

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **COUNCIL SESSION**

**Holiday Inn Brownstone Hotel  
Raleigh, NC**

**December 8-9, 2011**

### **SUMMARY MINUTES**

#### **Council Members:**

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

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

#### **Council Staff:**

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

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

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

Monica Smit-Brunello  
Red Munden  
Phil Steele  
Theo Brainerd  
Anna Beckwith  
Jackie Wilson

Dr. Jack McGovern  
Doug Boyd  
Otha Easley  
Andy Strelchek  
Bobby Cardin

Additional Attendees Attached

**TABLE OF CONTENTS**

Call to Order, Chairman David Cupka.....	4
Adoption of Agenda.....	5
Approval of September 2011 Minutes.....	5
Public Comment.....	7
Committee of the Whole for Snapper Grouper.....	17
Law Enforcement Committee Report.....	61
Spiny Lobster Committee Report.....	62
Mackerel Committee Report.....	63
Ecosystem-Based Management Committee Report.....	70
Golden Crab Committee Report.....	79
SEDAR Committee Report.....	81
Executive Finance Committee Report.....	81
Advisory Panel Selection Committee Report.....	82
Information and Education Committee Report.....	84
Snapper Grouper Committee Report.....	88
Briefing on Amendment 5 to the 2006 Consolidated Atlantic HMS FMP.....	117
Status Reports.....	122
Review of Requests for EFPs.....	122
NMFS SEFSC Status Reports.....	123

Agency and Liaison Reports.....	123
Other Business.....	124
Adjournment.....	124

The Full Council Session of the South Atlantic Fishery Management Council convened in the Roosevelt Ballroom of the Holiday Inn Brownstone Hotel, Thursday afternoon, December 8, 2011, and was called to order at 1:58 o'clock p.m. by Chairman David Cupka.

MR. CUPKA: I'll call to order the South Atlantic Fishery Management Council meeting, and the first order of business is let's just go around the table and do the voice identification and get that out of the way.

MR. BURGESS: Tom Burgess, North Carolina.

DR. DUVAL: Michelle Duval, North Carolina.

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

MR. PHILLIPS: Charlie Phillips, Georgia.

MR. HARRIS: Duane Harris, Georgia.

MS. McCRAWLEY: Jessica McCawley, Florida.

MR. MAHOOD: Bob Mahood, Council Staff.

MR. CURRIN: Mac Currin, North Carolina.

MR. CUPKA: David Cupka, South Carolina.

MR. SWATZEL: Tom Swatzel, South Carolina.

MR. JOLLEY: John Jolley, state of Florida.

MR. HARTIG: Ben Hartig, Florida.

MR. MUNDEN: Red Munden, North Carolina Fisheries Director's proxy on Mid-Atlantic Council.

MR. BOYD: Doug Boyd, Gulf Council.

DR. BRAINERD: Theo Brainerd, Southeast Fisheries Science Center.

MR. STEELE: Phil Steele, NOAA Fisheries.

DR. CRABTREE: Roy Crabtree, NOAA Fisheries.

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

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

MR. CUPKA: Okay, thank you, Rob. I just want to go ahead and welcome Doug Boyd who is our Gulf Council liaison at this meeting, and I also appreciate Red attending and sitting in, so welcome to you both. The next order of business is adoption of the agenda. Are there any changes to the agenda? I have a couple if you will allow me to make it.

One, the closed session for the presentation by Monica on legal issues will be tomorrow morning at 8:30 rather than at the end of today. The other thing we will be doing is we obviously haven't finished our business on snapper grouper. After our public comment period this afternoon, we will pick back up with snapper grouper and meet as a committee of the whole so we won't have to redo any actions or take any further action on whatever we do later on today.

We will have to go back tomorrow and as a full council reconsider the committee actions that were taken by the snapper grouper committee up to this point where we started meeting as a committee of the whole. With those changes, are there any additional changes to the agenda? Seeing none, then our agenda is approved.

Adoption of the September 2011 council meeting minutes; are there any corrections or additions? Seeing none, then those minutes are approved. Before we get into our public comment period, as you all know fisheries management is a process and there are a lot of elements in this process. One of the important elements is enforcement.

Beginning this year the council is honoring a deserving law enforcement officer with our newly established Law Enforcement Officer of the Year Award. Now, the award recognizes outstanding performance of individuals charged with enforcing fishery management regulations in the South Atlantic Region.

The council's Law Enforcement Advisory Panel, composed of representatives from the state, natural resource agencies, NOAA Office of Law Enforcement, the U.S. Coast Guard, and at-large private sector representatives, have developed an annual nomination's process whereby the Law Enforcement Advisory Panel nominates one individual from each of the various agencies.

The council then chooses from the top-ranked nominees the law enforcement officer to be honored with this award. I want to mention that we had a number of outstanding nominees this year for our first annual award, but we did select an individual who was a patrol officer with the Florida Fish and Wildlife Conservation Commission.

He has been involved in marine law enforcement for 13 years; and because of his knowledge and experience he is considered a subject matter expert in fish species identification in state and federal recreational and commercial regulations. He has provided formal classroom training in conducting state and federal fishery enforcement by the U.S. Coast Guard and the NOAA Office of Law Enforcement. He has educated Coast Guard Boarding Officers about federal snapper grouper identification and regulations and promotes the ride-along program to keep their skills sharp. He also created an electronic federal case packet for state and U.S. Coast Guard Officers to utilize to increase the efficiency in convictions. He has demonstrated teamwork by working alongside partners from local and federal agencies.

He has spoken at various venues concerning recent and upcoming law changes. He has been able to gain the trust of those in the fishing community with his commitment and in enforcement activities. Some have become confidential sources of information and know that when they give him information he will respond either day or night and take appropriate actions. When he encounters violations, he treats those responsible in a fair but firm manner and uses excellent discretion when dealing in those cases.

He has been honored by the Coastal Conservation Association as the Officer of the Year twice and has received the Certificate of Appreciation from the U.S. Department of Commerce, NOAA Office of Law Enforcement, for his superior performance. At this time I would like to call forward Officer Clay McDonough and ask that you join me in recognizing our first annual Law Enforcement of the Year Award recipient. (Applause)

Thank you for doing that. We have a little something to give him here. It says the South Atlantic Fishery Management Council 2010 Law Enforcement Officer of the Year proudly presented to Clay McDonough. Clay, on behalf of the council, I want to thank you for all you have done and your commitment, and we appreciate all you have done.

OFFICER McDONOUGH: Thank you, sir. I thank the Council, also. Wow, I was wondering who they were reading about there for a minute. I have a good lieutenant, but I just want to thank you all so much. I am very honored. I heard after I was nominated for this, this is the first time the award was ever given out, which makes me real proud.

I started my career in Palm Beach; I worked Jupiter Inlet for seven years. I recognize this gentleman here, down there, and on good notes. Now I have been working Daytona Beach, Ponce Inlet, since 2004. I have a passion for federal fisheries. In March of this year I was awarded a JEA-funded patrol vessel for offshore patrol and I spend a lot of time out in the ocean.

I know a few people that were here earlier for your meeting. I just want to thank you all so much for this award and just let you know that there are several of us out there enforcing all this stuff that you all put together; several of us enforcing all these laws, and we really love it. I just want to thank you all very much. (Applause)

MR. CUPKA: All right, one other thing before we get into our public comment period – and this is in regard to committees – I have made assignments for the committees for this year; and if any of you are dissatisfied with that or wish to make any changes, let me know. Hopefully everyone is satisfied with their committee assignments except Mac here. He wants to be taken off Snapper Grouper.

The other thing I would mention to you is that it is important, too, that all you who are committee chairmen, that you speak to the people on your committee and see if you can get someone to serve as vice-chairman; and when you do please let Kim know so that she can update the list of committee members. That is important to do and I am as guilty of that as the rest of you, but please try and keep that in mind and talk with your people and see if you can't get someone if you don't currently have somebody to serve as vice-chair. Okay, with that I think we are going to go into our public comment session. Mike, do you need a couple minutes to set up

our lights and whatnot? Okay, let's take a short break and then we will come back for our public comment.

**MR. CUPKA:** If we could go ahead and resume, I would like to have our public comment period now. We are going to give everyone three minutes. The lights are up here. You will get an orange light when there is a minute left, and then when the red light comes on you are at three minutes. I would ask everyone to try and stay on time if they could.

**MR. AUSTIN:** My name is Tony Austin. I am from Cape Cod but I have been fishing out of North Carolina for 23 years. It was nice that the council at least went somewhere. I would have preferred to see the original parameters adhered to, but 2,500 is better than nothing. I would like to propose that black sea bass not open until all the new data is in position and ready to go.

It would be a good idea if that second opening occurred about the same time as the second opening for vermilion. I find two things disturbing, one of which is the preponderance of representatives from Florida on the AP as 50 percent of the members of the AP at least are from Florida. The other states are somewhat under represented. That ain't fair, McGee. That is about all I have to say.

**MR. ZAKALUZNI:** My name is Ray Zakaluzny. I am a longliner and I fish out of Ponce Inlet, Florida, tilefish and shark this year, no bandit fishing for me. I hate killing all those snappers that are out there. This is my first big meeting like this. I have never been to one of these. I did go to a small few meetings in Port Canaveral at the Radisson, down at the Port Maritime Center down there, but I got a lot of good information.

I appreciate your time and effort and what you are doing. I just want to have the opportunity to fish. I started fishing in the mid-eighties and that is all I am looking for. Like I mentioned the other day to some people, going to catch shares is a great way to kill your fishery. Just look at the wreckfish stuff you were just voting on; back in '92 when they implemented that, it was a great thing.

It was a lifetime investment for some people. People die, they stop fishing, they lose their boats and such, and then you have these inactive shares that you can't do anything with. I know you guys are working on that now; but if you go to catch shares, that is what is going to happen to your fishery. Two days ago there was me and one other person in there; that is it. You are down to a handful of people that are running a whole fishery basically. I just want to comment on that. That is definitely not the way to go in a fishery. I mean you have the proof, it is shown that it doesn't work. Thank you.

**MS. DREVENAK:** Good afternoon, my name is Sera Drevenak. I am with the Pew Environment group. We are supportive of the new preferred alternative in Action 1 in Amendment 18A. We recognize the short-term impacts that these regulations continue to have in the South Atlantic but also emphasize that ending overfishing and rebuilding fish populations maximizes the long-term economic benefit from the fishery.

We are cautiously optimistic that the council's decisions this week can contribute to fully rebuilding the black sea bass population and creating a robust and sustainable fishery. We are also supportive of the council moving forward with proposals to reduce bycatch mortality for Warsaw grouper and speckled hind whether through CE-BA 3 or a separate amendment.

We continue to urge the council to deal with the issue expediently, particularly since if Regulatory Amendment 11 is approved there will be no management measures in place to address the problem. That is all I have. Thank you for the opportunity to provide comments this afternoon.

**MR. LELAND:** My name is Allston Leland and I am from McClellanville, South Carolina. I started blackfish pot fishing in 1979, so I have been in the seafood industry about 32 years with no violations or warrants on me in any fishery I have been involved in. I am out of the fishery now by this 2,500 pound limit.

I did have some engine troubles and also I did try to start another business – I did start another business when the shrimping got so bad, because that was my main source of income. I only had 1,900 pound average, or a little over 19, but I have had my permit the whole time and kept it active and kept it legal, so I don't feel like I fell into that category they said they were trying to eliminate of people trying to jump into the fishery because it was coming back.

I was a little saddened, obviously, when I learned recently that I wasn't going to be able to fish anymore. There is a lot of bottom between North Carolina and Florida. The way it is panning out right now there is going to be a lot of pressure on a small amount of the bottom. But black fishing, you can't keep them for very long, so it is really going to put a lot of pressure up on North Carolina.

I know you possibly could transfer your quotas, but I am afraid there is such a small amount of money in the fishery, anyway, I don't know how a man is going to be able to afford to pay for the quota and make it worthwhile for either one of them, the quota holder or the person that is using it. I guess that is about it. I am saddened that a lot of small fishermen are being put out.

There really weren't that many fishermen in the fishery to begin with and you are only gaining three weeks by cutting out half or thereabouts, and it just seems like a reckless way to go about it personally I feel. But I appreciate your time and I know you have done a lot of good. I am going to keep trying though until I hear that they pass the law to turn you around. Thank you.

**MS. PORT-MINNER:** I am Samantha Port-Minner here to provide comment on behalf of Ocean Conservancy. I just want to start by saying we appreciate the council's plan to be proactive in evaluating protecting speckled hind and Warsaw grouper in CE-BA 3. However, we do want to caution that if Regulatory Amendment 11, the removal of the Deep Sea Closure goes into place prior to new management measures or protections for Warsaw grouper and speckled hind getting implemented, council will not be meeting its legal mandates to end overfishing as laid out in the Magnuson-Stevens Act Reauthorization of 2006.



Revisions to the Magnuson-Stevens Act required that by 2010 fishery management plans for fisheries determined by the secretary to be subject to overfishing must establish a mechanism for specifying annual catch limits at a level that prevents overfishing and does not exceed the recommendations of the respective council's SSCs. These FMPs must also establish within this timeframe management measures to ensure accountability for these annual catch limits. Speckled hind and Warsaw grouper have ABCs and ACLs of zero.

The only management measures to ensure these levels are met and not exceeded through bycatch was established via the closure in the Snapper Grouper Amendment 17B, which is what is proposed for removal through Regulatory Amendment 11. We look forward to providing detailed comments on the proposed rule for Regulatory Amendment 11 as well as the development of CE-BA 3.

We are also in support of all the hard work the Snapper Grouper Committee put in this week to finalize Amendment 18A. We are supportive of the current preferred alternatives in the amendment, and excited to see that this has a high probability of ensuring the black sea bass fishery remains on track to rebuild by the end of the rebuilding plan. We encourage full council to take final action on this amendment with its current preferred alternatives. Thanks for the opportunity to comment.

**MR. HARTIG:** One of the things about the Warsaw and speckled hind catch, the SSC made those determinations on directed catch and not on bycatch. That is one thing that is different in your testimony than what is actually on the record.

**MS. BOEHM:** My name is Angie Boehm. I am here representing my husband Peter and Scott Bates who are wreckfish fishermen in the Florida Keys. We are disappointed to learn the further consideration of a further reduction in the quota. 87 percent was a pretty big hit. This fishery has few participants due to extremely severe conditions, the fish are hard to find, and expenses are high. It is just a very difficult fishery.

We urge you guys to make a stock assessment a priority. As far as 20A, I also urge you to put in a use-it or lose-it clause. This will help people understand the rules of the fishery and it will make your decision easier when it comes to reverting shares. That said, council should know how much effort was put in by Andy and his staff.

Kate Quigley and Mike Travis met with us. They provided amazing outreach and education. They provided us with a PowerPoint presentation, handouts; they explained everything in layman's terms. They did a really good job. Council should feel very comfortable knowing that the participants, if you had an e-mail address, if you had a phone number or if you had just a physical street address, you were able to be contacted and they did a good job. Thank you.

**MR. KELLY:** Mr. Chairman, members of the council, Bill Kelly with Florida Keys Commercial Fishermen. I would like to address you regarding three topics. The first would be coral protection sites under Amendment 11. We have reached a general consensus on how to move forward with this.

We are moving rapidly and have a much better product than we had going into this with the cooperative efforts of all of the user groups. One point of contention though that I would like to bring up is buffer zones. All of the sites selected include a 500-foot buffer zone. The justification for that or rationale in the original SEIS was that 200 feet would be sufficient but just to err on the right side of things expand those out to 500 feet because of the inaccuracies of the electronic equipment used by fishermen.

If you go to [www.gps.gov](http://www.gps.gov) you will find that the quality of the electronics that they are using in GPS is accurate 95 percent of the time to plus or minus 7 meters. That is about 24 feet not 500 feet. The Gulf Council voted down 500-foot buffer zones and we would like to ask this council to do the same thing.

On trap rope marking, Glenn Salvador was here a couple of days ago and he talked to you about trap rope marking in the Mid-Atlantic and Northeast. I wish there had been greater time to ask him a few more questions. For example, Glenn Salvador in a personal conversation with me on November 22 stated that in two and a half years they have not made one change in gear or fishing methods based on information from trap line marking.

He says the only thing that we have accomplished is we have prevented ourselves and National Marine Fisheries Service from getting sued by environmental groups. When this program was initiated in New England, it was met with extreme violence according to Mr. Salvador, including slashed tires on government vehicles, broken windows, scratched cars and other issues.

It is then when they resolved it that they would only mark it at one point midway in the line that tempers started to settle themselves down. Of course, there are no similarities between the marking requirements in New England and those in the Florida Keys in the spiny lobster fishery. Most of what they do up there is bottom trawls.

You can't have more than 800 traps per fishermen so they might have 10 vertical lines and that would be it. They mark them four inches at maybe 750 feet. In the contrast, in the Florida Keys all of our fisheries almost exclusively use vertical lines with one buoy a line per trap. The average fishermen have about 2,000 traps. In New England a three dollar can of spray paint will get you through a lifetime of fishing, but that won't hold in the Florida Keys.

The third issue is catch shares. The South Atlantic Fishermen's Association has provided information to you on a voluntary catch shares program. As you know, almost all of the southeastern United States is opposed to catch shares in any of the fisheries involved. I want to remind you that this is brought to you by the same people, South Atlantic Fisheries Association and Environmental Defense Fund, and they are the ones that gave you the bogus catch share plans that were inserted in your briefing books a few months back that you were asked to disregard.

Two of the poster boys that are also on the Board of Directors of South Atlantic Fisheries, they resolved the multiple permit issue per vessel by affixing jet skis and john boats to their fishing craft, assigning FL numbers to them so they could carry those extra permits and double and triple dip the system. We don't think that is appropriate.

Now I have a letter that I have received because the same group has applied for funding to examine spawning areas for speckled hind and Warsaw grouper, and in this letter one of the principals involved states that her husband is on the Board of Directors of our organization and the Organized Fishermen of Florida and neither of those is true. The individual has never served on either of our boards of directors.

I would like to ask the council to at least ask some tough questions of that organization and/or consider an investigation as to the appropriateness of their application for this grant funding and the veracity of it. I have sent requests to Dr. Ponwith – she is not here unfortunately – to tell me where that may stand at this point. I think it warrants council investigation into the propriety of that. The organization doesn't even represent 1 percent of the commercial fishery in the southeastern United States.

They create an illusion of a great base of support but they do not have it. They are simply spending tens of thousands of dollars they have received from the Environmental Defense Fund, including, according to IRS records, \$39,000 in 2009. The numbers have not been released yet for 2010, but they are believed to be in excess of three times that amount of money. We would like the council to take that into consideration when reviewing any catch share proposals that they put before you. Thank you very much.

**MR. McCOY:** My name is Joshua McCoy. You all know me; I have been to a lot of these meetings and just wanted to say thank you for giving the opportunity for me to speak. You all have got a hard job. I wouldn't want to be in your shoes for anything. You guys on the council are in a tough spot. Anyhow, I'll tell you a little bit about myself and where I am from.

I am from Port Canaveral. I am a fifth generation fisherman and have been in the fishing industry. My family has got a fish house there in Port Canaveral, and there are only two fish houses left. Port Canaveral was built on commercial fishing and now it is pretty much all marinas and cruise boats.

My boat in particular fishes for tilefish during the winter months when there is nothing else to fish for and only white fish on the market that we distribute all throughout Florida. I would just like to ask the council to take a look at maybe putting in some alternatives to keep a couple more Florida boats into the tile fishery like you made an exception on the black sea bass by using a 2010 control date and lowering the poundage.

I would like to see the same control date used for golden tilefish 2010, and it would allow four more – at the most four more Florida participants into the fishery, one of them being us. Then if you wanted to use the poundage rate, my boat caught 33,000 pounds the first year in 2010, so I don't care if you use 2,500 pounds all the way up to a max landing of 30,000 pounds, or an average of 7,500 pounds for those control dates '07 to '10.

It is very imperative. You know, I am not for catch shares by any means and it is hard to see where this tile fishery is at because there is such a big stock out there and there is so much bottom that has not even been used. I don't know how many boats the fishery will actually hold, but I hate to eliminate current participation because right now a lot of the people where I am

from and up where Ray Zak is from, we are diversified fishermen, and we fish on a little bit of everything. You take one thing away from the equation and, good luck; you might as well put your boat up for sale.

Basically, I don't want to see IFQs; it takes the small guy out. You are going to put him out of the business. You are only going to have a few winners, and the problem with a few winners is eventually you are going to have no infrastructure for those few winners to go to. The fish houses are going to be closed down. They are closing down left and right, so to have very few boats; it is not worth it for the fish houses to be open. If you have no infrastructure, where are those few winners going to go? Thank you.

**MR. MERRIFIELD:** My name is Mike Merrifield. I am with Cape Canaveral Shrimp Company. I just wanted to go on record to say that I support for qualifying years for the golden tilefish fishery of 2007-2010 with landings of 10,000 pounds in any one of those years. The impact appears to be about four boats and the number – the first goal that is listed in 18B as a specific goal to accomplish in that amendment, the first one is to limit participation in the fishery.

I don't understand why. I understand you don't want everybody coming from all the other fisheries into this one, but with the current participants I don't understand why we want to limit any of the current participants when we are talking about maybe four people by changing these control dates. It is a healthy stock.

I think the stock assessment says that it is a very healthy stock. There is consideration of increasing quota. I am not really sure where that is at. It seems like it should be increased. The CPUE studies that were done show that it is a very healthy stock out there. This is a valuable resource to us where we are down in Florida for the time of year that we are allowed to catch it.

The reason that they wanted to limit the participation in the fishery was to try to extend the length of the season because it gets caught up in about two to three months. I totally agree with trying to lengthen that season because it is such a valuable resource we should be trying to keep the prices up, trying to keep all this product from hitting the dock at one time and devaluing that product.

It is a wonderful east coast product and I think that anything we can do to extend that would be great. There are a lot of things that we could do to do that without trying to just cut people out of the fishery. There is playing with trip limits, number of trips over a period of time. There are a lot of things that we can do where we could maximize the use of this resource without trying to eliminate especially current participants. Thank you.

**MR. FEX:** My name is Kenneth Fex. I am owner and operator of Fishing Vessel Raw Bar and Advisory Panel member. You guys had made some comments earlier about your logbook reporting lag. Our state reporting ticket pretty much has all the same information. It gets sent in every two weeks.

It has everything on there except for my depth I fished and the hours I fished. Maybe you might consider just incorporating both of them together so that our state ticket will be given to the state and then sent off to Miami. You might avoid some of the lag time from the federal logbook that the fishermen fill out.

You said something about black sea bass endorsements. I personally think they need to be attached to the permit, because the tags are and plus also the history is. Also the fact of the problem we had with the wreckfish where people were having endorsements that were getting catch shares but then no longer had their snapper grouper permit, and that was an issue we came across a while back.

As for the MRFSS data, I think it would be better if they surveyed not so much just random people but registered boaters, because they are the only people making out to the South Atlantic to catch these fish. People that have a saltwater license that fish off the dock, they never make it out there.

If you surveyed the boaters, then you would get a better accurate account. At the last AP meeting, they asked the AP what we thought of the council, and I think you are doing a good job. I know all you are doing is managing the numbers that the stock assessments give you so as far as I know the stock is rebuilding, I am seeing it.

It is a shame the black sea bass stock assessment didn't come out like everybody sees and I personally see. That was one of the problems I see on that point. I am glad to see you getting some rebuilding schedules. We have been held back of these numbers and we have never gotten any rebuilding numbers to go forward. I am really glad to see that and I hope it continues.

I would like to thank you for the AP members you guys have appointed, a fine group of people, we all discuss our opinions. We might not agree but we let it pass so we go on to the next agenda. We were criticized on the endorsement of the longline, and I supported it totally because of my concern of the Gulf of Mexico and the IFQ.

All those vessels that are longlining that have nothing to do might come right around the corner and jump in the golden tile fishery and put more effort on it that it don't need. We got criticized on the catch shares, elimination of the catch share on the wreckfish, but if you recall the Advisory Panel voted not to have catch shares in any of the fisheries.

The council voted a year or so ago by a call-out vote by George Geiger to no longer look at catch shares. I support the idea and that is why we decided to go ahead and get rid of it. The member of the AP that was on the Wreckfish Committee that should have been at Advisory Panel meeting was not there, so that was not his fault.

As for catch shares, historically you would only get 35 percent of your catch if I let you use my boat and I gave you my permit. To take that and give somebody more just by going ahead and giving them the shares and then divvying them out to people making more money than they historically made by 35 percent, I can't go for. Thank you for your time.

**MR. HUDSON:** Rusty Hudson, President of Directed Sustainable Fisheries. I am also here representing the East Coast Fishery Section, and I am also here to put in a word for the North Carolina Fishermen's Association. In short, let me start with black sea bass. I concur with the idea, as our group does, if you can't get Amendment 18A final in order to start the June 1 commercial date, we would like to see a delay in that date to be able to accommodate getting the changes made to reduce, as you call it, your derby affect.

I participated in SEDAR 25 for black sea bass and golden tile. We had a spatial and temporal difference between the North Carolina and Florida stock. We kept asking under this hybrid standard assessment to be able to see that analysis but it was all just done in a lump sum. There are selectivity issues particularly as to depth and distance. Much like the red snapper, if it had been revisited it may have actually changed that overfishing, slight overfishing issue, but remember it is not overfished.

There was the ability to be able to increase the quotas over the next couple of years but instead NMFS cannot monitor the catch, whether it is the recreational, the for-hire or the commercial in a timely way. That is not the fishermen's fault but you penalize them. Furthermore, between North Carolina and Florida, this is one of the main things that these groups asked me to indicate, you are killing them.

Headboats, charterboats, tackle shops, commercial boats; all of them are being affected by the regulatory effects of the National Marine Fisheries Service. There is no mitigation, there is no help, there is no cavalry, and there is no life raft. There is nothing.

Third, the wreckfish; there was an indication when I attended the SSC meeting that the surplus production model could be utilized and they would have hoped that it could be available to the SSC when it meets in April of 2012. I would like to see the Science Center conduct that analysis in-house just to be able to take a look.

With golden tile, Amendment 18B, I believe you need to incorporate the 2011 data. I believe that you need to take a look at options to keep some North Carolina guys fishing since they are close enough to be able to be a day boat scenario there. I believe that you need to go to the September 17, 2010, or the January 31, 2011, control date to be able to keep people fishing.

Also, with catch shares, from North Carolina down into the Florida Keys we have the same issue. Probably 90 something percent of the people are dead set against it. Then there are those folks that are considering it because they are looking for a lifeline. But then again with the small quotas, it doesn't really give them much of a hope.

You are boxing everybody in and you are eliminating them, you are eliminating the market structure, and again you are eliminating the headboats and the charterboats and I don't see any relief in sight. Hopefully, one day somehow the National Marine Fisheries Service will back off on this effect that they are doing to these small communities, because the little bit of domestic seafood that we provide, the little bit of ability for people to go out and catch their own fish and to eat it, that is very important. Thank you very much for your time.

**MR. CONKLIN:** Good afternoon and thank you for giving me the opportunity to speak with you today, glad to be here. First off, I am Chris Conklin. I represent C & C Seafood from Murrells Inlet, South Carolina. I operate 13 commercial boats. The family only owns two working permits, one of which just came back from being idle this year for almost a decade. We are not large stakeholders in this fishery; we just want to stay in business.

I just wanted to comment on the endorsements and how they put a lot more people out of business than if fishermen had an option to entertain an idea and at least see what they could get if they did go to an IFQ fishery. Right now it is very apparent the market is unstable and trip limits aren't working right now.

Fishermen are not having really too much longer seasons and we are having to go out in bad weather, so it is not safe and it is not anyway to run a business and it is not a good way to run a fishery right now. I am just here again to reiterate that we need a plan that works for the fish and the fishermen that could be designed by the fishermen and the council together since there is nothing in place. I also just wanted to say that I don't strap jet skis or John boats on top of any of my boats and we are just here to make an honest living, so bogus accusations like that are a little bit immature. Thank you.

**MR. RUBY:** My name is Matt Ruby. I am the President of the South Atlantic Fishermen's Association. I have been in the snapper grouper fishery for about 15 years and over these years all I have heard from fishermen are how regulations are putting them out of business. I am kind of surprised that fishermen would pick an option like endorsements that will put fishermen out of work and out of the fishery with no options.

They are way more restrictive and as we as an organization we do not support endorsements, rather options like IFQs, which are Individual Fishing Quotas which provide fishermen with more flexibility for the fishermen, are better for the resource and provide data collection and enforcement that we desperately need in this fishery.

I would just like to say that I have been in this fishery for 15 years and typically I come to council meetings; and as an individual or a representative of an association, I have never come to attack anybody even if they have a different viewpoint than I do, because I grew up a long time ago. Thank you.

**MR. CUPKA:** Thank you, Matt. Jack Cox; then following Jack I have a letter here I have been asked to read into the record and that will be all of the forms I have of people indicating they wish to speak; so if there is anyone else, please see Kim and fill out a form. Otherwise, it is going to be Jack and this letter and we are going to be through with public comment.

**MR. COX:** Thank you for letting me speak today. I always look forward to interacting with the council. In 2009 I developed a sushi live fish market with sea bass pots. I used two different boats depending on how far I go offshore to fish and depending on the sea condition. I could use 15 pots to catch an average of 5 or 600 pounds a day.

I don't need a lot of fish. I have got small boats and just I made a very good week's salary or day salary on 500 pounds of bass for me and my crew. My question to you guys is where is the reward for the guy with a great business plan? I am trying to be a conservationist as well. I don't need a whole lot of fish.

Yesterday you told me through an endorsement program that I may completely be eliminated from this fishery that I have been in before there were even permits for 35 years. You are saying through the endorsement program that I need to fish in rough conditions, fish harder than the other guy and risk my life and my crew's life to get it done.

With that said, I have no problem supporting a – now listen to me – a voluntary catch share program, an ITQ Program for a businessman that wants to work a lot harder and a lot smarter. Your amendments have no accountabilitys measures in them whatsoever. Otha has asked for them, fishermen are asking for them, NOAA is willing to pay for them, so what is the problem?

I am talking about VMS electronic logbooks. We are just in a fishery that is a bycatch fishery right now. In just a couple days we packed out a few boats out of Morehead. We are throwing back hundreds of pounds of vermilion, snapper and bass and just watching a lot of these fish float off. I mean, discards are a huge problem to this fishery and it is something that should be brought up every day in this council meeting. What I am asking for here, folks, are just a little bit of flexibility and options. You guys in 2008 asked me to be part of a LAP Workgroup.

I saw a lot of potential in it. These are my ideas, my expressions, and not environmental groups. I have joined with the South Atlantic Fishermen's Association because they have some of the same views that I do. I can tell you I think that there is a better way to do business; and some of the few folks that want to try it, I think we should have an opportunity. Anyway, thank you.

**MR. CARDIN:** Bobby Cardin. I would just like to ask the council, you know, we talk about all these IFQs and endorsements and all the different management measures, but the one constant in this fishery for the beginning has been control dates. Right now our grouper snapper permits are based off control dates. On the AP, I had a discussion with many AP members.

A lot of people feel the control date is a way to grandfather in. I mean, the first control date in the grouper snapper fishery, I had a grouper snapper permit. I have been through seven different control dates, and I would like to see council rely more on control dates because it is something that everyone has been noticed, everyone knows what it means. I would just like to see a lot more use of control dates. Thank you.

**MR. CUPKA:** Thank you, Bobby. As I mentioned, I have got this letter that I agreed to read into the record. This says: "Gentlemen of the South Atlantic Fishery Management Council. It is unfortunate that the scheduling of the fall meeting of the council held in Raleigh, North Carolina, prevented attendance of the fishermen from the coast since it requires a six-hour commute.

"Concerned fishermen who normally attend these meetings from the Crystal Coast replied via e-mail of that inconvenience. A notice received on December 3, 2011, from South Atlantic



Fishermen's Association stated a voluntary ITQ program was to be presented on behalf of the fishermen at that meeting.

"This proposed program could not be beneficial to the small fishermen since it does not represent the majority of the South Atlantic fishermen. It does appear as an effort to control the fish quota in the South Atlantic by a few wealthy, well-connected fishermen and fish house owners. Most distressing is that these actions appear to disconnect and exclude the average small independent fisherman.

"The VMS and offloading at preapproved fish houses demonstrates that this is obviously wealthy, larger fishermen with fish house affiliations that want to force an attempt to seize the fish quota and regulate the small independent fisherman out of business. We have argued against VMS from the beginning due to the installation and monthly monitoring expense.

"In addition the dates proposed in their program to qualify catch records appear to have been adjusted from earlier discussions to benefit this small group at the expense of other fishermen. Small independent fishermen have invested as much or more per capita as the larger fishermen and fish houses and stand to lose as much or more.

"For most small fishermen it jeopardizes our income, retirement investments, boats, equipment and licenses to nothing. Fellow small independent fishermen, affirmed below, disagree with this proposal and ask for its immediate rejection. It is signed, Sincerely, South Atlantic Concerned Fishermen, and it is signed by Charles Granger, Larry Leuthauser, Cliff Trout, Justin Wysowski, Ralph Travost and Scott Jerris."

I have read that into the record; and with that I don't have any cards for anyone else who wishes to speak and so that will conclude our public comment period. What I will do at this point is turn it back over to Mac and he will continue with our snapper grouper business as a Committee of the Whole.

#### COMMITTEE OF THE WHOLE

MR. CURRIN: Thank you, Mr. Chairman. Our next agenda item is Amendment 24, Attachments 3A through 3E; and when Myra is ready, I will turn it over to her for a summary of the public hearing comments and overview of any changes. Then we will go through and look at that with the idea hopefully of quickly approving that for formal review and dealing with the codified text. I believe we will be working out of that Decision document, which is Attachment 3D. Is that what you are going to use?

MS. BROUWER: Yes, Attachment 3D is the Decision document and what you see up on your screen is a document I will use to walk you through it. I have indicated the PDF page on the Decision document and the PDF page on the main document for your reference as you follow along.

As you know, this amendment establishes a rebuilding plan for red grouper. There is a statutory deadline for this amendment. Regulations need to be implemented by June of 2012. The intent

is for the council to recommend to send this amendment for formal review at this meeting. Action 1 is on PDF Page 5 of your Decision document.

This would establish the MSY for red grouper. The only change from the document you saw at the September meeting is the F 30 percent SPR is different, and that is because it needed to be changed to reflect the recommendation of the SEDAR stock assessment. The figure that was included in the September version of this document was not correct; that is why it is highlighted.

Your preferred alternative is Alternative 2 which essentially would adopt the MSY and the Fmsy that are recommended by the most recent SEDAR or the SSC. As you can see on the table, those are the values for those two parameters. The Snapper Grouper AP recommended selecting Alternative 2 as the preferred. The SSC did not have a recommendation.

As far as public comments, the majority of folks supported Alternative 1, no action. As I mentioned, our only recommendation would be to adopt this change to the no action alternative from the previous value of 0.178 to the updated value of 0.189 based on the SEDAR 19 Review Workshop.

**MR. CURRIN: If the committee is comfortable with the current preferred, I would entertain a motion to adopt the recommended language from the IPT. Motion by David, second by Charlie. Is there a discussion? The motion is to adopt the recommended language for Alternative 1** or was it Action 1, would it not be? Alternative 1, that is correct. No further discussion? Ben.

MR. HARTIG: Mac, I have got a question; how far back do you go with your information on exploitation rates of reef fish off of North Carolina? How far back do you have recollections in your history?

MR. CURRIN: My personal history? Ben, the first time I ever remember going bottom fishing, I was 10 years old and it was off of South Carolina. I never did it on a regular basis but I spent regular time on the docks a few weeks every year and did some bottom fishing, not a lot. I enjoyed it, but I never did it on a regular basis. I'd probably go once or twice during the year.

MR. HARTIG: Yes, that is a good answer, but the thing I was getting at is when I was in graduate school in the '70s, my major professor came to me and said there has been a big – there was a lot of fish found, exploratory fish – well, Bob would know this too and so would David. There was a lot of fish found off the Carolinas and in that timeframe, '76, '77, and '78 is when the major bottom fishing started.

The reason I bring this up is when I go back and look at the assessment, the stock has been overfishing and overfished since 1976. If you all believe that is true, I would like to know. From my recollections of the fishery to the north, it didn't start until the mid-seventies to any great degree when the Florida boats moved up into the Carolinas and started to bottom fish. But I know Bob and David – and excuse me for overlooking you – could answer that also.

MR. CURRIN: Yes, and Ben that is my recollection as well is when it took off is in the early seventies. I knew a lot of folks that worked at the National Marine Fisheries Service Lab who were doing a lot of the work, Gartsman and Manooch and that crowd that were doing a lot of the work, Pete Parker, on home bottom fish off of North Carolina. That is when I remember it kind of taking off.

MR. CUPKA: That is when it was for off of South Carolina because I remember, I think it was in 1973 we got a grant from the Old Coastal Plains Regional Commission to do some exploratory fishing off of South Carolina, and it was relatively untouched up until that time, so my recollection agrees with yours.

MR. MAHOOD: Yes, and a lot of people now that are new in the fishery think it is really great, but in the seventies it was really great. Our claim to fame is we got to go offshore and catch fish once a year way offshore for the Florida Natural Resources Fish Fry. That is when we got out. The big difference back then, too, Ben, and what has happened since then is electronics.

When we went out there we had a Loran, what is it the old LORAN-A or whatever, where you actually had a scope with two dials and you tried to get the lines to come together. Nobody really had spots out there. Now one thing I will say in Northeast Florida the offshore fishery probably started back in the sixties, because we did have a – one of our vessel captains was an old snapper grouper fisherman out of Fernandina and he knew a lot of spots out there already when he came to work for us, so he had been at it for a number of years.

But the fish, the fish were big. Duane Harris is not here, we sat on a research boat out there one night and caught probably 20-plus gag grouper over 30 pounds from one spot and 20-pound red snapper one right after the other. There were more good old days. Those people that have been around, we kind of dipped down and now we are coming back and people think that this is the best it has ever been, but it is not. Now whether or not the environment has a capability of rebuilding to those days, that I don't know.

MR. HARTIG: Well, thank you, that was very perplexing to me to see what came out of the assessment doesn't match when the fishery started. That is something that I would like to have rectified eventually.

MR. CURRIN: All right, I think we voted on that motion, did we not? No, we haven't. Is there any further discussion on the motion to adopt the IPTs recommended language in Alternative 1? Is there any objection to that motion? **I see none, that motion is approved.** All right, Myra.

MS. BROUWER: Moving on to Action 2, this is the action addressing the MSST, the minimum stock size threshold and it is on the PDF Page 7 in your Decision document, and PDF Page 156 on the main document. Your preferred at the moment is Alternative 3 and that is to set the MSST equal to 75 percent of SSBmsy.

The Snapper Grouper AP recommended selecting Alternative 1, no action as a preferred. The SSC had a recommendation from their April 2011 meeting. There is an appendix in the

amendment that includes analyses or recommendations from the Southeast Fisheries Science Center. That is Appendix D. The IPT had no recommendations for this action.

MR. CURRIN: All right, so we okay with the preferred? Now, Myra, wasn't there some discussion about – I can't recall exactly what it was. You sent me a document on the MSST and some adjustments. Was that just to language?

MS. BROUWER: Yes, that was some clarification that was proposed for the council conclusions in the amendment document, and that is just merely to clarify and beef that discussion up a little bit.

MR. CURRIN: That is fine, so the committee won't need to take action on that. It makes sense to me, or do you want us to provide a motion? All right, is everybody okay with the current preferred? All right, I see no desire to change it; let's move.

MS. BROUWER: Action 3 addresses the rebuilding schedule. That is on PDF Page 9, main document Page 159. Your preferred is to define a rebuilding schedule as a maximum period allowed to rebuild, which is T<sub>max</sub> and that is 10 years with 2011 being Year One. The Snapper Grouper AP supported that recommendation.

The SSC had recommended that the council should select 10 years as a preferred rebuilding. They also recommended the strategies to rebuild to have a 70 percent probability of success within the 10 year timeframe, and the majority of the public comments supported Alternative 5.

MR. CURRIN: Is everyone okay with the current preferred? All right, I see no need; let's move on.

MS. BROUWER: Action 4 is the rebuilding strategy and the ABC for red grouper, PDF Page 11 on the decision document, 165 on the main document. The preferred alternative there is to pick a 75 percent Fmsy strategy. The table that you see up on the screen shows the projected ABC values which do not include dead discards.

That would be 573,000 pounds in 2011; 647,000 in 2012; 718,000 in 2013; and 780,000 in 2014. The Snapper Grouper AP recommended selecting Alternative 3 as a preferred. The SSC had no recommendation. The majority of the public comments that were submitted supported Alternative 2.

MR. CURRIN: Everybody okay with the current preferred? No desire to change it? If not, let's move on.

MS. BROUWER: Action 5 establishes allocations. Your preferred is to have the commercial sector be allocated 44 percent of the ABC and the recreational 56 percent, and using Boyles' Law to establish those allocations using catch history from '86 through '08 and the other half 2006 through 2008.

The Snapper Grouper AP recommended selecting Subalternative 2E as the preferred. This was brought up to the SSC at their November meeting. They had not provided any input regarding Boyles' Law. The SEP actually requested that Boyles' Law be put on their agenda for discussion at the next meeting. The public comments, the majority of them supported Subalternative 2E.

MR. HARTIG: Yes, just a comment, and no intent to change the motion. I worked on this a lot as you all know and I went back and fiddled with the high number in 2008 in the end of the time series, and my calculation – actually Mike's calculation came out the same as the preferred alternative. Thank you, Mac, for at the last meeting extending the time series to make it consistent with what we have done with most species.

MR. CURRIN: You are welcome, but the committee did that though, Ben. All right, everybody okay? I will give the credit to Duane. Is everybody okay with the current preferred? All right, let's move.

MS. BROUWER: Action 6 establishes ACLs and OY, PDF Page 16 in the decision document, 189 in the main document. Your preferred is Alternative 2, which would set the ACL equal to OY equal to ABC. It would specify commercial and recreational ACLs for red grouper for 2012, 2013 and 2014 and beyond.

The ACL for 2014 would remain in effect until modified. Then comes the highlighted portion which is what we have been calling the double jeopardy language in other amendments, which is the ACLs in 2013 and 2014 will not increase automatically in a subsequent year if present year projected catch has exceeded the total ACL.

MR. CURRIN: Recall we had some discussion of that in 18A and I think came to some resolution. Well, I think the points were that it didn't automatically prohibit you from increasing but we needed to get the SSC to analyze what impacts any sort of overages might have before we could then consider upping the ACL automatically. I believe that captures it, does it not?

MS. BROUWER: In addition, other preferreds under this action are to eliminate the commercial sector ACL and to eliminate the recreational sector aggregate ACL and the associated accountability measures. The Snapper Grouper AP supported the preferreds; and as I mentioned already that there were some comments regarding this double jeopardy language. Of course, you have already heard the recommendation from the SSC regarding the OY level.

MR. CURRIN: Is everybody okay with where we are here, concurrence from the AP? I think we have addressed the issues from the best I see as well and the double jeopardy as best we can. All right, let's move on.

MS. BROUWER: Action 7 would specify a commercial ACT, PDF Page 22 and PDF Page 199. Your preferred here is a no action, consistent with what you have chosen with other amendments to not set an ACT for the commercial sector. The Snapper Grouper AP supported that recommendation and so did the majority of public comment.

MR. CURRIN: Is everybody okay? All right, let's move.

MS. BROUWER: Action 8 would specify a recreational ACT, PDF Page 23 and main document PDF Page 202. Again here consistent with what you have chosen in other amendments, the recreational ACT would equal the ACL time 1 minus the PSE or the ACL times half, whichever is greater.

MR. CURRIN: Is everybody okay? Ben.

MR. HARTIG: Yes, the only thing I remember reading about PSEs is they are going to increase with MRIP, is that correct, Mac, in your –

MR. CURRIN: That is what I hear as a general rule. Ben, that doesn't mean that all of them will increase; it doesn't mean that all of them won't increase. But, yes, generally the PSEs from what I understand will be higher.

MR. HARTIG: That was only a question for me.

MS. BROUWER: The SSC did comment on this action to what you said, Ben, that the PSEs will go up with the release of the MRIP estimates. "The South Atlantic Council may want to be a bit more risk averse," I am quoting from the SSC report. The SSC recommends attaching some level of management action to the ACT that helps slow landings and prevent overages.

The majority of the public comments that we received, which by the way was only 12 written comments on this amendment, supported Alternative 1, stating that the preferred alternative of not setting an ACT for the commercial sector and setting one for the recreational anglers effectively reduced their allocation by 25 percent.

MR. CURRIN: In view of those comments – and it is not the first time we have heard them – are we still comfortable with the approach that we have chosen? All right, I see no desire to make a change.

MS. BROUWER: Action 9 specifies commercial AMs for red grouper, PDF Page 26 and 205. You have two preferreds, Alternatives 2 and 3. If the commercial ACL is met or projected to be met, all subsequent purchase and sale is prohibited and harvest and possession are limited to the bag limit. Then if the commercial ACL is exceeded, the RA shall publish a notice to reduce the commercial ACL in the following season by the amount of the overage.

MR. CURRIN: Is everybody okay with that? I think so, that has been our usual approach here. All right, no desire to change, let's move on.

MS. BROUWER: Then Action 10 would specify recreational AMs for red grouper, PDF Page 30 and 209. Your preferred is to have the trigger be if the current year recreational landings exceed the recreational ACL in the given year. This is consistent with what you chose to do in the Comprehensive ACL Amendment.

Then the in-season AM, the RA would publish a notice to close the recreational sector when the ACL is projected to be met. As far as post season, your preferred currently is to have a payback. If the recreational ACL is exceeded, the RA shall publish a notice to reduce the ACL in the following season by the amount of the overage.

MR. CURRIN: You will note from the graphics that at least in the near future recreational catch is not projected to exceed the recreational allocation, which is good. Roy.

DR. CRABTREE: Yes, I would suggest we probably need some language in here just as we did with sea bass to the effect that when we have new projections that incorporate an overrun, then the payback for that year is not required. If we get an update or something a few years from now and you get the same situation as sea bass, we will be all right.

MR. CURRIN: Is that a motion?

**DR. CRABTREE: Yes, I would move for the accountability measures in Actions 9 and 10, that we indicate that the paybacks are not required when new projections are adopted that incorporate overruns of the quotas and the ACLs are adjusted in accordance with those projections.**

MR. CUPKA: Second.

MR. CURRIN: Motion by Roy; second by David.

DR. CRABTREE: Indicate that paybacks are not required when new projections are adopted that incorporate ACL overruns and the ACLs are adjusted in accordance with those projections.

MR. CURRIN: Okay, discussion of that motion? Is there any objection to that motion? **I see none, that motion is approved.** Thank you, Roy.

MS. BROUWER: That concludes the actions in Amendment 24.

MR. CURRIN: Anything else that we have got hanging, Myra?

MS. BROUWER: We have received some draft language from the Regional Office to define the overfishing level similar to what you did for black sea bass. The request would be that you make a motion to adopt that language to incorporate it into the document.

MR. CURRIN: Is there a motion?

DR. CRABTREE: So moved.

MR. CURRIN: Motion by Roy to adopt the language changing the definition of overfishing level, incorporating using the OFL language for red grouper. **The motion is by Roy and the second is by Duane. That motion is to adopt OFL language for red grouper and incorporate into the amendment document. Is there any discussion, further discussion on**

**that motion, any objection to that motion? I see none, that motion is approved.** That does it except for, yes, David.

**MR. CUPKA: Yes, I would like to make a motion that we submit it to the secretary for review.**

MR. CURRIN: Motion by David.

MR. CUPKA: Since we are a Committee of the Whole, we can go ahead and take the roll call vote.

MR. CURRIN: Second by Duane. Discussion? All right, Mr. Mahood, this will be a roll call vote and Bob will conduct that.

MR. MAHOOD: Mr. Boyles is not here today and I promised him we wouldn't be taking any votes today, so I guess that is my fault. Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.



MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: It passes unanimously.

MR. CURRIN: Thank you. We also need a motion to deem the codified text as necessary and appropriate. **Motion by Doug to deem the codified text as necessary and appropriate;** seconded by Michelle. Discussion? Is this also a roll call, Bob?

MR. MAHOOD: Yes.

MR. CURRIN: If there is no discussion, Bob will conduct the roll call vote.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes. And just as a note, I don't think Robert Boyles will be upset that he missed this one. If it were one of the others, perhaps he would be. David.

MR. CUPKA: I was going to ask Monica do we need to pass a motion to give staff and the chairman editorial license on this since there will be some changes made?

MS. SMIT-BRUNELLO: You read my mind; yes, I think that would be an excellent idea. Although I must admit this is one of the easiest to read documents that we have had for quite a while in this new way we are producing and putting it all out there. I don't know that we are going to need it, but I think that it would be very good to give the staff editorial license and the council chair the ability to redeem the regulations if necessary, and to review all editorial changes.

MR. HARRIS: So moved Mr. Chairman.

MR. CURRIN: **Motion by Duane to give the staff and council chair editorial license to review the documents and make appropriate changes. Is there a second? Second by Charlie. Any discussion? Is there any objection to that motion? I see none; that motion is approved.** Do we also need to do something to allow our chairman to deem the changes or is that part of –

MR. MAHOOD: That is part of our process under the SOPPs.

MR. CURRIN: I seemed to remember that but I just wanted to double check. All right, so we are done with Amendment 24. Amendment 18B is our next agenda item. I will turn it over to Myra for an overview and we will go through this. If you recall, we kind of deferred most of our consideration at our last meeting because Ben wasn't there and we needed and wanted his expertise and counsel and advice on this. Let's see what kind of headway we can make going through this document at this time. This Amendment 18B is under a separate file folder, everybody should have that, Attachments 5A and 5B.

MS. BROUWER: If you recall, Amendment 18B was presented to you at the September meeting. However, because of timing constraints, you only got through reviewing Action 1, 2, and 3. We have made some of the changes that were recommended at that meeting and the IPT has several other recommendations for the rest of the amendment.

The intent is to approve this amendment for public hearings at this meeting; conduct those hearings jointly with our scoping at the end of January/early February; approve this document for submission at the March meeting and have the regulations implemented by January of 2013.

The first action is to limit participation in the golden tilefish fishery. That is on PDF Page 33 of the decision document, Page 105 of the main document. Here you made several changes at the September meeting. You approved the splitting of Action 1 into 3 actions. Initially we had all three of them combined.

We split them into an action that dealt with the different sectors, one for longline, one for hook and line, and then one that established the eligibility criteria. You approved deleting Subalternatives 2C and 2D. You selected Subalternative 2A as the preferred, and you added a new alternative that only establishes a longline endorsement and selected that as the preferred. The AP supported the council's preferred to establish an endorsement program for the longline sector.

MR. CURRIN: All right, this is one of the changes we made that probably got Ben's blood pressure up while he was listening. I don't know that, so now is your opportunity.

MS. BROUWER: There were some new analyses that were conducted for these changes and that can be found on PDF Page 106 of Attachment 5A. We also were able to update the social analysis, and that is on Page 109 of the main document.

MR. CURRIN: Okay, and the AP also had some recommendations on this as well, Bobby.

MR CARDIN: On establishing a longline endorsement, the AP supported that. However, on the previous discussions of the bandit endorsement, through both council's discussions of allowing some kind of bycatch for the bandit fishery and through fishermen's public comments about the possibility of catching tilefish with a bandit, we kind of supported the idea of no hook-and-line endorsement.

MR. CURRIN: Okay, before we go out to public hearing, is everybody okay with the suite of alternatives that are included in this action?

MR. HARTIG: It was my impression at the last meeting – and I may be lost in where I am and what document I am, but it was my impression at the last meeting that you only approved the longline endorsement to go ahead.

MR. CURRIN: That is correct.

MR. HARTIG: That is what I thought. I would reintroduce a motion or whatever to have a hook-and-line endorsement in the golden tilefish fishery.

MR. CURRIN: I think we moved that one to the considered but rejected file, did we not, Myra?

MS. BROUWER: No.

MR. HARTIG: No, because you gave a couple of more options later on to deal with the hook-and-line fishery in case I came back.

MR. CURRIN: We knew you were coming back. **All right, the motion is by Ben to establish a suite of alternatives dealing with the establishment of hook-and-line endorsements in the golden tile fishery; second by Michelle.**

MR. HARTIG: If any of you got to read the information on tilefish that I submitted to you, there is some rationale in there why. We go back a long way to try and get a percentage separation for each, which we will revisit later in this amendment, but the hook-and-line fishery was a vibrant part and it started this fishery originally.

The hook-and-line fishermen, some of them are still around including myself that would like to participate in the rebuilding of the stock. The only way we see to be able to do it is be able to separate the hook-and-line portion of that out, because as you saw with the longline or just the overages in the fishery in the last two seasons, there hasn't been a hook-and-line fishery.

We have been discriminated against because of the way the quota has been monitored and also the way that the council set up the 75/25 before because the council's intention was – well, their anticipation was that 25 percent of the quota would be caught by hook-and-line gear and not by longline. Then in 13C, if you look at that, too, there is a section in there where we allowed for the bandit fishery to stay at 65,000 pounds, which would have been 23 percent of the quota, so I will make those arguments later if we get through this.

MR. CURRIN: Yes, and we were aware of that and I appreciate you sending that history; it was informative, Ben. It certainly wasn't our intent to keep the hook-and-line fishermen out of this fishery. We were just trying to skin the cat a different way I think at our last meeting. It got confusing a little bit when we started trying to accommodate a bycatch fishery outside of the endorsements.

It just didn't seem like there was enough difference in whether you had an endorsement and didn't to be able to fish and land golden tilefish. That is kind of, best I recall, our rationale for where we ended up, but certainly at this point let's go out if that is the desire and take this suite of alternatives out to the public. Charlie.

MR. PHILLIPS: Yes, Mr. Chairman, and to Ben's point, yes, going out to public hearing is probably a good idea. When we figure out – and we can also hear from the public when we get further through this – what kind of limits there may be for endorsements minus non-endorsements, which may lead us to come back to this in the end.

MR. CURRIN: Myra, as far as direction to you guys, I think we had a suite of alternatives, did we not, dealing with hook-and-line endorsements at some point in this document?

MS. BROUWER: Right, so that has been split in a different action. What I would ask is for clarification from the person who made the motion whether your intent is to then deselect Subalternative 2C and perhaps select 2B as a preferred since that allows the individual to choose the kind of endorsement that they would want if they qualify for both.

MR. HARTIG: When I looked at that, Myra, I don't have a preference for trying to have people choose. If you qualify for both you get them and certainly Roy's position on that, and does that solve your problem in that?

MS. BROUWER: Well, currently the preferred reads individuals that meet the qualifying criteria only receive a longline endorsement.

MR. HARTIG: Yes, you would have to allow a hook-and-line endorsement in that, also.

MR. CURRIN: Did we approve that motion? I didn't think we did, so let's take care of that and if there is a desire to deselect that preferred, then we can do that and that may eliminate some confusion. Any further discussion on this motion? The motion is to consider alternatives to establish a hook-and-line endorsement in the golden tile fishery. Any further discussion? Any objection to that motion? **Seeing none, that motion is approved.** All right I think at least to provide some clarity to the public at the very least we should probably deselect Subalternative 2C as the preferred. Charlie.

MR. PHILLIPS: I so move, Mr. Chairman.

MR. CURRIN: **Motion by Charlie, second by Duane to deselect new Subalternative 2C as the preferred. Discussion? Any objection to that motion? I see none, that motion is approved.** Myra, please help us as we go along. There may be other situations where we have got to change a few things to accommodate the inclusion of the hook-and-line endorsement alternatives.

MS. BROUWER: Just for the record, then you would want this to go out to public hearings without a preferred for this action.

DR. CRABTREE: I don't know; it seems to me that if you qualify for both endorsements you ought to get both endorsements. I would move Subalternative 2A.

**MR. CURRIN: Motion by Roy to select Alternative 2A as the preferred, second by Tom Burgess. Discussion on that motion. Is there objection to that motion? I see none, so now we have a different preferred. That motion is approved.** All right, is everybody okay with where we are on this action? Let's move.

MS. BROUWER: The next action would establish the initial eligibility requirements for the hook-and-line endorsement. That is on PDF Page 5 of the decision document, Page 112 of the main document, and your preferred is no action. There were also several other changes you made at the September meeting as you can see on the screen.

There were several subalternatives that were eliminated. We also received guidance to substitute the word "individual" in the language of the alternatives with the word "permit". You clarified that a valid snapper grouper permit would be required over the specified years. You clarified that 2005-2009 are used as Subalternatives 2L and 2M to include a more recent timeframe. As far as recommendations, the AP would recommend selecting Alternative 1 as the preferred for Action 2.

The SSC had just some advice on collecting quantitative information before making any decisions and endorsements and that the council may also want to consider the costs of these programs. We were able to do some new analyses for the changes that you made in September. The new social analyses for this action are on PDF Page 117 of the main document.

What the IPT would recommend for this action is to adopt the changes in this table. Disregard the highlight, it doesn't mean anything. That table is not in the document. These were corrections that were made and I am going to ask perhaps Jack to come up and help us through this one.

DR. McGOVERN: This table just has the number of people that qualify for endorsements according to the various alternatives for the action. This was done by Andy most recently. The highlights for just corrections that were made to the table that was in the document. They were just edits. These are just the corrections.

MR. CURRIN: Now, am I correct in assuming that these numerous subalternatives under this action which are crossed out are ones that we pulled out and sent to the considered but rejected file? We are likely to want to pull those back out since we are considering the longline endorsement again, and certainly we would need to consider changing our preferred from no action at this point.

MR. HARTIG: Yes, Mac, I move Subalternative 2L for the preferred alternative.

**MR. CURRIN: Ben's motion is to change our preferred alternative from no action, Alternative 1, to Subalternative 2L; is that correct, Ben?**

MR. HARTIG: Yes.

MR. CURRIN: Second by Michelle. Discussion on that motion. Charlie.

MR. PHILLIPS: I would support the motion if it covered the newest data that we had, which I think would probably go to 2010, which gives us current people. Do we have 2010?

MR. CURRIN: I believe we do, but keep in mind, Charlie – and I don't know the answer to this, but based on the history of the fishery and how much these guys have been able to fish, which has been very little because the quota has been caught up since the large part of the hook-and-line fishery typically fish – maybe that behavior has changed – I wouldn't expect those numbers to change much, but if that is the desire to pick up that additional year, then –

MR. HARTIG: I don't have a problem with that.

MR. CURRIN: The motion by Charlie to modify I guess all the alternatives that have a terminal year of 2009 to include a terminal year of 2010; is that correct?

MS. BROUWER: I'm sorry, Mr. Chairman, is that a separate motion or does it amend this one? It's a substitute.

MR. CURRIN: Well, I tell you what, it will be cleaner I think if we just vote on this motion as a preferred and then modify it, because a substitute motion will only modify this one perhaps unless it is specific.

DR. CRABTREE: It seems to me that it would be cleaner if Ben withdrew this motion and Charlie made his motion and then Ben made his motion.

MR. HARTIG: **I'll withdraw my motion.**

MR. CURRIN: Ben offers to withdraw his motion; are you okay with that, Michelle? Okay, Charlie.

MR. PHILLIPS: Mr. Chairman, I would like to make a motion we use Subalternative 2L with the exception that the years be 2005-2010.

MR. CURRIN: Now, wait a minute, Charlie, I think what we need is a motion to change the terminal dates in all the subalternatives.

MR. PHILLIPS: Well Mr. Chairman, I make the motion to change the terminal year to 2010 in all the subalternatives.

MR. CURRIN: Motion by Charlie, change the terminal year in all the subalternatives under this action to 2010; second by Duane. David.,

MR. CUPKA: Are we going to shorten it on the other end or are we going to just add a year where it would be a six-year period instead of a five-year period?

MR. CURRIN: I think Charlie's intent is to make it a longer period and not shorten it on the front end. Bobby, did the AP weigh in on this?

MR. CARDIN: Yes sir, I would just like to point out that 2008 was the first year we got the early closures; so when you go from 5 to 10, you are catching a picture of a couple years on both sides of when the fishery changed its face.

DR. DUVAL: A lot of the alternatives have a best three of five years aggregated; and since we have lengthened the time series, that would no longer be the best 3 of 5. Would it be the best 3 of 7, 6?

MR. CURRIN: Is that your intent, Charlie?

MR. PHILLIPS: Mr. Chairman, if it makes it simpler, I would be willing to modify the motion from 2006-to 2010 and that way everything else, the 3 of 5, all that would work, if it makes it simpler.

MR. CURRIN: I am not sure what it is going to do because there is a lot of difference in the timeframes in some of these alternatives, and I guess my first thought was that we wanted to just add a year to those alternatives that were currently considering a terminal year of 2009.

MR. PHILLIPS: That was my intent, Mr. Chairman; everywhere for 2009 is now 2010.

**MR. CURRIN: Okay, so maybe we can handle that by modifying the motion to read to change the terminal year in all subalternatives that end at 2009 to 2010. Is that okay with the seconder?**

DR. DUVAL: I just bring that up as that would be the best three out of X years, however many that ends up to be. I wasn't suggesting that we try to keep it a best 3 of 5. But since I wasn't around previously for this, I was just going to ask if someone could fill me in a little bit on why the best 3 of 5 instead of just the aggregate for those years. Was there a fear that would be too inclusive of too many people?

MR. CURRIN: Ben, you or Bobby probably can answer that best.

MR. HARTIG: I don't remember that it was specific to trying to figure out exactly how many at the time. It was kind of put forward as that what we would try and use and then see what we got from the analysis, basically. If you have got a better way to do it that –

MR. MAHOOD: I may be wrong, but I recall what you were doing was you had some people that may not have fished one year out of this time series or something like that; so if you took an average, they may be really in the fishery but due to boat problems or whatever they were out for a year, so you took the best three out of the time series. That was felt to be more fair.



MR. HARTIG: And the cobwebs are going out. Yes, basically when we put in the restrictive quota, some of our guys didn't get to fish much any of the previous years after the quota was implemented. The intent was to try and give them a longer timeframe with the aggregate.

MR. CURRIN: Does that make sense, Michelle?

DR. DUVAL: Yes, it does, and that is exactly why I am asking that question, because I am thinking about the guys who are around Hatteras and north who haven't had a chance to fish either. I appreciate the clarification.

MR. CURRIN: Bobby, do you have anything to add? Bobby whispered in my ear that it was a conscious recommendation coming out of the golden tile workgroup.

MR. CARDIN: That is correct; the bandit representative chose that language and the longline representatives went along with what the bandit fishery wanted.

MR. CURRIN: Thank you, Bobby. Okay, everybody clear with the motion? The motion is to change the terminal year in all the subalternatives that end at 2009 to 2010. It probably could have been said better but as long as all the to's are okay, we are good. Any further discussion? Any objection to that motion? **That motion is approved.** Now, Ben, if you would like to offer your motion to select a preferred, I think we can do that and be back where we wanted to be.

MR. HARTIG: Yes, thank you, Mac. I would move Subalternative 2L as our preferred alternative.

MR. CURRIN: Motion by Ben to select Subalternative 2L as a preferred; second by Michelle. Discussion? I think it will probably have to – the wording is suggested I believe by somebody earlier. When we add that date, instead of 3 out of 5, it is going to have to be 3 out of 6. I don't think we need a motion for that; do we, Myra? It will just be reflected in the wording. Okay, all the ones that ended in '09, Roy, and not the ones that were earlier timeframes like from '05 to '07 or '08 or whatever they were, but just the ones that ended in '09.

MR. HARTIG: You want a little more? You want some record for this?

MR. CURRIN: We can give you that. I think it is set so I will read it. **The motion is to select Subalternative 2L as the preferred where at least 500 pounds gutted weight with hook-and-line gear when the individual's best three of six years from 2005-to 2010 are aggregated. All right, discussion. Ben.**

MR. HARTIG: I can't tell you exactly how many people will be included with the new years, but I will tell you that this is the most inclusive motion in the document as far as hook-and-line fishermen. It will incorporate fishermen from North Carolina through Florida so all the states will be represented, and we won't get into that problem we have with black sea bass. I think there is even one from Georgia in there, if I am not mistaken.

MR. CURRIN: Any further discussion? Is there any objection to that motion? **I see none and that motion is approved.** All right, the only thing left hanging, if you so desire, is there are a large number of subalternatives that were removed at our last meeting. Is there any desire to bring any of those back? I think we have an adequate suite of the ones that remain. If everybody is okay with that, I am not advocating bringing any back but just want to give you the opportunity. All right, it looks like everybody is okay. Let's move.

MS. BROUWER: The next action, Action 3, would establish initial eligibility requirements for a longline endorsement, PDF Page 7 on the decision document, 122 on the main document. Here we have a few subalternatives that were introduced at the June meeting and you did offer some clarifications at the September meeting.

You clarified that years between '07 and '09 means calendar years between '07 and '09 or years 2007 through 2009. We had requested that you consider changing the wording of the alternative similar to the hook-and-line alternatives in Action 2. You did clarify that the landings refer to logbook landings.

You did add new alternatives to look at a time series from 2007-2010 as a qualifying period and include subalternatives for the level of landings of 10,000, 20,000 and 30,000 pounds. The AP supported the council's preferred for Action 3. They did recommend a new alternative be added to this amendment to look at a time series from 2007-2010 as a qualifying period and include subalternatives for the level of landings of 10,000, 20,000 and 30,000 pounds. They suggested that including more recent years will allow more participants into the fishery.

DR. CRABTREE: In the hook-and-line endorsement almost all the alternatives were best three out of five or three out of six yet none of these alternatives are best three out of any period. Why is that; is there a reason for that?

MR. CURRIN: Yes, I think Ben hit it on the head, Roy, with his response to Michelle, and that is that for a number of these years when the longline fishery was very active and they caught up all the quota, there were certain years where some of the bandit fishermen did not get to fish at all. That was an attempt in the hook-and-line fishery to accommodate that sort of forced activity. The longline guys were hitting it from the time the season opened until it closed and were largely responsible for the closure. That is the rationale; is that correct, Ben?

MR. HARTIG: Yes.

MR. CURRIN: Bobby, did you have anything from the AP on this action?

MR. CARDIN: Yes sir, the AP recommended that council go with the preferred 2A, and that was through the tilefish workgroup that was conducted in 2008. The AP supported this for a few years. However, AP also suggested that if council wanted to be more inclusive and to have a bigger tile fishery with more participants, that you look at using years 2007-2010 perhaps if we get a bigger stock or could accommodate a bigger fishery.

To the point of like in 2A, using 6 through 8, in the tile fishery there has been so many people in and out of the fishery that you are catching the tail end of either someone slowing down or picking up. That is why the shorter time period you use, you are picking up 16 boats with 6 through 8, and that is what is averaged in this fishery for the past 20 years is 16 boats.

MR. CURRIN: All right, we have got a recommendation for consideration of a possible additional alternative here coming from the AP. Please give that consideration and if there are other alternatives that you might want to add, now is the time to do it.

DR. CRABTREE: I would like to make a motion to add a new alternative that would be to receive a golden tilefish longline endorsement, the individual must have an average of 10,000 pounds gutted weight golden tilefish caught with longline gear between 2008 and 2010.

MR. CURRIN: Motion by Roy to develop an alternative for longline endorsement that uses 10,000 pound average qualifying weight during the years 2008 to 2010; second by David. Discussion. We will get it up, Roy, and make sure that I didn't butcher it too badly. Let's make sure the motion is correct. Does it look good to you, Roy?

DR. CRABTREE: Yes.

MR. CURRIN: Okay, questions. Duane.

MR. HARRIS: Thank you, Mr. Chairman. This is not to the motion; this is with respect to the second AP recommendation for new alternatives. I just don't understand what it means when it says including more recent years will allow more participants in the fishery, but it doesn't capture the core participants in the fishery. What does that mean?

MR. CURRIN: Bobby can explain that.

MR. CARDIN: Yes sir, well. in more recent years, as we see there have been a lot of Florida boats join the fishery and they have captured the quota before some of the traditional South Carolina fishermen have totally been knocked out of the fishery because the quota is being caught in Florida during the wintertime. Even though you are using these newer numbers might include some of the concerns we hear from the public, it doesn't capture the core fishermen that have not been involved from the fishery due to the short seasons.

MR. CURRIN: Historic fishermen I think he is talking about, yes, from South Carolina.

MR. CARDIN: Excuse me, historic fishermen from South Carolina. Your choice is do you want to catch the core of what was or what is now, what side of 13C do you want to be on?

DR. CRABTREE: So back to the motion I made, obviously this one puts more emphasis on recent participants. We have heard a lot of comment about that; and based on the analysis I have, this would let 14 boats in.

MR. CURRIN: A total of 14, Roy?

DR. CRABTREE: Yes, that is what I have in front of me.

MR. HARTIG: Yes, another way to do this perhaps would be to not upset the balance of the workgroup, to add this to their motion. Do you understand what I am saying, Roy? You have this and this and you apply.

DR. CRABTREE: If you meet either one, you qualify?

MR. HARTIG: If you meet either one of those options you would – and combine it into one.

DR. CRABTREE: Tell me again what the years were on the other AP one.

MR. CURRIN: 2006 through 2008, and that is the recommendation of the Golden Tilefish Workgroup.

DR. CRABTREE: 10,000 pounds?

MR. CARDIN: That was 2,000.

MR. CURRIN: 2,000 pounds.

DR. CRABTREE: Let me ask you this; what if I changed the motion to be 2006 to 2010, your best three years; wouldn't that do the same thing?

MR. HARTIG: The only thing I don't want to do is eliminate the South Carolina boats who have been disadvantaged. As long as this does that –

DR. CRABTREE: Well, I am willing to modify the motion along the lines you have to say an individual must have either an average of 10,000 pounds between 2008 and 2010 or between 2006 and 2010, which I think would be the same.

MR. CURRIN: I don't think it will, Roy. Alternative 2A, which is the current preferred, is a total of 2,000 pounds between 2006 and 2008.

DR. CRABTREE: I thought what the AP wanted was 10,000 pounds between 2006 and 2010; is that not correct?

MR. CURRIN: That was a separate alternative that they recommended might be added to look at the additional new participants, I believe. Bobby, is that correct?

DR. CRABTREE: I am trying to capture what they wanted; so if somebody will tell me what it was they wanted, I'll make it reflect that.

MR. CARDIN: The AP wanted if there is a bigger quota and the fishery can incorporate a bigger fleet, to use the more recent landings of 2007 through 2010. This AP and the AP for the

past two or three years has supported the workgroup's motion of 2A, the 2,000 pounds between 6 and 8. Once again, one of the – go ahead.

DR. CRABTREE: If we just change that motion that I had up there to say you have to have an average of 10,000 pounds and the best three years between 2006-2010, then if those South Carolina boats were fishing hard early in it, they would use those early three and then the more recent guys down in Florida would use their three, but that would seem to do it; would it in your view?

MR. CARDIN: There was one boat that a cruise ship sunk in 2006 that had some landings before the cruise ship got it. They put the boat back in the water.

DR. CRABTREE: Okay, or anybody who can demonstrate a cruise ship sunk their boat.

MR. CARDIN: I'm sorry, it was at the dock; I think the wind blew it over.

MR. CURRIN: Does the term "average" cause any problems? One more point Gregg just made, which I think we need to consider, is when you use the terminology between 2006 and 2010 it does not include that initial year. It would begin in 2007 and it wouldn't include 2010 either.

DR. CRABTREE: My intent is – and the way I have read this is it means the years 2008, 9 and 10.

MR. CURRIN: Then let's be real specific about that because I think we just changed some alternatives for this same reason.

DR. CRABTREE: Let me change the motion to this and then we can discuss it. Let's change it to an average of 10,000 pounds for the best three years within the period 2006 through 2010, so they are going to look through that timeframe and they are going to pick every vessel's best three years and average it out; so if you got 10,000 pounds totaled or more in any of those three years, you are going to qualify. Bobby, if that covers what you are talking about, I guess it doesn't cover the guy who got sunk by the cruise ship.

MR. CARDIN: I know at least three boats that will be taken out of the fishery with that; three boats that fished all through 2000, you know, in the last 10 or 20 years.

DR. CRABTREE: They haven't really fished any since 2006.

MR. CARDIN: Excuse me; 13C went through, the quota started getting caught quick each year. What are we on, the fourth year of this now? Yes, when you incorporate these newer years, you are disadvantaging the fishermen who fished either later in the years due to where they lived at, or the weather conditions, or their fishing season.

DR. DUVAL: I guess I just want to make sure that our intent is clear because the other Subalternatives 2A through 2E, they all say between 2006 and 2008. Was the intent really 2006

to 2008, inclusive of those years or was it only 2007 and 2008? I just point that out so that we are –

MR. CARDIN: Yes, 2008 was a defined control date in the tile fisher so including 6, 7, and 8 were three years to be inclusive.

MR. CURRIN: I think that is what I recall as the intent as well, so perhaps we will ask the staff to make those corrections for all the suite of alternatives here; that the earliest date and the latest date are to be included in the time series. Do we need a motion for that, Myra, or are we okay?

Myra said a motion would be better, who would like to – yes we have got to deal with this one first. All right, Roy, are you okay with the motion the way it is? **The motion is to add a new alternative to receive a golden tilefish longline endorsement, the individual must have an average of 10,000 pounds gutted weight golden tilefish caught with longline gear for the best three years within the period 2006 through 2010.**

All right, further discussion on that motion? Any objection to that motion? **I see none; that becomes a new alternative. That is approved.** Okay, is somebody willing to clarify the time periods with a the motion that the beginning date and the terminal date for all of these alternatives should be reflected as inclusive or something to that effect. Michelle?

**DR. DUVAL: I move that staff clarify that all dates in all alternatives are inclusive of the beginning and end dates.** Does that do it?

MR. CURRIN: I think that gets it.

DR. DUVAL: Or the beginning and end years.

MR. CURRIN: Okay, the motion is to ask the staff to clarify that all dates and all alternatives are inclusive of the beginning and end years. Is there a second; second by Duane. Any discussion of that motion? Any objection to that motion? **I see none and that motion is approved.**

**DR. CRABTREE: I would like to move that the new alternative we did with the best three out of ten years – and I don't know, does that have a letter yet, Myra? Well, I would like to move that new alternative be our preferred.**

MR. CURRIN: Motion by Roy is to select the new alternative as the preferred; second by Jessica. Discussion on that alternative?

DR. CRABTREE: Well, I think it strikes a balance as best we can. I am guessing it may have let another couple of boats in, so we may be in to 16 or so boat numbers, but we will see all of that analyzed before we take final action on this. It seems to strike a balance to me.

MR. CURRIN: I'm not sure personally that it is doing exactly what you want it to do. Correct me if I am wrong, but I think your attempt was to combine the current preferred, which was the preferred of the AP and the Golden Tilefish Workgroup. That is Alternative 2A with –

DR. CRABTREE: It doesn't do that, Mac, and I kind of gave up on that. The 2,000 pound level just seems too low to me. That is marginally one trip that someone made, and so I have gone with – I met them part way by moving the time period back some, but I am looking for a little higher level of participation.

I understand we may be letting out some guys who haven't fished since 2006 or so, but that is an awful long time, and to me I am a little more concerned about cutting out people who are fishing right now than I am about someone who hadn't fished in 5 or 6 years. My mind may be changed on that and I am not hard set on it, but that is where I am coming from. You are right, it doesn't capture that.

MR. CURRIN: All right, I just want to make sure you were aware, and I thought you were. Okay, any further discussion? **Any objection to that motion? I see none.** I might recommend consideration of moving to the considered but rejected appendix the three new alternatives that we added the last meeting to attempt to do I think what this current alternative does, at least take a look at those.

MR. HARTIG: So moved Mr. Chairman.

**MR. CURRIN: Motion by Ben to remove Subalternatives 2F, 2G and 2H to the considered but rejected appendix; second by Charlie. Any discussion of that motion? Any objection to that motion? I see none, that motion is approved.** Myra, let us know if we are messing up, but I think that is going to help you out.

MS. BROUWER: Okay, Action 4 is to establish an appeals process, PDF Page 9 in the decision document, 129 in the main document. Currently your preferred is Alternative 2, to establish an appeals process. In parentheses it says "This process would be developed by NMFS and would be consistent with similar processes in the region."

Since then we have come up with wording that is similar to what is being proposed in Amendment 18A and 20A. We would recommend that you adopt that same language for the appeals alternatives. The AP supported the proposed Alternative 3 under Action 4 as the preferred.

**MR. CUPKA: I would like to make a motion that we accept the recommended wording changes by the IPT and that Alternative 2 be selected as our preferred to be consistent with the way we have set them up before.**

MR. CURRIN: Okay, motion by David; second by Tom Burgess. Discussion on the motion? Bobby, just for clarification can you explain to me why the AP selected 3 as opposed to 2, what their rationale was for that. This is Action 4 on the appeals process.

It may be that you didn't have this recommendation from the staff and all of that, so I think I answered the question. Okay, I don't think there is enough difference that you guys would be upset with any difference. All right, further discussion on the motion? Any objection to that motion? **I see none; that motion is approved.** All right, when you are ready.

MS. BROUWER: The next action would allocate commercial golden tilefish quota among the gear groups, PDF Page 10 in the decision document, 131 in the main document. Currently your preferred is to allocate the golden tilefish commercial quota based on 90 percent longline and 10 percent hook and line.

Recommendations from the IPT are to just do some wording changes to clarify these alternatives as you see up on your screen. It actually states the poundage that would be allocated to each of the sectors within the language of the alternatives. The AP recommended selecting Alternative 4 as the preferred. The SSC simply had some advice to consider developing a decision tree to specify methodology for making these allocation decisions, and that the council should consider how they might want to address these allocations over time.

MR. HARTIG: Yes, I would move Alternative 2 to be our preferred, deselect 4 and move Alternative 2 as the preferred based on the information that I gave you before in that this council has tried to preserve somewhere in the 25 percent range of the fishery in the past for hook-and-line use.

MR. CURRIN: Motion by Ben to select Alternative 2 as the new preferred; second by David or do you have a question?

MR. CUPKA: Well, I would second it if Ben is willing to make a part of that motion to accept the new wording from the IPT.

MR. HARTIG: Yes.

MR. CUPKA: Get it all done at once.

**MR. CURRIN: So Ben's motion is to deselect Alternative 4 as the preferred and to select Alternative 2 as the new preferred and accept the new wording recommended by the IPT with a second by David Cupka. Discussion on that motion? Is there any objection to that motion? I see none; that motion is approved.**

DR. CRABTREE: A lot of this to me rides on what the new ABC is going to end up being with it. I am assuming it is going to go up enough that even with this allocation shift the longline share of the fishery is going to get more fish than they have been getting, because we are going to get a pretty substantial bump in the quotas on these things.

Everybody is getting more fish than they have been getting in past years, but I don't know if that is going to be the case or not, but I am sort of assuming that is for now, which I can be okay with this, but depending on what happens things could change.



MR. CURRIN: That is more good news. Further discussion on the motion.

MS. BROUWER: Well, in that case, since the proposed language has actual poundage in the language of the alternatives, which is likely to change, what I would instead suggest is perhaps do not accept that recommended language but just simply change the word "quota" to "ACL" in the original language of the alternatives to not be bound by this specific poundage.

MR. CURRIN: Well, we could do that, Myra, or we could just give the staff the license to insert the values as they are changed based on the assessment if that would help you out and be preferable. Is that okay? Well, let's deal with this motion then we will get another one to make that change.

MR. CUPKA: Well, I just wanted to say I wanted to find out when those numbers would be available. If it would be available before the public hearing process, then we could put the new numbers in. I think it helps to show the actual numbers what it would be when it goes out before the public; but if we can't do that, then I don't have a problem with that.

MR. CURRIN: Yes, it is important to show the correct numbers, isn't it.

DR. CRABTREE: I wonder, Theo, do you have any insights as to when those analysis would be ready, or maybe John is coming up, but it was the P-star analysis that we are waiting on, correct, John? Do we have any information or, Theo, could you find out from staff and report to us tomorrow?

DR. BRAINARD: Yes, I can do that. I know Beaufort is working on the P-star analysis now.

MR. CARMICHAEL: I had an e-mail from Erik earlier in the week and he said maybe by February.

MR. CURRIN: January, I think.

DR. CRABTREE: I guess, Theo, I would ask can you consult with your staff and encourage them we need them a little sooner than that?

MR. MAHOOD: Yes, it will be nice to have Andy at our public hearings that would give the presentation he gave here. I think that will help the fishermen; the one on how the recreational numbers are determined.

DR. CRABTREE: I thought it was a public hearing on golden tilefish.

MR. MAHOOD: I know, oh, commercial landings.

MR. CURRIN: Okay, so it sounds like based on the tenuous nature of whether those numbers will be available or not, that after we dispense with this motion we ought to deal with the issue of changing that language or not selecting the IPT's recommendation and changing quota to ACL in the original language.

MR. HARTIG: Theo, I would just like to express my extreme disappointment that we don't have this number yet. The assessment has been completed some time ago and this analysis in my opinion should have been done quite some time ago, at least by this meeting when we were making decisions on this document.

I think it is critical that the Science Center take into consideration the importance of some of the things that we are to consider in these amendments. That is one of them that have bearing directly on our options for his amendment. I am extremely disappointed; and when you talk to Erik, please tell him if he can possibly get it done by our public hearings, it would be very much appreciated.

DR. BRAINARD: Yes, I will certainly try to do that, but also I must say that this P-star analysis is a separate analysis from the assessment so it involves extra work, so that is why it has taken this much time.

DR. CRABTREE: Well, I understand that, Theo, but we can't act on the assessments until we have that analysis, and the problem is we end up getting so far away from the assessment that things are already happening in the fishery and we haven't even gotten the TAC adjusted. We have enough time lag with the current time it requires for SEDAR and then the SSC meeting; and then if we are going to have to wait another 4 to 6 months to get the rest of the analysis, it just throws us – and I assume, John, when we get this from the Center it is going to have to go to the SSC for review or does it not have to go to the SSC?

MR. CARMICHAEL: I don't know why it would need to go to the SSC for review. Let's hope it doesn't.

DR. CRABTREE: It seems to me what the Center needs to do is when we have an assessment and you do the normal projections and things that you do, the P-star analysis, if that is the way we are going now, that needs to be done as part of the deliverables with the assessment when it goes to the SSC and not as an after the fact add on.

MR. CARMICHAEL: Yes, it is expected to be part of the assessment. You noticed we had P-stars for black sea bass; we have had P-stars that look at a range of P-star levels in many of the previous assessments when we weren't sure what level the SSC would select, and then we know that there may be a request if they decide to pick a different one, but such projections are part of the terms of reference for the assessment.

DR. CRABTREE: Yes, and part of our emphasis has been streamlining SEDAR and getting these things done more quickly, but if this type of analysis is going to linger on for months, then we are losing ground instead of moving towards where we need to be.

MR. CURRIN: Let me ask Myra and Gregg; would you guys be comfortable if we modified this current motion to not accept the IPTs suggested language at this point but then had another motion rather than guidance, that if the results of the P-star analysis are available before the public hearings that the poundages be inserted as per the IPTs recommendation at the December meeting. Would that be okay with you guys?

MR. WAUGH: That is certainly one way to do it, but for us to go out to those hearings without being able to tell the public what the poundage – please don't do that to us, please.

MR. CURRIN: I am not doing it to you; I am trying to make it available to them if we can get our hands on it. I think it is pretty clear that there is some urgency attached to this.

DR. CRABTREE: I agree with Gregg. I think if we can't get this analysis, we probably ought to reschedule the public hearings because people are going to want to know. I don't know how you make a decision on what you think about – I mean, we are talking about how much capacity do we need in the fishery? Well, it seems to me central to that is knowing how many pounds do we have in the fishery. It just seems too incomplete to go to the public with it. I think we either have to speed Beaufort up on deliverables or we are going to have to reschedule the public hearings.

MR. CURRIN: All right, so the suggestion then is to go ahead and leave the motion as it is. We will provide the guidance at the bottom of the screen right there to the staff and then alter the schedule for the public hearings based on the availability of the P-star analysis and urge Dr. Williams and all involved in that analysis to try to meet the deadline for the scheduled hearings if at all possible. Everyone is okay with the guidance and, Myra, you guys are okay with the guidance. All right, let's move then.

MS. BROUWER: The next action would allow for transferability of the golden tilefish endorsements. That is in PDF Page 11 of the decision document, 137 of the main document. You do have a preferred alternative and that is Number 2. Endorsements can be transferred between any two individuals or entities that hold valid unlimited federal commercial snapper grouper permits and fish with longline gear. Transferability would be allowed upon program implementation.

That is for the longline and you have a similar alternative chosen for the hook-and-line endorsement. Here the IPT just needs a clarification. We suggest inserting the word "cannot" under Alternative 1, so that it reads "Longline and hook-and-line golden tilefish endorsements cannot be transferred." Also, if you want to consider perhaps moving some of these subalternatives to the appendix, we were wondering why the 3- and 5-year options, if you thought those were necessary to keep in the document.

MR. CURRIN: What's your pleasure, folks? I am all about streamlining things if that is the will of the committee? We have got some recommendations from the IPT. The AP is okay. I think they should be transferable. Michelle.

DR. DUVAL: I will move that we move Subalternatives 2C, 2D, 3C, 3D, 4C, and 4D to the considered but rejected appendix.

MR. CURRIN: Would you consider also including inserting the word "cannot" in Alternative 1.

DR. DUVAL: Yes, I would.

MR. CURRIN: Thank you, is there a second? Charlie seconds. **The motion is to move Subalternatives 2C, 2D, 3C, 3D, 4C, and 4D to the considered but rejected appendix and insert the word “cannot” in Alternative 1 as suggested by the IPT. Discussion on this motion? Any objection to the motion, I see none that motion is approved.**

MS. SMIT-BRUNELLO: Similar to the discussion we had back on 18A with black sea bass endorsements, I think we ought to use the word “valid” when we are discussing these, which means that either they are active or they could be renewed. Then also you need to think about whether these endorsements have a shelf life of their own. Do they consider in perpetuity, do they expire? If they expire should they be renewed within like the one-year timeframe that snapper grouper permits are renewed – some of the discussion that should carry over from the black sea bass issues we discussed this morning.

MR. CARDIN: Going back to the AP two years ago, we felt if you attach it to the permit, when the permit expires, if you don’t renew the permit, then the endorsement expires along with it. The endorsement is just attached to the permit. The permit is the primary entity or what have you.

MR. CURRIN: Thank you and I think that is what we did with sea bass. Thank you, Monica, for bringing that up. I think we used the terminology valid either and renewable, or renewable regarding sea bass; did we not, or is the term valid?

MS. SMIT-BRUNELLO: No, I think we did but that got into – that is before we started discussing whether these were attached to the permits such that they were renewed along with the permit or they were renewed separately or if they were expired could they be renewed at any time. You know, we got into that whole discussion. Maybe we could give the IPT license to talk with SERO permits and figure out what should be in there, but I think the word “valid” ought to go in there.

MR. CURRIN: We probably need a motion to do that, folks, to co-op that language. If that is your intent to attach the endorsements to the permit, we will need a motion to that effect and co-op the language from 18A and give the staff some license and consult with the permits office to make sure it makes sense.

MR. PHILLIPS: I so move, Mr. Chairman.

MR. CURRIN: A motion by Charlie; second by Duane. **The motion is to adopt similar language to that in Amendment 18A and give staff guidance to consult with the permits office to edit alternatives as needed.** Are you guys comfortable with that, Myra?

MR. HARRIS: Mr. Chairman, there were a number of actions in 18A that we didn’t finish. Did we finish this one or is this good enough. If we didn’t finish it, this good enough to move it forward? I think you were going to talk to permit program staff. I am not sure whether this is part of that or not.

MS. SMIT-BRUNELLO: Well, Jack actually ended up talking with them and so at some point if we want to bring Jack to the table.

MR. HARRIS: No, I just want to make sure that we have the language in 18A that we are co-opting, and did we finish that?

MS. SMIT-BRUNELLO: I don't think we did finish it, and that is why I mean Jack had a conversation with SERO staff, but then it eventually will get back to what the council wants.

MR. HARRIS: Yes, I want to do the same. I don't want to have a whole bunch of different ways of doing this. I want to be as consistent as we can throughout all these permits.

MR. CURRIN: I think that is our intent, Duane. I believe this motion, if we pass it, will do that whether or not 18A is finished yet, because it won't be done until 18A is finished. Then that language, whatever we decide is appropriate there can be brought into this amendment. That would be my intent, anyway.

DR. CRABTREE: I think when we go back to 18A and polish up those loose ends, then we can just ask staff to make 18B consistent with that.

MR. CURRIN: That makes sense. I think that is what this motion would do beforehand. All right, the motion is to adopt similar language to that in Amendment 18A and give staff guidance to consult with permits office to edit alternatives as needed. Further discussion? Any objection to that motion? **I see none; that motion is approved.**

MS. BROUWER: The next action would adjust the golden tilefish fishing year. Your preferred currently is no action, retain the existing January 1 start date for the golden tilefish fishing year. We are recommending some edits to the way these alternatives are worded; they are just editorial changes. The AP recommended selecting Alternative 1 as preferred.

The SSC stated that in regards to the market for tilefish and keeping the fishery open during a time when other snapper grouper species are not available, then retaining the January 1 start date is preferable. However, current year impacts the ability of people to fish in the northern portions of the South Atlantic. Allocating catch to the northern areas during different parts of the year when other species are readily available may reduce overall value of this fishery.

MR. CUPKA: I would like to make a motion that we accept the IPT recommendations for wording changes.

MR. CURRIN: Motion by David; second by Duane to accept the IPT recommended wording changes. Discussion of that motion? Any objection to that motion?

MR. CUPKA: Also, it doesn't indicate under the change, but under the old wording Alternative 1 was the preferred, and that was my intent to keep that as the preferred for purposes of public hearing.

**MR. CURRIN:** All right, David's motion is to accept the IPT's recommended wording changes and retain Alternative 1 as the preferred. That is okay with you, Duane? Okay, discussion? Is there any objection to that motion? I see none; that motion is approved.

MS. BROUWER: Action 8 establishes golden tilefish fishing limits. Your current preferred is to remove the 300 pound gutted weight trip limit when 75 percent of the quota is taken. We are recommending replacing the word "quota" with "ACL". We also talked about deleting this action since the longline and the hook-and-line sectors now have separate allocations, which are essentially the same thing as quotas and the existing trip limit may no longer be applicable.

If you choose to retain this, perhaps you would consider modifying the wording of Action 8 to modify the golden tilefish trip limit. The AP under Action 8 recommended selecting Alternative 1 as the preferred. I will leave the SSC recommendation for you to read up on the screen and will not read the entirety of it.

DR. CRABTREE: Well, Myra, if we remove this action wouldn't that mean that we are keeping the 300 pound trip limit when 75 percent of the ACL is caught? We need an action to take that off the books, don't we?

MS. BROUWER: Do we?

MR. CURRIN: I was under the impression that we did, because I think we have had this discussion before when we tried to remove this alternative, and I think that was the conclusion, but somebody correct me if I am wrong.

MR. PHILLIPS: Myra, we may need a golden tile fishing limit unless you have got a separate one for hook and line that do not get an endorsement. I just want to make sure that we leave a hole for that if that works out that way.

MS. BROUWER: There is an action that establishes a separate ACL for the hook-and-line sector and takes care of fishermen that do not qualify for an endorsement, also.

MR. HARTIG: Bobby, why did the AP vote for Alternative 1?

MR. CARDIN: Because the AP believed in going with the historical allocation of giving the commercial fishery 90 percent of the allocation, at that point at 75 percent there is still a step down to the 90 percent being caught. Now with this scenario you have now with changing the historical allocations and giving the longline only 75 percent of the allocation, this has to be addressed in some manner, this action.

MR. CURRIN: All right, Myra, are you and Gregg okay with the assessment we have made so far that we probably do need to take action to remove the existing shift to a 300 pound trip limit when 75 percent is caught, because I believe that is what is in place now.

MS. BROUWER: Right, that is fine.

MR. CURRIN: We do need to probably stick with our preferred here. The recommendation is by the IPT that if we do retain this, that we change the wording in Action 8 to modify the golden tilefish trip limit. Is there a motion to accept the IPT's recommendation 2 and 3? Michelle.

**DR. DUVAL: I so move that we accept IPT recommendations 2 and 3.**

MR. CURRIN: Motion by Michelle; second by Charlie. Discussion? Those are really some clarifying language in the action and in the alternatives. No discussion; any objection? **I see none; that motion is approved.**

MS. BROUWER: Okay, Action 9 would establish trip limits for fishermen that do not receive a hook-and-line endorsement. That is on PDF Page 13 of the decision document, Page 151 of the main document. Your current preferred is to establish trip limits of 300 pounds gutted weight for the golden tilefish hook-and-line fishery, for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook-and-line fishery.

Vessels with longline endorsements are not eligible to fish for this trip limit. Another preferred is Alternative 5. This was added in June of 2011. That is to establish trip limits of 100 pounds gutted weight for the hook-and-line fishery for fishermen who don't receive a hook-and-line endorsement.

MR. HARTIG: I am confused Myra.

MS. BROUWER: Yes, me, too.

MR. HARTIG: This one does not deal with the directed trip limits for the hook-and-line fishery. It only deals with the fishermen who do not get a trip limit, is that correct, not the endorsement?

MS. BROUWER: That is correct.

**MR. HARTIG: So we have two preferreds, one with 300 and one with 100. I would move that we select Alternative 5 as the preferred for this action.**

MR. CURRIN: Motion by Ben to select Alternative 5 as the preferred alternative under this action; Michelle seconds. Discussion?

DR. DUVAL: Since we are considering as our preferred alternative a 500 pound limit in the aggregate over the best 3 of 6 years or whatever it ends up to be, it only makes sense to have something that is lower for those fishermen who do not qualify for the hook-and-line endorsement. I will say that I know that those fish north of Hatteras are pretty big. That would be like one fish from some of the pictures I have seen, one to two.

DR. CRABTREE: The vessels that don't have endorsements and will fish under this trip limit, but their catches will be counted against the hook-and-line ACL; and when that ACL is met, then everybody is shut down.

MR. CURRIN: That is the intent, I believe. Does everyone believe that as well? Is everyone okay with that?

MR. HARRIS: Mr. Chairman, I am just looking at the IPT recommendations here and they suggest that we delete this action. I would just like to hear – I can read the wording there but I don't know whether we need this action or not based on what they are concluding.

MR. HARTIG: Well, Duane, the first sentence, the existing amount of effort is more than enough to fill the quota very quickly; well, I would disagree with that on the hook-and-line side. It will stretch out. If we get 25 percent it will stretch out considerably from what we have in the past.

MR. PHILLIPS: Mr. Chairman, considering what Michelle said about the size of those fish up there, I think I would offer a substitute motion and split the difference and add an alternative of 200 pounds.

MR. CURRIN: We haven't voted on that. **You are going to offer a substitute motion then, Charlie, to establish an alternative that sets a trip limit of 200 pounds gutted weight for golden tile hook-and-line fishermen who did not receive an endorsement in the commercial golden tilefish hook-and-line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit.**

MR. PHILLIPS: That is it and it is according to the size of the fish that Michelle said they were catching off North Carolina, and it is splitting the difference between the two preferreds.

MR. CURRIN: Is that your intent also to make that our preferred?

MR. PHILLIPS: Yes, Mr. Chairman.

MR. CURRIN: Second by Duane. Discussion on the motion.

DR. CRABTREE: Just in terms of the rationale, I was under the impression that maximum size for golden tilefish was around 60 and that 30 or so was a big one. Maybe I am way off on that.

DR. DUVAL: Just some of the anecdotal information that I have gotten from the fishermen up there that just even in the past five years they are catching 54 to 64 pound fish when there were able to.

MR. CURRIN: If you recall our discussions, when we were considering moving the FMU into the Mid-Atlantic and all those big gray tiles and snowy groupers, that it is unlikely that an intensive fishery is going to last very long with that size fish. But I don't know, I don't know the extent of the population up there. The hope is and intent is that most of those fishermen that have been active the last couple years will be included in this endorsement program. There may be a handful that will not and this may well help them out.



MR. HARTIG: Well, and it does; being so liberal with limits when looking at Michelle's data, we did include most of the fishermen from North Carolina. 200 pounds is a directed trip where I am. That is the problem, it is a directed trip. You can make money on 200 pounds in the area where I fish; 100 pounds, maybe not.

MR. CURRIN: All right, further discussion on the motion? **The substitute motion is that we establish an alternative that establishes trip limits of 200 pounds gutted weight for the golden tilefish hook-and-line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook-and-line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit. Make this new alternative the preferred. Further discussion? Is there an objection to the motion? The motion is approved with one objection.** Okay, ready to move.

MS. BROUWER: Action 10 deals with establishing trip limits for fishermen who do receive a golden tilefish hook-and-line endorsement. This was an action that was added by the council in June. It is on PDF Page 15 of the decision document, Page 158 of the main document. You currently do not have a preferred for this action.

MR. HARRIS: Point of order, Mr. Chairman, that was a substitute motion and we need to make it the main motion.

MR. CURRIN: Thank you, Duane. That was a substitute motion and is now the main motion. Is there discussion on the motion? **Is there any objection to that motion? I see none; that motion is approved.** All right, back to the alternative on trip limits for those receiving hook-and-line endorsements. What is your pleasure here, folks?

MR. HARTIG: Myra, is there a problem without a preferred on this one? Does it take more analyses?

MS. BROUWER: No, at this point it is fine.

MR. HARTIG: I would move we don't have a preferred on this one then.

MR. CURRIN: You don't have to move that; just don't select it.

DR. CRABTREE: Ben, does that reflect that you are undecided or does that mean you don't think you want a trip limit.

MR. HARTIG: No, it reflects I would rather hear from the public before I put a trip limit on here that I am comfortable with; that's all. I would rather hear what the public has to say about trip limits in general.

DR. CRABTREE: Do you think if we didn't have a trip limit that the quota would be caught up by the hook-and-line side?

MR. HARTIG: If we did not have a trip limit?

DR. CRABTREE: Yes.

MR. HARTIG: Certainly, even with the 300 pound trip limit it is going to be caught.

DR. CRABTREE: To me, if we are really seriously thinking about a 300 pound trip limit for the endorsed guys and 200 for the unendorsed, I question why we are bothering with the whole thing because it is really not enough difference in the two to make it amount to much.

MR. HARTIG: Well, that is why I was saying earlier about the 200 pounds that you are getting into a directed trip and that is problematic. My intent was to look at what North Carolina had to say about traveling far offshore and what kind of trip limit they would need to fish in their fishery. Rather than hamstringing them with the smallest trip limit we have, go ahead and allow them to comment on the options we have put forward.

MR. WAUGH: Could we at least remove the alternatives that are less than those that don't get the endorsement? You wouldn't put a trip limit on the ones that qualify for the endorsement that is lower than those that don't qualify, would you?

DR. CRABTREE: If we want to simplify, I would suggest we go back to the action that set the trip limits for people who didn't get an endorsement and eliminate some of those high trip limits. We have got 100 and now we added 200 and make it the preferred. It seems to me it would make sense to go into that one and remove the 400 pounds and the 500 pounds. I would move that for Action 9 that we move Alternatives 3 and 4 to the considered but rejected.

MR. HARTIG: Second.

**MR. CURRIN: Motion by Roy and second by Ben to move Alternatives 3 and 4 under Action 9 to the considered but rejected appendix. Discussion?**

MR. CARDIN: What about 2?

MR. CURRIN: Is there objection? **I see none; that motion is approved.** Yes, Bobby was whispering in my ear to add to my confusion. He said how about 2 because that is also above the current preferred, but, anyway.

DR. CRABTREE: Well, I guess my next question would be would we really consider a trip limit as low as 300 pounds for the folks who do get the endorsement? Could we take that one out and just leave 4 or 500 or do we want to take them all out?

MR. HARTIG: No, we could take 300 out in the direction we are going, but we may not get there. I am comfortable with it.

**DR. CRABTREE: All right then I would move under Action 10 that we move Alternative 2 to considered but rejected.**

**MR. CURRIN: Motion by Roy to move Alternative 2 to the considered but rejected appendix; second by Duane Harris. Discussion on that motion? Any objection to that motion? I see none; that motion is approved.** Now, Myra, there are some IPT recommendations under Action 10.

MS. BROUWER: Yes, and I am not remembering why we have 7 alternatives. Sorry, I don't know why that is.

MR. CURRIN: I assume all that verbiage about detailing the number of trips it would allow for is based on an ACL, which we are unsure right now what it is, so we won't be able to incorporate that. In view of all that are we okay do you think with the current verbiage? Do we need to consider changing the language to modify golden tilefish trip limits?

MR. HARRIS: So moved, Mr. Chairman.

**MR. CURRIN: Motion by Duane to change the wording under Action 10 to modify golden tilefish trip limits; second by Charlie. Discussion on the motion? Any objection to the motion? I see none; that motion is approved.**

MS. BROUWER: Okay, the next several actions are actions that are not yet in the document. They are proposed actions and this is in light of the recent assessment. You might want to consider adding an action to update the MSA parameters to be in line with the new assessment. The current parameters are shown on the table up on the screen, so these would just be updated with the values from SEDAR 25.

DR. CRABTREE: Well, I guess what I am asking Monica is whether we really need an action to do this. It seems to me we will have an estimate of MSY out of the assessment, we will have new numerical estimates of MSST and MFMT, we will get an OFL, and the SSC will give us an ABC. It seems to me we just update all those in the document, but there is really not a choice for the council to make on any of this. I guess, Monica, in your view do we really need an action and alternatives or do we just need discussion that lays these things out?

MS. SMIT-BRUNELLO: Well, if there are not policy decisions that need to be made and this is all coming out of the assessment and there are no decisions really for the council to make, then I would say you don't need an action and you can just describe it in the document. Do we have these definitions already in the amendment or in the FMP for all of these, MSY, MSST, MFMT, and those sorts of things? If we do, we have probably discussed how we will be getting these in the future from the assessment. We should just check that out; we might not need an action.

MR. CURRIN: Are you comfortable with that, Myra?

MS. BROUWER: I'm sorry, I wasn't paying attention.

MR. CURRIN: It wasn't that you weren't paying attention; Kari had your ear over something. Go ahead, Monica, if you can quickly.

MS. SMIT-BRUNELLO: I for one appreciate honesty, so I am good with it. Myra, if these parameters have already been established in the FMP and all we are doing is getting those new values right out of the assessment, I am not sure that we need an action. We could just have it as a discussion in the document.

MR. CURRIN: So you are okay with just inserting those when they are available? All right, Action 12.

MS. BROUWER: Action 12 would be to revise the ACL and OY for golden tilefish. These are the alternatives similar to what we had in the Comp ACL. For the no action alternative it would be ABC and OY equals the yield at 75 percent FMSY. Your preferred, of course, has been Alternative 2 in previous amendments, but, of course, we are not – here we run into the same problem where if we don't have those values, then we don't know what the ACL would be.

MR. CURRIN: But we still probably need a motion to insert this as an action in there with the direction to include those values when they are available. Also, I would just call note to the APs recommendations at the bottom of this action, they considered it and they felt pretty certain that there should be an increase in the ACL, and they even picked a minimum value for that. Motion by someone to include Action 12.

DR. CRABTREE: So moved.

**MR. CURRIN: Motion by Roy to add Action 12 to revise the annual catch limit and optimum yield for golden tilefish into Amendment 18B; second by Charlie. Discussion on that motion? Any objection to that motion? I see none; that motion is approved.** Again, the AP mentioned the whole double jeopardy thing as a possibility and I think we have cleared that up as well. All right, is that all we can do here? We have got to wait on those values before we can insert them.

MS. BROUWER: The next action would be to specify commercial sector ACT. The alternatives are similar to what you have considered previously. The AP recommended not specifying one.

MR. CURRIN: Again, we would need a motion perhaps to include this as an action, include commercial ACT specification as an action in the amendment and to select a preferred if you are willing to do so.

MR. HAYMANS: Yes, so moved, Mr. Chairman, and we haven't selected commercial ACT in other fisheries so I wouldn't select a preferred there, or no action, I guess.

**MR. CURRIN: Motion by Doug to include Action 13 in Amendment 18B and to select Alternative 1 as a preferred; second by Charlie.** Discussion on that motion?

DR. CRABTREE: If you have no intention of setting a commercial ACT, then why add this in as an action? I think you should only add it if you are going to give serious consideration to specifying one.

MR. HAYMANS: I had the exact same thought, but for consistency sake we have got it in every other amendment. That was the only reason.

MR. CURRIN: That is why it just went right over my head as well, because we have done it in every amendment we have done; not that that is a reason to include it necessarily.

MS. SMIT-BRUNELLO: Well, you could change your mind and want to do it at some point; however, I was going to say if you put this in whatever we call now the considered but rejected appendix, but this is an EA at this point; is that right? However, that could change and it could turn into an EIS; don't be surprised. I guess it is up to you. If you don't think you are going to do a commercial ACT and you haven't so far in many of the other amendments, then I would say, yes, go ahead and take it out.

MR. CURRIN: Or not put it in.

MS. SMIT-BRUNELLO: Or not put it in.

MR. CURRIN: We have been pretty consistent so far, folks. We have taken a little heat for that due to our monitoring capabilities, but if it is the desire of the committee to not select a commercial ACT, then perhaps, Doug, you might consider withdrawing your motion.

MR. HAYMANS: **Okay, I will withdraw the motion.**

MR. CURRIN: Okay with the seconder, Charlie? Motion is withdrawn. There will be no action in Amendment 18B to set a commercial ACT. All right, let's move.

MS. BROUWER: Action 14 would specify a recreational sector ACT. Again, this was put in here to be consistent; However, we don't have any numbers and currently the ACL for the recreational sector is very low. It is 1,570 some fish. I don't know if you want to entertain an ACT for the recreational sector or not.

DR. CRABTREE: Refresh my memory; we in the ACL Amendment allocated some amount of this to the recreational fishery and set up an ACL and AMs and everything?

MS. BROUWER: That was done in Amendment 17B, I believe, and the allocation is 3 percent. The ACL for the recreational sector is 1,578 fish. There was also some discussion at some point about exploring the use of a tagging system for this sector, so we didn't know if perhaps the council would like to add that to items taken out for scoping or not.

DR. CRABTREE: Let me just say that given how small that amount of fish is I don't think it makes any difference whether you set an ACT or don't set one. The data is going to be so imprecise that we are going to have large overages and underages and a lot of bouncing around just because of the noise in the data sets. I am not sure from a practical standpoint with an amount that is that low it makes much difference what you do. It is going to be a problem any way you slice it.

MR. CURRIN: There is no question about it. I guess the saving grace is it is roughly three times the allocation for snowy grouper to the recreational sector. That is not much saving grace, though, is it? Your suggestion, Roy, is that it probably doesn't matter whether we set an ACT for the recreational community.

DR. CRABTREE: I don't really see how it is going to be very useful.

MR. CURRIN: I don't either with two-month waves in our data collection system.

MR. HAYMANS: I decline to make a motion for that one.

MR. CURRIN: You don't have to decline.

MR. WAUGH: I agree totally that we should pull this action, but then we have to do something. As Myra suggested, then when we are talking about the CE-BA 3 that we take out this issue of tags. Realistically, that is the only way you are going to have a chance of not exceeding that recreational ACL is to issue tags.

MR. CURRIN: I think you are right and I know that involves development of a system, but it is going to be a system that we are going to have for at least three species. We talked about this for a number of years around this table. I agree wholeheartedly, this is something we ought to take out to scoping very soon. All right, so there is no desire to add this action in the amendment.

DR. CRABTREE: Yes, and I just would make one point. As long as the recreational catch remains as small a component of the overall landings that it is, it is not really much of a concern. You are not going to have overfishing in this fishery because of that 3 percent. Now if they start catching huge more numbers of fish, yes, that is a concern; but if that happens, then your ability to monitor it will go up some.

But as long as 97 percent of the catch is commercial, then what is going to drive the status of this stock is the commercial fishery and the recreational fishery is really not going to have much impact on it because it is de minimis. We still have to have an ACL, and there will be problems associated with that, but it is not going to have much impact on the status of the stock, it doesn't seem to me.

MR. CURRIN: As long as it doesn't multiply too many times over the allocation.

MR. WAUGH: But then we will be in the position if the recreational sector takes their allocation and the recreational is over, then we are going to be exceeding the ACL on a continuing basis. If we exceed the ACL, I forget how many years it is then we are supposed to revisit the setup of ACLs and AMs.

DR. CRABTREE: Well, I think what we set up in 17B was if we exceed the recreation ACL, then we shorten the season in the next year to start to keep it from happening again. I think what will happen if we start exceeding it is we will end up with a closed season or maybe we end up having to go to one per vessel or we will have to take some sort of action. I am not saying it

won't be a problem from a management perspective. I am just saying biologically it is not likely to have much impact on the stock.

MR. CURRIN: All right, so no desire to put an ACT action in here for commercial or recreational. The next action is again a new one proposed by staff to revise accountability measures for golden tilefish. That is on Page 18, decision document.

DR. CRABTREE: I guess my question would be is there a problem with the current AMs that we have for golden tilefish; and as staff seems to want us to revise them, did they give us guidance on the problem they see with it and what we ought to change about it?

MS. BROUWER: Mainly to be consistent because you chose to change the AMs or you chose a specific approach for setting AMS in the Comp ACL. There was an interest in getting rid of the three-year average for the recreational sector because there were some problems identified with that. This would be a chance to adopt a different approach.

DR. CRABTREE: Now, my recollection – and I will ask Andy and Jack – my recollection of the problem with the three-year running average had to do with paybacks being involved. Right now we don't have any paybacks in this fishery. Do you think there is a problem with the running average if we don't have any paybacks in it in terms of using it or a reason we need to not use it here? I am not hearing that there is a big problem with it so I guess at this point unless somebody has something they want to change, I am not clear on how we would change these.

MR. CURRIN: Is everybody comfortable with the no action alternative? Well, look at the no action alternative and that will inform you if you are unaware of what the current AMs are. If you are comfortable with those actions, there is apparently no need anyone can come up with so far, until Gregg gets here.

MR. WAUGH: Sorry, Mr. Chairman, but one of the issues with this moving average is that if you bust it early, then you pay for it a number of years into the future. I just looked at 2011 and we were at like 488 percent of the ACL. I can't remember what it was for 2010. I think it was over as well. If you stay with that three-year moving average until we start bringing that down, you are going to be shortening the following season.

DR. DUVAL: Yes, and I was going to make similar comments in regard to – I mean, given that there is such a small ACL for the recreational sector, you are going to have closed seasons, anyway. It seems like it would make more sense to just have this be consistent with what we have in other amendments and just do a payback and get rid of this three-year moving average.

MR. CURRIN: Other thoughts? If that is the general consensus of the committee, then we need a motion to add this action and go through these alternatives and consider selecting preferreds or modifying them in some way.

**DR. DUVAL: All right, I move that we add Action 15 to the document, revise accountability measures for golden tilefish.**

MR. CURRIN: Motion by Michelle; second by Charlie to add Action 15 to Amendment 18B. All right, we probably need to run through these alternatives at some point after this motion is approved. Michelle, do you have a comment? Discussion on the motion? Any objection to the motion? **I see none; that motion is approved.** All right, so, Myra, do you want to walk us through these alternatives and recommendations from the IPT?

MS. BROUWER: For Alternative 2, as far as the specification of the AM trigger, in the past you have chosen Subalternative 2B, if the annual landings exceed the ACL in a given year. For the in-season AM you have chosen Subalternative 3B, the RA shall publish a notice to close the recreational sector when the ACL is projected to be met. I am not sure that actually works in this case because of the small allocation. For the post-season AM for a species that is not undergoing overfishing, you have chosen Subalternative 4D, monitor the following year and shorten the season as necessary.

DR. DUVAL: All right, let's see if I can make this work here. I move that we adopt Alternative 2, Subalternative 2B as a preferred. Mr. Chairman, do you want me to deal with each alternative separately or altogether?

MR. CURRIN: Let's roll them up as long as you are comfortable doing it, put them in one.

DR. DUVAL: Okay, Alternative 3, Subalternative 3B; and Alternative 4, Subalternative 4D as our preferred.

**MR. CURRIN: Motion by Michelle; second by Duane to adopt Subalternative 2B, Subalternative 3B, and Subalternative 4D as preferreds under this new action. Discussion.**

DR. CRABTREE: I think we are making this way too complicated. I think if you look at what Michelle put together, it is status quo with the elimination of the running average. I think we could turn all of this into eliminate the use of the running average and I think it is the same thing. The way it is set up now, in the commercial if the ACL is hit, the fishery is closed, right?

I can tell you we don't have any ability to do in-season closures, I don't think recreationally. I guess that is a change with what Michelle is doing we would do an in-season closure recreationally. It seems to me there are two differences. We are adding an in-season closure recreationally and we are not going to use the running average.

It sure seems like an awful lot of alternatives here to get us to that. There are things in these actions we have added like the modified mean and some of those things that we have been through that and aren't using that. It just seems like we have added a lot of things here that complicate it.

MR. CURRIN: Well, have you got some wording for a suggested substitute motion?

DR. CRABTREE: Well, I guess my first question to you would be do you want to do in-season closures of the recreational fishery?



MR. CURRIN: I think what I heard you say is you are not likely to be able to do that, but we are doing it in others because we get wave data a few months after it occurs; and with the overages that we have experienced the last couple of years, yes, I think it is probably a wise thing to do. That is my opinion.

DR. CRABTREE: Well, I guess what I would ask then – I mean we can go ahead and approve Michelle’s motion, but then it seems like staff could strip out a number of these other alternatives out of here. Maybe we could dispense with this motion and then maybe eliminate some things that we don’t think we need.

MR. CURRIN: Okay. Further discussion on the motion? Is there any objection to the motion? **I see none; that motion is approved.** There are a lot of subalternatives under each alternative here; and if there is anything we can do to clean them up, that would be good.

DR. CRABTREE: I think we could eliminate 2C, 2D, 2E, 4A, 4B, 4C, 4E, and 4F; did you catch all that, Myra? From a NEPA perspective – and I don’t know if Monica is following me – we have evaluated all of this in prior amendments. All we are doing now is tweaking a few things. I don’t think we have an obligation to go back and evaluate all these other alternatives that we just evaluated in an amendment a year a two ago. Can’t we just focus specifically on the things we want to change?

MS. SMIT-BRUNELLO: That is a great question.

DR. CRABTREE: Okay, so let me make my motion. I move that staff advise us on whether we could remove all of these from the document. If their conclusion is yes, then remove them from the document.

MS. SMIT-BRUNELLO: Duane is looking at me for an answer, so I will be glad to answer. Well, just because you have looked at them in another amendment doesn’t mean they aren’t reasonable in this amendment. But if you really think that based on all the analysis that was previously done and the council’s review of all that and you ultimately decided to never go with any of those alternatives for very sound reasons, then maybe they are not reasonable here.

DR. CRABTREE: Well, what we are saying is we think we need an in-season recreational closure here. We don’t have that now. That is an alternative we have selected and then we don’t want to use the three-year running average anymore so we are getting rid of that. Now, I don’t see why we then have to go through looking at modified means and lower bounds of 90 percent confidence intervals and all these other things when we have just got a few specific things we want to adjust in the existing accountability mechanisms.

MS. SMIT-BRUNELLO: Okay, so I will go with your first suggestion that if staff will look at it and will give it more analysis and if it could be removed, we will remove them.

DR. CRABTREE: Well, we are not removing them. Well, I guess we did pass a motion to add them all?

MR. CURRIN: No, we passed a motion to add the action and we are going through and selecting alternatives from the suite that was given to us.

**DR. CRABTREE: My motion is that we not add those subalternatives at this time unless staff determines that we don't have a reasonable range of alternatives and then they could add in what they think is necessary – we will look at their recommendations at the next meeting – unless it is determined that additional alternatives are needed to constitute a reasonable range. If I have a second, I will give a little more – do I have a second?**

MR. CURRIN: Second by Duane.

DR. CRABTREE: What I would ask staff to do is kind of restructure this; that we feel like we have two problems we need to address. One is we need a recreational in-season closure; two, we want to get rid of the modified means so structure this in a way that here is a problem we have with the existing ones and that should get you to a limited number of alternatives.

MR. CURRIN: Yes, I agree with you, Roy. The SSC in fact has put the nix on the modified mean approach and the 90 percent confidence interval approach. They did not look upon those favorably, if I remember correctly. Is that correct, John, or not?

MR. CARMICHAEL: Sounds good to me.

MR. CURRIN: I think we are going to be pretty safe, but this will assure it by asking the staff to take a look at it. Any further discussion? Any objection to the motion? **I see none; that motion is approved then.**

MS. BROUWER: At this point we would need a motion to take this out to public hearings.

MR. HAYMANS: I so move.

MR. CURRIN: Motion by Doug to take Amendment 18B out to public hearing; second by Charlie. Discussion?

DR. CRABTREE: We are all in agreement that the scheduling of the public hearings is contingent upon getting the P-star analysis and an amount for the ABC from the Science Center, right?

MR. CURRIN: I think that is pretty clear from our discussion.

MR. CUPKA: I think staff had scheduled those hearings in conjunction with some other hearings and those other hearings have already been scheduled. I think all the arrangements have been made; so if we can't get those P-star values, that means we are going to have to do another whole set of hearings, but be that as it may.

MR. CURRIN: I hope we have impressed the Science Center with the urgency and need and desire to have those things to meet our current public hearing schedule.

MR. WAUGH: The next window for a round of public hearings would be in August and September, which would mean likely that then you would miss the 2013 fishing year with this, also.

MR. CURRIN: Okay, those are the implications but I don't see any other way around it. We have got to have those numbers before we can take this out. I just hope that we can get the analysis done and into this document before the scheduled public hearings. **Okay, the motion is to approve Amendment 18B for public hearings. Scheduling of public hearings is contingent on receiving analyses from the Southeast Fisheries Science Center. Any further discussion? Any objection to that motion? I see none' that motion is approved.** All right, is there other business?

MS. BROUWER: Mr. Chairman, we also would need to adopt some more language for defining the overfished limit for golden tilefish as we have done with black sea bass and red grouper.

MR. HAYMANS: Mr. Chairman, I make a motion that we do that.

MR. CURRIN: Doug's motion is that we do that; is there a second? I'll get it for you in just a second. **The motion by Doug is that we adopt OFL language similar to that in Amendments 18A and 24 and include it in Amendment 18B; seconded by Charlie. Discussion? Any objection to that motion? I see none; the motion is approved.** What else, Myra, in 18B?

MS. BROUWER: I think that is it.

MR. CURRIN: Anybody else from the staff think that we are not done or there is stuff further to do. All right, that gets us through 18B. The last few meetings we have not done timing and task motions for snapper grouper because all the motions had been included in the report and voluminous. Is there other business to come before the Snapper Grouper Committee?

MS. McCAWLEY: I just had a question about what happens to the other recommendations from the AP about the hogfish and the triggerfish, the size limits. What happens with that?

MR. CURRIN: Well, I hope everybody has had an opportunity to look at the discussion and the letter that they had at the end of their meeting and the letter from Rob Harris about that. Bobby mentioned those motions. I personally agree that the council needs to move forward with their recommendations and consider some size limits for hogfish. There are several others I think and some bag limit adjustments as well. I don't know where we capture those, how we get them into the system, but we need to start looking at that at some point in the very near future.

MR. CARDIN: On the council and the AP getting along and communications, I think it is a perfect example of you allowing me here to talk to you the last couple days. There is a talk of an occasional joint meeting, but our APs, quite often several council members attend. I think myself I believe the communication between council and AP is excellent.

I would like to thank you. I will say this much, sometimes AP members wonder why councils goes a different way; and occasionally if you all could address us on some of these issues, it

would be appreciated, maybe a letter from the chairman or what have you. But thank you, it has been a pleasure.

MR. CUPKA: If I may, Gregg just had a good suggestion and that is that we are fixing to go out to scoping on CE-BA 3 and we could add those issues that the AP has raised to that when we go out to scoping if that is agreeable.

MS. McCAWLEY: I make a motion to do that, to add those additional recommendations from the Advisory Panel on the size limits and the bag limits to those workshops.

**MR. CURRIN: Motion by Jessica; second by Duane to add the recommendations from the AP regarding size limits and bag limits on selected species to the scoping document in CE-BA 3. Any further discussion of that motion? Any objection to that motion? I see none; that motion is approved.**

Is there anything else to come before the Snapper Grouper Committee? Mr. Chairman, I apologize for being over. It is not an unusual situation for us, but I appreciate the work of the committee and the staff to get us through all this. We have a pretty full plate at each of our council meetings, and I appreciate it.

MR. CUPKA: Thanks, Mac, no apologies necessary. We did have a full agenda and we did need to get through them, but we did that. What we will do is we will adjourn and we will reconvene in the morning at 8:30. We will start off with the closed session for Monica to give us a briefing and then we will go into the Snapper Grouper Committee Report, during which time we have got some unfinished business we will have to reconsider plus any motions that were passed prior to us going into the meeting as a Committee of the Whole, and then we will go through the rest of the committee reports.

Depending on the time when we get to the committee reports we may only deal with the motions contained in the committee reports, but it is important that we complete our business on those two snapper grouper amendments before we do anything. That is my plan and if I don't hear any objections, that is what we will do. We will reconvene at 8:30 with a closed session. Bob, did you have anything? Okay, I thank everybody again for their perseverance and thank Mac for leading us through another interesting series of amendments.

(Whereupon, the Committee of the Whole adjourned at 5:32 o'clock p.m., December 8, 2011.)

The Full Council Session of the South Atlantic Fishery Management Council reconvened in the Roosevelt Ballroom of the Holiday Inn Brownstone Hotel, Friday morning, December 9, 2011, and was called to order at 8:3 o'clock a.m. by Chairman David Cupka.

MR. CUPKA: We can go ahead and get started. We are going to start with a closed session this morning so we need everyone but the council members to clear the room. Monica, are you ready?

(Whereupon, a legal briefing was held in closed session.)

MR. CUPKA: I would like to resume the council meeting and the next order of business is a report from the Law Enforcement Committee, Mr. Harris.

MR. BOYLES: Mr. Chairman, before we do, that I understand you called a roll yesterday and I would just like for the record to reflect that I am here today.

MR. CUPKA: We want you to know that Bob had your proxy yesterday and he voted for you. (Laughter)

MR. HARRIS: Mr. Chairman, the Law Enforcement Committee met on December 4, in Raleigh, North Carolina, and the committee discussed the following. Number one was a briefing on headboat misreporting issue. In June 2011 the council requested further details on suspected misreporting on headboat and logbook information.

Otha Easley briefed the committee on this issues stating that misreported information dated back to five to ten years ago. The Southeast Fisheries Science Center did not wish to seek enforcement action for incidents that occurred so long ago. However, stakeholders should be aware that submitting false information can have negative repercussions since assessment of the status of stocks is compromised.

Otha stated that the Southeast Fisheries Science Center wanted to assure the council that if evidence of misreporting were brought forward, enforcement action would be sought. Number two is optimization of surveillance and enforcement in federal fisheries in the southeastern United States.

Dr. Sandra Brooke, director of the Coral Conservation for the Marine Conservation Institute and a member of the Coral Advisory Panel, gave a presentation on surveillance and enforcement capacity in the Southeast Region as it pertains to remote protected areas. The project was funded through the council's 2010 Coral Reef Conservation Program Grant and builds on the Marine Conservation Institute's technical review of global surveillance and enforcement technologies.

The project's objective was to provide an assessment of surveillance and enforcement capacity in the South Atlantic Region as well as recommendations for optimization. Dr. Brooke gave an overview of feedback obtained during a workshop that was conducted in July 2010 to gather input from regional law enforcement professionals in the region.

Selected recommendations include investigate potential effect and capability of changing civil provisions in the Magnuson-Stevens Act to criminal; implement VMS in Snapper Grouper Fishery for the South Atlantic Fishery Management Council Region; introduce use of AIS for monitoring fishing vessel activity; address boundary placement, how much of an enforcement challenge are the irregular boundaries; publicize successful case outcomes; increase training of state law enforcement by NOAA Office of Law Enforcement by scheduling regular classroom and at-sea sessions; create a joint LE form for sharing information and coordinating enforcement actions; create centralized database for regulation information, South Atlantic Fishery Management Council; use social media to disseminate information.

The Law Enforcement Committee requests that NOAA GC provide information at a subsequent meeting on the lack of criminal provisions in the Magnuson-Stevens Act. A final report on this project will be distributed to the council in early 2012. In other business the Law Enforcement Committee received a briefing from Otha Easley on the availability of NOAA's draft law enforcement priorities. The comment period extends through January 9, 2012. The council can submit comments on the draft priorities. The Law Enforcement Committee made no motions, and, Mr. Chairman, that completes my report.

MR. CUPKA: Thank you, Duane. Questions for Duane? Seeing none, then we will go to our next committee of Spiny Lobster. Jessica, are you ready for that?

MS. McCAWLEY: Yes, I am ready. I think everybody has the report in front of them so I am not going to read it word for word. The Spiny Lobster Committee met on December 5, and we received a presentation from Jennifer Lee with SERO Protected Resources Division. She gave us a presentation on the process of ESA Section 7 Consultations and the resulting biological opinions. Glenn Salvador from the Northeast Regional Office, Protected Resources Division, gave us a presentation on gear marking.

The committee also received an update on the Gulf of Mexico Council meeting and a summary of the Coral Advisory Panel recommendations for Amendment 11 and a summary of a recommendation from the SSC on Action 2. The Committee then reviewed the Spiny Lobster Amendment 11 and discussed alternatives and selected preferred alternatives.

Bill Kelly from the Florida Keys Commercial Fishermen's Association also participated in the discussion on Action 2 and provided some examples of rope and some information about the marking. We also discussed the FWC's role in the trap marking, and I mentioned that the FWC does not intend to implement similar measures in the Spiny Lobster Trap Fishery in state waters at this time. Some committee members noted the need for additional time to research the current options for marking the rope and to develop new ideas. The Committee made the following motions:

On Action 1, this is the action for spiny lobster fishing in certain areas of the EEZ off of Florida to protect threatened staghorn and elkhorn corals. **In Action 1 the motion was choosing Alternative 3, Option A as the preferred.** That was to create new closed areas off of the EEZ off the Florida Keys, consisting of identified acropora species colonies with the straight line boundaries.

Option A was in the closed areas. Only spiny lobster trapping would be prohibited. On behalf of the committee I so move. Is there any discussion of this motion? Any opposition to this motion? **Seeing none, the motion carries.**

**Also, the committee made a motion to move from Action 1, Alternative 4 to the considered but rejected. This Alternative 4 was the creation of the closed areas in the EEZ off of Florida consisting of the acropora species colonies with the 500-foot buffer surrounding the colonies. On behalf of the committee I so move. Any discussion on this motion? Any opposition to this motion? Motion passes.**

**On Action 2, which was to require gear markings for spiny lobster trap lines in the EEZ off of Florida, the committee chose Action 2, Alternative 1 as the preferred. That was no action; do not require marking for spiny lobster trap lines. On behalf of the committee, I so move.** Any discussion on this motion? Any opposition to this motion? Discussion, Roy?

DR. CRABTREE: Yes, I understand where we are right now; and I think if we did approve this under the Magnuson Act without Florida going with us and agreeing to move with us, it wouldn't achieve what we are trying to do. I don't think this is something we can afford to drop and I think it is something we need to continue to work with the state of Florida and the industry to see if we can't find a solution; maybe some research projects or something where we try different ways of getting to where we need to be as the thing to do now.

We do have some time to work on this, but I think we do need to keep this as one of our priorities, particularly, Jessica, working with the FWC, and see if we can't find a solution to this that we can get everyone to buy into so we can all move forward together.

MS. McCAWLEY: Thanks, Roy. Any more discussion on this motion? Any opposition to this motion? **Seeing none, the motion carries. The committee also made a motion to recommend that the council approve Amendment 11 as modified for public hearings and request that a National Marine Fishery Service staff member involved in writing the biological opinion and working with the public in developing the management alternatives attend the hearings to answer questions. On behalf of the Committee, I so move. Is there any discussion of this motion? Any opposition to this motion? Seeing none, motion carries.** That was the final of all the motions for the Spiny Lobster Committee. That concludes my report.

MR. CUPKA: Thank you, Jessica. Before we get to our next committee report, I just want to make one administrative announcement and that is staff is urging all the council members to submit their travel orders promptly so that they can close out the books for the year. If we submit them after December, it makes it hard to close the books out. Please get your travel orders in promptly to Cindy. The next committee report is mackerel, Mr. Hartig.

MR. HARTIG: The Mackerel Committee met on December 6 here in Raleigh. The committee received status reports on the commercial and recreational catches and quotas for king and Spanish mackerel. King mackerel is about 45 percent of the commercial quota and the recreational catch is about 22 percent of their quota.

Spanish mackerel, the commercial catch is about 47 percent of the quota and Spanish for the recreational fishery is 33 percent of the quota. I just would say that king mackerel are down from previous years but Spanish mackerel are up, so that is kind of interesting. Mackerel Amendment 18EA, the council has approved the amendment for formal review and implementation at their August meeting. All review processes have been completed and the final package is being prepared for approval and implementation by NMFS Headquarters.

The next order of business we had was Gregg Waugh from council staff reviewed the pending list of items for Amendment 19 and the future mackerel framework amendments. The

committee was incorrectly informed that the Gulf Council had approved these items for scoping, but they have only directed staff to prepare scoping documents.

This issue was raised during the committee meeting, and it was decided to defer any motions and or removal of any alternatives until full council. Now, the suggested additions and corrections from the committee meeting are in front of you. How do you want to handle this? The way that we are envisioning it is that if you have some items in this that you would like to delete now, we could delete those. Do you want to go through and review the corrections? That is up to the council.

MR. CUPKA: What is the wish of the council?

DR. CRABTREE: Well, there are things in here that it is not clear to me why we would want to look at doing it. It is not clear to me why we would want to try and separate the king mackerel permit or Spanish mackerel permit. I think it creates a lot of problems to do it, and I don't know what it is supposed to solve, and that is the problem.

Some of the other things like under Action 1D, modify the requirements by establishing a single coastal migratory pelagic charter/headboat permit; then it says consider separate Gulf and South Atlantic permits. We already have separate Gulf and South Atlantic permits. The Gulf permits are under a moratorium and ours are not, so I don't know how we could do that. I don't know how we could combine them into a single one and they are already separate, so there are a lot of things in here, Ben, that I just don't know where it is going.

MR. HARTIG: Well, let's do it this way then. Let's go through it and as you have concerns, let's either remove those items that you have concerns about based on the council's decisions and we will go from there. How is that?

DR. CRABTREE: Sounds good.

MR. HARTIG: Okay, so basically we are on the Attachment 3, Mackerel 19 Items in the Mackerel Committee.

MR. WAUGH: I think it would be better if you used the committee report because that has additions that the committee gave direction to include. This list is just something that has been put together by council and NMFS staff. I don't think we need to use formal motions. If there are some you can just give us by consensus issues that you want dropped from the list and then any issues you want added.

Then we will work at the end if we could have a motion to direct staff to work with Gulf Council staff and NMFS staff to prepare a scoping document. That will bring us back in line with the Gulf.

MR. HARTIG: Okay, we are working from the report. The first action is permits for coastal migratory pelagics, and, Roy, you had a concern about the permits on D.



DR. CRABTREE: Well, I have got a concern on C and D. Unless someone can tell me a big problem that we are trying to fix, I have no interest in trying to split the king mackerel and Spanish mackerel permits into separate South Atlantic and Gulf. I don't know why we need C or why we want to go there. I also don't think D is somewhere we need to go right now so I would probably say let's take C and D out of this, and I think even E falls into that same thing. Are you aware, Ben, of why we would want to split those permits?

MR. HARTIG: Well, certainly one of the reasons, Roy, was to identify where the catches are coming from, but certainly that could be done just based on the logbooks and the trip tickets. It does make it more difficult to know how many people are actually fishing what particular group and when and where that effort is coming from.

Basically to get at that you would have to go to each different group that we have a quota for and then identify the permit holders who have had landings in those particular quotas. Basically I do tend to agree with you a little bit on the permit issue that it is not so much a permit issue as it is where the quota is caught issue. Further down the lines we talk about endorsements for things of that nature.

DR. CRABTREE: I don't think we use the permit at all to figure where the quotas are caught. That all comes from the dealer reports when we are doing the quota monitoring. I guess the only thing I would leave in this action would be to look at establishing a cobia permit, because I understand that we have some need for that so we can tell who is commercial and who is recreational. I guess we are tracking the – we have different rules that we are looking at.

MS. McCAWLEY: I don't fully disagree with what Roy is saying, but I thought that the Option D was in there because of some of what we had talked about that was in the background material maybe from a couple meetings ago about how depending on which permit they have, it might be somewhat cumbersome to create that single cobia permit. That is why Option D would just be one permit that would cover all three species, if I recall correctly. Is that correct?

MR. HARTIG: I think that is right.

MS. McCAWLEY: I would keep Option D.

DR. CRABTREE: It just needs to be restructured, because I don't see any way we would get to a single for-hire permit because we have a moratorium on the permits in the Gulf and open access in the South Atlantic. Unless anybody is going to go limited entry, then I don't see how you can do it. The cobia permit we could do because we don't have a cobia permit now, so we could look at doing that. That is why my suggestion is just have this action focus on cobia permits.

MR. WAUGH: The reason C was put in here was at one point the councils were looking at some sort of limited entry catch shares program. To do that, you would want to have your permits separated and that is why this was put in here.

DR. CRABTREE: I think that is right and there was some talk about that, but I don't envision that happening anytime in the near future. My preference would be let's wait until that is actually something that is on the table and then we could come back to this. Obviously if the Gulf wanted to go to a king mackerel catch share program, we would have to restructure the permits, but I don't think we ought to do it. You know, Jessica, we already got all these problems down in the Florida Keys with people have to have all these multiple permits. The last thing I really want to do is create another situation like that.

MR. HARTIG: Okay, are you happy with that one?

DR. CRABTREE: I am.

MR. HARTIG: The next was Action 2, potential no sale provisions. There was a little bit of word changing there and there was another option created; create a set-aside from the recreational ACL for tournament sales; ensure this does not count towards the commercial quota and add an estimate of the amount sold for the scoping document.

MR. BOYLES: Mr. Chairman; I am going to continue to raise concerns about tournament sales. Again, we have dealt with this in South Carolina most recently a year ago and affirmed at least our stance on this that recreational sales is oxymoronic.

MR. HARTIG: All right, we will move to the next action, Action 3, future participation in the commercial king and Spanish mackerel fisheries. Then you have 3.1 that is pertinent to the Gulf gill nets. And then 3.1.2 for the king mackerel hook-and-line fishery; there are a number of options there. There wasn't any wording change in those. Believe me, if you have any concerns, you can certainly get the staff.

I mean we are in early development. 3.1.3, in the Spanish mackerel hook and line and cast net fisheries there are some catch qualifiers there to renew your permits. In 3.2 we had an option, do not renew commercial permits that were obtained after the 2009 and 2010 control date. I think we could probably remove 3.2, Roy, based on your concerns at the time that this is a limited access fishery now and if you limit someone who sold a permit, who bought a permit, you might raise some problems. Does that capture your concerns?

DR. CRABTREE: Yes, I would like to remove 3.2 and 3.3. I don't have any desire to try and do another two-for-one kind of permit situation. I think it is much more effective if we want to do that to go in and look at landings histories and latent permits and things. I would remove 3.2 and 3.3.

MR. HARTIG: The only problem I have with that, Roy, I know your concerns, but the fishermen still believe it could work for Spanish mackerel and king mackerel. They point to that. They are having a hard time with the landings stuff, but they do point to why we haven't done the two-for-one when we talked about it six or seven years ago. I understand your concerns, and you were going to have a presentation I thought about snapper grouper and why you thought you might want to remove that.

DR. CRABTREE: Well, I am still probably going to bring that up when we come back to Snapper Grouper Committee and finish it up, but we got off on other things. Ben, if you think that is something folks want to look at at this time, then we can leave 3.3 in.

MR. HARTIG: I would like to leave it in. All right, the next item was Action 4, federal regulatory compliance, there is some wording there about charter vessels must comply with the most restrictive state or federal regulations. I don't see any effort to change that. Action 5 was a Gulf alternative but it may pertain to us in the future if we so care to.

DR. CRABTREE: You know, because we have a single permit for king mackerel and Spanish mackerel, I think if we decide to do away with the income requirement, it would need to be across the board. I think this one would affect both of us. There have been a lot of discussions in the Gulf with reef fish with doing away with the income requirement, and I guess that is why we are looking at that. I am not sure we gain anything from the income requirement.

It is pretty easy to get around it. If you put your permits in a corporation, then you could make millions of dollars personally but your corporation would only have income from your permits, and so you would qualify. We really have no way of verifying income requirements. We essentially ask do you meet the income requirement; and if they say yes, then they meet it. I don't think it is a very effective tool anymore. I think that this probably would affect us and it is something that we need to pay attention to.

MR. WAUGH: Ben, just for clarification, then we would add consideration of that for Gulf and South Atlantic at least at this stage for the scoping.

MR. HARTIG: Yes. Then there is Action 6, Spanish mackerel gill net endorsements, and there are some qualifiers under that heading. Action 7 deals with dealer permits. Then we had Option E, require electronic dealer reporting that we added that wording.

MR. WAUGH: We have a separate motion we will deal with at some point to prepare a joint plan with the Gulf Council to deal with permits and reporting. Perhaps this would be best left to that joint amendment.

DR. CRABTREE: Yes, I think that is right. I would like to see us right now take all of these dealer permits and reporting issues and all those kinds of things and put them in a single joint amendment that we can really focus in on that and deal with it and get it right.

MR. HARTIG: That was the last option of items for consideration in Amendment 19.

MR. WAUGH: Excuse me, Ben, so the whole Action 7 would be moved to that joint amendment with the Gulf is the direction we are getting or just E?

DR. CRABTREE: The whole action is about dealer permits and dealer reporting so that is the focus of that amendment. It seems to me all that will go in there.

MR. WAUGH: Sorry, Ben, again, could we come back to Action 1 then, Action 1 is permits; do we also want to move that?

MR. CURRIN: Gregg, I don't think so because we have got to establish that cobia permit and I think that needs to be done before we – at least do that before we perhaps get this whole dealer permits and reporting issues done; I don't know.

DR. CRABTREE: Yes, I agree because I am looking at this separate amendment we are doing to really look at dealer permits, dealer reporting, what we need to fix to get better ACL monitoring and things. I would rather not see all these other fishery and vessel permitting issues get punted into that. I would like to see the dealer reporting amendment move as quickly as we can move it and fix some of these things.

MR. CURRIN: Yes, and I think because the permits are tied with the Gulf and Atlantic or joint permits, the Gulf is going to have to be involved in any of this permits and dealer permits and dealer reporting issues as well.

MR. HARTIG: Okay, do you want to do a motion or do you just want to direct staff to work with the Gulf states to repair the scoping document and bring back to the council in March?

MR. WAUGH: If we can deal with the joint framework actions as well and then do one motion at the end, because there are some that may need to be moved to an amendment and you can direct us to sort that out as well.

MR. HARTIG: The next item we discussed was the framework options that we have in the next section of the report. The first one of those was change Gulf group king mackerel commercial trip limit. Then you have got a little bit of wording change there; change the king mackerel size limit, retention of one king mackerel greater than 50 inches and commercial trip limits for Spanish mackerel.

Those I would like to see moved to the amendment because those were options put together for discussion for the fishermen to consider. Then you have got the king mackerel trip limit considerations; then Number 6, eliminate commercial trip limit or reduce the trip limit – eliminate the commercial trip limit reduction at 75 percent of the quota for the Gulf to Eastern Zone's southern subzone. That would be particular to the Keys, Gregg; the Keys part of that fishery?

MR. WAUGH: Yes.

MR. HARTIG: Okay. Then we had state-by-state quotas, which I think would be more appropriate for the amendment. Recreational Spanish mackerel bag limit, we had a consideration to reduce the bag limit from 15 to 10, to add that to go out to scoping. Seasonal regional Atlantic Spanish mackerel bycatch allowance in the pound net fishery, that came from North Carolina for us to consider that.

I guess we will get some numbers to fill in for that to go to scoping. That brings us to the end of the framework actions. We need a motion to staff to take both the Amendment 19 scoping issues or options and the framework options to staff for further work and then come back to you at the March meeting. Are you going to make that motion?

**MR. CURRIN: I would be happy to make that motion, Ben. I would move that we direct staff to work with the Gulf staff to prepare scoping documents for Amendment 19 and framework items and bring it back to the council in March.**

MR. CUPKA: Second.

MR. HARTIG: I am seeing hands go up in different places. Go ahead, Michelle.

DR. DUVAL: I was just going to second the motion; that is all.

MR. HARTIG: Is there any more discussion on the motion? Is there any objection to the motion? **Seeing none, that motion is approved.** That, I think, completes my committee report.

MR. CUPKA: Thank you, Ben. Our next committee is the Ecosystem-Based Management Committee, Mr. Harris. Monica.

MS. SMIT-BRUNELLO: I'm sorry, before we leave mackerel or as we go into ecosystem, I wanted to point out that the proposed – so the regulations right now discuss for Atlantic Spanish mackerel trip limits. They have something called an adjusted quota, which is something less than the commercial Atlantic Spanish mackerel quota.

Then it goes into various trip limit amounts, which supposedly would let the fishery stay open the whole season. There is an adjusted quota specified amount; a specific poundage specified right in those regulations. When the proposed rule for Mackerel Amendment 18 went out which contains the ACL amounts for the various fish in that FMP, we just missed the fact that there was this adjusted quota specified right in the trip limit regulations.

That adjusted quota would need to be adjusted to reflect the new ACL that has been proposed for Atlantic Spanish mackerel. I just wanted to let you know that I think via Ben we figured out that there was this problem. In the final rule that gets published to implement Amendment 18 or whatever is being done with Amendment 18, there is probably going to be a change to that trip limit section so that it will reflect any adjusted quota, which would be really an adjustment from the ACL downward. It is kind of confusing but we just missed that there was another amount specified in the trip limit regulations.

MR. CUPKA: Thank you, Monica. All right, Duane.

MR. HARRIS: The Ecosystem-Based Management Committee met on December 5 and 6 in Raleigh, North Carolina. The committee received an update on lionfish research from Dr. James Morris with NOAA's National Ocean Service and adjourned for the day. The committee

reconvened on December 6 and received a presentation from Jeff Herod with the U.S. Fish and Wildlife Service on agency programs addressing coastal and marine invasive species.

The committee received an update from NOAA Fisheries staff on the status of catches versus quota for octocorals and also on the status of the Comprehensive Ecosystem-Based Amendment 2, which remains under formal review. Anna Martin provided an overview of the Coral Advisory Panel's recommendations to the committee, including recommendations to expand several Coral Habitat Areas of Particular Concern.

Gregg Waugh reviewed recommendations from the Habitat Advisory Panel and provided the committee with an update of the Ecoregion Coordination Meeting. The committee received an overview of management measures for consideration in CE-BA 3 and approved a list of measures for public scoping to take place during January and February 2012.

Measures in CE-BA 3 include expanding the boundaries of the Coral Habitat Areas of Particular Concern, including the Oculina Bank HAPC, Stetson-Miami Terrace HAPC, and Cape Lookout HAPC; designation of HAPC for speckled hind and Warsaw grouper; a powerhead prohibition in North Carolina EEZ; a powerhead prohibition throughout the South Atlantic EEZ and designation of the Snapper Ledge within the Florida Keys National Marine Sanctuary as an MPA. The Ecosystem-Based Management Committee made the following motions.

**Motion number one is to move to consider the powerhead prohibition throughout the region rather than just in North Carolina. That motion was approved by the committee and on behalf of the committee, I so move.** Is there any discussion of the motion? Any objection to the motion?

MR. WAUGH: Just for clarification, I thought we were adding that as a new alternative and not replacing the other one.

MR. HARRIS: That is a new alternative; did I say replacing?

MR. WAUGH: Yes.

MR. HARRIS: Did I?

MR. WAUGH: I thought so; maybe I misunderstood.

MR. HARRIS: I don't see that word in here anywhere, but I could have said it. Further discussion on the motion? Is there any objection to the motion? **Seeing none, that motion is approved.**

**The second motion was to move to consider the Coral HAPC expansion recommendations by the Coral AP and the Habitat AP and to consider Habitat AP recommendation for a designated HAPC for speckled hind and Warsaw grouper for scoping. It is Measures 1 and 2, and on behalf of the committee, I so move.** Is there a discussion on the motion?

MR. CURRIN: I guess I have a question as to whether this is adequate for the action that the council is going to need to consider in the near future as far as identifying spawning sites and protecting spawning sites for speckled hind and Warsaw. I just want to avoid having two separate efforts that are kind of getting at the same thing but not getting to the whole problem.

I think this is something important that we need to start very soon and work to identify these areas that will provide some protection to some of these fish and reduce bycatch. I guess the main question I have is, is HAPC designation going to be a sufficient measure for protecting spawning sites for speckled hind and Warsaw?

MR. WAUGH: These are the recommendations that are coming from the Coral AP. We have other direction from you to look at various management measures to protect speckled hind and Warsaw. The intent would be we would have a suggested range of management measures that would be included in the scoping document. Closed areas, closed seasons, that will be in there.

DR. CRABTREE: Well, just to get to Mac's point, if your concern is you want to move quickly to come up with some protective measures for speckled hind and Warsaw grouper, then I would recommend to you that remove it from this amendment and deal with it as a framework amendment through the snapper grouper committee. We will get it done much more quickly that way than trying to deal with it through CE-BA 3.

MR. HARRIS: What is the pleasure of the council?

MR. CURRIN: Well, I think there is a sense of urgency here; and if that is the advice that doing it through framework as a snapper grouper amendment will get it done more quickly, get it started and hopefully ended more quickly, then that makes a lot of sense to me.

MR. WAUGH: Yes, we have had some discussion about this in the past and realistically the alternatives that are going to give you protection based on the analyses that have been done and are included with Regulatory Amendment 11 are going to be area closures across the mid-shelf.

Now if you feel comfortable dealing with that through a framework where you take public comment at one or two council meetings, then we can go via a framework. That is going to be complex and controversial, and that is why we are talking about including it in this amendment. Certainly, the Snapper Grouper Committee would be the one working on it and our timing outline for CE-BA 3 is to have that completed by September or December at the latest.

DR. CRABTREE: Well, I am fairly certain it will be quicker. I don't think the fact that you do it through a framework precludes you from having however many hearings or taking however much public comment you want to. I think by separating that out and focusing on it and dealing with it in a focused amendment, it will happen quickly.

But the key to it, Mac, is going to be come in at the next council meeting in Snapper Grouper Committee and really make some progress on alternatives, what we are going to look at and what we are going to do. We do have a lot of analysis that was completed for Regulatory Amendment

11 that gives us a basis to start for, but we are going to have to see what additional analyses and what other things do we want to have done before we make a decision.

MR. PHILLIPS: Do we have an idea on how long it is going to take us to identify these areas and get these areas from the public and research people? Do we have any idea how long that is going to take?

MR. WAUGH: Well, we have the analysis that has been done and included in Regulatory Amendment 11. If your interest is to move quickly, that can come before you at the March meeting and we can have these areas and you can select some alternatives for areas that you want to close either seasonally or permanently, using the analyses that are already contained in Regulatory Amendment 11.

MR. CURRIN: Yes, and I think that is maybe a good start, but I think our efforts are going to have to be a little more extensive than that. I think we are going to have to involve fishermen in various regions. I guess the most analogous thing I can think of – and I am not talking about the same scale or scope of this – is that mega MPA meeting that we had many, many years ago that I was involved in where we got fishermen from all the different regions together.

I don't envision one huge meeting like that, but a series of meetings up and down the coast that would involve fishermen who had knowledge of some areas that might be important, scientists who have been involved in research in those areas. I am not so sure that just taking the information that we have from Regulatory Amendment 11 and our past history is going to be as extensive as we need to be to identify areas that we need to consider protecting in some way.

MR. HARRIS: Mac, I agree with that but I thought that effort was underway. Aren't we in the process of meeting with the fishermen right now to gather that information? Am I confusing that with something else?

MR. WAUGH: We aren't as a council. We had planned on doing that through the scoping process and being a part of that and then meeting with our AP.

MR. CUPKA: You may be thinking of the project that we wrote a letter suggesting that they approve where a group was going to try and get information from the fishermen on spawning sites for speckled hand and Warsaw.

DR. DUVAL: Mac I definitely appreciate your concerns and I completely agree that we need to have those kinds of significant meetings that involve the fishermen and scientists to make sure that we are getting the best information available to provide additional protection. I guess I am just wondering in terms of time how much more quickly would we move through a framework, given the need for all those outreach meetings versus – I think we had a little bit of this discussion at the September meeting with regard to CE-BA 3 and how it might be better to take those through scoping to try to get some of that information. I'll just throw that out there.

MR. CURRIN: Although I hate to think about it, it may be a two-pronged approach. Let's get some protections in place as quickly as we can, perhaps using analysis that we have on hand to



accomplish that, but then take a little longer-term, broader perspective with involving more of the public. scientists and fishermen. I don't know, I would really rather get it done in one fell swoop, but that may not meet our timing that we would like to have.

MR. CUPKA: Yes, in regards to that project, that was a cooperative research project that I think was submitted to the Southeast Fisheries Science Center. I don't know if it was approved or what the time schedule is. I don't know if Theo can shed any light on the cooperative research projects. Have any decisions been made on what would be funded? I think that is run through Bonnie's shop.

DR. BRAINARD: David, I am not aware of that but I can check.

DR. CRABTREE: One new piece of information we will have, Michelle, is the North Carolina exempted fishing permit. I wonder if when we meet again, could you give us a presentation on what you have observed, what has been caught?

DR. DUVAL: That is our intent is to put together a report that would be available for the council. I can tell you that we have seen no speckled hind or Warsaw grouper from any of the observer reports and that is in the fishery.

DR. CRABTREE: Yes, if we could maybe at the next meeting see a report on how many trips you have observed and everything that was caught. That certainly is relevant to the discussion, because it sure indicates areas we don't need to protect.

MR. CUPKA: Also, if the Southeast Fisheries Science Center can let us know at the next meeting maybe what the status of that proposal is, that would be useful also.

MR. HARRIS: There is a motion on the table; we are in the discussion phase. Is there a desire to either vote this motion down, offer a substitute motion to move these items to framework action under the Snapper Grouper Committee? What is your desire?

DR. CRABTREE: Which of these three motions is on the table right now that we are –

MR. HARRIS: It is the Coral HAPC; it is the top motion.

DR. CRABTREE: Okay, I don't have a problem with that and so we could vote that up, but I would be prepared to make a motion that we move the action to provide additional protections for Warsaw and speckled hind to a regulatory amendment, but it seems like that would need to be a separate motion following this one.

MR. HARRIS: Okay, I will do that. Is there any further discussion on this motion? Is there any objection to this motion? **Seeing none, this motion is approved.** Roy, do you want to make a motion?

**DR. CRABTREE:** Yes, I move that we separate out the action to provide additional protections for Warsaw grouper and speckled hind into a regulatory amendment to be addressed by the Snapper Grouper Committee.

MR. HARRIS: There is a motion on the table; is there a second to the motion? Second by Mac. Is there a discussion on the motion?

MR. HARTIG: Roy, I understand the extra pressure is on you to try and get this in a more quick fashion, but I think it would be more and better served for us to go out and leave it in CE-BA 3 and go through the entire public hearing process and conduct that meeting that we are going to have with fishermen.

If we do it by webinar, we can do it quickly by webinar from the people in the area. I don't see the time horizon being that critical. The SSC gave us their recommendation for ABC was based on landed catch and not on bycatch. I do consider this a priority and we should do it through CE-BA 3, but I don't see the necessary time horizon.

MR. CUPKA: Also, I think this whole thing is included in our activities planning; and so we if we are going to do something different, we are going to need to give staff some direction in terms of when we need to get this done. I kind of agree with Ben, I don't see the need to do that. I am concerned about what it is going to do to the activities schedule and what the staff has already got planned. I don't know if Bob or anyone wants to address that but I do have some concern.

MR. MAHOOD: I don't think the timing is going to be that much different; and if we do a regulatory amendment, I think that is just something else that the two staffs have to be working on. I can't say anything about timing because the timing requirements seem to have gone out the window here lately relative to actions that need to be taken.

I just believe if we do the ground work necessary to do this right, then we know how to do this now with the designations we have had and the success with those closed area designations. It takes time and you are going to have to sit down with a lot of people and work this out. If you just rush into it, you are not going to be sure whether you are doing the job to protect the species or not.

It just seems like we ought to follow the normal amendment procedure and work with the necessary folks and wait for these studies like North Carolina. The other study that David talked about, I don't know when the funding cycle ends for the cooperative research projects or whether that has been funded or not, but from a staff view it just seems more appropriate to do it through CE-BA 3.

DR. DUVAL: I was just going to echo what Bob said, and I definitely appreciate the concern, Mac, to get something done quickly. I am also very concerned about the fact that something was done quickly previously and having all the information necessary to make the best decision, and I tend to agree with Bob, but I am not really sure. It doesn't seem like the timelines are going to be vastly different.

MR. MAHOOD: I assume you are talking about the 240 line?

DR. DUVAL: Yes.

MR. MAHOOD: That was rushed and everybody saw the outcome of that.

DR. CRABTREE: Just one comment; part of the reason I think that happened was because it was lumped into Amendment 17B, which was a huge amendment with all kinds of different things in it, and at the same time we had 17A and red snapper all going on. That is part of the reason I think splitting these things out is a better way to go, because it allows you to really focus more on what you are doing rather than having something get buried in these huge amendments with so many other things.

MR. MAHOOD: This is not a new discussion for us here at this council. We tend to have the lumpers and the splitters as you have in any meeting. We know Roy is a splitter. Some of the rest of us are lumpers.

MR. HARRIS: Is there any further discussion on this motion? **All in favor of the motion raise your hand; al opposed same sign. Okay, that motion fails.**

**Motion 3 was to include the Measure 2 in CE-BA 3 in the public scoping document, and that was the prohibition of powerheading in North Carolina. Now that is already in the document but there was a motion made to include it in there. On behalf of the committee, I so move. Discussion on that motion? Is there objection to that motion? Seeing none, that motion is approved.**

Motion Number 4 was to change the wording in Measure 5, which was that Snapper Grouper Ledge that the Florida Keys National Marine Sanctuary requested the council look at and designate as some kind of area that we don't have the authority to designate. **The motion was to change the wording in Measure 5 to an MPA and take that out to scoping. On behalf of the Committee, I so move. Is there discussion on that motion? Is there objection to that motion? Seeing none that motion is approved.**

We failed to do one thing at the end of our meeting and that was to approve CE-BA 3 for public scoping. At this time I would entertain a motion to – yes, Michelle.

DR. DUVAL: Just one more thing, Mr. Chairman. Gregg had mentioned the possibility of including for scoping in here looking at a potential tagging program for recreational harvest of the deepwater grouper species. Gregg, I don't know if you want to say a few words about the appropriateness of including that in this amendment.

MR. WAUGH: Yes, I think this surfaced during snapper grouper. There was an issue of tags for golden tile, snowy grouper and the idea of using them for some of these species that have very low recreational allocations explore the use of tags. Also, there were several recommendations that came from the Snapper Grouper AP.

I am not sure whether those were handled in the Snapper Grouper Committee and had come forward as recommendations from them or we just want to add those here now. It would be the use of tags for tracking the recreational quotas and then those additional recommendations from the Snapper Grouper AP.

MR. HARRIS: Does someone want to include that for scoping in CE-BA 3, the inclusion of the tags?

DR. DUVAL: Also, I think Jessica had made the motion to include the additional items from the Snapper Grouper AP report, the first two. I move that we include consideration of a tagging program for deepwater grouper species as well as the two recommendations from the Snapper Grouper AP regarding – was it a size limit on amberjack?

MS. McCAWLEY: It was a minimum size for hogfish and it was a size limit and bag limit change for gray triggerfish.

MR. HARRIS: You can go ahead and finish your motion, Michelle, and add those to it if you want to, and then I will get Jessica to second it. Do you want to go ahead and read that?

**DR. DUVAL: Thank you, Mr. Chairman. The motion is to include consideration of a recreational tagging program for deepwater grouper species as well as the recommendations from the Snapper Grouper Advisory Panel regarding a minimum size limit for hogfish and a bag and size limit change to gray triggerfish.** I will just clarify that the tagging program is not a tagging program for migratory purposes. This would be a harvest tagging program.

MR. HARRIS: Should we refer to that as a recreational tag program then?

DR. DUVAL: I would be happy to make that change, a recreational tag program.

MR. HARRIS: Okay, is there a second to the motion? Jessica seconds the motion. Discussion on the motion?

DR. CRABTREE: Are we just as a council deciding that we are not going to use our frameworks anymore? We have gone to all this trouble to set up a framework so we can move quickly on things.

MR. HARRIS: That is not a question for this committee.

DR. CRABTREE: We are in a committee of the whole, aren't we?

MR. HARRIS: No, we are in a committee report right now.

DR. CRABTREE: We are in full council, so I am asking a question of the council. I mean, if we are not even going to do bag limit and size limit changes through a framework, then I don't understand where we are going with it.

MR. HARRIS: Well, there was a motion yesterday to move this into CE-BA 3 because it would move quickly through the process, and I don't think there was any discussion that was inappropriate. If you don't like that, Roy, tell us.

DR. CRABTREE: Well, it is clear this amendment is not going to move quickly. We are talking about a tagging program for deepwater grouper. That is going to take a huge amount of work to develop. I guess I have made my piece with it.

MR. HARRIS: Further discussion on the motion? Is there objection to this motion? **Seeing none, that motion is approved.** Then as I started to say before I was interrupted we failed to have a motion to approve CE-BA 3 for public scoping so the chair would entertain that at this time. Is there a motion? **David, a motion to approve CE-BA 3 for public scoping. Is there a second? Jessica seconded it. Discussion on the motion? Is there objection to the motion? Seeing none, that motion is approved,** Mr. Chairman that completes my report.

MR. CUPKA: Thank you, Duane. There was an issue yesterday that Wilson brought to my attention and I told him I thought the Ecosystem-Based Committee Report would be an appropriate place to bring it up. Did you still want to bring that up, Wilson?

DR. LANEY: Sure, Mr. Chairman, I will very quickly. Duane, I would have brought it up during the committee meeting but it wasn't right for discussion at that point. There is a public notice out from the Wilmington District Corps of Engineers regarding the removal of Milburnie Dam on the Neuse River, which is now the Gateway Dam on the Neuse, which is actually right outside of Raleigh here.

Many of the agencies, Fish and Wildlife Service and NMFS and also the North Carolina Division of Marine Fisheries, have already weighed in with letters of endorsement for that project. I was wondering whether the council might want to do so. Roger has already taken the liberty of drafting a two-paragraph letter endorsing the project.

In the interest of full disclosure though, we need to tell you that the project is being proposed by Restoration Systems, which is a firm that creates mitigation banks. The project is going to remove a barrier which will restore 15 miles of important spawning habitat for anadromous species, and also nursery habitat for American eel, and remove a barrier for all movement by all the resident species as well.

However, six miles of that is going to be used to establish some sort of a bank for mitigation credits. All the details on that are not yet worked out. Those mitigation credits would be used for other projects that presumably would occur within the Neuse Watershed. I just toss it out there. If the council wants to send a letter, if you all empower staff to do so, I would be happy to work with Roger to draft something.

NMFS Habitat Conservation has advised me they will be sending a letter out today endorsing the project. Fish and Wildlife Service has done so; we sent ours out yesterday. North Carolina DMF has also endorsed it. I just throw that out there for your consideration. If you have questions, I will be happy to answer them.

MS. SMIT-BRUNELLO: Wilson, this sounds very interesting. I am wondering how the council – how is the council's resources that they manage impacted so that they would have any connection with writing this kind of letter to this project?

DR. LANEY: The council's resources, Monica, would benefit. The council, if you recall, adopted a policy statement in the past regarding protection of essential fish habitats that were associated with alterations of riverine, estuarine and nearshore flows to address hydrological alterations which have or could modify the normal hydrograph of these systems.

By taking this dam out of the river, basically that is addressing the council's policy that the council is going to support those sorts of activities that would restore riverine systems back to a more complete functionality, so in this case those anadromous resources for which the council is responsible under the Magnuson Act when they are in the ocean are going to benefit by having 15 miles of spawning habitat restored.

For striped bass, migratory striped bass and for American Shad, alewife, blueback herring, hickory shad, and American eel which is a diadromous species, which is also under council jurisdiction when it is in the ocean, all those would benefit. I think it is justifiable. The only part about which Roger and I were uncertain was the mitigation banking aspect of it.

Now my understanding – and again all those details were not yet worked out in the materials provided by the Corps of Engineers on this project, but there is an Inter-agency Resource Team that is responsible for looking at how the bank is set up, how the credits are used and so forth and so on. The Fish and Wildlife Service is on that team and I believe that the National Marine Fishery Service is also on that team.

If there were any concerns with regard to how those mitigation credits were going to be used in the future perhaps to try and offset the impacts of a project to which the council and/or agencies might be opposed, for example, I am comfortable letting the inter-agency review team work out those issues in the future. I think the council is on very solid ground in endorsing the removal of the dam itself and the benefits that has with the river and council resources.

MR. CUPKA: I agree with you, Wilson; the Magnuson Act clearly gives us that ability to comment on anadromous projects. I think the way to move this ahead maybe would be to offer a motion and see if it goes anywhere.

DR. LANEY: Mr. Chairman, I can't offer a motion at Full Council because I am a non-voting member; somebody else can. The other offer I will make is Roger has already provided me with the draft electronically, so I can send it around to the entire council if you all would be more comfortable looking at it before you vote on it, we can do that, too.

**MR. CURRIN: I would move that council write a letter in support of removing Milburnie Dam, and allow the staff license.** Wilson, I am sure will be happy to work with Roger to do that. If they will send that letter around for our review quickly, that would be great.

MR. CUPKA: Okay, I have a motion by Mac and a second by –

MR. JOLLEY: Second, Mr. Chairman, I would be glad to support that.

MR. CURRIN: At Bob's request I will just inform the council that this is not some major huge dam. It is probably 15 feet tall and maybe 100 yards across, but it is a significant barrier in the Neuse River to the utilization of those upstream areas by anadromous species. I just wanted to make sure we weren't – it is not a huge hydro thing. We are not going to drain a 900 acre lake.

MR. LANEY: Wilson, can you give some assistance here in terms of the motion?

MS. BROUWER: What is the name of the dam, Wilson?

MR. CURRIN: Milburnie dam – just say removal, that works. I will say that Mac and I are – Mac is making this motion and I am endorsing it as a personal sacrifice, too, because it is one of our favorite fishing spots. Once Milburnie is removed, we will now have to go to Falls Dam to fish for American shad in the spring of the year.

MR. CUPKA: All right, you have the motion before you. Is there any additional discussion on the motion? Is there any objection to the motion? **Seeing none, then that motion is approved.** If you can send that around, Wilson, just for us to review, we would appreciate it. All right, I think that concludes the Ecosystem-Based Management Committee.

The next report is the Golden Crab Committee. The Golden Crab Committee met on December 7 in Raleigh. The committee reviewed Draft Amendment 6 and recommendations from the SSC, the AP, the IPT and council staff. Howard Rau of the Golden Crab AP and Brad Whipple also participated in the discussion.

Council staff presented each action in the amendment and the committee discussed and made some changes to the amendment, which are indicated in the motions I will bring forward in a minute. Additionally, staff was directed to change the language in some actions and alternatives for clarification of intent.

For a new entrants' program, Action 12, the AP will meet prior to the March 2012 council meeting to develop alternatives for bringing new entrants into the fishery. The AP suggestions will be reviewed by the IPT and presented to the council at our March 2012 meeting. The committee passed a number of motions.

**First is in regard to Action 1, is to amend the language of Preferred Alternative 4 to “a valid commercial golden crab permit as of the effective date of the final rule.” And on behalf of the committee, I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, then that motion is approved.**

**The next motion in regard to Action 2 is to select Subalternative 5B as preferred and select the IPT recommended language changes. On behalf of the committee, I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved.**

**Next motion is in regard to Action 3; add Subalternative 2D to set aside 2 percent of golden crab shares for appeals. On behalf of the committee, I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved.**

**The next is in regard to Action 5; to select Alternative 5 as the preferred. On behalf of the committee, I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved. The next motions are several motions in regard to Action 9.**

**The first one is to make Alternative 3 part of a separate action with two alternatives, and that would be no action in what is currently in Alternative 3. On behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved.**

**The next motion is to put “old” Alternative 2 for fishermen to fish in any zone for which they possess a permit as a separate Alternative 3 under the revised alternatives for Action 9. On behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection? Seeing none that motion is approved.**

**The next motion is to select Alternative 3 under Action 9 as the preferred alternative. On behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved.**

**The next motion is to add Alternative 3 to Action 10 to allow an unlimited number of golden crab permits on a single vessel so that any zones for which the vessel has a permit can be fished in one trip. On behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, that motion is approved.**

**Motion 9 is to add a Subalternative 2C for the purchase of VMS equipment will be reimbursed by the National Office of Law Enforcement VMS Reimbursement Account if funding is available. Installation, maintenance and communication costs will be paid for or arranged by the shareholder. On behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, then that motion is approved.**

**The last motion is to recommend to the council to send the document out to public hearings. On behalf of the committee I would so move. Is there any discussion on the motion? Is there any objection? Seeing none, then that motion is approved. That completes a report of the Golden Crab Committee.**

The next committee report is the SEDAR Committee. The SEDAR Committee met December 6 in Raleigh. The committee discussed the following items; one, SEDAR activities update. The committee was updated on progress on SEDAR 25, South Atlantic black sea bass and tilefish; and SEDAR 28, cobia and Spanish mackerel.



Two, the SEDAR Steering Committee report; John Carmichael gave an overview of the October 2011 Steering Committee Meeting. Dr. Theo Brainerd of the Southeast Fisheries Science Center gave a presentation on the SEFIS Data Collection Program. The Southeast Fisheries Science Center indicated a South Atlantic red snapper benchmark could be conducted in 2013.

The committee recommended that a red snapper benchmark be added as the top priority for the 2013 stock assessments. Other stocks requested for 2013 follow as currently listed. Care was advised in drafting terms of reference for red snapper to ensure a stock evaluation is provided even if a full benchmark should not succeed.

The committee supported the SSC request for an evaluation of black sea bass in 2013 to provide guidance for ABC recommendations in 2014 and beyond. This could consist of an assessment update or revised projections reflecting actual landings during 2011 and 2012.

**The committee recommended that Bill Parker be appointed to the SEDAR 28 Data and Assessment Workshops. On behalf of the committee I would move that Bill Parker be added to the list of participants for the SEDAR 28 Data and Assessment Workshops. Is there any discussion on the motion? Is there any objection? Seeing none, then that motion is approved.** That concludes the report of the SEDAR Committee.

Next is a report of the Executive Finance Committee. The Executive Finance Committee met in joint session the morning of December 6, 2011, in Raleigh. The minutes from the September 2011 Executive Finance Committee were approved. The committee received presentations on the following agenda items.

Number one, status report on the Calendar Year 2011 council expenditures and activities: Mr. Mahood briefed the committee on the status of the Calendar Year 2011 expenditures. He indicated that we are in good shape and that the expenditures for the year are lower than would be expected.

This is primarily due to implementing a number of cost-saving policies and reduced spending to address the uncertainty of funding levels in the future. He also reminded the council we are in the second year of our five-year funding grant and that the unexpended funds from year one and year two can be carried forward.

He indicated the council will have funds to carry forward in the Calendar Year 2012. Next Bob reviewed the development of the Calendar Year 2012 council budget and activities schedule. He noted that a congressional budget conference committee had produced an FY-2012 budget. In that budget the council line item was level funded, which is good news. However, the NMFS budget was reduced approximately 5.6 percent overall.

This could have impacts on the council's funding as we receive approximately 44 percent of our funding from other NMFS budget line items. We expect to get some indication of our funding level for Calendar Year 2012 during a Council Coordination Committee conference call scheduled for later this month or at the CCC meeting scheduled in January of next year.

Since the council has not received its funding level for next year and since the activity schedules are based on the budget, staff has not yet developed the 2012 activity schedule. The council will address approving the Calendar Year 2012 budget and activity schedule at our March 2012 meeting. There were no motions from that committee meeting and that concludes the report of the Executive Finance Committee, which brings us down to Advisory Panel Selection Committee. Doug, are you ready to give that report?

MR. HAYMANS: I am, Mr. Chairman, thank you. The Advisory Panel Selection Committee met December 6, 2011, and reviewed applications for seats in the following APs; Coral, Dolphin and Wahoo, Habitat and Environmental Protection, King and Spanish Mackerel, Snapper Grouper, Deepwater Shrimp and Shrimp. The committee also reviewed applicants for the SEDAR pool. The committee approved the following motions as recommendations to the council.

**Motion 1; reappoint John Reed to the Coral AP. On behalf of the committee I so move. Any discussion? Any opposition? That motion passes.**

**Motion 2 is to reappoint the following members to the Dolphin and Wahoo AP: Richard DeLizza, David Harter, Dewey Hemilright, Harris Huddle, Fred Kinard, Wally Phinney, John Tortorici, George Patterson, Tim Nettles, Ray Rosher, and Joseph Shute. On behalf of the committee I so move. Discussion? Any opposition? Seeing none, that motion carries.**

**Motion 3 was to reappoint the following members to the Habitat AP: Mark Carter, James Harvey, Susan Hilfer, Jenkins Mikell, and Michael Street. On behalf of the committee I so move. Is there any discussion? Is there any opposition? The motion carries.**

**Motion 4 is to appoint Thomas Jones to the Georgia recreational seat on the Habitat AP. On behalf of the committee I so move. Any discussion? Opposition? Seeing none, that motion carries.**

**Motion 5 is to appoint Bill Parker to the South Carolina charter seat of the Habitat AP. On behalf of the committee I so move. Any discussion? Opposition? Seeing none that motion passes.**

**Motion 6 is to appoint Bill Kelly to the commercial Florida seat of the Habitat AP. On behalf of the committee I so move. Is there any discussion or opposition? Approved by council.**

**Motion 7 is to reappoint the following members to the King and Spanish Mackerel AP: Tim Adams, Dick Brame, Jodie Gay, and Ronnie Houck, Jr. On behalf of the committee I so move. Is there any discussion? Any opposition? Seeing none, the motion passes.**

**Motion 8 is to appoint Richard Diaz to the King and Spanish Mackerel AP. On behalf of the committee I so move. Is there any discussion? Opposition? Seeing none, the motion passes.**

**Motion 9 is to appoint Steven Swan to the King and Spanish Mackerel AP. On behalf of the committee I so move. Any discussion? Any opposition? Seeing none, the motion carries.**

**Motion 10 was to reappoint Fred Dockery and Richard Vendetti to the Shrimp AP. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion carries.**

**Motion 11 was to appoint Megan Westmeyer to the Snapper Grouper AP. On behalf of the committee I so move. Is there any discussion? Opposition? Seeing none, the motion carries.** Motion 12 was to appoint Bill Parker to the SEDAR pool. Seeing as how the SEDAR Committee just did that, I think we can skip that one if that is okay.

**Motion 13 is to appoint Craig Andrews to the SEDAR Pool. On behalf of the committee I so move. Is there any discussion? Opposition? Seeing none, that motion carries.**

**Motion 14 is to appoint David Nelson to the SEDAR Pool. On behalf of the committee I so move. Is there any discussion or opposition? Seeing none, that motion carries.** The committee also made a number of recommendations; mostly to re-advertise seats that were open. Then finally there were two additional motions that we need to bring.

First of all, in our zeal to get started with the AP, somehow we overlooked a motion to accept a Georgia recreational appointee to the Dolphin Wahoo Committee. That would be Dr. Kyle Christianson. We discussed it but never captured the motion. **I would entertain a motion to appoint Dr. Kyle Christianson to the Dolphin Wahoo AP.**

**MR. BOYLES: So moved Mr. Chairman.**

**MR. HAYMANS: Thank you; second by Duane. Is there any discussion on that motion? Any opposition? Seeing none, that motion carries.** Then finally there was a discussion about Ms. Libby Fetherston and her ability to continue to serve on the Snapper Grouper AP. It was requested that Kim Iverson contact her to during the meeting to find out whether or not she was going to continue in her seat, and she politely declined and offered her resignation.

We have the opportunity then to appoint and Gretchen Martin, is that right, to appoint her to that open seat then because Gretchen had filed an application and that seat had been advertised. I would also entertain a motion to appoint Gretchen Martin to the open AP seat on Snapper Grouper.

**DR. DUVAL: I so move to appoint Dr. Gretchen Bath-Martin to the Snapper Grouper AP.**

**MR. HAYMANS: Motion by Dr. Michelle Duval; second by Duane? Is there any further discussion, any opposition to that motion? Seeing none, that motion passes.** Mr. Chairman, that concludes the AP Selection Committee Report.

**MR. CUPKA: Thank you, Doug. That brings us down to the I & E Committee, Mr. Boyles.**

MR. BOYLES: Thank you, Mr. Chairman. The Information and Education Committee met on December 6 here in Raleigh. The committee received an update on the status of current outreach efforts, including the upgrade of the council's website, dissemination of regulations brochures and summary sheets, and the use of constant contact for e-mail distribution.

The committee made the following recommendations; one, support the development of the South Atlantic Fishing Regulation Application, or an App. for Smartphone use to aid in the distribution of regulations. Options should be considered for printing copies of the regulations brochures, including a loose-leaf format to allow for updates to be incorporated readily.

Finally, catch and release information should be incorporated into the regulation information. In addition, the committee received an overview of improving the readability of documents report, produced in partnership with NOAA Fisheries Southeast Regional Office and the three regional fishery management councils.

Committee members supported the recommendations from the report that are currently being implemented into the development of amendments, including the amendment summary and reports on the SSC and Advisory Panels. Work should continue on the readability of all documents.

The committee supports the Information & Education AP recommendations regarding the use of a technical/extension editor for documents, but we deferred on making specific recommendations at this time. The committee received an update on the status of collaborative efforts to develop outreach materials specific to the SMZs beginning with the pilot program off the coast of St. Lucie County, Florida.

The committee reviewed the recommendations from the Law Enforcement AP and the Information & Education AP and recommended outreach efforts target federal commercial permit holders because of the number of regulations specific to the commercial sector regarding these SMZs.

The committee received an overview on the development of an outreach strategic plan for the South Atlantic Council and recommendations from the I&E Advisory Panel. In addition the committee received an update on the recent Information & Education AP and social media workshop and discussed the use of social media as an outreach tool.

Members expressed some caution and recommended staff from the Gulf of Mexico Fishery Management Council and the Florida Fish and Wildlife Commission be invited to address their agencies use of social media for a presentation at the March 2011 I&E Committee meeting. The committee will also review recommendations from the Snapper Grouper AP as they apply to outreach during the March 2011 meeting.

**Mr. Chairman, the committee made the following motion and that motion reads the committee recommends to the council that the recommendations from the readability report serve as a guideline and begin implementation by January 2, 2012. On behalf of the committee I so move. Is there any discussion on that motion?**

MR. CURRIN: Yes, Robert, thank you very much and we had a lot of discussion about this at the committee meeting. I believe I made this motion to have that readability report serve as guideline and begin implementation January 12. After thinking about this some – and I am comfortable with that aspect of it, but I think there should be a date certain in the future where we have full implementation of that.

Otherwise, I fear that people's kind of old habits are going to continue to drag on and we are going to continue to have some of the problems that we have now with people submitting different formats for various documents. It causes a lot of delay and problems in time. I guess before I make my motion for a date certain for implementation of the readability report or the information in the readability report, that we have a little bit of discussion about what is reasonable as far as a deadline for a goal for full implementation. I don't know whether one year is appropriate or two years is appropriate to allow the staffs to work on that, and, Phil, I would certainly like your response.

MR. STEELE: Thank you, Mr. Chairman. My goal here is to get all three of our councils' documents to follow similar formats. Now that is my goal. I can say that the Gulf Council is certainly working in that direction and hopefully the Caribbean Council will be working in that direction also. This takes time. I think the South Atlantic Council is well on its way.

I can promise you that you won't see any documents that don't follow this format for the most part, but I think you need to let the IPTs do their jobs. They are all different. All the amendments are different. It is kind of like a racehorse. You have got to let them have their lead a little bit; and to come in and mandate these protocols right now I think is a little premature. I would ask the council to let me continue to work in this direction and, say, by the middle of 2012 to give you an update of where we stand as far as getting the other councils going in the same direction. Thank you, Mr. Chairman.

DR. DUVAL: I was just going to say I fully support doing something like this. We in North Carolina at our agency we actually have a set of FMP guidelines that tell you what font you are going to use, it tells you exactly how many spaces between your headings. It tells you what sections of the FMP certain pieces of information belong in.

I think it has definitely streamlined the development of fishery management plans for our staff knowing that the ecosystem information goes in this section; your fishery information goes in this section, et cetera. I would support implementation of this as soon as folks think it is possible and practical.

MR. CURRIN: Phil, thank you for that and I appreciate your concerns and I think I understand them fully. My concern is not so much to mandate that the Caribbean Council toes the line right away. We are making progress in the South Atlantic and you indicated that the Gulf is also making progress. I think it is imperative that the Gulf and the South Atlantic, because of the number of joint plans that we have, are on the same page very, very quickly.

I know you have that goal as well. I would ask what is a reasonable – I am willing to wait before I put a deadline on it, but I really would prefer to put a deadline on it now so that we have got a

date certain that we are shooting for to have this thing implemented. Is there a date in the future, one year or two year, that you would feel comfortable with or not?

MR. STEELE: Well, once again I'll say the IPTs are what developed this plan. This doesn't come from some outside source. The IPTs took it on themselves to say this is a better way of doing things so this is a road we are going down. Like I say, the South Atlantic Council documents, this is where we are at now.

I don't think we could go back if we wanted to; we don't. I just need some time to get the other councils, especially with the joint amendments, getting on the same thing. I would like to have some time to at least get a joint amendment through this year with the Gulf and the South Atlantic to make sure that everybody is on board, and then I think we will be okay.

I would ask that you give me until we get the first joint amendment through and see how that goes. I don't think we really need a date, because this is going to happen. If you want to put one on there, fine, but again I would ask that you just give me some time to work with this and not force this on these folks and let them do it and bring you the documents that the council needs.

MR. CURRIN: Phil, it is not the format of our documents that concern me at all, and I don't think it concerns anybody involved with them. It is the way the information sometimes comes in from some people, I guess, I have no idea who, that is not in a consistent format. Somebody has got to take that and reconvert it in order to put it in our documents that everybody loves.

For whatever reason, this is a persistent problem. I don't know whether it is persistent with the same people or whatever, but I have talked to our staff enough to realize that there are persistent problems with this, and I don't quite understand why we can't establish these guidelines or requirements that documents as Michelle indicated we do in North Carolina now. It was not an easy effort.

I was a part of that, but it requires that these sections, these aspects of documents are submitted in a certain format so that somebody else that receives those doesn't have to spend time reconverting them. I am willing to wait, I guess. I am not hearing much support from anybody else around it, but I certainly would urge you to very quickly let's see if we can get the IPTs on the same page so that everybody is working on aspects of these documents that are in a similar format; tables don't have to be reconverted; figures aren't produced in one version that has to be redone by somebody else to fit the format of the documents. It is a problem and I think we can save IPT time and involvement by addressing some of those issues right now.

MR. BOYLES: Mac, I think one thing I am hopeful is we will be able to reconvene I&E in March as well and we can further discuss this as well.

MR. JOLLEY: Mr. Chairman, as you know this is a pet peeve of mine and it is an evolving process as you learn to write in more simple terms and try to keep these things clear, but there is nothing like a deadline to make people comply. I think two years would certainly give people enough time to practice a little bit more and I think it would be reasonable and it would set a for-sure deadline that I think would be helpful in getting there.

MR. WAUGH: I can assure you that anything produced by your staff will be following this starting next year, any new amendments. We have several that are in midstream, but any new ones that we begin will be following this process.

MR. HARRIS: Can't that be the guidance is that any new amendment – any of the three councils in the Southeast Region follow this format – any new amendment that is begun after this date follows that new format. Can you do that, Phil?

MR. STEELE: Well, that is my intent. Now the South Atlantic is well ahead of the game, but this is an evolving situation and I am working on the Gulf and the Gulf is coming along. The Gulf has already said they want the same thing, okay, at the last – I gave them an IPT presentation. In fact, I need to do that to the South Atlantic Council just to let you all know what the IPT does.

Be that as it may, I gave the presentation to the Gulf and they are all on board with this, too. The next amendments that they got coming down the pike are going to try and emulate this format. We are a long ways ahead of this. Two years; we don't need two years. I can promise you that the Gulf – I know the South Atlantic is going to follow it.

With the joint amendments, I want to do my best to see that they follow it, because the Gulf wants to do it. I don't see a problem with this. During this year, 2012, I can promise you that the Gulf and the South Atlantic joint amendments will be following this format. The South Atlantic is already there. Hopefully I will have the Gulf on board at the same, because they want the same thing. They love your documents, they want to see them. I don't think this is a problem, and we will get it resolved and the documents will come to you the way that you want them.

MR. BOYLES: Further discussion? Seeing none, any opposition to the motion? **The motion carries.** Mr. Chairman, that concludes my report.

MR. CUPKA: Thank you, Robert. Checkout time is at eleven and I need to check and see if there are any council members or staff members that need to check out. If so, we'll need to take a short break. If not, we can continue on.

MR. CURRIN: I was just going to suggest that if it meets the approval of the other council members that maybe for March we request a presentation on the IPT and exactly how it works and perhaps where problems exist now, what you are working on to try to resolve those and the like. Before we passed that last motion, I was going to offer a motion to table that one until March, but that is okay. We can resurrect it and if we see the need in March, then we can do that. Thank you Mr. Chairman, no problem.

MR. CUPKA: Is there anyone that needs to checkout or can we just continue on? Checkout time is eleven. Okay, well let's take about a fifteen-minute break, but I remind you we still have a lot left to do under snapper grouper and we have a presentation by HMS.

MR. CUPKA: If everyone will take their seats, we will resume the meeting. Mac, are you and staff prepared to give Snapper Grouper Report?

MR. CURRIN: Mr. Chairman, I never know but we will begin and see. The Snapper Grouper Committee met over the last few days. We received an update from the Fisheries Science Center about an explanation of the 2011 vermilion snapper commercial overage that occurred. Theo provided us information on the behalf of the Science Center, and Mike Cahall with ACCSP was also gracious to be here and provided information from their perspective about the problems.

It seems like there were just some automation glitches that occurred in a system that is being improved and it seems that it is unlikely to occur again in the future. We certainly hope not. The ACCSP is working on obtaining direct access to the federal permit information. They already do this in the northeast region and intend to expand that to the southeast.

The system is fairly new, it went online in June of 2011, and it is complex, but ACCSP does not expect further problems in that system. The Southeast Fisheries Science Center stated that there is a considerable lag time in headboat reporting. We had some discussion of that. They anticipate that the lag time will decrease once a new electronic monitoring system is adopted.

They will provide us with an estimate of what sort of time savings or decrease in the lag will occur. The regional office provided an update on the status of the Comprehensive ACL Amendment. The notice of availability published on October 20 and the proposed rule published on December 1.

The comment period on both the amendment and the proposed rule end on December 19. The proposed rule on Regulatory Amendment 11 will publish within the next two weeks. Andy Strelcheck from the Regional Office gave us a presentation on the various programs that NMFS utilizes to monitor recreational data. He explained how the data are gathered for private, charter and headboat sectors and how the effort-and-catch components of the surveys work.

He spoke directly to the recreational overage in the black sea bass fishery and explained how the projections are done to figure out the date that the fishery needs to be closed. Andy said that the time lag in calculating the ACL overages etcetera, is tied to when the Southeast Fisheries Science Center provides the headboat information.

Bobby Cardin was here from our Snapper Grouper AP, and sat at the table with us and provided their input as we went through the various amendments and other items that were outside that as well. Carolyn Belcher provided an overview of the SSC recommendations. Then Andy also presented an analysis of whether preferred management alternatives in 18A would have an effect on lengthening the season and minimizing impacts to right whales. The analysis indicated that under the preferred alternatives the season would be extended for a moderate amount and the season would likely not be extended into the right whale season, November through migration season, right whale migration season, November through April.

The analysis also indicated that the lower trip limit, the longer the season is potentially extended, but the analysis could not account for an increase in the frequency of the trips. The bottom line



was that based on the preferred alternatives at that time extended the season through August, but did not pose a risk to the right whales through the 2013/2014 fishing season. We got into Amendment 18A, but before we began in earnest on the actual amendment had some discussions of other things.

**There was a motion made by the committee to begin work on a generic amendment that will implement dealer permits and update timing requirements. On behalf of the committee I so move. Is there discussion of that motion? Is there any objection to that motion? I see none; that motion is approved.**

DR. CRABTREE: It is clear when we say timing requirements we are talking about the allowable, enforceable timelines for when reports are due.

MR. CURRIN: That is correct. I hope that is correct or everybody understands that. That is certainly the way I interpret it. I think as well we ought to consider necessary penalties associated with the untimeliness of reports and that as well. Putting those sorts of hammers in there I think are going to be important for us.

Okay, Amendment 18A, Action 1A, to modify the rebuilding strategy and set the ABC for black sea bass. **There was a motion from the committee to track the landings of black sea bass for commercial and recreational sectors and reflect that as whole weight; do not change the numbers in Amendment 18A document but reflect in the final rule and include a table in the document that expresses the conversion factors for whole weight and gutted weight. On behalf of the committee, I so move. Is there a discussion? Is there any objection to that motion? I see none; that motion is approved.**

**Another motion from the committee to select Alternative 4 with modification as the preferred alternative. That motion failed and then was modified and reconsidered and approved by the committee. On behalf of the committee I so move. Is there discussion of that motion? Yes, Michelle.**

DR. DUVAL: Mr. Chairman, I am sorry to do this to everybody after a long week of work, but I still have a lot of discomfort and concerns about changing the rebuilding strategy like this. I was going back and reading through some pieces of the SSC Report, and just to quote, "The SSC cautions against a constant catch rebuilding strategy. Based on the information presented, the SSC recommends Subalternative 3B."

This alternative that we modified maintains that constant catch rebuilding strategy, and I have a lot of concerns about. again as I pointed out earlier, that we are really trying to account for the uncertainty associated with monitoring the landings and that we are holding the rebuilding plan hostage to that type of uncertainty. There is no guarantee that we will have any greater ability to monitor those quotas under this constant catch strategy. Since they are going to be lower, there is going to be a greater encounter rate of black sea bass.

There is going to be more discards; and even though the discard mortality rate is fairly low, I do have a lot of concern about the magnitude of the discards and how that could potentially

overwhelm it. **I would be prepared to offer a substitute motion that we go back to Preferred Subalternative 3B, which was our original preferred in this document for the rebuilding plan.**

MR. CURRIN: Substitute motion by Michelle to go back to Subalternative 3B as our preferred in this action; second by Tom Swatzel. Discussion?

MR. HAYMANS: Mr. Chairman, would that then nullify the next motion that is coming up after that, which was another preferred alternative?

MR. CURRIN: I think that second motion is in essence the motion that derived out of the previous one, Doug. It would not; and if you are talking about the motion after that to create a new Alternative 5, I don't think it would affect that, no. Further discussion?

DR. CRABTREE: Well, I would oppose the motion, obviously, and we had extensive discussion about this in committee. The problem we have is a large proportion of this fishery is in the recreational fishery. I understand the concerns about the management uncertainty regarding managing recreational quotas and ACLs, but that just exists, and it is the nature of recreational fisheries.

Even if we can shorten up the turnaround time on MRIP to one-month waves, there will still be a considerable amount of projection and uncertainty regarding those. As much as we don't like that, that is the reality we have. I think to go back to 3B simply isn't defensible in face of the realities that we have in terms of the uncertainties in managing these quotas. We spent a lot of time going through all of this in committee, and I think we arrived at the proper decision, so I would oppose this motion and I think we ought to stand by what we did as a committee.

DR. DUVAL: I would just point out that we do have payback provisions instituted through this for overages.

DR. CRABTREE: I recognize that, but that doesn't change the fact that you are putting in place a rebuilding plan with only a 50 percent probability of recovering. A payback does not get you back on track. If you have an overrun, paying it back the next year gets you closer but it doesn't put you back on track.

I think if you had an overrun, even when you paid it back, your probability to recover would be less than 50 percent, which is not something that we can defend. You have to remember we only have four years left to rebuild this stock.

We can ask John if he agrees with it, but you have to pay back more than the overrun to actually get back on track towards rebuilding with so few years left. I don't know exactly how much you would have to pay back but it would be more than just the magnitude of the overrun.

DR. DUVAL: John, can you speak to that as to whether or not the SSC had discussion about how payback of overages can be factored in to meeting our rebuilding timeline?

MR. CARMICHAEL: The SSC did discuss that point and whether or not payback fully keeps you on track. They acknowledged that perhaps it doesn't. They suggested that some studies could be done to look at to what extent paybacks put you behind. but I think that is also countered by the fact that underages put you a little ahead.

The reality is over a number of years; our assumption in the past has always been that these sorts of things kind of work themselves out. We know that recruitment is not going to be exactly as we predicted, and a lot of other things are going to change. In the purely theoretical sense if you take the projections as straight up at face value, if one year you go over and you pay back and every other year you come exactly to that, then, yes, you may not quite get there.

Purely theoretical if you held everything constant and did that I expect in a simulation scenario you would say you come a little short. Now you do that with accounting for uncertainty in recruitment and other things that are already factored into the projections, which give you the percentages in the first place, you could find out what is the percent chance that you get behind. At this point no one really knows.

MR. CURRIN: I think the key there to consider is the fact that if we select the previous preferred and have the 50 percent probability, one overage puts us clearly below that without evidence that recruitment or something else is making up for that. I think that puts us at jeopardy as well. Further discussion of the motion?

MR. PHILLIPS: I know we are supposed to be rebuilt I guess 2016, but didn't we just put in the schedule that we are going to look at this in two years? No matter what we do here, we are going to look at it in two years anyway, didn't I see that?

MR. CURRIN: Yes. Further discussion? **All in favor of the substitute motion raise your hand – I six in favor – all opposed, six; and the chair votes in opposition as well, so that motion fails.** The main motion is still on the table. Is there further discussion of the original motion? **Is there objection to the original motion? I see one in opposition; the motion is approved.**

Now I think if you will notice on your report that there were two motions on that previous page, but I think the second one was a repeat of the final motion that we just dealt with. **The next motion from the committee was to create a new Alternative 5 instead of modifying Alternative 4 and to make Alternative 5 the preferred alternative. On behalf of the committee I so move.** Is there discussion? Yes, Doug.

MR. HAYMANS: I just want to verify the first two years; is that the same two years as under 3B or under 4? Is it 718, that new Alternative 5?

MR. CURRIN: New Alternative 5 was the motion that resulted as the modification of Alternative 4.

MR. HAYMANS: Right, so that will be 718 for the first two years. You don't have it in the report. It is in the decision document, and I can see Myra shaking her head, so thank you, that's what I meant.

MR. CURRIN: Okay, is there further discussion of that motion? Is there any objection to that motion? **I see none, that motion is approved.** Under Action 2, to limit participation in the black sea bass pot fishery with an endorsement program, **there was a motion from the committee to select Subalternative 2A as the preferred and then a substitute motion to select Subalternative 2G as the preferred. That substitute motion was approved and on behalf of the committee I move that as the main motion. Is there discussion? Is there opposition to the motion? I see none; that motion is approved.**

**Under Action 4, allow transferability of black sea bass endorsements, there was a motion from the committee to select Alternative 2, Subalternative 2A as the preferred, and on behalf of the committee I so move. Is there a discussion?**

DR. CRABTREE: I think we had a lot of discussion about where the history goes, and I think wasn't that one of the issues we were going to try to resolve in full council?

MR. CURRIN: I believe you are right.

DR. CRABTREE: I think what I have gotten from my permits office that it would be most straightforward to track landings if they remained associated with the snapper grouper permit. It seems to me that is probably the best way to go with this. It avoids the most problems.

MR. HARRIS: Mr. Chairman, that would mean that the black sea bass pot endorsement would not have any landings history when it is created?

MR. CURRIN: That is correct.

MR. PHILLIPS: Roy, if somebody sells an endorsement, the history will not go with the endorsement, which is going to make is very difficult should the pot fishery ever decide to become part of an ITQ. That is going to make a mess out of that.

DR. CRABTREE: Can you explain why?

MR. PHILLIPS: Yes, if Tom sells his endorsement to Ben, Ben has got an endorsement and two years down the road and they decide to do an ITQ, but the years are going to be say a Boyles' Law or something, how are they going to separate out the history? Can they go back and separate out the history?

DR. CRABTREE: The history would just be what is associated with their snapper grouper permit. I think that is straightforward enough. Here is the problem with the landings going to the endorsement. If I get endorsed and so now we say, okay, so your landings are attached to the endorsement now, and then I sell you the endorsement. When you get it, then all of your snapper grouper permits also now become attached to that endorsement. If you then sell it to someone

else, then all of his snapper grouper landings get attached to that endorsement and that gets really squirrely to me.

MR. PHILLIPS: I know that happens with the two for one, but I don't see anybody really needing to keep buying endorsements once they get one, and the history with that endorsement should just simply go with that endorsement. I don't see anybody stacking endorsements. There is no need for that once you can go fishing.

DR. CRABTREE: In the example I listed nobody is stacking endorsements. It is just as the endorsements change hands, all of the landings that were associated with that snapper grouper permit then go with the endorsement. If it changes hands multiple times, it would end up with several snapper grouper permits worth of landings then attached to it, it seems to me.

MR. BURGESS: At this time, to my understanding the endorsement is just so that you can use pots and use that gear and that ability and that is because of its efficiency and things of that nature, so that is my understanding at this time not to consider what is going to happen down the road or something of that nature, so it seems appropriate.

MR. CURRIN: Keep in mind the AP's recommendation was – and as you heard Bobby yesterday was to keep the landings history associated with the permits as well.

DR. CRABTREE: I want to be clear; my office said they think they could track it either way. They just think it is more straightforward if the landings remain with the snapper grouper permit. I think we could do it either way. All these permit things are really complicated and you have to think hard about them.

MR. PHILIPPS: Well, I guess that leads to the question if they can do it either way, would it be possible if somebody to buy an endorsement and could they buy their history as a separate transaction?

DR. CRABTREE: I don't know how that would work.

MR. CURRIN: I think I heard Bobby in the background, and I think he is right, if it were a corporation you could.

DR. CRABTREE: But, Mac, I think the way I read this, the landings history goes with the endorsement; and if we want to have the landing history stay on the snapper grouper permit, I think we would need a new motion or a substitute motion or something. Is that your read of this motion?

MR. CURRIN: I am having a hard time figuring out exactly where I am and whether we are discussing the motion that I made on behalf of the committee. Myra you can straighten me out, but I thought I was on Action 2 with the first motion, which then was substituted. That motion ended up that I made on behalf of the committee was substitute Subalternative 2G, which was a 2,500 pound whole weight qualification.

They exclude those with no reported landings on black sea bass using black sea bass pot gear between January 1, 2008, and December 31, 2010. Is that not the motion that I just made? We voted on that and I made that one on behalf of the committee? Okay, I am behind then, sorry. Go right ahead, Roy.

DR. CRABTREE: What I am reading is it says the endorsement and associated landings history of black sea bass can be transferred regardless of whether the unlimited snapper grouper permit is transferred. Now I think the word “can” is a problem, because that doesn’t seem to indicate to me with any certainty which way. But I think if you want the landings history to go with the endorsement, we need to tweak that to make it clear that the landings history will go with the endorsement when it is transferred.

If we want the landings history to stay with the snapper grouper permit, then we need to modify that sentence to make it clear that is what is going to happen. If you want to make it optional and all that, then I think we need to not take final action and go back to another meeting because I don’t know what to do with that.

MR. CURRIN: No, I think we need to decide one way or the other how we want this to go, whether the landings history for those fish landed under the endorsement go with that endorsement or whether all of the landings history for black sea bass remains with the permit the way it is now.

MS. SMIT-BRUNELLO: Just to remind everybody, I am sure you remember, but it has been the council’s position in the past that the transfer of the permit constitutes a transfer of the vessel’s entire catch history to the new owner, so that is already on the books.

MR. CURRIN: I think that is the point Bobby made yesterday. That is kind of what fishermen are used to; that is what they assume. That doesn’t mean we can’t tie the landings as they are developed, I guess with the issue instead of an endorsement, with that endorsement. It is up to you folks. Roy said the permits office can do it either way. The cleanest way to me seems to be – I agree with Roy to attach it to the permit, but it is up to the committee.

MR. HARRIS: It really doesn’t make any difference to me; and since the AP has suggested that it go with the permit, I would be inclined to go with the AP’s recommendation on this. Even though I am kind of leaning the other way, I am just not very strong the other way. I think I would probably just go with what the AP has recommended, which is keeping it with the permit.

MR. CURRIN: Well, the one thing to me that makes it a whole lot cleaner is if you start tying landings to a new endorsement, there are prior black sea bass landings that are going to remain with that permit. Then you have got two things you have got to track. They say they can do it, but I think that is going to provide a lot of confusion with the fishermen as to if they buy a permit, or buy an endorsement separately. I am not sure they are going to know exactly what they are getting and it is going to be more difficult I think to find out. It is up to the committee though. Charlie.

MR. PHILLIPS: Well, if we come back at a separate point in time, which I think we will be, and we do like we have done with golden tile and we separate a hook-and-line sector out, you have got qualifying criteria; do we need to let the history follow the endorsement for the pots because of that or will it matter?

MR. CURRIN: Well, I don't know, Charlie, I can't answer that. Duane.

MR. HARRIS: Aren't you still going to have landings history by gear anyway, by gear and individual permit? If you have black sea bass pot landings, they are still going to be reflected. They are going to be reflected as a portion of the over all snapper grouper permit landings, I would think.

DR. CRABTREE: Yes, I think what we are talking about right now is pot landings and not hook-and-line landings.

MR. HARTIG: I thought it was going to be better to tie it to the endorsement. If you do get to a catch share program and somebody buys an endorsement a year ahead of time and then that history is still on the old snapper grouper permit, that could be a problem for the endorsement buyer. But it seems to me the best way to do it is tie it to the endorsement, if you want this thing to be transferred and to work its way through the fishery.

MR. CURRIN: That is what this motion before us does, I believe.

DR. CRABTREE: Well, we can do that; we just need to be clear about things. Would we say that when the endorsement is issued to a snapper grouper permit, then that snapper grouper permit's landing history is now associated with that endorsement. If I then buy that endorsement, I get your landings history with it.

But what if my snapper grouper permit has some lesser landings history of black sea bass on it, and I didn't qualify for the endorsement because of that, but I still got landings history and now I have my endorsement which I put on my snapper grouper permit. Now do I get credit for the endorsement landings that come over plus my snapper grouper permit landings? Then if I subsequently sell my endorsement, does only the initial qualifying snapper grouper permit landing go with it when I sell it and I keep what was on my permit? Do you see what I am saying? I think we can do it but we need to clarify some of those issues.

MR. CURRIN: Yes, it is a very good point and I think it is one Bobby made yesterday. I am not sure it sunk in until right now. But when you start dividing the landings histories up and associating them with an endorsement. it is conceivable at least that somebody could start collecting endorsements since they likely will have a value less than the permits. If something changed, then this landings history could be just massive. You could start stacking them, I believe, with endorsements by adding endorsements.

DR. CRABTREE: Yes, so I think if we want it to go with the endorsement, what I would say is the qualifying snapper grouper permit's landings are then associated with that endorsement. Any landings then that come after the issuance of the endorsements are associated with that

endorsement, but when it is transferred and then moved again, it doesn't pick up all the subsequent permits landings. But you can see that is complicated. I haven't even asked you the question I am going to about what happens if somebody goes in the two for one and buys two snapper grouper permits that both have an endorsement on it? We'll come to that in a minute.

MR. CURRIN: Monica, Bobby Cardin just whispered that he didn't believe that the alternative that attached the landings to the endorsement went out to public hearing and is that a problem?

MS. SMIT-BRUNELLO: Well, that is why I raised my hand until I got lost in the maze of Roy's transfers, and I think that I just almost gave up. I don't think that the scenario that Roy posed where once you create these endorsements and then you transfer the endorsement, you are transferring along the vessel's permit history. I don't recall that being in the document.

I think you probably have two options here; either the black sea bass landings stay with the endorsement and get transferred along or they stay with the permit regardless of the endorsement. I think those are your options. I agree with Roy on the "can" business. "Can" means you are able to, but maybe it doesn't say "shall", so it doesn't say you will.

MR. CURRIN: Yes, and my recommendation would be then if this is the alternative you want to stick with where the landings stay with the endorsement, that we include a suggestion to change that language from "can" to "shall". If you want to associate with the permit, it's probably cleanest to vote this motion down and then select the alternative that ties the landings to the permit. Any further discussion of the motion?

Does everybody understand where we are now and what we are doing? A vote in favor of this motion will tie the landings to the endorsement. If that is what you want, vote yes. If you want it tied to the permits, then we will take a separate motion to change that word up there. Is everybody clear? **All right, all in favor of the motion raise your hand, I see three in favor; all opposed, I see seven opposed. That motion fails.**

MR. JOLLEY: Mr. Chairman, I abstain. I can't make heads or tails of what you are talking about.

MR. CURRIN: Raise your hand and I'll try, but it may even get muddier if I try again.

MR. JOLLEY: I abstain.

MR. CURRIN: Let the record reflect that there was one abstention. Myra, you will have to help me out with which alternative it was under Action 4 that kept the landings with the permit. If that is the committee's desire, then we would need a motion to that effect. Yes, Charlie.

MR. PHILLIPS: Well, I still would like some clarification that if the landings don't go with the endorsement, can they be transferred at some – should some other management issue come up like an ITQ or something down the road, how are we going to handle history?



DR. CRABTREE: I think what we are looking at now is Alternative 3. That says the endorsement and associated landings history of black sea bass will be transferred only if the unlimited snapper grouper permit is transferred. If I want your landings history, I need to buy your snapper grouper permit. If you are in a corporation, I could just buy it. But if you are outside the corporation, I would have to buy another one, and there would be a two for one. Then I would get the combined landings history on those two snapper grouper permits.

MR. PHILLIPS: Well, let's say I am already in the fishery, I don't need a snapper grouper permit, I do want to pot fish, so basically I am swapping my boat over to a new permit, which is a part of a portfolio that we all have, because I don't think there is a fishery left that you can do fulltime. Then my permit with the histories that I have been collecting for years, I will have to sell that to somebody else so I think that is going to be messy.

MS. SMIT-BRUNELLO: Charlie, in that case why wouldn't you just buy a black sea bass endorsement from somebody? You have a permit.

MR. PHILLIPS: I am thinking that this is a really strong candidate. I am thinking about what happened in the Gulf with red snapper. They went to endorsements, they went through trip limits, and they ended up in catch shares because it worked for them. I think there is a highly strong possibility a few years down the road they may end up here. It is kind of like the constant catch. It looks good to start with, but I think it is going to bite us down the road. I am trying to figure out something so it is smoother down the road.

MS. SMIT-BRUNELLO: In the scenario you just posed, it is not that you were just wanting to go black sea bass fishing; it is that you wanted someone's black sea bass landings history?

MR. PHILLIPS: I mean both. I don't have an endorsement so I would want an endorsement and the history should it ever go to a catch share.

MR. BURGESS: Yes, as I had stated earlier I think this was developed to just give you the opportunity to use sea bass pots. I am uncomfortable moving forward with the endorsement having the landings with the idea of the possibility of an ITQ system. Today we are not dealing with an ITQ system.

I am not sure that management should reflect what might happen in the future or not. We are speaking also about sectors as far as hook and line and pots in the future in another amendment to try to address that. I do support that the hook-and-line sector maintain the historical participation in this fishery in one way or another. I kind of supported staying with the permit at this time and maybe deal with it at a later date.

MR. CURRIN: Is that a motion, Tom, to select Alternative 3A as our preferred? Again, the next motion, as you are likely aware, deals with some suggested language changing clarifications for this motion that we are with. I believe that is the one, is it not, that would maintain the history with the permit.

DR. CRABTREE: Yes, that one would do that. I guess another way to think of it is you could have landings history for years before the permits came into existence stays with the snapper grouper permits, but landings history from the endorsements being issued forward goes with the endorsement.

That way if you want to buy someone's recent landings history, you would get it when you buy their endorsement, but you wouldn't get the landings history before the endorsement went in play. I think, Monica, that is kind of an in-between those two, so from a NEPA perspective we would be okay?

MS. SMIT-BRUNELLO: As long as it is in the range of what was analyzed.

DR. CRABTREE: You tell me.

MS. SMIT-BRUNELLO: What does the new alternative say?

MR. CURRIN: Well, there hasn't been one yet, but it would be a hybrid of two and three, I think.

MS. SMIT-BRUNELLO: I will reserve final judgment once I look at it, but I think we will be fine because the first no action is you are not allowing any transfers, so I think we are all right.

MR. CURRIN: I think that would create a mess, personally, but that is just me and I may not know.

MR. HARTIG: Yes, the problem with these options is that you can never transfer just the endorsement. You have to transfer everything at one time.

MR. CURRIN: I don't think so.

MR. HARTIG: Okay.

DR. CRABTREE: You could buy someone's endorsement; you just wouldn't get their landings history if we approved 3A.

MR. CURRIN: All right, what is the committee's pleasure? Let's get off the block here. We just voted down the previous motion to tie the landings to the endorsements so that kind of leaves us with one option, I think, perhaps two.

**MR. BOYLES: Mr. Chairman, I make a motion that we select Alternative 3A as our preferred.**

MR. CURRIN: Motion by Robert' second by Ben. Discussion? Jessica, did you have something?

MS. McCAWLEY: Is the hybrid option that Roy just talked about, is that off the table now that we have this other motion, because the hybrid sounded pretty good that once somebody bought the endorsement the catch history from that point forward went with the endorsement. It sounds like Monica is saying that we could do that, but we have a motion on the table here.

MS. SMIT-BRUNELLO: Monica is saying that she would sure like to look at it.

MR. CURRIN: For clarity, Jessica, I think – and you may have said this and I just didn't quite understand it the way you intended, but I think what Roy was getting at was you established the endorsement. Your previous landings history stays with the permit. Whatever landings history you develop under that endorsement are tied to the endorsement. If and when you sell the endorsement, then you would get that landings history associated with the endorsement.

MS. McCAWLEY: Yes, that is exactly what I am saying.

MR. CURRIN: That is I guess a possibility. To me it seems like a nightmare, but I may not understand it. We have a motion before us to select Alternative 3A, which ties the landings to the snapper grouper permit, correct. Further discussion? Ben.

MR. HARTIG: Just that as these things come up in the future we can deal with them as we have problems. I am willing to go back to the more basic.

MR. CURRIN: Further discussion? **All in favor of the motion raise your hands, I see 10 in favor; all opposed, I see none opposed; are there abstentions, two abstentions. The motion is approved with 2 abstentions.**

DR. CRABTREE: Now I am assuming in the case where someone brand new comes into the fishery and buys two snapper grouper permits to do the two for one but both of them have an endorsement on it, we are going to tell him you can't have but one endorsement so you need to sell one of your endorsements and you can choose whichever one, but we are only going to let you keep one of those endorsements and we are not going to let you combine them somehow. Is that our intent?

MR. CURRIN: Well, I am not sure. I think it is moot, because there are no landings. If this goes through as this, there are no landings associated with the endorsement and all it is is a privilege to fish black sea bass pots. If you wanted two of them, I don't know why you would.

DR. CRABTREE: But I don't think we are going to allow two endorsements on one snapper grouper permit, which means you either have to get rid of one of your endorsements, sell it or it is just going to go away.

MR. CURRIN: I don't know. I have been surprised before and maybe you could buy one cheap and sell one high and that would be a viable scenario. I am not saying it couldn't happen. But, yes, I am fine with that; is everybody fine with that? Do we need a motion to clarify that?

DR. CRABTREE: No, I think as long as we are clear about that we are okay.

MR. CURRIN: Okay, we will make sure the staff at least gets a note.

DR. CRABTREE: I think as long as our intention is clear that no one can have more than one endorsement on a snapper grouper permit, then that clarifies that. The next question we had had to do with the renewal of these permits. Now I think the committee did not want to have the endorsements open ended so that you could renew it any time.

We were going to go with the – I think what we did was that it is automatically renewed when you renew your snapper grouper permit; is that correct? As long as you renew your snapper grouper permit, you have got your endorsement. But if you let your snapper grouper permit lapse and go away, the endorsement goes away with it, correct?

MR. CURRIN: I think we have got a motion to that effect in here. I am not positive, but there was one we tabled from yesterday and I think that is perhaps the one, but let us get there and let's see if we don't have it handled.

MR. HAYMANS: Mr. Chairman, I would just like to ask the question that if there was a motion to remove Actions 2, 3, and 4 from this amendment, is there another vehicle that can go in soon; and, two, does it affect the rest of this amendment in what we are trying to accomplish?

DR. CRABTREE: Say that again.

MR. HAYMANS: If we remove Actions 2, 3, and 4, because it seems to be giving us the most trouble right now, which is basically the pot endorsement, we keep the effort – at least the number of pots limiting the bringing back to shore – you keep all the other actions.

MR. CURRIN: To me, Doug, that is the guts of the amendment. That is why it was initiated to begin with. I would not be in favor of that. Robert, you had your hand up.

MR. BOYLES: You said what I was going to say.

DR. CRABTREE: Just to answer the question, you could do that by selecting no action on those three and then asking that those three be brought to you again at the next council meeting, and then you could make another decision. I am not commenting on the wisdom of that approach, but you could do it.

MR. CURRIN: Did you check out of your motel room already? (Laughter) All right, I think I know where I am. We just approved a new preferred or selected an Alternative 3A, which ties the landings to the snapper grouper permit. **I believe the next motion from the committee was to modify some language in the two previously discussed Alternatives 2 and 3 as follows: Under Alternative 2, a valid or expired black sea bass pot endorsement can be transferred between any two individuals or entities that hold or simultaneously obtain a valid or renewable unlimited snapper grouper permit. On behalf of the committee I so move.** Is there discussion of that motion? Myra.

MS. BROUWER: I just wanted clarification that we indeed want the word “expired” in there as opposed to “renewable”.

DR. CRABTREE: I think what we want is black sea bass endorsement can be transferred between individuals that hold a valid, meaning a non-expired snapper grouper permit. If your snapper grouper permit is expired, I don’t think we should allow you to put an endorsement on it. You ought to have to renew it and then we put on it. Now does the word “valid”, Monica, as we use it mean not expired?

MS. SMIT-BRUNELLO: It’s a good question. Andy just said I believe, right, valid means active or renewable; not expired.

DR. CRABTREE: Then I think we ought to modify this motion to say a valid, not expired snapper grouper permit.

MS. SMIT-BRUNELLO: Okay, we can figure that out.

DR. CRABTREE: I don’t know what we would call it but staff can fix that I think as long as we are clear that our intent is that the permit can’t be expired.

MR. CURRIN: I think if we follow your suggestion, which I agree, then we probably can remove after the second “valid” in the second to the last line, or renewable as well, can we not, because valid is renewable, correct?

MS. SMIT-BRUNELLO: Right, yes.

DR. CRABTREE: We want to say not expired.

MR. CURRIN: It may be cleaner or we can just modify the language and I will read it.

**DR. CRABTREE: I will make a substitute motion. Black sea bass port endorsement can be transferred between any two individuals or entities that hold or simultaneously obtain a valid, meaning not expired, unlimited snapper grouper permit. Yes, and I think we want it to say a valid black sea bass pot endorsement, meaning renew it before you transfer it.**

MR. CURRIN: Okay, second by Duane.

DR. CRABTREE: I may be misusing the word “valid”, but for this specific motion by “valid” I mean an endorsement or a permit that is not expired and is otherwise a functioning, usable permit.

**MR. CURRIN: Okay, the substitute motion is to modify language in Alternatives 2 and 3 as follows: Alternative 2, a valid black sea bass pot endorsement can be transferred between any two individuals or entities that hold or simultaneously obtain a valid, meaning not expired, unlimited snapper grouper permit. Is there further discussion? Is there any objection to that motion? I see none; that motion is approved. Yes, that substitute motion**

**is now the main motion. Is there any further discussion on the main motion? Is there any objection to that motion? I see none; that motion is approved.**

Okay, on to Action 5, to limit effort in the black sea bass pot fishery each year. I believe that this motion was tabled. The motion is before you there to adopt the IPTs recommended change in the wording in all the alternatives for Action 5 to reflect “permit year” and “not fishing” year.

I think this is one where we were going to get some advice from the permits office; is that correct? I think this had to do with our discussion on problems associated with when the tags – if the permits were not renewed at the same time that the endorsements were renewed that there would be potential problems with attaching tags and that somebody might get in a bind during the fishing year and all that.

MS. SMIT-BRUNELLO: I’m sorry, Mac, but we fixed it earlier that the endorsement is going to automatically renew when the permit renews, correct?

DR. CRABTREE: Yes.

MR. CURRIN: All right, this is fixed? All right, so we are good then. All right so what do we do with this motion that is tabled, just not vote to untable it and we are cool? Are you fine?

DR. CRABTREE: It wants to say “permit year” and not “fishing year”. We need to pass this motion, I think.

DR. SMIT-BRUNELLO: So there is discussion that you still need to address this particular issue and change it to permit year and not fishing year. We are not going to have the problem of the endorsement expiring separately from the permit.

MR. CURRIN: All right, so that is the motion that was tabled from the committee and I believe the appropriate course of action would be to untable it and to vote this forward, because it does state change the wording for all alternatives in Action 5 to reflect permit year not fishing year. Then we would need to select a – well, actually, we have a preferred there already. I think that is a separate motion, the next motion actually. Motion to untable?

MR. PHILLIPS: I so move, Mr. Chairman.

**MR. CURRIN: Motion by Charlie; second by Michelle to untable the motion that is now before us. All right, the motion before us is to adopt the IPT’s recommended language to change the wording in the alternatives for Action 5 to reflect “permit year”, not “fishing year”. Is there discussion of that motion? Is there any objection to that motion? I see none; that motion is approved.**

**Let’s go back up again; there is a motion before us to untable the motion. Is there any objection to the motion to untable? I see none, the motion is now untabled.** All right, the motion is untabled and before us. Is there any discussion? Is there any objection? I see none; that motion is approved.

Now question, Myra for you. We had a previous Preferred Alternative 5 under Action 5 that I guess we didn't raise that issue yesterday before and we don't need to deal with it again today unless there is some desire by someone to change it. Okay, I just wanted to make sure we didn't need to move that forward.

**Another motion from the committee that an endorsement should be renewed within the year. There was a substitute motion that the endorsement should be renewed at the same time the snapper grouper permit is renewed and that motion was approved by the committee, and I so move on behalf of the committee.** Is there discussion of the motion?

MR. CUPKA: Yes, I would ask, Monica, instead of saying "should", should we say "will" "endorsements will be renewed"? "Should" is kind of like advice or something.

MS. SMIT-BRUNELLO: Yes, and didn't you already address this issue? Not through a motion?

MR. CURRIN: Not through a motion, I don't believe.

MS. SMIT-BRUNELLO: Then I would agree that you should say "will be" instead of "should", yes.

MR. CURRIN: Do we need a substitute motion to change that one word? Joe was shaking his head, no. Can the chair suggest that we just change that one word and I will read the new wording into the record? All right, so I would suggest we change the word "should" to "will" to make sure that these permits must be renewed.

**The new motion reads endorsements will be renewed at the same time as the snapper grouper permit is renewed. Any further discussion of that motion? Is there any objection to that motion? I see none; that motion is approved.**

Action 6, implementing measures to reduce black sea bass bycatch, a motion from the committee to clarify that brought back to shore matches the definition and wording in the codified text. On behalf of the committee I so move.

MS. SMIT-BRUNELLO: Matches the definition of what?

DR. CRABTREE: Yes, the codified text for this says "return to a dock, berth, beach, seawall, or ramp". That is what brought back to shore means. The language in the codified text reads "a sea bass pot must be removed from the water in the South Atlantic EEZ and returned to a dock, berth, beach, seawall, or ramp, at the conclusion of each trip." That is what we meant by brought back to shore.

MS. SMIT-BRUNELLO: Okay.

MR. CURRIN: Should we capture that language in there, I think, or are we clear? I think I understood what it was before; but if we want to make sure of that, yes, that is probably good.

MS. BROUWER: Roy, would you please read that again.

MR. CURRIN: Dock, beach, seawall, or ramp, Roy isn't that what it said?

DR. CRABTREE: It means return to a dock, berth, beach, seawall, or ramp at the conclusion of each trip.

MR. CURRIN: I'll read that for you. **The motion is to clarify that brought back to shore matches the description and definition in the codified text with the clarification that brought back to shore means return to a dock, berth, beach, seawall, or ramp at the conclusion of each trip. On behalf of the committee I so move.** Is there discussion of that motion? John.

MR. JOLLEY: Yes, now does that mean the boat comes in, lands its fish; can that boat turn around with a new crew and go back out and fish a second trip that day; just for my edification?

MR. CURRIN: Based on our discussions yesterday and the definition or language that Monica brought forward, he may not fish two trips in one day. It is a daily trip as per the language in wherever that is in the Federal Register somewhere.

MR. JOLLEY: That boat can't have two trip tickets the same day within 24 hours?

MR. CURRIN: He is certainly not supposed to. All right, any further discussion? Any objection to that motion. **I see none; that motion is approved.** Now, Action 7, modifying accountability measures for black sea bass; &&motion from the committee to add the following alternative under Action 7 **and to make it the preferred: Alternative 3, for the recreational sector, remove the three-year running average provision used to determine recreational ACL overages. The recreational AM would be if the recreational sector black sea bass ACL is met or projected to be met independent of the stock status, to prohibit the harvest and retention of black sea bass. If the recreational sector black sea bass ACL is exceeded independent of stock status the Regional Director shall publish a notice to reduce the recreational sector ACL in the following season by the amount of the overage.**

**For the commercial sector, if the commercial sector black sea bass ACL is met or projected to be met independent of stock status, all subsequent purchase and sale of black sea bass is prohibited and harvest and/or possession is limited to the black sea bass bag limit. If the commercial sector black sea bass ACL is exceeded independent of stock status, the Regional Administrator shall publish a notice to reduce the commercial sector black sea bass ACL in the following season by the amount of the overage. Note that the ACL increase as specified under the rebuilding strategy are contingent upon the total commercial and recreational landings not exceeding the combined ACL. On behalf of the committee I so move. Is there discussion? Is there any objection to that motion? I see none; that motion is approved.**

**Also a motion from the committee to clarify the language in AMs to indicate that paybacks are not required when new projections are adopted that incorporate the quota overruns**



**and the ACLs are adjusted in accordance with those projections. On behalf of the committee I so move. Is there a discussion? Any objection to the motion? I see none and that motion is approved.**

**Action 8, a motion to select Alternative 1 as the preferred. That is a no action alternative. On behalf of the committee I so move. Is there discussion? Is there any objection to the motion? I see none and that motion is approved.**

**Action 9, to establish commercial trip limits for black sea bass; a motion from the committee to change their preferred to Alternative 4, which would establish a 1,000 pound gutted weight trip limit. On behalf of the committee I so move. Is there discussion? Is there any objection to that motion? I see none; that motion is approved.**

**Action 10, to modify a commercial and recreational black sea bass size limits; a motion from the committee to select Subalternative 2A and Subalternative 3A as the preferreds. On behalf of the committee I so move. Is there discussion of that motion? Is there any objection to that motion? The motion is approved with two objections.**

**Action 11, commercial data improvement reporting; there was a motion from the committee to add Alternative 4 as a preferred and that alternative was to require that commercial landings and catch effort data be submitted in accordance with ACCSP standards using the SAFIS system. On behalf of the committee I so move. Is there discussion of the motion?**

DR. CRABTREE: Yes, if you recall in the committee when we dealt with the for-hire fishery we decided not to go with the SAFIS system at this time, so it seems a little inconsistent. I don't fully understand what we are doing with this, but I know the Science Center that is tracking these quotas has some issues with it.

**I would like to offer a substitute motion that we move the items in Action 11 into the Dealer Permitting and Reporting Amendment that we are working on and deal with it at that time when we have a more detailed understanding of what the implications are and what the Science Center's concerns are.**

MR. CURRIN: Substitute motion by Roy to move the Items in Action 11 into the Dealer Permitting and Reporting Amendment; second by Doug. Discussion on that motion? Yes, Roy, I tend to agree with you. I supported this yesterday and I still think it is a good idea and I hope we get there, but part of the objective of trying to get this quota monitoring and reporting requirements tightened up is so that we can put some teeth into the laws that make those requirements happen. We are not going to be able to do it through this. That is going to have to be a separate action. It just makes sense to deal with it all in one issue.

MR. PHILLIPS: Mr. Chairman, I am not necessarily against the motion, and I understand it probably needs to be in the dealer, but if we can do this and it will help them track where we don't have overages, we may very well want to leave it in here and then we can fine tune it again and more so when we get to the dealer amendment.

DR. CRABTREE: Well, the problem I have is I've got folks at the Science Center who track these things for us telling me this is not going to help them; it is going to create problems. I don't fully understand, and maybe after I do fully understand I won't agree with them, but for right now I am really reluctant to ignore them and just plow ahead with it.

MR. CURRIN: Further discussion? **Is there any objection to the motion?** I see two in opposition, the motion is approved. It is now the main motion. Is there discussion of the main motion? Is there objection to the motion? I see none; that motion is approved.

**Okay, another motion from the committee to deselect Alternative 3 as the preferred alternative, and on behalf of the committee I so move. Is there discussion of that motion? Is there any objection to that motion? I see none; that motion is approved.**

**Action 11, there was a motion from the committee that in terms of defining overfishing to use the OFL level in years when we don't have a current assessment and continue to use MFMT during years when there is an assessment. On behalf of the committee I so move. Is there any discussion of the motion? Is there any objection to the motion? I see none; that motion is approved.** Myra, something else?

MS. BROUWER: Yes, Mr. Chairman, I am concerned, if you don't mind I would like to double check that you still have a preferred alternative under Action 11, because you just deselected 3 as a preferred and now we are not selecting 4 as a preferred either.

DR. CRABTREE: I thought we moved Action 11 out of it and into the Dealer Permitting Amendment. I don't care from an administrative point of view if it is easier to you to just say no action and do it, or you take it out of it. I don't have a preference it is all one and the same. Then that would be no action selected for this and then we put all that stuff into the Dealer Permitting Amendment.

MR. CURRIN: **Motion by Roy to select the no action alternative under Action 11 as the preferred; second by David Cupka. Discussion, Is there any objection. I see none; that motion is approved.** All right Myra, anything else we forgot?

MS. BROUWER: No.

MR. HARRIS: Just one question on Action 11; I just want to make sure that when we say it is prohibited to purchase or sell black sea bass if the quota is reached – I am sure this has come up before – it doesn't mean that someone in the South Atlantic cannot purchase black sea bass if black sea bass is open in the Mid-Atlantic or something like that, does it, or should this be specific to taken from the South Atlantic area of jurisdiction?

DR. CRABTREE: No, that is standard language that we use and I think it clearly refers to the initial point of sale from the vessel to a dealer.

**MR. CURRIN: Okay, we need a motion then from the council to recommend approval of Amendment 18A for formal review.**

**MR. CUPKA: So moved, Mr. Chairman.**

MR. CURRIN: Motion by David; second by Duane. Any discussion? Yes, Gregg.

MR. WAUGH: Can you just give us a second to resolve what we did with Action 12? There should have been something coming from I think the committee dealing with the for-hire reporting.

DR. CHEUVRONT: There is a Preferred Alternative 2.

MR. WAUGH: We didn't change that?

DR. CHEUVRONT: No.

MR. WAUGH: Okay. Then we are good, thank you.

MR. CURRIN: All right, I think this will be a roll call vote, Bob?

MR. MAHOOD: Mr. Boyles, I will give you the honor of voting first since you didn't get to vote yesterday.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: **It passes unanimously.**

**MR. CURRIN: We also need a motion from the council to deem the codified text as necessary and appropriate.** Motion by Duane; second by Robert Boyles. Discussion on that motion? We will do this as a roll call as well.

MR. MAHOOD: Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: Unanimous.

MR. CURRIN: Do we need to, Monica, have a motion to allow the staff some latitude to make changes and also our chairman? I think we handled that yesterday but we will need a motion to give the staff and the IPT and the Council Chair editorial license to make changes in this amendment. **There is a motion by Ben to give the staff and Council Chair editorial license to make changes to the document as necessary. Second by Charlie. Is there any discussion? Is there any objection to that motion? I see none.**

MS. SMIT-BRUNELLO: I guess I just have a question for Bob. Bob, I noticed that we don't necessarily have a motion that would allow the Council Chair to then redeem those proposed regulations that may have changes in response to the actions the council took at the meeting. I would think is that because in the SOPPs that has been adopted by the council, that is automatically within those SOPPs?

MR. MAHOOD: Yes, I thought that was what we did so that we set a process. I think that was what we were required to do, and it was one of the things that we were required to do in the SOPPs was to establish a process redeeming.

DR. CRABTREE: I am really happy that we are able to work through this as one we struggled with. I wanted to talk about timing for a minute, because we have made a lot of changes to this. There are going to have to be a lot of changes to the proposed rule. We are on an extremely tight timeline to get this done by June 1, and we will make every effort we can to do it.

I don't know if we will be able to or not because I don't know how long it is going to take us to get all of this taken care of. We should know by the next council meeting where we are in terms of timing, and I would think at that point we could give you a pretty good estimate as to whether we are going to make it or whether we are not going to make it.

Then we can at that point talk about contingencies as to what you may want to do if it doesn't look like we are going to be able to get this done before the season opens. Of course, my biggest concern is I think we have to have the rule affective 30 days before the fishery opens June 1, so it would have to be affective by May 1 in order to issue the endorsements to folks. We will do the best we can and we will talk about where we are when we get to our March meeting, but it is going to be tough to get it done on time, I think.

MR. CURRIN: Yes, Roy, I appreciate that but I hope the fact that it is going to be tough to get done and maybe even some thought that very difficult to get done won't keep staff from working full bore to attempt wholeheartedly to get this done, because it is important as you know and has a lot of implications.

DR. CRABTREE: It absolutely won't do that. Part of the problem we have is we have got folks working on the ACL Amendment, which we have mandatory timelines on. Of course, Monica is involved in those as well, and I don't know how long, Bob and Gregg, it will take us to turn the amendment around and actually have it formally submitted, but I understand the desire to get this done.

Believe me; I don't want to have this fishery close earlier and all the problems that caused any more than you guys do. I have got as much incentive as anyone sitting here to try and see that this gets done on time. We will do the absolute best we can.

MR. WAUGH: Our plan right now is to get Amendment 24, which is pretty cleaned up, to you like Tuesday or Wednesday of next week. Then we have got 20A and 18A. We are shooting for best case the end of next week or mid-following week.

MR. SWATZEL: I would support delaying the opening of the commercial black sea bass fishery until we can get these measures in place. I think we have had some support of that at the public hearing.

MR. CURRIN: Roy, if that wanted to be a consideration, is that something we would need to initiate at this meeting or can we do that in March and have some chance of pulling that off in case 18A is not ready. I think that is the contingency.

DR. CRABTREE: I think that is something we just need to come back to in March. I am not sure; we will just have to look at the circumstances there and get advice from our attorney and see what ability we have to do something about that.

MR. CURRIN: Yes, I think it is a real possibility, so whatever it takes as far as noticing and whatever else involved.

DR. CRABTREE: I understand where you are coming from and if prior to the March meeting it is clear to me we are not going to make it, I will make sure that I have some contingency plans, if I can identify any, to get you where I know you want to be.

MR. CURRIN: Okay, thank you very much. **All right, on to Amendment 20A, a motion from the committee to accept the IPT's recommended language and to retain Alternative 3 as a preferred. on behalf of the committee I so move. Is there discussion? Any objection to that motion? I see none; that motion is approved.**

**Action 4, a motion from the committee to recommend to the council approval of Amendment 20A for formal review. Is there any discussion?**

MS. SMIT-BRUNELLO: Just so everyone understands, in the amendment there is some – it doesn't affect any of the actions you took, but there is some discussion maybe from an economic perspective about what the active shareholders, how much quota share they would have percentage-wise according to the ACL that was proposed for wreckfish in the Comprehensive ACL Amendment.

I think you are going to get to this motion after Amendment 20A, but that amendment I think should be revised just slightly to reflect that there will be approximately 6 percent less or whatever amount that is that they figure out that will be going to each shareholder because of the reduced proposed annual catch limit and because of the ABC recommendation that came from the SSC.

MR. CURRIN: All right, thank you. Any further discussion? All right, Bob.

MR. CUPKA: Mac, Myra is checking something, if we can wait just a minute I think before we vote on it, because the report has Action 4 and then none of the recommend approval, which has nothing to do with an appeals process, but we didn't take any, so that clears that up so let's go ahead.

MR. CURRIN: Thank you, good catch, David; I didn't even see it.

MR. MAHOOD: All right, Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.



MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: **It passes unanimously.**

**MR. CURRIN: Also, a motion from the committee to deem the codified text as necessary and appropriate. On behalf of the committee I so move.** Is there discussion? I see none.

MR. MAHOOD: Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILIPS: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: **Again, unanimous.**

MR. CURRIN: **Okay, and then the final motion from the committee for this meeting that the committee concurs with the proposal to adjust the wreckfish ACL through the process proposed by NOAA General Counsel, and on behalf of the committee I so move.** Discussion? Monica.

MS. SMIT-BRUNELLO: I am not quite sure that adopts exactly what was done. I think what is more appropriate is that you adopt the ABC recommendation for wreckfish that has come out of the SSC. Once you do that, if you decide to do that, then we would talk about adjusting the wreckfish ACL through proposing the new wreckfish ACL, putting that out for proposed public comment and then addressing it in the final rule.

**DR. CRABTREE: I move that the council accepts the ABC recommendation presented to us by the SSC at this meeting.**

**MR. CURRIN: Is this a substitute motion then?**

**DR. CRABTREE: Yes; and concur with the proposal to adjust the wreckfish ACL through the process proposed by NOAA GC.**

MR. CURRIN: Motion by Roy; second by Ben Hartig. Monica, does that cover it sufficiently?

MS. SMIT-BRUNELLO: Yes, I think that is better for the record.

MR. CURRIN: Further discussion on that motion? Is there any objection to that motion? **I see none; that motion is approved.**

DR. CRABTREE: Yes, one issue still laying out to me with respect to wreckfish, and we discussed this during the committee that apparently there were two equally likely scenarios, and the SSC averaged the two. I don't know when the SSC meets again, but it seems to me in cases like that where there are equally scientifically defensible scenarios, that it really should be a policy call as to how to handle that.

I believe the SSC ought to present those to us as a range and that we ought to then decide how to handle that. I guess I would like when the SSC meets again, assuming everyone is in agreement with that, to convey that to them that we want them to present us with those sorts of uncertainties rather than have them make decisions about how to handle that. I really do believe at that stage it becomes a policy decision and that we ought to be making that; or if we are not going to make it, we ought to lay out the ground rules as to how they ought to handle that.

MR. CUPKA: Amen.

MR. BOYLES: I agree; I had the benefit of getting briefed by my SSC Member and I think all of us would have benefited by that kind of information. I agree with what Roy suggested.

MR. CURRIN: Well, keep in mind there is some history there and this council more than once in the past – and it was in the early stages of developing the ACL Amendments and the like, but several times has pushed the SSC very hard in circumstances when they couldn't come to a decision to give us a value, damn it, and they have.

John I think explained pretty well yesterday the dilemma they were in, but it is kind of a new ballgame now and I think the suggestion that Roy has made is probably one that at least we can go to them and try to figure out some way to handle similar situations in the future.

MR. CUPKA: One other thing, Mac, it would probably be good to have a motion to give staff and Council Chair –

MR. MAHOOD: I don't think we're finished with that one motion.

MR. CUPKA: No, but when we get through with it.

MR. CURRIN: Okay, any further discussion on this motion? It is now the main motion. Is there any objection to the motion? **I see none; that motion is approved then.** Okay, David, you have a motion for us.

**MR. CUPKA: Well, just a motion to give staff and Council Chair editorial license in regard to Amendment 20A.**

**MR. CURRIN: Motion by David; second by Duane. Discussion? Any objection? I see none; that motion is approved.** Okay, is that it for 20A? All right, Monica, you had something after 20A.

MS. SMIT-BRUNELLO: The chairman took care of it.

MR. CURRIN: Okay, thank you. I didn't have these Amendment 24 motions on my report that was printed out, but I will do the best I can to read them from the board. Under Amendment 24, a motion to adopt a recommended language for Alternative 1 in Action 1.

MR. CUPKA: I think we did these as the Committee of the Whole, so we don't need to do them again.

MR. CURRIN: Good, that is why I didn't have them.

MR. MAHOOD: You actually approved it to submit to the secretary.

MR. CURRIN: Yes, we did that now that I remember. If there is nothing else, I have nothing else to present, Mr. Chairman, and I will turn it back over to you.

MR. CUPKA: Well thank you, Mac. Again, I want to thank you and staff and Roy's staff, everyone who worked on this. It is a tremendous amount of material to go over. We appreciate everybody's efforts on this. One of the items we have remaining on our agenda is a presentation by the Highly Migratory Species people and their Amendment 5.

I think Jackie has a plane to catch, so with your indulgence I would like to go ahead and cover that item now. Jackie Wilson is here from the Highly Migratory Species Division to give us a presentation on Amendment 5 to their consolidated HMS Plan.

MS. WILSON: Thank you, Mr. Chairman. I am Jackie Wilson. I work with the Highly Migratory Species Management Division. I will go through this as quickly as I can. I know you guys have had a very busy week, very full agenda, and you still have some things to cover. Thank you for giving us the time to present this to you.

I just want to clarify we are at the very beginning stages of this next amendment. We are at the scoping stage so nothing here is proposed. These are things we are just looking for feedback and wanted to bring to the council's attention. Real quickly, we have had a number of new shark stock assessments. The species are listed here on the screen.

Based on these we need to take action to rebuild overfished stocks and end overfishing as appropriate. I am going to go through some possible management measures, alternatives that we as a division have been thinking about, and then we are also going out to the public for comments and then looking to the council for your comments as well.

We have had some new updated stock assessments for scalloped hammerhead, dusky, sandbar sharks and blacknose sharks. We put out a notice of intent to start the amendment process to our fishery management plan to take the necessary steps based on the outcome of these assessments. We have a deadline, two years. We initially made the new stock status determination for scalloped hammerhead sharks as being overfished with overfishing in April of this year.

We have two years, April of 2013, to have a plan in place in order to end overfishing and rebuild scalloped hammerhead shark. That is the deadline that we are currently under. This is a brief

overview of the new stock status in some cases for the different stocks here. I want to quickly just give it some context so you know where we are coming from. Scalloped hammerhead sharks are currently managed under our non-sandbar large coastal shark complex.

Dusky sharks are a prohibited species in both the recreational and commercial fisheries. Sandbar sharks are part of a research fishery, so it is available to the commercial fleet only if they are operating within a research fishery, but they are not allowed to be retained by recreational fishers.

Then the blacknose shark currently is being managed under one stock, but most recently it was split in the latest assessment between a South Atlantic and Gulf of Mexico. Very briefly, scalloped hammerhead sharks have been deemed overfished with overfishing, the same for dusky. Sandbar sharks we have had some slight improvement. They are still considered overfished but no longer experiencing overfishing.

Then for the blacknose case in the Atlantic, they are overfished with overfishing. However, the Gulf of Mexico, due to some issues with the model during the review workshop of the SEDAR process that this was done in, the assessment scientists did not accept the model used and therefore the stock status for the Gulf of Mexico stock has been deemed as unknown.

This is kind of just giving an overview of the scalloped hammerhead shark. I will just go through this really briefly. They have been deemed overfished with overfishing. It is the first time that they have actually had a species-specific stock assessment for scalloped hammerhead sharks.

Before they have been in a large coastal shark complex. This was based on a paper, Hayes et al, in 2009. The agency looked at it and deemed it appropriate for management, and we have made our stock determination based on that paper. Based on that assessment we have a TAC of about 2,800 sharks that could allow a 70 percent probability to rebuild the stock within 10 years. Just for context, that is about a 20 percent mortality reduction from the 2009 overall mortality.

Dusky sharks, these were assessed as part of a SEDAR stock assessment that was just completed in September of this year. They were assessed back in 2006, and they continue to be overfished and experiencing overfishing despite being prohibited since around 2000. It has been estimated that a reduction of a fishing mortality rate of 0.02 may provide the 70 percent chance of rebuilding by 2099.

Right now you can see the fishing mortality in 2009 is 0.06, so we have about a two-thirds reduction needed in our fishing mortality rates. Again, they are already prohibited so that is the challenge we are up against. This estimate also gave a TAC of about 9.1 metric tons. However, they used a catch remodel in the assessment. Therefore, really, the more confidence is in that reduction and the fishing mortality relative to that 2009 level.

Sandbar sharks, these are also part of a SEDAR stock assessment that was completed in September of this year. They continue to be overfished but overfishing is no longer occurring.

The current assessment has them rebuilding by 2066. The previous assessment that was done in 2006 had the rebuilding time by 2070, so we have some slight faster rebuilding.

But the important point here is that there is a greater than 70 percent probability that the stock will rebuild by 2070 with the current TAC that we have in place. Again, that is harvested under that Shark Research Fishery. Atlantic blacknose sharks, again this stock were assessed within our SEDAR stock assessment that just was completed.

The stock was split into Atlantic and Gulf of Mexico. On the Atlantic side the sharks are overfished and experiencing overfishing. Just to note that 500 percent of Fmsy, the assessment ran through 2009 and new and rather dramatic management measures were put in place in 2010 specifically for blacknose sharks, so those changes were not captured within the current assessment. That is just something to keep in mind.

Based on this latest assessment and annual TAC of about 7,300 sharks could allow that 70 percent probability needed for rebuilding. The rebuilding time has increased. Before it was about 19 years, now we are looking around 34, so about 2043 is when we would expect rebuilding. Currently they are managed under one overall stock with an overall TAC of 19,200 sharks.

Okay, to follow up on that the Gulf of Mexico stock, as I mentioned, the reviewers during the review workshop of the SEDAR assessment did not accept the model that was used for the Gulf of Mexico stock because it was unable to fit trends and some of the abundance indices, and there is a fundamental lack of fit for some of the input data in the model.

Therefore, since the review panel did not accept the assessment, NMFS has made the determination that the stock status is unknown for this. One of the things we will have to work out on this amendment is how we want to set a particular TAC for this given that we don't have a known stock status. But we did get a TAC for the Atlantic stock, so that is something to keep in mind.

The next thing I am going to run through very quickly are just some of the possible management measures that we have identified, and this is where we like to get feedback in particular. Scalloped hammerhead sharks, our challenge is that they are overfished with overfishing, but they are not really one of the targeted species within the directed commercial shark fisheries.

They also have extremely high vessel mortality in both the bottom longline and the gill net fisheries. It is one of those things it is an interaction problem with the gear. They essentially look at the commercial gear and decide to die. We have to figure out a way, basically, to have them stay off the gear or increase their post-release survival once they interact with it.

One of the other things I want to mention is that we also had a recent rule based on ICCAT recommendations from the 2010 meeting that basically has prohibited all of the hammerhead sharks on any pelagic longline fishery or any of the ICCAT-related fisheries. If there is a recreational trip that is going out and targeting some of the tunas, swordfish, etcetera, they are not allowed to retain any hammerhead sharks or oceanic whitetips.

One of the things that they are potentially thinking about is removing the scalloped hammerhead sharks from that large coastal shark complex and potentially setting a separate TAC and ACL associated with it and its corresponding quota; looking at gear restrictions, whether that be limits on bottom longline length, number of hooks, soak time, etcetera, time area closures and whether or not this should apply to both commercial and recreational fishers.

Gear-tending requirements, currently there are no gear-tending requirements for a bottom longline fishery. We do have them in place for our gill net fishery. One of the things we were thinking that might have to be considered is if we do establish a separate scalloped hammerhead quota, whether or not that would be linked to the other large coastal shark quota as a lot of these species are caught in conjunction with one another; whether we need to revisit our bag or trip limits for commercial and recreational fisheries.

And if there is some sort of gear technology out there, whether it be weak hooks, electric positive metals, anything that could potentially reduce the retention of these species on fishing gear. The other idea is to prohibit retention altogether or maybe add it to our Atlantic Shark Research Fishery that we currently have in place.

For dusky sharks, again, they have been prohibited for quite a while, but we still need to have a reduction in fishing mortality of about two-thirds of the current fishing mortality rate in order to reach overbuilding goals. Again, as a prohibited species it is not being targeted. It also has very high at-vessel mortality in both our bottom longline and in the pelagic longline gear.

One of the things we are thinking is that we need to, again, reduce interactions with the fishing gear perhaps through time area closures, gear, or soak time restrictions, and any new gear technology that may be able to reduce fishing mortality. In terms of sandbar sharks, they are prohibited in the recreational fishery as well as commercial harvest outside of our Atlantic Shark Research Fishery.

But the current assessments show that we have a greater than 70 percent probability of meeting our rebuilding target, so the question is whether or not we really need to stay the course or if we need to take any sort of additional measures. Blacknose sharks; again, the final assessment that was just completed split it into two stocks, so now we have two different stock statuses to have to address.

We also have TAC allocations we need to consider, whether or not we need to have regional allocations of the current TAC, taking into consideration what the assessment recommended for an Atlantic-specific TAC. Right now the blacknose quota that we have that applies again to one overall stock is linked to our other small coastal shark quota.

If the blacknose quota is reached, which is much smaller than the other small coastal shark quotas, then both of those fisheries close as there are bycatch issues at hand. We have heard a lot from fishermen that this causes a lot of problems. One of the things we might want to reconsider is the linking of those two quotas.

We may also want to reconsider our recreational size and bag limits or potentially putting blacknose in with our Atlantic Shark Research Fishery. This is where we have our comments mainly for the public sector. Obviously, I know the council usually submits a letter to the HMS Management Division. Our comment period for this is through December 31. We have a bunch of scoping meetings that we had for this. This is our timeline that we have in place right now.

We expect a pre-draft which goes out to our consulting parties, which councils will see as being part of that, in early 2012; our proposed rule and draft EIS in mid-2012; the final EIS in late 2012/early 2013, and that final rule being in place by April of 2013. With that, I will take any questions.

MR. CUPKA: Thank you, Jackie. Any questions for Jackie?

MR. CURRIN: Not a question, but a comment; just in hearing your presentation, we have got some similar species with similar sorts of problems that are unintended bycatch and prohibited species and the like. They are still being interacted with and the like, so I will watch closely how you deal with some of the same issues because there are lots of parallels.

MR. PHILLIPS: I get some of the e-mails from the Highly Migratory HMS. It seems like I saw one where they were doing scoping on some catch shares for sharks somewhere.

MS. WILSON: Yes, that is a separate action, and it is something that is being considered right now. It is considered our Amendment 6; this is Amendment 5. They are looking at catch shares potentially in the Atlantic and the Gulf of Mexico or whether or not it needs to be a more regional consideration.

That is a separate action that is going out and they do have – we had a Federal Register Notice November 23 that put out when we have a bunch of different workshops that are going to be going on the beginning part of the year. The comment period on that closes in March, I believe, but I can get you the exact date.

MR. JOLLEY: Yes, in the very beginning you had a species there I think that you were looking at a recovery period out to 2400. I mentioned this at the HMS, but we can't predict anything out 300 years. I would caution the use of – because there is always a public perception and credibility question, I would take that out of the literature that you have got.

MS. WILSON: Well, that is in there because the previous assessment actually did have the rebuilding time between 100 and 400 years. One of the things we asked in the last assessment was for them to relook at that in terms of the 400-year rebuilding time. What they found is that there is the probability you could have rebuilding by 2099, so it is about a 91 year of rebuilding time in that, but it is in there because it is a reference point from the previous assessment. That is something though that we can make more explicit in our documents so that people don't think it is a typo.

MR. JOLLEY: Do you have to use it?



MS. WILSON: No, but I think it is worth mentioning at some point in there. It probably won't be a focal point as it is right now in the scoping, but in the overall it was part of what was done in the previous assessment.

MR. CUPKA: Other comments or questions? Again, as Jackie has indicated, I think they are very early in the process and we will have other opportunities to comment on what ends up being proposed. If there are not other questions or comments, thank you, Jackie.

MR. JOLLEY: Mr. Chairman, is there any possibility to tend the line in the shark fishery for the bottom line? You know, in the sword fishery you could tend the line when it was short enough, certainly, because you could go run back down the line, you see buoys that are pulled down and you know you have got a fish on. You could keep from having an apple core or get rid of some of the live fish faster that way. It required a lot of work. I was just wondering if there might be some opportunity to improve survival of some of these species that you don't want by tending that line.

MS. WILSON: Yes, that is definitely one of the things we want to consider. We do have it in our gill net fishery. We don't have it right now in the bottom longline, but that is I think a very valid point. One of the other things I want to mention is we brought some additional materials that are also in the back table if people are interested.

MR. CUPKA: Okay, thank you and we appreciate it and look forward to seeing what is proposed and having an opportunity to comment on that. All right, we will go back up on our agenda. The next is a status reports by Roy and see if he has anything he wants to add at this time or his staff.

DR. CRABTREE: Jack just handed me what I have to add. The quota report was e-mailed to everyone and I think you have all the landing summaries. We have quota monitoring and recreational ACL tables posted on our website, and those have been updated. For Spiny Lobster Amendment 10, the NOA published on September 11.

The comment period ended on November 1. Proposed rule published on September 23. The comment period ended October 22, and the final rule published on December 2 and will be effective on January 3. That is Spiny Lobster Amendment 10. The DEIS for Amendment 18A publishes today. I guess we have an EFP for the South Carolina Aquarium. That is in Tab 11, Attachment 2, and, Jack, are you going to go over that for us?

DR. McGOVERN: Okay, the South Carolina Aquarium has requested an exempted fishing permit for collecting specimens for public display. They intend to collect specimens off of South Carolina all through the year and there will be some limited collection off of North Carolina as well. Law Enforcement will be contacted before each trip.

There is a table on Page 3 of the application. It lists all the species and the maximum number that would be collected. They intend to collect specimens from all the council's FMPs. They don't specifically list the grouper or snapper species, so the way the application is written they

could collect specimens like Nassau grouper, speckled hind, Warsaw grouper, and red snapper, which have ACLs of zero.

They also intend to collect some deepwater species, too, which I am not sure how they are going to keep alive. The gear types they propose to use include scuba with hand nets, dip nets from the surface, hook-and-line gear, black sea bass pots, spiny lobster traps, golden crab traps, bait traps, habitat traps, and octopus traps.

MR. CUPKA: Okay, we normally make recommendations on these. Does anyone wish to make a recommendation. Duane.

MR. HARRIS: Mr. Chairman; I would move that we recommend that the Regional Administrator approve these experimental fishing contract requests.

MR. CUPKA: We have a motion by Mr. Harris; second by Mr. Boyles. Is there any discussion on the motion? Let's get the motion on the screen.

MR. HARRIS: I recommend that the Regional Administrator approve the experimental fishing request by the South Carolina Aquarium.

**MR. CUPKA: Okay, the motion before us is to recommend that the Regional Administrator approve the experimental fishing request by the South Carolina Aquarium. Is there any discussion on the motion? Is there any objection? Seeing none, then that motion is approved.** I will turn it back to you, Roy, unless you are through.

DR. CRABTREE: That is all I have, Mr. Chairman.

MR. CUPKA: All right, NMFS Southeast Fisheries Science Center Status Report. We have got some of these as we have gone through the various amendments. Did you have anything to add, Theo?

DR. BRAINARD: Thank you, Mr. Chairman, just a quick update on the Headboat Survey and also the MRIP-funded pilot study. We submitted preliminary 2011 estimated headboat landings of black sea bass, snowy grouper, and golden tilefish to the Regional Office late in September. The results of the South Atlantic Headboat Electronic Logbook Pilot Project were presented at the Gulf Council meeting last October.

The Gulf Council is using these results to plan and develop a similar strategy for full implementation in the Gulf of Mexico. Also, our headboat port sampler in Key West retired after 25 years of service, but we were able to backfill that position and we do have a new headboat port agent in place now so there is no lapse in sampling.

Now, the other two updates are for dolphin and wahoo recreational landings and that was circulated to all members earlier this week, so I don't think I need to go over those. Landings seem to have stabilized in the past two years, 2009 and 2010. Also the headboat data for 2011 is not included in those two graphs that I submitted. That is all from the Center, Mr. Chairman.

MR. CUPKA: Thank you, Theo. Questions for Theo? Seeing none, then that brings us down to Agency and Liaison Reports. Is there any desire to have agency reports or is there any burning issue anybody wants to bring up?

DR. LANEY: It is not a burning issue, Mr. Chairman, but I did send everybody a link today to the – well, it is of possible interest to council members. It is the new NOAA/NMFS, Fish and Wildlife Service, Endangered Species Act Proposal that deals with what constitutes a significant portion of the range for species. It is out on a news release. I sent everybody the link to it this morning, so for details read the news release.

MR. CUPKA: Thank you, Wilson. Yes, Bob.

LT. FOOS: Thank you, Mr. Chair; I do have a quick update. The Coast Guard has worked with NOAA OLE on TED Enforcement Operations in the South Atlantic as discussed at the last meeting. The Coast Guard reissued right whale enforcement guidance. For this past fiscal year, the Coast Guard Seventh District conducted 1,040 boardings and had a compliance rate of 96.7 percent. That is all I have to pass.

MR. CUPKA: Thank you. Questions for Robert? Seeing none, then, Doug, are you ready to give your liaison report? I'm just kidding. Do you have anything you want to bring up? Again, we appreciate your being here and thank you and hope you have enjoyed it. You see that other councils have similar problems so don't feel alone. All right, is there any other business to come before us? Roy.

DR. CRABTREE: Yes, I would like to ask that in the Snapper Grouper Committee, at the next meeting, that we have a discussion of the two-for-one provision with respect to transfers of snapper grouper permits.

MR. CUPKA: It is so noted and we will schedule that. Any other business?

MR. BOYLES: Mr. Chairman, I would just like to formally acknowledge Jessica McCawley's selection as the Director of Florida's Division of Marine Fisheries Management and just congratulate her as well. She is not a stranger to the folks around this table, but a little bit of a change in her status. Congratulations.

MS. McCAWLEY: I just wanted to thank you for that, Robert, but also thanks for council members and council staff for all their prayers and well wishes and thoughts during my recovery. I really do appreciate it. It has been really helpful.

MR. CUPKA: Thank you. Bob, did you have anything on upcoming meetings?

MR. MAHOOD: No, just remind everybody the next meeting is in Savannah, Georgia – I guess it is the week of March 5 – and just to reiterate what David said, please get your travel orders in as soon as possible so we can close out this budget year.

MR. CUPKA: Is there any other business to come before us? If not, I want to wish everyone a safe trip home and a happy holiday season, and we will see you in March if not before, so we are adjourned.

(Whereupon, the meeting was adjourned at 12:58 o'clock p.m., December 9, 2011.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

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December 30, 2011

**INDEX OF MOTIONS**

**AMENDMENT 24 MOTIONS**

PAGE 18: Motion is to adopt the IPT's recommended language for Alternative 1. Motion carried on Page 19.

PAGE 23: Motion for the accountability measures in Actions 9 and 10, that we indicate that the paybacks are not required when new projections are adopted that incorporate overruns of the quotas and the ACLs are adjusted in accordance with those projections. Motion carried on Page 23.

PAGE 23: Motion to adopt OFL language for red grouper and incorporate into the amendment document. Motion carried on Page 24.

PAGE 24: Motion to submit Amendment 24 to the Secretary of Commerce for review. Motion carried on Page 25.

PAGE 25: Motion to deem the codified text as necessary and appropriate. Motion carried on Page 26.

PAGE 26: Motion to give the staff and council chair editorial license to review the documents and make appropriate changes. Motion carried on Page 26.

**AMENDMENT 18B MOTIONS**

PAGE 28: Motion to establish a suite of alternatives dealing with the establishment of hook-and-line endorsements in the golden tile fishery. Motion carried on Page 29.

PAGE 29: Motion to deselect new Subalternative 2C as the preferred. Motion carried on Page 29.

PAGE 30: Motion to select Alternative 2A as the preferred. Motion carried on Page 30.

PAGE 30: Motion to change the preferred alternative from no action, Alternative 1, to Subalternative 2L. Motion withdrawn on Page 31.

PAGE 32: Motion to change the terminal year in all the subalternatives that end at 2009 to 2010. Motion carried on Page 33.

PAGE 33: Motion to select Subalternative 2L as the preferred where at least 500 pounds gutted weight with hook-and-line gear when the individual's best three of six years from 2005-to 2010 are aggregated. Motion carried on Page 34.

PAGE 38: Motion to add a new alternative to receive a golden tilefish longline endorsement, the individual must have an average of 10,000 pounds gutted weight golden tilefish caught with longline gear for the best three years within the period 2006 through 2010. Motion carried on Page 38.

PAGE 38: Motion that staff clarify that all dates in all alternatives are inclusive of the beginning and end dates. Motion carries on Page 38.

PAGE 38: Motion that the new alternative be the preferred alternative. Motion carried on Page 39.

PAGE 39: Motion to remove Subalternatives 2F, 2G and 2H to the considered but rejected appendix. Motion carried on Page 39.

PAGE 39: Motion to accept the recommended wording changes by the IPT and that Alternative 2 be selected as the preferred alternative. Motion carried on Page 40.

PAGE 40: Motion to deselect Alternative 4 as the preferred and to select Alternative 2 as the new preferred and accept the new wording recommended by the IPT. Motion carried on Page 40.

PAGE 44: Motion to move Subalternatives 2C, 2D, 3C, 3D, 4C, and 4D to the considered but rejected appendix and insert the word "cannot" in Alternative 1 as suggested by the IPT. Motion carried on Page 44.

PAGE 44: Motion to adopt similar language to that in Amendment 18A and give staff guidance to consult with the permits office to edit alternatives as needed. Motion carried on Page 45.

PAGE 46: Motion to accept the IPT's recommended wording changes and retain Alternative 1 as the preferred. Motion carried on Page 46.

PAGE 47: Motion to accept IPT recommendations 2 and 3. Motion carried on Page 47.

PAGE 47: Motion to select Alternative 5 as the preferred alternative for Action 9.

PAGE 48: Substitute motion to establish an alternative that establishes trip limits of 200 pounds gutted weight for the golden tilefish hook-and-line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook-and-line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit. Make this new alternative the preferred. Motion carried on Page 49.

PAGE 50: Motion to move Alternatives 3 and 4 under Action 9 to the considered but rejected appendix. Motion carried on Page 50.

PAGE 50: Motion under Action 10 to move Alternative 2 to considered but rejected appendix. Motion carried on Page 51.

PAGE 51: Motion to change the wording under Action 10 to modify golden tilefish trip limits. Motion carried on Page 51.

PAGE 52: Motion to add Action 12 to revise the annual catch limit and optimum yield for golden tilefish into Amendment 18B. Motion carried on Page 52.

PAGE 52: Motion to include Action 13 in Amendment 18B and to select Alternative 1 as the preferred. Motion withdrawn on Page 53.

PAGE 55: Motion to add Action 15 to the document to Amendment 18B, revise accountability measures for golden tilefish. Motion carried on Page 56.

PAGE 56: Motion to adopt Subalternative 2B, Subalternative 3B, and Subalternative 4D as preferreds under the new action. Motion carried on Page 57.

PAGE 58: Motion to not add the subalternatives at this time unless staff determines that we don't have a reasonable range of alternatives and then staff add in what they think is necessary unless it is determined that additional alternatives are needed to constitute a reasonable range. Motion carried on Page 58.

PAGE 59: Motion to approve Amendment 18B for public hearings. Scheduling of public hearings is contingent on receiving analyses from the Southeast Fisheries Science Center. Motion carried on Page 59.

PAGE 59: Motion to adopt OFL language similar to that in Amendments 18A and 24 and include it in Amendment 18B. Motion carried on Page 59.

PAGE 60: Motion to add the recommendations from the AP regarding size limits and bag limits on selected species to the scoping document in CE-BA 3. Motion carried on Page 60.

### **SPINY LOBSTER AMENDMENT 11 MOTIONS**

PAGE 62: Under Action 1, motion to select Alternative 3, Option A as the preferred alternative. Motion carried on Page 62.

PAGE 62: Motion to move from Action 1, Alternative 4 to the considered but rejected appendix. Motion carried on Page 62.

PAGE 63: Motion under Action 2 to select Alternative 1 as the preferred alternative. Motion carried on Page 63.

PAGE 63: Motion to recommend that the council approve Amendment 11 as modified for public hearings and request that a National Marine Fishery Service staff member involved in writing the biological opinion and working with the public in developing the management alternatives attend the hearings to answer questions. Motion carried on Page 63.

### **MACKEREL COMMITTEE MOTIONS**

PAGE 69: Motion to direct staff to work with the Gulf staff to prepare scoping documents for Amendment 19 and framework items and bring it back to the council in March. Motion carried on Page 69.

### **ECOSYSTEM-BASED MANAGEMENT COMMITTEE MOTIONS**

PAGE 70: Motion to consider the powerhead prohibition throughout the region rather than just in North Carolina. Motion carried on Page 70.

PAGE 70: Motion to consider the Coral HAPC expansion recommendations by the Coral AP and the Habitat AP and to consider Habitat AP recommendation for a designated HAPC for speckled hind and Warsaw grouper for scoping; Measures 1 and 2. Motion carried on Page 73.

PAGE 74: Motion to separate out the action to provide additional protections for Warsaw grouper and speckled hind into a regulatory amendment to be addressed by the Snapper Grouper Committee. Motion defeated on Page 75.

PAGE 75: Motion to include the Measure 2 in CE-BA 3 in the public scoping document. Motion carried on Page 75.

PAGE 75: Motion to change the wording in Measure 5 to an MPA and take out to scoping. Motion carried on Page 75.

PAGE 76: Motion to include consideration of a recreational tagging program for deepwater grouper species as well as the recommendations from the Snapper Grouper Advisory Panel regarding a minimum size limit for hogfish and a bag and size limit change to gray triggerfish. Motion carried on Page 77.

PAGE 77: Motion to approve CE-BA 3 for public scoping. Motion carried on Page 77.

PAGE 79: Motion that council write a letter in support of removing Milburnie Dam. Motion carried on Page 79.

### **GOLDEN CRAB COMMITTEE MOTIONS**

PAGE 79: Action 1, motion to amend the language of Preferred Alternative 4 to “a valid commercial golden crab permit as of the effective date of the final rule.” Motion carried on Page 79.

PAGE 80: Action 2, motion to select Subalternative 5B as preferred and select the IPT recommended language changes. Motion carried on Page 80.

PAGE 80: Action 3, motion to add Subalternative 2D to set aside 2 percent of golden crab shares for appeals. Motion carried on Page 80.



PAGE 80: Action 5, motion to select Alternative 5 as the preferred alternative. Motion carried on Page 80.

PAGE 80: Action 9, motion to make Alternative 3 part of a separate action with two alternatives, and that would be no action in what is currently in Alternative 3. Motion carried on Page 80.

PAGE 80: Motion to put "old" Alternative 2 for fishermen to fish in any zone for which they possess a permit as a separate Alternative 3 under the revised alternatives for Action 9. Motion carried on Page 80.

PAGE 80: Motion to select Alternative 3 under Action 9 as the preferred alternative. Motion carried on Page 80.

PAGE 80: Motion to add Alternative 3 to Action 10 to allow an unlimited number of golden crab permits on a single vessel so that any zones for which the vessel has a permit can be fished in one trip. Motion carried on Page 80.

PAGE 80: Motion to add a Subalternative 2C for the purchase of VMS equipment will be reimbursed by the National Office of Law Enforcement VMS Reimbursement Account if funding is available. Installation, maintenance and communication costs will be paid for or arranged by the shareholder. Motion carried on Page 80.

PAGE 80: Motion to recommend to the council to send Amendment 6 out to public hearings. Motion carried on Page 80.

### **SEDAR COMMITTEE MOTIONS**

PAGE 81: Motion that Bill Parker be added to the list of participants for the SEDAR 28 Data and Assessment Workshops. Motion carried on Page 81.

### **ADVISORY PANEL SELECTION COMMITTEE MOTIONS**

PAGE 82: Motion to reappoint John Reed to the Coral AP. Motion carried on Page 82.

PAGE 82: Motion to reappoint the following members to the Dolphin and Wahoo AP: Richard DeLizza, David Harter, Dewey Hemilright, Harris Huddle, Fred Kinard, Wally Phinney, John Tortorici, George Patterson, Tim Nettles, Ray Rosher, and Joseph Shute. Motion carried on Page 82.

PAGE 82: Motion to reappoint the following members to the Habitat AP: Mark Carter, James Harvey, Susan Hilfer, Jenkins Mikell, and Michael Street. Motion carried on Page 82.

PAGE 82: Motion to appoint Thomas Jones to the Georgia recreational seat on the Habitat AP. Motion carried on Page 82.

PAGE 82: Motion to appoint Bill Parker to the South Carolina charter seat of the Habitat AP. Motion carried on Page 82.

PAGE 82: Motion to appoint Bill Kelly to the commercial Florida seat of the Habitat AP. Motion carried on Page 82.

PAGE 83: Motion to reappoint the following members to the King and Spanish Mackerel AP: Tim Adams, Dick Brame, Jodie Gay, and Ronnie Houck, Jr. Motion carried on Page 83.

PAGE 83: Motion to appoint Richard Diaz to the King and Spanish Mackerel AP. Motion carried on Page 83.

PAGE 83: Motion to appoint Steven Swan to the King and Spanish Mackerel AP. Motion carried on Page 83.

PAGE 83: Motion to reappoint Fred Dockery and Richard Vendetti to the Shrimp AP. Motion carried on Page 83.

PAGE 83: Motion to appoint Megan Westmeyer to the Snapper Grouper AP. Motion carried on Page 83.

PAGE 83: Motion to appoint Craig Andrews to the SEDAR Pool. Motion carried on Page 83.

PAGE 83: Motion to appoint David Nelson to the SEDAR Pool. Motion carried on Page 83.

PAGE 83: Motion to appoint Dr. Kyle Christianson to the Dolphin Wahoo AP. Motion carried on Page 83.

PAGE 84: Motion to appoint Dr. Gretchen Bath-Martin to the Snapper Grouper AP. Motion carried on Page 84.

#### **INFORMATION AND EDUCATION COMMITTEE MOTIONS**

PAGE 85: Motion to recommend to the council that the recommendations from the readability report serve as a guideline and begin implementation by January 2, 2012. Motion carried on Page 87.

#### **SNAPPER GROUPEE COMMITTEE MOTIONS**

PAGE 89. Motion to begin work on a generic amendment that will implement dealer permits and update timing requirements. Motion carried on Page 89.

#### **AMENDMENT 18A**

PAGE 89: Motion to track the landings of black sea bass for commercial and recreational sectors and reflect that as whole weight; do not change the numbers in Amendment 18A

document but reflect in the final rule and include a table in the document that expresses the conversion factors for whole weight and gutted weight. Motion carried on Page 89.

PAGE 89: Motion to select Alternative 4 with modification as the preferred alternative. Motion carried on Page 91.

PAGE 90: Substitute motion to go back to Preferred Subalternative 3B as the preferred alternative. Motion defeated on Page 91.

PAGE 91: Motion to create a new Alternative 5 instead of modifying Alternative 4 and to make Alternative 5 the preferred alternative. Motion carried on Page 92.

PAGE 92: Under Action 2, motion to select Subalternative 2G as the preferred alternative. Motion carried on Page 92.

PAGE 92: Under Action 4, motion to select Alternative 2, Subalternative 2A as the preferred. Motion defeated on Page 96.

PAGE 98: Under Action 4, motion to select Alternative 3A as the preferred alternative. Motion carried on page 99.

PAGE 100: Motion to modify some language in the two previously discussed Alternatives 2 and 3 as follows: Under Alternative 2, a valid or expired black sea bass pot endorsement can be transferred between any two individuals or entities that hold or simultaneously obtain a valid or renewable unlimited snapper grouper permit.

PAGE 101: Substitute motion to modify language in Alternatives 2 and 3 as follows: Alternative 2, a valid black sea bass pot endorsement can be transferred between any two individuals or entities that hold or simultaneously obtain a valid, meaning not expired, unlimited snapper grouper permit. Motion carried on Page 102.

PAGE 102: Motion to adopt the IPT's recommended change in the wording in all the alternatives for Action 5 to reflect "permit year" and not "fishing year". Motion carried on Page 102.

PAGE 102: Motion to untable the motion listed below. Motion carried on Page 103.

PAGE 102: Motion to adopt the IPT's recommended language to change the wording in the alternatives for Action 5 to reflect "permit year", not "fishing year". Motion carried on Page 102.

PAGE 103: Motion that the endorsement will be renewed at the same time the snapper grouper permit is renewed. Motion carried on Page 103.

PAGE 104: Motion to clarify that brought back to shore matches the description and definition in the codified text with the clarification that brought back to shore means return to a dock, berth, beach, seawall, or ramp at the conclusion of each trip. Motion carried on Page 104.

PAGE 104: Motion to add the following alternative under Action 7 and to make it the preferred: Alternative 3, for the recreational sector, remove the three-year running average provision used to determine recreational ACL overages. The recreational AM would be if the recreational sector black sea bass ACL is met or projected to be met independent of the stock status, to prohibit the harvest and retention of black sea bass. If the recreational sector black sea bass ACL is exceeded independent of stock status the Regional Director shall publish a notice to reduce the recreational sector ACL in the following season by the amount of the overage.

PAGE 104: For the commercial sector, if the commercial sector black sea bass ACL is met or projected to be met independent of stock status, all subsequent purchase and sale of black sea bass is prohibited and harvest and/or possession is limited to the black sea bass bag limit. If the commercial sector black sea bass ACL is exceeded independent of stock status, the Regional Administrator shall publish a notice to reduce the commercial sector black sea bass ACL in the following season by the amount of the overage. Note that the ACL increase as specified under the rebuilding strategy are contingent upon the total commercial and recreational landings not exceeding the combined ACL. Motion carried on Page 105.

PAGE 105: Motion to clarify the language in AMs to indicate that paybacks are not required when new projections are adopted that incorporate the quota overruns and the ACLs are adjusted in accordance with those projections. Motion carried on Page 105.

PAGE 105: Action 8, motion to select Alternative 1 as the preferred. Motion carried on Page 105.

PAGE 105: Action 9, motion to change the preferred to Alternative 4, which would establish a 1,000 pound gutted weight trip limit. Motion carried on Page 105.

PAGE 105: Action 10, motion to select Subalternative 2A and Subalternative 3A as the preferreds. Motion carried on Page 105.

PAGE 105: Action 11, motion to add Alternative 4 as the preferred and that alternative was to require that commercial landings and catch effort data be submitted in accordance with ACCSP standards using the SAFIS system.

PAGE 105: Substitute motion to move the items in Action 11 into the Dealer Permitting and Reporting Amendment. Motion carried on Page 106.

PAGE 106: Motion to deselect Alternative 3 as the preferred alternative. Motion carried on Page 106.

PAGE 106: Action 11, motion that in terms of defining overfishing to use the OFL level in years when there is no current assessment and continue to use MFMT during years when there is an assessment. Motion carried on Page 106.

PAGE 106: Motion to select the no action alternative under Action 11 as the preferred. Motion carried on Page 106.

PAGE 107: Motion to recommend approval of Amendment 18A for formal review. Motion carried on Page 108.

PAGE 108: Motion to deem the codified text as necessary and appropriate. Motion carried on Page 110.

PAGE 110: Motion to give the staff and Council Chair editorial license to make changes to the document as necessary. Motion carried on Page 110.

#### **AMENDMENT 20A**

PAGE 111: Motion to accept the IPT's recommended language and to retain Alternative 3 as the preferred. Motion carried on Page 111.

PAGE 111: Motion to recommend approval of Amendment 20A for formal review. Motion carried on Page 113

PAGE 113: Motion to deem the codified text as necessary and appropriate. Motion carried on Page 114.

PAGE 114: Motion that the committee concurs with the proposal to adjust the wreckfish ACL through the process proposed by NOAA General Counsel.

PAGE 114: Substitute motion that the council accepts the ABC recommendation presented to us by the SSC at this meeting and concur with the proposal to adjust the wreckfish ACL through the process proposed by NOAA GC. Carried on Page 115 as the main motion.

PAGE 116: Motion to give staff and Council Chair editorial license in regard to Amendment 20A. Motion carried on Page 116.

#### **EXPERIMENTAL FISHERY PERMIT REQUEST**

PAGE 122: Motion to recommend that the Regional Administrator approve the experimental fishing request by the South Carolina Aquarium. Motion carried on Page 122.

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THEO BRAINERD  
ANDY STRELCHER  
ANNA BECKWITH  
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JACKIE WILSON

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# FULL COUNCIL - ROLL CALL VOTE

Date:

Meeting Location:

Issue: S/G AMENDMENT 24

AMEND/REG

	YES	yes <del>NO</del>	ABSTAIN
CUPKA	✓	✓	
CURRIN	✓	✓	
BOYLES	ABSENT	ABSENT	
BURGESS	✓	✓	
DR CRABTREE	✓	✓	
DR DUVAL	✓	✓	
HARRIS	✓	✓	
HARTIG	✓	✓	
JOLLEY	✓	✓	
HAYMANS	✓	✓	
MCCAWLEY	✓	✓	
PHILLIPS	✓	✓	
SWATZEL	✓	✓	



# FULL COUNCIL - ROLL CALL VOTE

Date:

Meeting Location:

Issue: B/G AMENDMENT 18 B

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

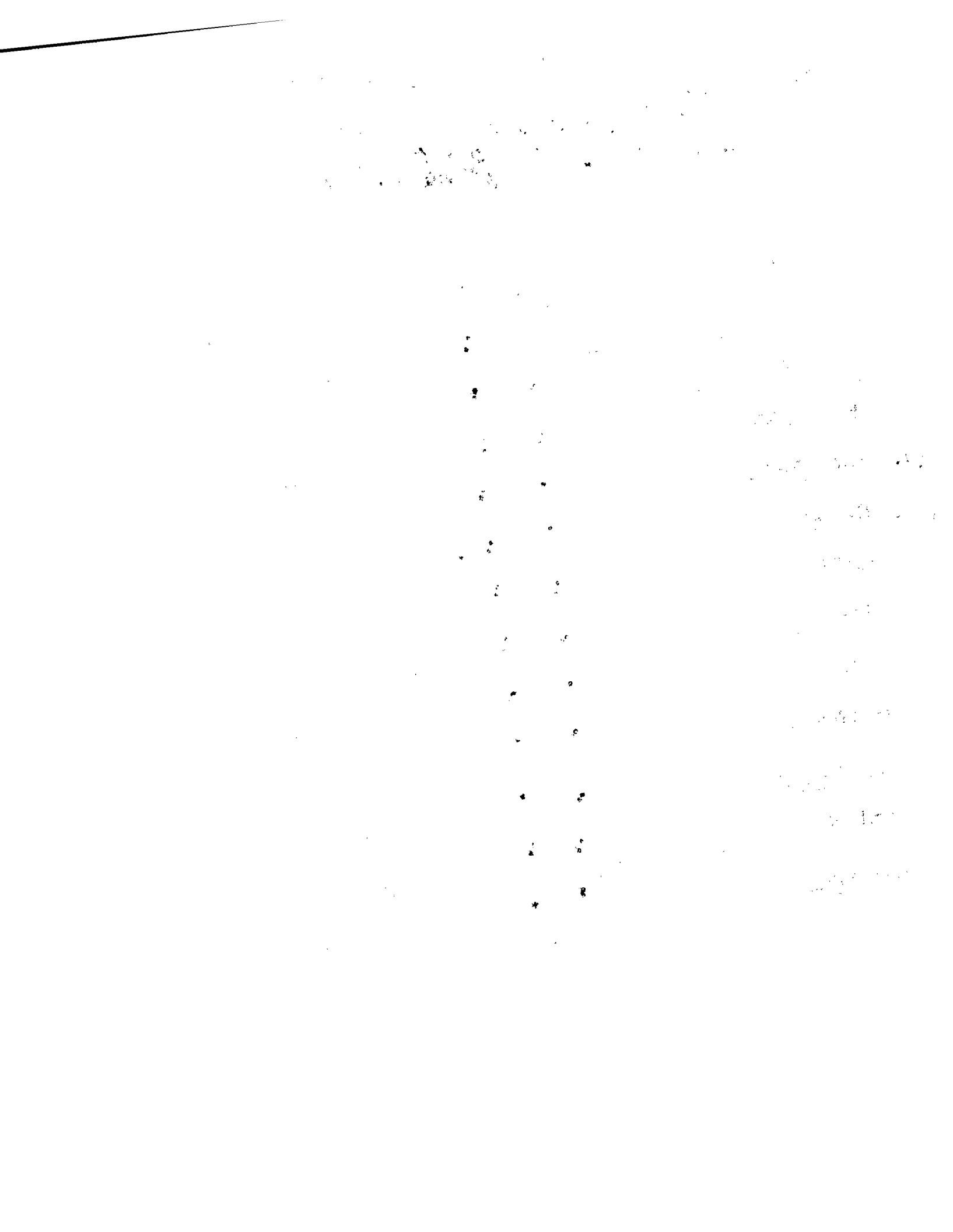
# FULL COUNCIL - ROLL CALL VOTE

Date: SNAPPER/GROUPER Meeting Location:

Issue: AMENDMENT ~~20A~~ 20A

DR  
DR

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



# PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

**FULL COUNCIL MEETING**  
December 9, 2011  
Raleigh, NC 27605

P.O. BOX/STREET  
CITY, STATE & ZIP

EMAIL  
ADDRESS

AREA CODE &  
PHONE NUMBER

NAME &  
ORGANIZATION

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	EMAIL ADDRESS	P.O. BOX/STREET CITY, STATE & ZIP
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Allston Leland	912-222-9206	Susan-Slipman@att.net	Tallahassee, FL
Susan Slipman	321 615 5228	mikeswift@gmail.com	Austin, TX
Mike Merifield	912 321 1293		
David Wilk			
Ang Beckwith			

South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405  
843-571-4366 or Toll Free 866/SAFMC-10

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**FULL COUNCIL MEETING**  
**December 9, 2011**  
**Raleigh, NC 27605**

P.O. BOX/STREET  
 CITY, STATE & ZIP

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	EMAIL ADDRESS	P.O. BOX/STREET CITY, STATE & ZIP
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Jan Cudrey	HMS-NMFS 920-338-3936	Jackie.Wilson@noaa.gov	Silver Spring MD
Jacque Wilson	252/845	252 2009@aol.com	CHS, SC
Justin Anderson	SAFE/ECFS 813-327-1114		NC
Pat Ditzler	SAFE		NC
Helga Tinkle-Hornbacher			
Chris Elkins			

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 4055 Faber Place Drive, Suite 201  
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# PLEASE SIGN IN

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**FULL COUNCIL MEETING**  
**December 8, 2011**  
**Raleigh, NC 27605**

P.O. BOX/STREET  
 CITY, STATE & ZIP

EMAIL  
 ADDRESS

AREA CODE &  
 PHONE NUMBER

NAME &  
 ORGANIZATION

Durham,  
 NC 27601

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	EMAIL ADDRESS	P.O. BOX/STREET CITY, STATE & ZIP
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Michael Willard	DSF 2009 @ aol.com	rebecca@ecr.com	276 Cass Creek Rd
Wesley Olinson	DSF / ECFS 239-0948	Mike Willard@worcester.edu	Fusville, VA 27946
DeWitt Hrus	910 326 1293		
Mike Willard	321-215-5338		

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# PLEASE SIGN IN

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**FULL COUNCIL MEETING**  
December 8, 2011  
Raleigh, NC 27605

P.O. BOX/STREET  
CITY, STATE & ZIP

EMAIL  
ADDRESS

AREA CODE &  
PHONE NUMBER

NAME &  
ORGANIZATION

*Ray Zakalwany*

*301-271-7110*

*Rzakalw@ghsa-*

*1505 Edgmont (med) 10515 E1*

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North Charleston, SC 29405  
843-571-4366 or Toll Free 866/SAFMC-10

PLEASE SIGN your name at each meeting and so that we have a record of your attendance at each meeting and so that we may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

So that we will have a record of your attendance at each meeting, we ask that you sign this sheet for the meeting shown below.

**FULL COUNCIL MEETING**  
**December 8, 2011**  
**Raleigh, NC 27605**

MAIL  
 P.O. BOX/STREET  
 CITY, STATE & ZIP

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	EMAIL	CITY, STATE & ZIP
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*Jim Allen*





December 6, 2011

Gentlemen of the SAFMC:

It is unfortunate that the scheduling of the fall meeting of the SAFMC held in Raleigh, NC prevented attendance of the fishermen from the coast since it requires a six hour commute. Concerned fishermen who normally attend these meetings from the Crystal Coast replied via email of that inconvenience.

A notice received on December 3, 2011 from "South Atlantic Fishermen's Association" stated a voluntary ITQ program was to be presented on behalf of the fishermen at that meeting. This proposed program could not be beneficial to the small fisherman since it does not represent the majority of the South Atlantic Fishermen. It does appear as an effort to control the fish quota in the South Atlantic by a few wealthy, well-connected fishermen and fish house owners. Most distressing is that these actions appear to disconnect and exclude the average small independent fisherman.

The VMS and off-loading at pre-approved fish houses demonstrates that this is obviously wealthy larger fishermen with fish house affiliations that want to force an attempt to seize the fish quota and regulate the small independent fisherman out of business. We have argued against VMS from the beginning due to the installation and monthly monitoring expense. In addition the dates proposed in their program to qualify catch records appear to have been adjusted from earlier discussions to benefit this small group at the expense of the other fishermen.

Small independent fishermen have invested as much or more per capita as the larger fishermen and fish houses and stand to lose as much or more. For most small fishermen it jeopardizes our income, retirement investments, boats, equipment and licenses to nothing.

Fellow small independent fishermen, affirmed below, disagree with this proposal and ask for its immediate rejection.

Sincerely,

South Atlantic Concerned Fishermen

Charles Crawford - BOUNTY HUNTER NC 1297WJ  
Larry E. Lenthousen - Best Friends 622717  
Cedric O. Hunt - Sea Trout II NC 0605WJ  
Justin W. Winters - Fishinmission NC 1041CW  
Kerry M. Hunt - FAMILY AFFAIR NC 5047DA  
Nott Sams - Seanie III NC 982774

(\* Names are spelled on back )

- Charles Granger
- Larry Leuthauser
- Clifford Trout
- Justin Wysowski
- Ralph Trovost
- Scott Garris -

bsb pots + hook and line

bsb ~~Wysowski~~  
pots + hook and line

Scott and Cliff also charter, Scott also ~~was~~ was strictly commercial until last 2 years

(\*names are spelled on page)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

Joey Austin

TELEPHONE NUMBER (& AREA CODE)

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EMAIL ADDRESS (IF APPLICABLE)

redvoss@earthlink.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Self

DO YOU WISH TO MAKE A STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

RAY ZAKHUNY

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EMAIL ADDRESS (IF APPLICABLE)

RZAKHUNY@YAHOO

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

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TELEPHONE NUMBER (& AREA CODE)

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sdrevenak@pewtrusts.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

PEG

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

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allstonc@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Fisherman

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

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sport-minner@oceanconservancy.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

OceanConservancy

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)





SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

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peewet55@bellsouth.net 33087

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Sustainable Seafood Solutions

DO YOU WISH TO MAKE A STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

Capt. Bill Kelly

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EMAIL ADDRESS (IF APPLICABLE)

FKCFA @ Hotmail. Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

FL Keys Comm Fishermen's Assn.

DO YOU WISH TO MAKE A STATEMENT?

NO

YES:

Coral Protection  
Trap Pole Marking  
Catch Stakes

(PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Agenda Item Comments

LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

Joshua McCoy

TELEPHONE NUMBER (& AREA CODE)

321 960-4885

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Cape Canaveral Shrimp Co / TopTuna

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



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December 8, 2011

YOUR NAME (PLEASE PRINT)

Mike Merrifield

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

688 S Park Ave Titusville, FL 32796

EMAIL ADDRESS (IF APPLICABLE)

mikem@wildoceanmarket.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Cape Canaveral Shrimp Co

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



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Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

Kenny Fey AP

TELEPHONE NUMBER (& AREA CODE)

910-620-5847

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
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LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

Rusty Anderson

TELEPHONE NUMBER (& AREA CODE)

386-239-0948

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

PO Box 9351

EMAIL ADDRESS (IF APPLICABLE)

DSF2009@aol.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

East Coast Fisheries Section

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
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LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

CHRIS CONKLIN

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

MURRELLS INLET, SC

EMAIL ADDRESS (IF APPLICABLE)

cconklin@SouthernCatch.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SOUTH ATLANTIC FISHERMANS ASSOC + CTC SeaFood

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
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Raleigh, NC

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December 8, 2011

YOUR NAME (PLEASE PRINT)

Matt Ruby

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1506 Swamp Fox Lane Charleston SC 29412

EMAIL ADDRESS (IF APPLICABLE)

WarriorFishing3@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT, (IF APPLICABLE)

South Atlantic Fisherman's Association

DO YOU WISH TO MAKE A STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY IF AVAILABLE)





SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
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LOCATION OF MEETING (CITY & STATE)

Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

JACK COX

TELEPHONE NUMBER (& AREA CODE)

252 728 9548

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

121 Buena Vista Dr.

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)



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Raleigh, NC

DATE OF MEETING

December 8, 2011

YOUR NAME (PLEASE PRINT)

Rob Cardinali

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A  
STATEMENT?

NO

YES:

(PLEASE ATTACH A WRITTEN COPY  
IF AVAILABLE)

# PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

**FULL COUNCIL MEETING**  
**December 8, 2011**  
**Raleigh, NC 27605**

**EMAIL ADDRESS**  
**P.O. BOX/STREET**  
**CITY, STATE & ZIP**  
 St. Pete  
~~FL~~

<u>NAME &amp; ORGANIZATION</u>	<u>AREA CODE &amp; PHONE NUMBER</u>	<u>EMAIL ADDRESS</u>	<u>P.O. BOX/STREET</u>	<u>CITY, STATE &amp; ZIP</u>
Monica West-Munner	727-309-4413	spwt-munner@oceanconservation.org		NC
Sara Dreniak	910-685-5705	sdreniak@pwttrusts.org		NY
Dave Neman	212-797-4557	dneuman@ndc.org		NC
Helen Takeda-Henmacher		htakeda@edf.org		SC
Allston Lelton	843-822-6674	allstonlelton@edf.org		Wardhead City NC
Gretchen Martin	912-222-9206	susan@pwttrusts.org		SSI, GA
Susan Simpson	772-370-4163	finchase@edf.org		F.P. FL
Robert Cardie				
Brian Kelly				
Chris Elden				

South Atlantic Fishery Management Council  
 4055 Faber Place Drive, Suite 201  
 North Charleston, SC 29405  
 843-571-4366 or Toll Free 866/SAFMC-10