we've done it. It is just statistically not as robust. The main point here is that we would have to create a mathematical system for the South Atlantic that's different than the mathematical system in the Gulf; and that has cost associated with it. It basically doubles the costs for setting up the ingest of that information and converting it into advice.

It also has potentially statistical implications when you're looking across. Those are not insurmountable problems. This isn't a deal breaker but cost is an issue; and so I just want to put that out there for you as you're making those decisions.

MR. BELL: I was just going to say you're absolutely right; and that's something that – but where we are right now is the Gulf's vision is this deluxe version, we'll say. Our vision is the basic version. Roy can speak to this in a second, but they're not willing to kind of come down to let's all work on the basic version first. That is where we're kind of stuck; but what you described is absolutely a hundred percent accurate. Gregg.

MR. WAUGH: Bonnie, maybe it is semantics of how you said it, but to me you attributed the cost to the South Atlantic for wanting to do it differently. In reality the cost is due to the Gulf Council wanting to go to trip level; because right now we have the weekly reporting. That system is already in place for the logbooks; so it would be doing, not all; but it is a marginal cost because you' now

have the charterboats reporting using the existing system that's already in place for headboats and you just have more data coming through the pipe.

Going to daily, that is where you have all the added cost; and also going to real-time vessel location reporting, you have all the cost on the agency side. You also have all the cost of the vessel from having to purchase the unit that's going to collect data.

DR. PONWITH: Just on that point, I would say I would want to be careful about the assumption that the headboat software, basically the code, could be a one-for-one transport to run the charter for-hire. It could end up being that way; but the difference is that the headboat is a much smaller population.

When you add the charterboats, it is larger; and we would have look at how they behave relative to the headboats to determine whether we can adopt or whether we have to adapt that software to be able to use it or whether we have to basically build something up from scratch. I don't know the answer to that, but that is the glitch in that logic.

MR. BELL: The points you made, though, is if we have two separate systems, there is cost associated with maintaining of the two separate systems. Anna.

MS. BECKWITH: Having had the pleasure to sit through this conversation at the Gulf Council Meeting in August; I guess the feeling that I got from that is we do have two fundamentally different goals with the logbooks. The Gulf Council with limited entry on their charter fleet and sector separation is really looking at this as the methodology to track their ACLs for their own sector.

For our area, I feel like our goal is to have some better data for our stock assessments and be able to use this data to create additional indices of abundance that might be able to be utilized. Those are some pretty different goals. My question is I think the whole goal eventually is to take the charter crowd out of MRIP. I would assume that is for the discussion that we've had in the past.

I guess my question to Bonnie would be given recent developments in North Carolina and I don't know sort of how the rest of the states shake out, if the logbook component can never be sort of achieved at the state level and we can only keep it to the federally permitted for-hire boats; then will we ever be able to sort of achieve that goal or will MRIP always have to be in place, running sort of side by side to this logbook, because we can never sort of get to the point where that logbook can be a census of sorts?

MR. BELL: Yes; and so what you're describing is sort of the perfect scenario down the road. You're right, there are multiple steps to this. Ideally if you could go to a system where you could replace that, great, but there so many other things that would have to happen to get to that point. We're just trying to get to step one here, but, yes, that would be true. Mike, to that point.

DR. ERRIGO: I'm on a working group now with MRIP and several of the states, including the Carolinas and Georgia and Florida, where MRIP is looking at implementing a logbook program for the for-hire fleet here in the South Atlantic. I'm not sure if they're looking at the entire Atlantic

coast or not; but they're looking at running a pilot study in the South Atlantic for logbooks in the for-hire sector and possibly using that to develop estimates for the charter mode rather than the survey that's currently going on, including an aspect of intercepts to validate the logbooks.

They were originally looking at piloting that in North Carolina, but they've run into some opposition, so now they're moving and looking at piloting that in South Carolina, who has shown that they're willing to run that pilot in South Carolina now. There was actually a call yesterday that I was unable to attend due to the Hogfish Amendment.

MS. BECKWITH: So a quick question; we're sort of sitting here assuming that the center is going to be accepting all the information for these logbooks through the headboat program. Is that actually the case or is MRIP maybe going to be someone who is going to be collecting this logbook information; how is that going work?

DR. PONWITH: That is a to-be-determined question. The bottom line is that I don't have a recreational data collection program right now other than headboat. The headboat program is for a small population. How this plays out is to be determined. I don't think it can play out without very direct interactions with MRIP.

I see this a multi-step process and the steps have to be staged and synced with one another for this to be successful. One stage is the regulatory piece. You have to have the regulation to make this mandatory; because if it is voluntary it is going to be really messy and uneven. You guys are doing a great job of that right now. You're well into it; you're doing a carefully measured step.

The next piece is the technical piece and that is writing the software to make sure that you can make sense of the data when it comes it and so that is usable for the things you need it for, for indices of abundance and represent what were the charter landings for management purposes. The third piece is to calibrate how this program would perform against the current program so you can maintain your time series, which is very, very important.

The fourth piece is the money. All of those other three pieces have costs associated with them. Where do you find the money, who pays and who is responsible for carrying the program out? Then that fifth piece that Anna brought up; and that fifth piece just as we talk about there are efficiency costs if the South Atlantic differs from the Gulf in how that program is executive.

It has efficiency costs. It may not be double but there are efficiency costs. The same thing is true if electronic reporting happens only in the U.S. EEZ and the states are doing something different; because then what you have is a state piece and a federal piece. That federal piece might be one universal federal piece in the region or might be two, South Atlantic and Gulf.

If the states are all different; again you're measuring the same thing, what is charter effort and what charter landings. You're using a different measuring stick for each of them, a piece of string, a meter stick, an English yardstick. The more different systems you have the more inefficiencies in both financial and statistical you enter into that process. Those again are all things to keep in the back of your mind as you make these decisions.

Again, they may not be insurmountable, but they're things that you have to take into consideration as you make the decision. What the governance system of this program is remains to be seen. I think part of it depends on how you finance it. If you create one universal system and you calibrate it against MRIP and because you've calibrated it against MRIP and everybody is using the same thing from the beach out to the edge of the EEZ; then you don't really need MRIP for charters anymore; and you could fold those resources back into actually financing this. Again, that's just one possible scenario, but it is something to keep in mind as you design.

MR. BELL: Right; and keep in there is an awful lot of details associated with downstream; and what we're kind of focus on and bring us back to is we're here now trying to attempt to take a first step to move in a direction that will put us someplace where we are in a position to make improvements and adjustments later; and we're literally at the first-step phase. Roy, since you're part of this relationship, you might want to weigh in.

MR. WILLIAMS: I will tell you at the Gulf Council level we've had a parallel conversation that given the differing needs of each council, we might be better of each going our own way. Our council is I think likely to continue to focus on the trip level reporting. That is driven particularly by red snapper and as Anna said the sector separation and the need to monitor the ACLs and the need to try to spread the season out as much as we can.

I think the Gulf Council is unlikely to move off of that just because we really need it for red snapper. We've also got other fisheries, triggerfish and amberjack, that are likely to have very short seasons as well; and so we are again likely to need that kind of trip level reporting on those. I think it is likely that the council will continue down that path. There is always a chance that they would change, but right now the direction is that trip level; and I don't really see them wavering.

MR. BELL: Right; and that is what we realize is the Gulf is facing certain dynamics and things going on with fisheries, and that's why they're thinking what they're thinking. I fully understand that; but we're in perhaps a little bit different position and that is kind of taking us in a slightly different direction.

MR. WILLIAMS: Yes; our situations are different and you don't have that need for trip level reporting I think that exists in the Gulf. You can get by with weekly reporting; but with us, I think we're going to need the trip level.

MR. BELL: Ultimately that would be a nice place to go. We're trying to take that first step. Zack.

MR. BOWEN: Roy, with all due respect, I think that's a matter of opinion whether or not the South Atlantic needs trip level reporting. I'm of the opinion that we do; but again a matter of opinion. To Anna's statement a while ago, this has kind of floored me a little bit. I was under the impression that one of the goals of this was to be able to pull the charterboat fleet landings and effort out of MRIP; and now I heard that it may not be in some weird way, and then as Anna shakes her head no. I was also under the impression that this was going to be used in some way to track ACLs. Are those two factors not –

MR. BELL: We've had discussions about all of that long-term things even beyond our control in our council. That would be the perfect world scenario, perhaps, but where we are right now is just trying to take that first step of having anything in place in our region that works for us. What you're describing, yes, that could eventually come to fruition; but right now that's down the road a good ways.

MR. BOWEN: Well, if we're going to do this, why don't we do it right the first time?

MR. BELL: We are doing it right. What we're doing is we're doing it in a way that allows us to move forward. I think it could be argued that if we take certain stances right now, we're not going to get anywhere; but this makes sense for us in our region. We talked about the Gulf is operating under some different dynamics right now than we are that causes them to really want that daily trip level, off the boat, before it hits the dock. They want that now.

We're not dealing with the same issues associated with red snapper to the degree that they are. What you're describing down the line is certainly possible. We're just trying to take that first step and keep things moving, I think.

MR. COX: To that point, when you said if we take certain stances right now we may not be able to move forward; exactly what do you mean by that?

MR. BELL: Well, they have VMS in theirs. The insistence upon pushing the button, so to speak, on the boat before you hit the dock; that's in theirs. I don't think at that point yet for our entire across the spectrum, the entire fleet, if you will. Some of those sorts of things, if we came in and said, well, we're going to have VMS on the boats – well, I'm just saying that's part of the difference here right now; so some of those things. They're summarized in that Page 16. I don't see them changing or us being able to change right now. There are some points where we just diverge; and in the interest of moving forward, that is why I'm saying we – so Tony, did you want to add something.

MR. DiLERNIA: So much of our recreational measures that we set each years are driven by the MRIP information. The majority of the for-hire captains in the Mid-Atlantic Region are not very confident in the MRIP data; and they overwhelmingly are asking that their VTRs and their trip reports be used or substituted for the MRIP data in the Mid-Atlantic Region because they're not confident in what they see.

I can tell stories of experiments that have been done up in New England regarding comparing VTRs and the for-hire fleet; but for the sake of speed today, I'll skip that. There has been some testing done in which the MRIP information when compared to the actual VTRs of fish that were caught; there were some significant differences in the northeast region. For that reason, many for-hire captains are asking that our VTRs be used in lieu of MRIP data in developing catch estimates.

MR. BELL: And kind of to that; here is an example of where having a charterboat logbook program comes in handy; so we have one in South Carolina. You saw the data that was passed around about cobia. You noticed that MRIP said that in 2011 there were no cobia landings in South Carolina. We know that is not accurate, but we can also show through our logbook program

that there were cobia landed in 2011 in the charterboat fishery and as well as we were running a separate program for our sportfish survey as well. Tony.

MR. DiLERNIA: Now that you mentioned cobia or exactly to that point, when we were discussing cobia the other day, I asked how many intercepts were used to determine the cobia catch in the Mid-Atlantic Region, because I suspected that the numbers were inflated. A staff member did some research. I don't have the e-mail that I received in front of me right now, but I think something like one fish was extrapolated to like 40,000 pounds; one intercept.

That is a lot of fish from one intercept. Two intercepts got extrapolated to 55,000 pounds. That is the kind of information that makes the for-hire captains mistrustful of some of our MRIP information; and that's why again we would prefer to use our VTRs in instead of the MRIP information.

MR. BELL: Yes; I did not mean that to be a slamming MRIP thing. MRIP has its issues and we know that; and we know that our own charterboat captains would like to be able to participate in a logbook system. We just trying to work through the mechanics of how to make that happen for our region and to move forward.

If the Gulf is moving in a slightly different direction or a different pace than we feel that we can do, then that's why we're having this discussion about kind of separating and going our own ways but ending up ultimately with a system in place that works. Any other discussion about this decision point? I would probably need a motion. Michelle.

DR. DUVAL: Mr. Chairman, I move that we develop a separate Charter Vessel/Headboat Reporting Amendment for the South Atlantic Council's area of jurisdiction.

MR. BELL: Mark seconded that. We had a good bit of discussion already. Is there any additional discussion? Realizing what the pros and cons to that are, the chief pro to this approach is moving forward in a way that we can be successful in our area. As you heard from Roy, they're pretty perhaps fixed in the Gulf on their approach. Okay, we have a motion and a second. Any further discussion of the motion? Zack.

MR. BOWEN: We have headboat reporting already; would it be better – and it is just a question; but would it be better if it said Charter For-Hire Vessel Reporting Amendment and not headboat? I'm just asking the maker of the motion.

DR. DUVAL: There is an action in there, Zack, that considers modifying the reporting frequency for the headboat sector. It is currently weekly, but it is like the Sunday after each week that they have to report; and there is an action in there that would consider still weekly reporting but a different schedule; basically the Tuesday following the end of the week, which is what the dealers report on both up and down the coast; so to sync up all of those different reporting schedules.

MR. BELL: We had that language in there in the overall title and it is consistent. **Members of the committee, any objection to the motion? Seeing none; the motion passes.** Now we will

go back to the beginning of the document and kind of work through some of the things that we needed to work through, understanding the approach we're going to take now.

MR. WAUGH: Okay, we've got a purpose and need that we have approved. There is one suggestion to modify the purpose to strike the wording of the generic modifications to Charter Vessel and Headboat Reporting Requirements Amendment so it will just read, "The purpose is to increase the accuracy and timeliness of landings, discards, effort, socioeconomic data of federally permitted for-hire vessels participating in the South Atlantic managed fisheries." We'd need to strike that wording as well. We would need to modify the wording of the purpose to strike "Gulf of Mexico" also.

MR. BELL: All right, there is going to have to be some significant tweaking to what language we have now, just to kind of go back and tease out our part. Michelle.

DR. DUVAL: I move that we approve the revised wording for the purpose and strike the phrase "in the Gulf of Mexico".

MR. BELL: Jack seconds. Any discussion of that alteration? Any objection to the motion? Okay, that motion carries.

MR. WAUGH: And we need to address the need statement; and I assume you'd want to strike "in the Gulf of Mexico" also from the need.

MR. BELL: Would it be simpler if you had a motion to – no. We'll do it the quickest way.

DR. DUVAL: Mr. Chairman, I move that we approve the need statement, removing the phrase "in the Gulf of Mexico".

MR. BELL: All right, Jack seconds. Any discussion? Any objection? That carries.

MR. WAUGH: That takes us to Action 1, which starts on Page 2. You may want to look down at the Gulf revised wording, which is on Page 3, and then on Page 4 is where their suggestion is to strike the wording of which amendments are being addressed. Before doing this, I'd just like to check with maybe Jack and Monica to make sure they're okay with removing the wording from the wording of the action.

The question is – and I've got it projected here and this is shown on Page 4, the Gulf staff revised wording. Action 1, the way our council currently has it worded is to "modify frequency and mechanism of data reporting for charter vessels" and then we say harvesting which species – which amendments this applies to. The Gulf staff's feeling is since the title of the amendment is amending all of these plans, we don't need to repeat it for each action.

MS. SMIT-BRUNELLO: Yes; I'm okay with removing that as long as we're clear in the alternatives, the discussion in the document and all that what you're doing. I think that's fine.

MR. BELL: Yes; they were just saving words.

MR. WAUGH: So that's one change to it; and I would just suggest you give us editorial license to fix the wording of the no action alternative. That's something we can work with the region and NOAA GC to get resolved. Then the wording of each alternative is generic; it is not specific to the area. You may want to have some consideration about Alternative 4. That is the Gulf's preferred. If we don't have any intent to consider requiring reporting prior to arriving at the dock, you may want to move that to your considered but rejected appendix.

MR. BELL: Right; and that's the one associated with the VMS, right? Michelle.

DR. DUVAL: Maybe we would start with a motion to remove that alternative first and then have a follow-up motion approving the revised wording and alternatives; does that make the most sense? **If so, then I would move that we move Alternative 4 to the considered but rejected appendix.**

MR. BELL: Mark seconds. Any discussion of that? Any objection to that motion? That carries.

MS. BECKWITH: I move that we accept the revised language for Action 1 and the alternatives.

MR. BELL: Jack seconds. Is there any discussion of that? Michelle.

DR. DUVAL: Yes; just noting, as Gregg had mentioned earlier, that we just give staff editorial license to clean up the language of the no action alternative to reflect that this is applying only to the South Atlantic.

MR. BELL: Okay, further discussion of the motion? **Any objection to the motion? Seeing none; that motion carries.**

MR. WAUGH: We move to Action 2; and this starts on Page 6, but it may be good to look at the wording that begins on Page 8. Basically it is the same issue that we just dealt with modifying the wording of the action itself, editorial license for the no action alternative and then to consider moving the Gulf Preferred Alternative 4 to the considered but rejected.

DR. DUVAL: I'm going to start out the same way and just move that we move Alternative 4 to the considered but rejected appendix.

MR. BELL: Jack seconds that; and that's the one dealing with the reporting periodicity timing, Alternative 4. Any discussion? Any objection? Seeing none; that carries. Anna.

MS. BECKWITH: I move that we accept the modified language and give editorial license to the staff for Action 2 and its alternatives.

MR. BELL: Jack seconds that. Any discussion of that? Any objection to that motion? Seeing none; that motion carries.

MR. WAUGH: The next item is Action 3 that starts on Page 10; and this deals with the location requirements. If we look at the suggested modified wording that starts on Page 11; that shows the same thing to the wording of the action striking the FMPs and talking about this requires vessel or catch location reporting.

The Gulf has as their preferred Alternative 2, Subalternatives 3A and 3B; and that deals with automatically recording vessel location; so you may want to consider moving that to the considered but rejected. Alternative 3 would require VMS; that's just in the Gulf so that would need to be removed to the considered but rejected.

DR. DUVAL: If moved both of those to the considered but rejected, we would only have two alternatives. We would just have the no action and then the geographic grid.

MR. WAUGH: That's correct and you can approach that in a couple of ways. You can indicate that those – since what we are doing is basically moving the charter vessels up to the existing headboat reporting requirements and that system is already in place; that those are the only two reasonable alternatives.

Including Alternative 2 would bring in a whole host of other cost issues; and if that's really something that you're not considering and that you don't think is reasonable at this point in time for what we're doing, I don't think it would be appropriate to put that in there.

We have certain instances in other plans and amendments where we do just have two alternatives and we just have to explain why we only have two alternatives. Again, since you're just bringing charter vessels up to the standards for the headboats that is already in place; that is your goal, that is your intent, then that seems to be reasonable alternatives. You may want to get some additional guidance.

MS. SMIT-BRUNELLO: If you can make the legitimate argument that two reasonable alternatives are the only reasonable alternatives given your situation; then that's fine. The mandate from NEPA is to consider all reasonable alternatives. It is not usually the case, but we can have no action and action; but if you can kind of make that – if you can support that legitimately, then, okay.

MR. BELL: Well, that's sort of what exists right now, but that doesn't mean we can't do anything in the future.

MS. BECKWITH: I move we move Alternatives 2 and 3 to the considered but rejected appendix.

MR. BELL: Jack seconds that. Further discussion or thought about that?

MS. BECKWITH: Yes; just for the record again, where we move in the future to better our data is certainly we can consider some of these options in the future; but as a first step this is a good first step for our region.

MR. BELL: And that's what I was just thinking is it doesn't preclude us in the future from coming back and adding that on, but it allows us right now to move forward a little clearer and cleanly for progress. Gregg.

MR. WAUGH: And one additional question about the suggested modification to the wording for Alternative 4, we had suggested headboat grid and the Gulf staff was suggesting changing that to geographic grid in the software of a NMFS-approved device or program. I think we may want to go back to our original wording because we would not be requiring a NMFS-approved device or program on the vessel.

Now, this could be construed to also apply to when an individual does the weekly reporting on shore that they're using a NMFS-approved software or hardware. If that's your intent, that's fine, but I think our intent would not be to go to any finer resolution than the existing headboat grids. We could certainly clarify that in the discussion. This wording would be okay as long as that is your understanding of what we're talking about here.

MR. BELL: Again, we've tried to set up to where we can basically work off of what is being used now in the headboat system. We have a motion. The motion is to move Alternatives 2 and 3 to the considered but rejected appendix. Any objection to that motion right now? Jack.

MR. COX: Just a little bit of discussion. I certainly understand Alternative 3. I'm just kind of reading through Alternative 2 for a minute. I know we're not ready for this, but this is definitely somewhere we've got to get to. The commercial vessels; we're definitely heading in this direction. To require federally permitted for-hire vessels to use NMFS-approved electronic device that records vessel location at specific time intervals for later transmission; it just doesn't seem like anything that asking a lot. I'll go along with it, but I'm just saying it is just kind of where we've got to get to so we can get good data.

MR. BELL: Again, it is like we've talked about with other things. I think there is just kind of a perfect place you want to be and there is a better place you want to be and I'm just trying to move forward at this point. Ultimately that's where it would make sense to end up. I think in the interest of moving forward; that's why we're doing this right now, but I follow you. Gregg.

MR. WAUGH: And to address that point; we do have a proposal into ACCSP that would do a pilot project on our charter vessels. Should that get funded; that would give the opportunity and certainly the intent there is to get on-the-water data catch location information. We would be doing all of that on a pilot such that if the down line you were ready to move forward to more refined catch location information, we would have already tested a system.

The fishermen participating in that would be as comfortable as they could be with that. Not including it in here doesn't mean we're not moving in that direction. We would have a pilot project that could be available; the results that you could act on in the future should we get to a point when we're ready to go farther.

MR. BELL: We asked the questions about the funding and who is going to pay for it and that sort of thing; and we'll have to work through that, but certainly that's a good goal to work towards

eventually, but right now we're moving in that direction but we're perhaps not ready for that specific step.

MR. COX: And I brought it out just because I think it is something that we need to highlight and make sure we stay focused on it.

MR. BELL: Yes; we will; and as things move forward in terms of the pilot programs and working the technologies of the hardware, the software, I mean, we'll get there I think eventually, but it will come at its time. **Any objections to the motion to remove Alternatives 2 and 3? Seeing none; that carries.** We need a motion to approve the modified language. Michelle.

DR. DUVAL: Do you first need a motion regarding the language in Alternative 4 to go back to the headboat grid or do we just give you license to do that?

MR. WAUGH: Well, I think if you all want to go back to the wording of the headboat grid, I would suggest we approve a motion. The wording for a geographic grid and a software of a NMFS-approved device or program; that is what the Gulf staff has suggested. Our wording is shown at the bottom of Page 10 and the top of 11, "Require federally permitted charter vessels to report location manually by latitude and longitude in degrees and minutes or by clicking on a headboat grid." The benefit of using that language is that's exactly what is required for headboats; and I think it makes it very clear and perhaps people will be more comfortable with that wording.

MR. BELL: Mark, that's what you're doing now; so that makes sense; it works? Well, it works within certain limitations; I've got you. Michelle.

DR. DUVAL: I move that we modify the language of Alternative 4 to contain the originally proposed language or something like that.

MR. BELL: Anna seconds that. You follow what we're doing; we're basically just setting it up as the headboat program is set up now. Any further discussion of that? **The motion is to modify the language of Alternative 4 to read "Require federally permitted charter vessels to report location manually by latitude/longitude in degrees and minutes or by clicking on a headboat grid." That's the motion. Further discussion of the motion? Any objection to the motion? Seeing none; that carries.** Michelle.

DR. DUVAL: I move we accept the modified language for Action 3 and the alternatives.

MR. BELL: Anna seconds. Any further discussion of that? Any objection? That carries.

MR. WAUGH: That takes us through the three actions that will be in this document. You had given guidance that's shown on Page 13; and some of that has been incorporated into the document you have; but we still have some work left to do as well. Certainly now we will take the document and restructure it to track just the South Atlantic.

If you look at the timing on bottom of Page 15 and look at actually on Page 16 is where we are; we were on schedule to approve this for public hearings, to do that at this meeting; but obviously

the Gulf was not on that time frame and now we've split into a separate amendment. We would just suggest that we slide this one council meeting.

We would approve for public hearings at the December meeting and do public hearings in January and February, review public comments at March, approve all the actions, and then give final approval in June. That would still allow six months for the amendment to be implemented with the original target start date of January 1, 2017. If that is okay and just giving us guidance that the timing is okay; that will be reflected in the timing document that we talk about with Executive Finance.

MR. BELL: Any comments or discussion of the timing; is that okay? We're still move forward. I realize this is not the perfect outcome and it is not where we will be eventually, but I think it is a first step and allows us to move along here. I think this allows both of us to deal with the fisheries we have in our specific regions and make progress and eventually it is all about the improvement of the data. I think we'll get there, but I think this is a logically progression for us right now. Any other discussion? Ben.

MR. HARTIG: We've talked in the context – I know what you mean about the context. Fishermen need some time for this thing to work. They're just being involved in this process. The Gulf is way ahead of us in what they want to be doing; so I think this is the appropriate way to move forward with this in our jurisdiction at this time.

MR. BELL: Anything else? All right, I think I've run out of agenda items. Is there any other business to come before the data committee? Jack.

MR. COX: I'm on the pilot program with the electronic logbook for the commercial, and I just kind of want to report that we're making progress on that. Right now we're using two different types of software. I've got two boats. One of them is using the iPad, the tablet, which has got the life-proof case on it. The bigger boat has got a big laptop on it.

One of the issues that we've encountered is the laptop just doesn't really work at all at sea. The iPad is the way we need to go. Anyway, it is cool the way the works. The iPad has got the satellite chip in it where it can just grab the data; and as you're doing your discards, you can just hit your spot as you along there. We're moving along with that.

MR. BELL: Again, it is like what Bonnie was talking about earlier. You field test this stuff by the people that have to use it and that is how you find out what works and what doesn't work. That is great you're participating in that. Ben.

MR. HARTIG: I was interested in the cameras you have on your boat; those are personal cameras for monitoring your vessel's engine room and stuff?

MR. COX: Yes; I've got three of them. I've got one on the lazarette and one on the stuffing box and one on the engine. It works good; you can Bluetooth it right into the iPad.

MR. BELL: If there is no other business to come before the committee; then, Mr. Chairman –

MR. CONKLIN: Mr. Bowen had expressed his interest in bringing something up under other business; would you like me to go find him?

MR. BELL: If he wants to. We haven't adjourned yet; almost.

MR. CONKLIN: He is not around.

MR. BELL: I'll talk to Zack later; so we'll adjourn the Data Collection Committee.

(Whereupon, the meeting was adjourned at 11:00 o'clock a.m., September 17, 2015.)

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**South Atlantic Fishery Management Council -
September 2015 Council Meeting
Hilton Head Island, SC**

Date: Thursday, September 17, 2015

Committee: Data Collection

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		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
	<input type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>

**South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
Charleston, SC 29405**



**South Atlantic Fishery Management Council -
September 2015 Council Meeting
Hilton Head Island, SC**

Date: Thursday, September 17, 2015

Committee: Data Collection

PLEASE SIGN IN -

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

Name:	Mailing Address/E-mail: <i>(If your information is currently on file, please check the box.)</i>	How do you participate in South Atlantic fisheries? <i>(Check all that apply)</i>	
Gib Brogan	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
David Bush	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Robert Boyles	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Leza Dunmore	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Lara Clarke	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Gary Zorn	<input type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>

**South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
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THURSDAY SEPT 17, 2015

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MacLauchlin

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Bill

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