

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

COUNCIL SESSION

**Sea Palms Resort and Conference Center
St. Simons Island, GA**

March 10-11, 2011

SUMMARY MINUTES

Council Members:

David Cupka, Chair
Robert Boyles
Mark Robson
George Geiger
Ben Hartig
LTJG Matthew Lam
Tom Swatzel
Doug Haymans

Dr. Brian Chevront, Vice-Chair
Dr. Roy Crabtree
Duane Harris
Mac Currin
Tom Burgess
Charlie Phillips
Vince O'Shea
Dr. Wilson Laney

Council Staff:

Bob Mahood
Mike Collins
Kari MacLauchlin
Kim Iverson
Julie O'Dell
Anna Martin
Andrea Grabman

Gregg Waugh
John Carmichael
Myra Brouwer
Mike Errigo
Kate Quigley
Roger Pugliese

Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Otha Easley
Kathy Knowlton
Red Munden
Bobby Cardin

Dr. Jack McGovern
Rick DeVitor
Jessica McCawley
Lt. Brandon Fisher
Dr. Nick Farmer

Additional Attendees Attached

TABLE OF CONTENTS

Call to Order, Chairman David Cupka.....	3
Public Comment.....	3
Adoption of the Agenda.....	39
Roll Call.....	39
Awards Recognition.....	39
Spiny Lobster Committee Report.....	40
Mackerel Committee Report.....	42
Ecosystem-Based Management Committee Report.....	44
Golden Crab Committee Report.....	48
SEDAR Committee Report.....	48
Joint Executive/Finance Committee Report.....	53
SOPPs Committee Report.....	54
Law Enforcement Committee Report.....	55
Shrimp Committee Report.....	56
Status Reports.....	57
NMFS SEFSC Status Reports.....	58
Agency and Liaison Reports.....	61
Snapper Grouper Committee Report.....	70
Discussion of Wreckfish.....	104
Discussion of Amendment 24.....	109
Discussion of Development of Workshop.....	110
Other Business:	
Discussion of Sturgeon.....	113
Upcoming Meetings.....	115
Adjournment.....	117

The South Atlantic Fishery Management Council convened at the Sea Palms Resort and Conference Center, St. Simons Island, Georgia, Thursday morning, March 10, 2011, and was called to order at 10:50 o'clock a.m. by Chairman David Cupka.

MR. CUPKA: If everyone will take their seats, we're ready to start the public comment period. Good morning, the council is here today to take public comment on Snapper Grouper Regulatory Amendment 9, black sea bass issues as well as any other items that are on our council meeting agenda. With that, we'll go ahead and get started. Our first speaker is David Heil.

MR. HEIL: Good morning. My name is David Heil. I'm here as a member of the Recreational Fishing Alliance and also the Central Florida Anglers. We've already filed our public comments. I'm here to make other comments to the council as a whole. It is incumbent that this council takes no action on any proposed regulations and also roll back all regulations passed since January 1, 1009, until such time as NOAA has replaced the MRFSS System and the MRIP System is fixed and fully implemented.

The economic hardships that these unwarranted draconian regulations that you have passed have unnecessarily caused the loss of thousands of jobs of hard-working Americans through the southeastern United States. You should all have voted against these closures and anybody who has needs to hang their head in shame because you have forced a lot of people out of work. You've put a lot of hard-working people out of business. It's your responsibility and you have the legal, moral and ethical obligation to review the information provided you by Roy Crabtree and his scientists and to reject that as being bad.

We all know that the science that's coming out of NOAA is not good. The junk science needs to be rejected and you can force – and the only way you can force NOAA to do what they're supposed to do in regards to collection and analysis of the data is to reject the garbage that he is providing you to make these regulations on. That is your duty under the Magnuson-Stevens Act. It is not to be a rubber stamp for Roy Crabtree. It's to independently think, independently analyze and then make ruling based upon what you know to be the case and not what you're getting.

Best available science is not the best available garbage coming out of NOAA. The best available science is the best they can do and they're not doing it. They're doing exactly what they have to do to get along. The council has the legal ability to reject any proposed regulations or any mandates out of NOAA. If you do that, then you push the burden back on to Roy Crabtree. In that case, NOAA can and will be able to pass a regulation if they feel it is necessary. This has been decided by the courts and also has been backed up by the Department of Justice.

If Roy wants to produce these regulations on junk science, he has a mandate to do so. Also, the Magnuson-Stevens Act is running in a way that it's not supposed to be run. The Magnuson-Stevens Act requires the Secretary of Commerce review these and approve them. It is not happening. These regulations are making it no further than the second chair in NMFS. The black sea bass fishery that you just closed is based upon a ten-year old assessment and not a new one. Further, you're now considering new regulations on dolphin and wahoo and cobia, and there has not even been a stock assessment on these.

With the red snapper closure, the one thing you have and the one thing you need more than anything else is voluntary compliance. There is no way you can comply without the – enforce these without voluntary compliance. With making bad regulations and especially the red snapper closure, you've lost virtually all compliance. I hear from anglers daily that they have no confidence in anything that is being done here, and they are not going to – they are going to start not complying with the regulations, and they're not doing it now.

You're basically losing the confidence and you're losing the voluntary compliance; and when you've done that, you're going to lose this fishery. You're not just going to lose the red snapper fishery; you're going to lose all of them. You have two obligations and two choices at this meeting. You can basically go back and redo these regulations and go back and make sound decisions based upon what there is; or, you can move forward like you have been and lose all voluntary compliance, lose all regulations, and lose all control of what is happening in the South Atlantic, because you are very, very close to having that happen.

We're calling on you to roll back all the regulations back to January 1, 2009. That is the date that NOAA was required – mandated by congress to have fixed this data. We're calling for you to roll it back to that date. Congress is looking at this hard right now. We had one hearing this week, and there are more hearings to come. Congress is looking at what you people are doing here, and they're not approving of what you're doing. I just heard a presentation, and I'll be one more second.

In regards to Bonnie's presentation, I've fished in the South Atlantic and I've fished for red snapper over the last 40 years. I can tell you three things about her data. You used the wrong tackle, you used the wrong techniques and you used the wrong bait. It's not valid science. Once again, you're getting bad science from NOAA. A classic example of it was just presented to you just now. The choice is yours. You can either manage these fisheries properly or you can lose every one of them. Thank you.

MR. BARBER: My name is John Barber and I'm a recreational angler. Today I'm here presenting statements for the Hundred Fathom Fishing Club, the Central Florida Offshore Anglers, the Deep Blue Sea Fishing, the FSFA of Cocoa, the Flagler Country Sportfishing Club, the Ft. Pierce Sportfishing Club, the Halifax Sportfishing Club, the Sebastian Inlet Sportfishing Club, the Fishing Rights Alliance, the Recreational Fishing Alliance, the Coastal Angler Magazine, and Castaway Publications. The Magnuson-Stevens Act in 2007 instructed NOAA to fix the fatally flawed science and data by January 1, 2009.

The intent was once this critical science and data issues were resolved, NOAA would aggressively enact measures to end overfishing. This was a good idea. Many of the science and data deficiencies that needed to be addressed were clearly pointed out by the blue ribbon panel and pointed to me in multiple times of making comments to you that the best scientists in the country have stated – and I quote – that the designs and sampling strategies and collection methods of recreational fishing surveys do not provide adequate data for management and policy decisions.

Reviews were done in 2002, 2004, 2006 and consistently highlighted the same deficiencies. The deadline of January 1, 2009, is now two years late, and we still have many items that have not been corrected. Instead of an aggressive campaign to reform poor science and data deficiencies, we have watched \$54 million budgeted for catch shares, \$40 million for spatial planning, and another \$18 million requested to be reallocated from fisheries science and research to catch shares.

It has become apparent that NOAA/NMFS is intentionally neglecting or disregarding its mandate to fix its core science. This is not what congress intended or instructed in the Magnuson-Stevens Reauthorization Act. NOAA/NMFS is now operating in contempt of congress, and we are petitioning congress and the inspector general's office next week of the Commerce Department to investigate the deliberate and intentional disregard of this January 1, 2009, deadline and the subsequent aggressive implementation of fishery management policies with the full knowledge that the underlying science and data was and continues to be inadequate for proper management and policy decisions.

We are demanding that the leaders of NOAA/NMFS give a full accounting of why they did not meet the prescribed deadlines, why they did not notify congress of the non-compliance, and why they continue to enact management policies knowing they did not have the congressionally mandated updated science and data foundation. I will be as quick as I can. I would like to give you some requested guidance from the clubs regarding future decisions.

We're petitioning the council here to use its best judgment in re-evaluating recent rules and the creation of new ones concerning it is being asked to make them without the benefit of the competent science and timely accurate data that congress intended. The council has heard comments and testimonies of thousands of fisheries users from all sectors, and we have heard from distinguished scientists that what we're seeing on the water does not match what the scientists are representing to you.

The Magnuson-Stevens Act intended to give greater weight and voice to science and data, but it was assumed that it would be after the critical flaws in the science and data systems had been addressed. When it was reported that the red snapper stock was down to 3 percent, you guys should have questioned it right there. It was not down to 3 percent. You have now moved it to 7 percent.

I would like to go on to one other issue if you would just give me a little while. I'm representing over 16,000 anglers. Specific to the age truncation – I didn't come up with this; the scientists did – we have cold water events that come into our waters from time to time. There are times when these cold water events are so severe that we have fish kills. I have documented evidence from commercial divers who have run into dead red snapper lying on the bottom from these cold water events. If you have cold water event every seven years that comes in, if you have a 28-year-old snapper, he had four shots at getting hit with that and possibly dying.

The age model that you're trying to use for red snapper may have never ever existed, and I would suggest you look into that. The last thing I would ask you about the science – and I have e-mailed you all my full comments – please read them all. There were over 15 people that put

comment in on this, and they were some of the most knowledgeable people in this industry. There are genetic studies that can be done to determine if there has been a truncation.

I have asked multiple times in public hearings why we are not doing genetic studies. There is genetic material available from years ago that we could compare against today; and if we were at a 90 percent truncation, we would know it. I appreciate your giving me the time and I'll close. What we're asking for is we're asking for you to reopen the red snapper fishery. It's just as simple as that. That fishery was expanding and growing ever since the two-fish 20-inch rule, and then it continues to work, and it will restore the faith and trust and confidence of the recreational anglers in the council's ability to deal with inadequate science and data in making decisions.

I appreciate your time; and as I said please look at my notes. I passed a picture around in closing. That was the weekend after the Super Bowl. Seas were two foot and glassy. Wind was five miles an hour. This is at Port Canaveral, the busiest ramp. There were nine trucks in the parking lot at 7:00 a.m. in the morning; nine trucks.

Your own MRFSS System tells us that fishing pressure is down 50 percent. We're telling you it's down 60 to 75 percent based on surveying in the clubs. Based on that fact alone, the decreased fishing pressure, you can open the red snapper fishery, and it's not going to explode. These guys have lost their boats; they're trying to hang on to their homes. You can open it. Please do the right thing. Thank you very much.

MR. NEWMAN: Thank you for the opportunity to comment. My name is David Newman and I'm an attorney with the Natural Resources Defense Council. First I'd like to express appreciation for the council's efforts in implementing the ACL requirements. We understand the scientific challenges involved, especially with data-poor stocks, in recreational fisheries, but believe progress is being made and the results will yield higher and more consistent catches and a more sustainable fishery overall.

We also understand this transition to a new system has been difficult for many fishermen also struggling with very tough economic times, but believe doing so will pay dividends in the years to come. We may disagree on many things, those of us in this room, but one area of potential collaboration is getting congress to allocate more funds for scientific research, in particular collaborative or cooperative research with fishermen and getting them more involved in the process and with supporting coastal jobs creation.

We believe that the transition to catch limits is working. Stock assessments are improving both in quantity and quality. Assessment models are being designed specifically for data-poor stocks. MRIP is improving the reliability of recreational catch data. The recent expansion of MARMAP is also helping with fishery-independent data. We understand the council's decision to remove – I'm going to make some comments on the ACL Amendment right now. I'll try to be as brief as possible -- the decision to remove certain species from the FMU but believe it should be based on more than just landings thresholds. There needs to be a mechanism in the FMP for tracking the vulnerability of the removed stocks and triggering actions to resume management if they cross certain biological thresholds.

It is imperative that the alternative management regime to federal management where these stocks would be managed if removed is evaluated to provide sufficient protection before a decision is made to remove them. The proposed ABC Control Rule for assessed stocks; we believe this is a very positive step in the right direction. It's a reasonable approach creating clear buffers. We request that the ACL Amendment contain a more detailed discussion of this control rule and its application to the stocks that it has been applied to.

We're concerned about the proposed approach for unassessed stocks in terms of setting ABCs; that it's not sufficiently precautionary and designed for specific stock vulnerabilities, so we would like to see more analysis on that front before a blanket rule is applied. As we've commented before, the current approach to setting ABCs and ACLs regarding bycatch we believe is inadequate.

The council should be clear and consistent whether each ABC or ACL is based on landings or total mortality. We understand that you cannot simply flip a switch and all of a sudden incorporate bycatch after years of not doing so, but believe that including this important source of fishing mortality must become a priority. The legal mandate to do so is clear. The benefits for maximizing catch while preventing overfishing is also clear.

What is not entirely clear is the current capacity for beginning to actively manage bycatch as well as the gaps in that capacity and how it will be filled, so we would like to follow up on that and we plan on doing so. Finally, last point, very briefly, we're concerned about the likelihood of overfishing by setting ACL at ABC for all snapper grouper stocks. We're also concerned about the lack of ACTs in the commercial sector especially considering the recent overages and the implications of future overages without any kind of accountability measure to prevent that from happening before it does. Thank you very much for the opportunity.

MR. ROBERTSON: My name is Jim Robertson. I'm a snapper grouper fisherman. I also do bass trapping out of North Carolina, Beaufort Inlet. I guess the main thing is the strain that you're putting on the fishery, not only putting us out of business. We're going to lose our relationships, our house, our boats. As far as the triggerfish, you put the closure, you're putting a strain on triggerfish. Next you're going to be putting quotas on that, and there isn't going to be no fishery.

As long as we're catching triggerfish, we're catching groupers along with the triggerfish and not even fishing for them. The fish are biting, you catch them, you hold the fish up, you put him on the fishbox, try the vent tool and hope they swim down. It ain't working. The fish are dying. I can go up north snappers – average 20-pound snappers. I'm watching 30 and 40-pound snappers float away because they strain so hard when you catch them; and to see a big fish like that, you know the stocks are good, so there has got to be something wrong with the information.

I'm all for rebuilding the stocks. I want to be able to fish. I've got a five-year-old boy; I want him to be able to fish. I don't own my own boat. I'm working on a – I want to own my own boat, but I'm not sure how this fishery is going to go. Bad enough as it is; it's just going to make us more broke. There has got to be done something done to give us at least a bycatch or

something to catch along with these fish, and especially with the fuel prices and everything else going up.

This winter has been a bad winter. I'm sure it has been for everybody. The B-liners hasn't bit for us. The water has been cold. I've to make an eighty or a hundred mile run to get to the warm water to catch B-liners. The last I checked the stocks was like half – on the quota half the stock had been caught, the quota. Two weeks later, all of a sudden, it's being closed down. I know from my fleet there wasn't hardly any B-liners caught.

It's too long a run; it wasn't economical for anybody to do it. But, if we were allowed a bycatch to catch some grouper or some B-liners, when we did catch them, because once you close them, the fish are going to start biting. I'm sure you all know that. But, it ain't working. I appreciate your time. I really feel that you're trying to do the best you can in rebuilding the stock, but at the same time you're putting us out of work and we're a dying breed, not the fish. Thank you.

MR. COX: My name is Jack Cox. I live and own a seafood market in Morehead City, North Carolina. I've been snapper grouper fishing since 1980. I also worked on the LAP Workgroup in 2008. I appreciate the opportunity to comment today. Our seafood market employs ten people and helps supply thirty local restaurants fresh local seafood. I need a consistent supply of seafood to be able to stay in business.

I recently went to Washington, D.C., to inform my representative why catch shares are important to me and why they need to support this council. I went because it's important that representatives know that commercial fishermen are interested in catch shares. I met with Senator Kay Hagen, who said that her and her husband are coming to visit this summer to go fishing with me to understand our situation better. I also met with Senator Richard Burr.

I met with Congressman Walter B. Jones. Walter B. Jones and I had about a 15-minute conversation. Mr. Jones, in my opinion, doesn't quite understand catch shares. He did tell me that he felt there was too much pressure coming from NOAA on the catch share policy, and so that's why he made the suggestions that he made. I know that moving forward in this business won't be easy. However, I see great potential in a catch share system for this fishery.

Congress should not be making fishery policy. This is a job for the council. So much of what we've heard, for example, about corporations buying up shares and trading on Wall Street is ridiculous. I'm ready to get back to talking about management. I understand we're not looking at Amendment 21 at this meeting, but I would like to see you start thinking about the design and go back and look at the LAP Workgroup Design Report. It's good; a lot of work went into that.

As far as some suggestion species, I think we need to establish catch shares for all marketable species. I think we need to establish an IFQ Program with a referendum. The referendum should be structured like the Gulf of Mexico's. It takes in account that those who are making a living off this fishery have a lot a stake. Allocation; let's get an allocation tool in the fishermen's hands so we can start thinking through what allocation options work best for us.

One final thing; owner-on-board, we currently do not fish with the owner-on-board restrictions. A lot of businesses rely on captains and crews to run our boats. The structure even employs more fishermen and this should not be a part of our catch share plan. I'm ready for a referendum; I'm ready for a vote; I'm ready for catch shares. Thank you, again.

MR. SURRENCY: Thank you, Mr. Chairman, for giving me a chance to speak. My name is Ron Surrency. I'm from Jacksonville. I commercial fish and I have a charter fishing business down there. On the commercial side, 99 percent of the people at our dock, I represent probably about 18 boats, commercial boats. We're all against catch shares. Like the Gulf of Mexico, when they went to that program, it just wasn't thought out. It put 75 percent of the boats right out of business before it got to go.

You can't control the TAC so you can't control what allocations you're going to get. The people with the most money like the fish house owners and other special people with money it would be a good investment. It's a double-edged sword, but it's not for the small business workingman. I've been in this business probably up close to 25 years, and it's not where to go. I think the money that they're taking out of congress for science to go catch shares, we're not for that. That money needs – we need more science, better science, you get the fishermen move involved.

As far as the sea bass and these closures; I mean, that's another nail in the coffin. And as you close a fishery, that puts – like one man said about the triggerfish it's just putting more pressure on other fish. You know, before you look at all these closures, you just up the size limit, reduce the bag limits. I mean, we can live with that. The economy is getting worse, the price of fuel is going up.

If you're relying on the recreational sector, you know, most people don't care what you do, when the price of fuel is approaching four dollars and they're talking this going to five dollars, you're not going to go fishing if you had everything open out there. When you trying to feed your family and you're trying to save your house and stuff like that, but this right here is just an extra nail in the coffin. I've said my comment and thank you for your time.

MR. BROWN: My name is Mark Brown. I'm from Charleston, South Carolina. I have a headboat and commercial fishing boat. I've been in the business for over forty years. I want to comment on a couple of different things. First, with the black sea bass, the black sea bass closure is hurting a lot of people. A lot of us depend on that. We have a season that's coming up right now where a lot of us have been without making any income through the winter.

It has been a long winter and so we're really dependent on the black sea bass to try to supplement being able to catch something with so many other different species that are closed, and us coming into our season and now we're going to be restricted down to not being able to keep anything. It's a real bad situation for us because we need to be able to keep something so that we can keep our customers happy when we're carrying people for hire.

I'd like to make some suggestions on this black sea bass closure and the way that you're looking at this rebuild plan. First, I would like to suggest that you consider changing the F-rebuild for the way that the structure – the rebuild plan is and look at making some adjustments to that for

the future. I know that there have been discussions about that in the past. I think that this is something that could be looked at in the future that it could actually help the overall – respect to different species and not only just to sea bass but for a lot of other things. Also, I'd like to make a suggestion, too, with the black sea and the spawning closure, I'm not for that because the black sea bass are not aggregated into one spot. They're kind of spread out over a big area and having a spawning closure really doesn't make any sense for this species.

I would suggest not having one, but if we're going to be subjected to a spawning closure, if that's going to be implemented into the law, I would suggest that you have a catch limit that is lower in that timeframe where it would still allow us to be able to fish and then go back to a regular bag limit outside of the spawning closure, but I'm not for a spawning closure. I'd just as soon see it be open throughout the year.

As far as the red snapper go, that has been a big thorn in our side for quite a while now, and I just think that the red snapper needs to be opened back up. There is not enough information there to close this fishery. I think that we need to look at some sort of an adjustment that can be made that can open this fishery back up because there are a lot of people that depend on that throughout the range. I think again, as I said, looking at this F-rebuild plan in regards to all of these different species could definitely benefit us in the long run.

As far as catch shares go, our organization – I'm also the vice-chair for the South Carolina Recreational Fishing Alliance, and as an organization we're not in favor of catch shares at this time. What I would like to suggest, too – and I've had some discussion with a lot of different people on the board about this is that communication is such a big factor in a lot of this stuff. A lot of the public doesn't understand a lot of the things that are happening, and there is a lack of communication between the government and the fishermen.

I think that we need to have some sort of a system set up to where you can put something – we're in a technology age. Man, you ought to be able to put something out there to where we can access it and pull it up and read it and be able to understand it. At this point right now it's very limited on what is out there that people can actually get a hold of and read into it. I know that a lot of these documents and stuff that I've seen before in the past look some sort of a aromatic writing or something. I can't understand it and I know a lot of the other people can't either so it needs to be simplified and condensed down to a place to where we can actually grasp it, understand what is going on, and maybe we can have better communication between the fishermen and the regulators. Thank you.

MS. PORT-MINNER: Thanks for the opportunity to speak today. My name is Samantha Port-Minner, and I'm here to provide comment on behalf of the Ocean Conservancy, focused on the Comprehensive ACL Amendment. We commend the South Atlantic Council on the progress it has made towards implementing key provisions of the Magnuson-Stevens Fisheries Management Act. In February we submitted a comment letter on the Comprehensive ACL Amendment, and I wanted to go over the main points of our recommendations for the snapper grouper fishery.

First, species removal from the FMU, we'd like to see in the alternatives of Action 1 that the council formally incorporate the concept of desirability to prevent removing species that would

be fished unsustainably if not under federal management and establish thresholds and triggers for determining whether species that are not currently under federal management should be added to the FMU, something like tracking annual landings' value or recreational retention rate.

Next, to add language into the FMP describing how it intends to track and account for the change in bycatch of snapper grouper species from fishing on species that are removed under Action 1. Here we're mainly concerned that state-permitted boats that are now able to target non-federally managed species may run into the bycatch issues with red grouper that they are not allowed to retain if federally permitted, so we're concerned that the bycatch and dead discards of these species could increase.

More on bycatch accounting as often as possible and at a minimum every time a stock assessment for a species is updated, we would like the previously projected dead discards to be compared to the actual dead discards for that period; and if the stock assessment shows that catch limits were exceeded because dead discards were higher than allowed, an extra buffer should be applied to future ABCs to account for that and to specify the monitoring needs in order to move towards full bycatch accounting.

Regarding the ABC Control Rule, we'd like to require a future performance evaluation of the ABC Control Rule to determine when and how it needs to be modified to achieve its goals; to describe how discard mortality is incorporated into the ABC for all assessed species and explicitly state whether ABCs for assessed species are provided in the document; and last to provide ABCs for landings and discards separately when available.

Regarding the stock complexes, to clarify that individual species in stock complexes be evaluated if landings' composition of the stock complex members changes significantly and to specify that the stock complexes will be re-evaluated periodically to ensure species groupings are still appropriate. And then, lastly, regarding the ACLs and ACTs and management uncertainty, we'd hope that the management uncertainty is explicitly accounted for in setting ACLs and ACTs. We have more details in our letter that we submitted. Thank you.

DR. FEDDERN: My name is Henry Feddern. I'm the President of Florida Marine Life Association. I'm also a PhD marine biologist. The octocoral fishery is not a separate fishery but only a small part of the marine life fishery managed by the state of Florida. The reason why octocorals are singled out here is because they were included in the federal Coral Fishery Management Plan. Marine life fishermen harvest many other organisms besides octocorals.

This list of species in the marine life fishery reproduced in your briefing book consists of more than 180 species of organisms ranging throughout the entire gamut of marine life. This is a demand fishery. Each buyer's order specifies a range of organisms and only a very small proportion of any particular order consists of octocorals. Scientists, fishermen and hobbyists all believe that octocorals are not being overfished.

Consider again the huge estimated population, the variety of reproductive strategies and rapid recruitment and growth, that tiny harvest and limited number of fishermen allowed to harvest them, the limited time available to the fishermen, the number of organisms in the marine life

fishery, the areas already off limits to fishermen, and especially the demand nature of the harvest, then ask yourself the question is there any possibility of overharvesting the octocoral population in the foreseeable future?

I believe that octocorals will never be in danger of being overfished. Procedures are already in place in fishery management plans for emergency closures if overfishing or other emergencies occur. Florida can also close the fishery rapidly if conditions warrant. Remember what happened with food fisheries in the Gulf of Mexico during the Gulf Oil Spill. Fisheries action should be based on the same principle that guides the medical profession. First, do no harm. For Action 3 one of the alternatives is likely to harm the fishermen. Page 2-26 of the CE-BA 2 merely states an opinion that Alternative 2 would result in higher, long-term economic and social benefits because it would incorporate landings in state waters. Why would this be so?

On the contrary, Alternative 2 may easily do harm to the fishermen if there was only a slight increase in demand; because if a combined harvest level is reached, then harvest would be prohibited for the rest of the year. United States fishermen would lose income that they would otherwise have received from sales of octocorals. Also, buyers would then be forced to buy octocorals from other countries.

These buyers, in order to make their orders large enough to be profitable, would order many other organisms from fishermen in those countries. When octocorals are again allowed here, these buyers would never return to the United States fishermen; thus causing our fishermen significant permanent economic and social harm. Up to this point I had recommended Alternative 1 of Action 3, no change in the existing ACL.

Yesterday the Ecosystem Committee approved a recommendation to keep octocorals in the plan, but to give management authority of Florida octocorals to Florida. This is a win-win situation for everyone. The council would keep octocorals in the plan to protect them off Georgia, South Carolina and North Carolina. It would have no need to spend time, effort and money on management in Florida. Georgia, South Carolina and North Carolina would continue to have federal protection off their shores.

Florida would blend octocorals into the continuing marine life fishery management plan. Fishermen would have enough time to study octocorals and develop a science-based ACL such as Jennifer Schull's proposal to study octocorals. I thank all of the people who conceived this proposal and thank the Ecosystem Committee members who approved it. I strongly urge each council member to approve this win-win proposal. Failing that, please approve Alternative 1 of Action 3 for the above reasons. Thank you.

MS. DREVENAK: Good afternoon, Chairman Cupka. My name is Sera Drevenak, and I'm here on behalf of the Pew Environment Group Southeast Fish Conservation Campaign. I want to thank the council for the opportunity to comment today on the Comprehensive ACL Amendment. The proactive approach outlined in the Comprehensive ACL Amendment is intended to prevent overfishing by setting cautious limits that will keep fish populations from plummeting to critically low levels and set the course for a healthy, balanced ocean ecosystem.

Adopting this comprehensive plan will allow the council to get ahead of the curve and hopefully avert tougher more painful restrictions in the future by managing fish populations wisely now. For assessed species the SSC deserves credit for developing a thorough and scientifically rigorous approach, and we are pleased to see the council heeding the advice of the SSC by including the ABC Control Rule for assessed species in the document.

However, for species for which only catch data is available, several alternatives would utilize one part of the draft control rule developed by the Gulf Council's SSC. The Gulf's SSC based their initial control rule on work done by the South Atlantic SSC. And although we do not think that the Gulf alternative is an inappropriate interim control rule, it is important to recognize that the section under discussion is just one part in a larger system that was developed by the SSC in the Gulf.

The Gulf's complete approach includes several options for data-poor tiers plus an ACL and an ACT control rule, and the system has been designed to function together as a whole, and we are concerned about using just one section of the control rule, the lowest tier of data-poor species. These species will be addressed by the South Atlantic SSC in April and we urge the council to be ready to adopt the ABC recommendations that are the result of that meeting when you meet again in June.

We also want to offer our support for exploring the proposal to use a five-year running average minus outliers as a way to implement recreational accountability measures. Finally, we think that as you look at removing a significant number of species from the FMU it is important that the amendment clearly spells out a process and criteria for bringing species into the FMU as necessary. There are a number of species like triggerfish that at one point were not heavily targeted and now are popular species, and we are concerned that there is no methodology mapped out for how the council would deal with this situation. Thank you again for the opportunity to provide input this morning.

MS. LONDEREE: My name is Meli Londeree and I'm here representing the Recreational Fishing Alliance Florida Chapter. We're here to put on record our proposition papers on Amendment 9, 21, 22, 24 and the ACL Amendment as well. I personally am also a member of the Central Florida Offshore Anglers, which is a group of recreational anglers in our community. I mainly want to address today the use of the flawed data to implement such gargantuan closures. I have been extremely active in the fishery in Florida.

What I hear most amongst our recreational anglers is an absolute outrage that incompetent science and data has been used to close such an economically vital resource in our community. As I'm sure you're well aware, there has been a very large difference between recorded science and the observation of anglers, myself included, out on the water. I've heard the excuses that there is inadequate funding to correct the data, and to me it's simply inexcusable to take such drastic measures working with incorrect information.

This council was given a date of January 1, 1009, to correct its flawed science prior to any changes being made in regulations yet everyone agrees we are still using grossly inaccurate data; for example, using the reference benchmark date of 1945 for red snapper when there is no catch-

at-age data prior to 1980. It only speaks to common sense that this council move the benchmark reference date to 1980 when collection of necessary catch-at-age data began. For the record, we ask that the council push back all regulations to January 1, 2009, as the flawed science you were directed to fix has not been addressed. We also demand that you revisit the data prior to making any further changes in regulations. Thank you for your time.

MR. PAGE: Good morning. My name is Jeff Page. I'm the vice-president of the Central Florida Offshore Anglers in Orlando, Florida. I represent a consortium of Florida east coast fishing clubs, including the Florida Sports Fishing Association of Merritt Island, the Sebastian Inlet Sports Fishing Association, Halifax Fishing Club from Daytona Beach, Ft. Pierce Fishing Club in Flagler County. These total 1,400 recreational angling families and over 6,000 recreational anglers.

We promote recreational angling and provide educational opportunities to our members. We also raise thousands of dollars annually to promote the conservation such as reef building and scientific studies and support fish such as the dolphin tagging program. We continually reinforce the commitment that our members be good stewards of the saltwater resources. Our members maintain a first-hand knowledge of the health of the fishery; and to be honest where it was in decline 20 to 25 years ago, the implementation of minimum size and catch limits have worked.

We contest the data that has continually been presented that shows these fisheries being in decline. The data is significantly flawed; and being honest, if we felt the fishery was in trouble, as we did many years ago, we would be the advocates of current restrictions. Not only are the closures of the past two years in direct disregard for the true situation of the health of the multiple fisheries, they are already having a catastrophic economical snowball effect in the state of Florida from tourism dollars to tackle and bait shops, charter captains to our very clubs' future along with the degradation of a historical way of life.

They're affecting the way that our clubs operate and our ability to give back to the community. In total the aforementioned clubs have provided over a hundred thousand dollars annually to support such efforts as artificial reef construction, dolphin fish-tagging programs, environmental education, support of children and team fishing programs, and the list goes on. We are losing memberships at an alarming rate because people have become frustrated with government and even knowing that the fisheries are healthy.

They feel they cannot do anything about what is happening. Sponsorship for our fund-raising programs are at an all-time low. We're struggling this year with funding for existence let alone trying to continue to give back to the community. The biggest impact of the decisions the councils have made is to our way of life and the right to be able to participate in the sport of fishing and keeping an amount of consumption that is reasonable and sustainable.

Our members feel that the east coast red snapper resource is currently not only strong enough to support a two-fish per day recreational limit but also healthy enough to support a reasonable commercial hook-and-line industry. We also highly question the action of the South Atlantic Council in regards to the Magnuson-Stevens Act. The fervor created to push ahead steps to end

overfishing with best available data when the council's own documented admission the data is severely flawed.

We don't want fisheries reopened only of the economic crisis that has been created by the management council's bogus decisions, but we cannot ignore this fact as related businesses are closing everyday. Charter fleets are down to 30 percent or less of what they were three years ago. Most boat dealers are out of business. Marina operators are hurting; bait and tackle shops are closing and the list goes on and on and on.

A bad economy started the problem; the SAFMC is finishing it off. You have not only affected the livelihood of those in the business; you're affecting the very right to fish by many people that cannot afford to own their own boats and rely on the charter industry, which is going out of business at an alarming rate. Closing sea bass because the annual catch limit was reached is bogus because you based the total on an average of two pounds per fish and not the reality of what is taken, a 14 to 18 fish at 1 to 1.2 pounds. So let's get back to the root cause of this travesty, inadequate data collection.

Do what the Magnuson-Stevens Act dictates; fix the science now, rescind the current closures, go back to the regulations of two years ago, which were working. Stop this madness and be responsible to the resource users and not to the well-funded anti-fishing organizations such as Pew and the EDF. Let us and our children share our heritage and right to participate in these fisheries in a reasonable, responsible manner. Let our members and organizations continue to be good stewards of the resource and continue to give back to our communities. Thank you.

MR. McCOY: I would just like to start by saying thank you for giving us the time to speak and listen to our comments and our questions last night. My name is Joshua McCoy. I help run a family-owned fish house in Port Canaveral. I go commercial fishing when I get the time to. I'm a fifth generation Florida fisherman. I'm speaking on behalf of a lot of the fishermen there in Port Canaveral. We don't want IFQs; we don't want catch shares; we don't want endorsement programs.

I remember at a meeting in Sebastian, when they were proposing this IFQ Program, everybody said we don't want it. They said, "Well, if you don't want it, you don't have to have it," but all of a sudden it's still in the air going around, and so I'm confused on that part, too. I'm glad to know that you guys have recognized that you made a mistake that where we fish for snowy grouper we do not encounter speckled hind or Warsaw grouper. I know it is closed as of now fishing outside of 240 feet.

I would like to see it get reopened in a timely fashion due to bad data. Even if opening from 500 feet out, it would be a great start, and have your closed area from 240 to four or five hundred feet. We fish for snowies 500 feet and deeper. My second topic I would like to speak on is tilefish. It was a short season; only open like 65 days, but my boat caught our fair amount. That we sold all throughout Florida in retail markets, restaurants and wholesalers. Our customers love the fish, but due to the low annual quota there is a short time of availability for our customers to have this great fish on their menus or to sell.

I would like to see that changed. The way to do that is to give us a higher quota. This year it was set at 82,000 pounds for the whole South Atlantic. That is a nothing quota. If we could have a quota, say, half of what the North Atlantic has, that would be a great start. I mean, the stock is good. The fish are out there. When you're catching the yearly quota in two months and 75 to 80 percent are large tilefish and 20 to 25 percent medium tile, there's a lot of fish out there. We're even catching a lot of 25 to 35 pound fish, big fish.

Hopefully, after you get through with the stock assessment, you might be seeing the same way that we are seeing things and raise the quota. I know I've heard a lot of talk of endorsement programs. That is not the answer to our problems. Taking boats out of the fishery, guys that have been in it for their whole lives, is not good for the fishery. What is good is real quotas based on real stock assessments and science that shows a huge biomass of fish out there. I would like to see this \$54 million they're trying to pass to promote IFQs, which none of the fishermen want to begin with, go towards Bonnie in the science center to work with commercial fishermen to get new stock assessments.

I mean, that is what I've heard the problem is, funding to get stock assessments done. Instead of wasting it on promoting IFQs, use it where it will help the fishery and not hurt it. All IFQs and catch share programs will do is put people out of business. We need to be creating jobs and not taking away jobs. My last comment is I keep hearing the reason why the fish season ended so quickly is due to a lot of new participants in the tile fishery. That's not the case. It's due to a lack of quota.

There was a couple of new participants in it because of other fisheries being closed. They should be welcomed and not try to be put out of it. They're just trying to make a living, too. I mean, my boat caught over 30,000 pounds, about 13 percent of the quota; and if there were all these new participants, we would have only caught half of that, 5 or 6 percent of the quota. So if we caught 12 or 13 percent and the other big players did the same, that would mean there would only be eight longline boats in it. That's not an overage in participants in my book.

The last thing to say is there at Port Canaveral I go out on the back dock and before I used to see fishing boats passing back and forth all day long, and now the only boats you see is – you see a couple of yachts passing through, traveling through, and you see the cruise boats and you see FWC boats. That's the only boats you really see. It's sad to say but that's the truth.

MR. KELLY: Mr. Chairman and members of the council, Bill Kelly with Florida Keys Commercial Fishermen. I wanted to talk to you about primarily about spiny lobster this morning and some dramatic new evidence that came forward in this recent stock assessment, the genetic and scientific evidence supporting near total external recruitment of spiny lobster in our Florida fishery. I'm sure all of you are aware of it, but basically what that means is all of our Florida lobster comes from someplace else.

We have absolutely no control over the stocks that we will have next year, and in essence we could harvest every single legal lobster this year and it would have no impact whatsoever on next year's supply. Just in case these scientists are wrong, bear in mind that if there is a case for local recruitment we don't harvest egg-bearing females and we also have a closed season during the

spawning season. To that point, what we would like to see is an exemption from an annual catch limit on spiny lobster.

We have a couple of options. None of them are easy, but one of the most difficult would be for us to approach NOAA and get an exemption for spiny lobster. That's going to be tough because then they're going to set a precedent for other fisheries. In discussing it with some of the council members, we did have alternatives in turning this over to the state, which would exempt from an ACL, and we know full well that the Gulf Council and the South Atlantic Council are both interested in divesting themselves from management of this fishery, but there are two impediments.

One, if we turn it over to the state, then we sunset the importation rule that is in effect right now protecting the industry. The other is industry concerns about out-of-state vessels that would come and harvest spiny lobster in the federal waters over which Florida would have no control. What we're suggesting and we are willing to propose some congressional legislation that we would have enacted into law the same importation rule that exists right now. We would have that turned into a federal law.

The other thing is that we would ask for a non-transferability at-sea clause which would eliminate the potential for any mother ships to come into federal waters off the state of Florida and disrupt the fishery. We're willing to do that but in exchange for that, because we know both councils would like to divest themselves of management and the state is willing to accept that management, we would like to see a robust discussion on the part of the councils, and we would like to see possibly some support from all three entities in the June joint council meetings in Key West where we could reach a consensus; and by your support for our legislative efforts, we would then move forward and try and have these two hurdles enacted into law, and we could move forward with that transition.

Secondly, I would like to talk to you about trap line marking. I know that all of you have probably read the ESA opinion regarding the spiny lobster fishery and its impacts; but in case you haven't, I sent you a little tickler sheet here, and I thank Kim Iverson for her help with that. What we're talking about is industry-specific trap line marking for spiny lobster, stone crab and blue crab, and I just wanted to address the part with spiny lobster.

We've got 485,000 traps out there. If we do that, it's going to come to a cost of about \$26.10 per trap; \$26,100 per thousand traps; with most of our fishermen average about 750 traps per license. Now, what we're talking about doing is replacing 8,267 miles of trap line that has a shelf life of five to seven years at an expense of just of \$12 million because the ESA opinion says this, "In 2004 to 2007 there were ten entanglement issues with turtles. Eight of those ten turtles survived."

The impact on acropora corals is 0.005 percent for over one million traps that are in the water annually. And then, third, the interaction with smalltooth sawfish is two entanglements over two three-year consecutive periods, and neither one of those were fatal interactions. There has got to be a better way than us taking 8,000 miles of trap line and throwing it in the garbage for no good

reason. If you want to parallel that to the stone crab fishery, it's double that amount. We're cooperating.

I've talked with Dr. Crabtree about a phase-in period and some other things. We have concerns about coloration because turtles have a high visual acuity; and in some cases we actually would – if we use certain colors would be attracting turtles to these buoys and these lines because it would mimic the colors of Portuguese Man-of-War Tentacles. We'll put this in writing. With regard to the ACL issue, I'll put that in writing within the next 30 days and submit it in language for the councils to consider.

Because I've already used up my time, the third issue I just want to mention briefly is that you've received an onslaught of e-mails from the for-hire sector in the Keys. This was generated at the scoping meeting in Key Largo. These men and women in the fishery are truly concerned about what is going on here. They went to Gregg Waugh and they talked to Gregg – and, Gregg, in your next life you should be a motivational speaker, because said “write to the councils; you do make a difference.” And you can see the outpouring was overwhelming. I know that Scott Walter is here. He is one of the instigators in rallying the troops and he is going to talk to you about that, so I'll leave it alone. I just wanted you to know that is why I was the conduit to help deliver this message on their behalf. Thank you very much; and, Mr. Chairman, thank you for the additional time.

MR. STRATE: Good afternoon, sir. My name is Captain George Strate. I have the party boat, the Mayport Princess, out of the metropolis of Mayport, Florida. I was here yesterday at one of the meetings. I was sitting and listening to where you were voting and talking about it; and one of the votes came and they voted on it and it was seven to six. The chairperson said, okay, well, it is declined, and then Gregg said, “Well, that was seven to six in favor.” He goes “I forgot to vote. No.” So they cancelled it, which leaves me to believe he knew it was going to be no to start with.

The second thing, we did the sea bass survey, and they said it was gutted weight. Mr. Crabtree, I talked to him yesterday, and he said, “Yeah, but it's a miniscule amount of weight in a gutted fish.” Obviously, he hasn't gutted a sea bass before because they're like little vacuum cleaners. They get on the bottom and they eat everything, sea cucumbers, crabs, shells, everything. Two to four ounces of their weight is their stomach. They blow it – they have a huge stomach; it blows it out. That's another flaw in the data.

I'm here today because we've lost faith in the council. Everybody along there; all these men over here, they've got their head in the laptop computer, they haven't looked up at anybody that has talked, either playing some killer video games or you're e-mailing your girlfriend, one of the two. Mr. Crabtree right here has paid attention to everybody that got up here and spoke. He sat there and watched everybody. I have been paying attention. The cute little ladies over here with the Pew Foundation and the Ocean Conservancy Group, they have been in their little laptop playing, too; probably e-mailing them.

We're here today because it's serious, sir. There are people out of business. There are people that are losing their boats, their houses, their families. It's gone beyond what you can possibly

do. I take people fishing for a living. I enjoy my work. When I get finished at the end of the day, I have made these people laugh, I made them smile, I've taught them what the ocean looks like, I've taught them about turtles; people that have never even seen the ocean before, and they fall in love with it. It's a haunt; it has been in my heart forever and ever.

Every one of you fishermen back here are the same way. There isn't one guy that gets up that says, "Aah, I don't want to go deep sea fishing today." They want to go to work; they do. These commercial fishermen, they put their life on the line every time they go out there. Us recreational fishermen like myself, we provide entertainment. They provide food for the country. That's what we're here for; that's what we do.

When I get up in the morning, I enjoy going to work. You've got to stop this. We've got to come back and get our senses together. There is no reason for the sea bass closure; there is no reason for the vermilion closure, the red snapper. In 1992 we went from any amount to two fish per person at a 20-inch size limit. They made a spectacular comeback now. Everybody that has ever talked to you people have said there is nothing with the fish.

You get groups like these people over here that want to close everything down for farm-raised and imported seafood. We do not want that; we want the real thing. We want to have the ability to take people fishing, take our kids fishing. There is nothing better than watching a kid catch his first fish.

I've got goose bumps right now just talking about that. I don't mean to be rude or anything, but that's just the way I feel, and I think everybody in this room feels the same way. We need to revise, we need to go back, we need to look at better data, and we need to give a little relief to the people that are losing their livelihoods because of it. Thank you very much.

MR. TAYLOR: Thank you, folks. My name is Bob Taylor. I run a charter/headboat operation out of Calabash, North Carolina. I'm here on behalf of probably a couple hundred other fishermen right in that area that charter fish, that try and make a living day to day, day in and day out. To go back to what this gentleman just said, we're at a crossroads. I look at you folks today and tell you that with a true open heart; we're at a crossroads. We are in a terrible economic time in our country. The black sea closure did nothing but add to that travesty.

I also have a small seafood market that I own, and I typically employ about fifteen people throughout the year. Right now I employ zero people. I run it myself with my wife because I have to to survive. Our fishing industry is in peril if you folks do not take some action. Stop listening to Pew, EDF, the folks that want to close the ocean. We're fishermen; we're stewards of the ocean. We know more than anyone else what is out there, what is statistically – I mean, an assessment should be us going in the ocean with some of you folks to show you what is there; not you hiring some folks from Colorado or scientists from God knows where that knows nothing about fish or fishing.

You should come to the fishermen, get us involved so that we can work together. It seems like right now there is no fluency between the fishing industry and the South Atlantic Council. To touch on another note, going on to the sea bass, we're not in favor of a spawning season. We are

in favor, though, if there is going to be a spawning season, we do not want a closure. We want to drop the bag limit during that time of the spawning season if we have to.

Each state – North Carolina and South Carolina has different months that they depend on black sea bass. Georgia has a different month; Florida has different months. We need a rolling season so that we all can work and make a living. You by closing the sea bass in the region for everybody makes no sense. I just want you guys to look at that. I also think there should be a commercial season separate from a recreational season.

Bag limits; I understand it looks like the bag limit is going to go to five. We don't want five, but, you know, if we've got to take five, we'll take five. We've got to go to work. Five is five more than zero. I want you all to understand you all have paycheck whether it's a weekly or biweekly paycheck. We have to go earn our paycheck in that ocean. If we can't bring something home or if we can't take folks out there to have fun and show them a good time, we're not going to be here. You're not going to be here because you're not going to have a fish or an ocean to manage without us. I just want you all to understand that.

All of us want the red snapper to open back up. We see no reason to wait for that 2013 stock assessment. It's a strong fishery; we should open it now; a one per person bag limit, anything other than us going out there and catching them and throwing them back and watching half of them go back down and half off of them float off to be eaten by something else. In closing, IFQs, catch shares – I own a seafood market; I run a charter/headboats. I am in no way, shape or form in favor of catch shares whatsoever, and I don't think anyone in North Carolina is in favor of catch shares. Thank you.

MR. NEWLIN: Thank you for allowing us to speak here today. I have to say I firmly agree with every fisherman that has spoken today. Words can't be strong enough to what I think about the Pew Society and these other little groups, that a few people that know nothing about the ocean. My qualifications for speaking; I've been fishing the Georgia coast all my life; turned 50 the other day. I've been in the charterboat business for over 30 years, and it's very difficult for me to believe that we're here – I'm here mainly because you all closed my fishery again; not only the red snapper fishery, which I felt like should have been left open, but the most abundant fish on the Georgia coast, black sea bass.

We're dealing with make believe science, numbers that – the amount of speculation in them is huge. You might as well just call it guesswork. The black sea bass recreational catch numbers – and I sat down a long time looking at this – I feel like they're over 70 percent just plain old fabricated guesswork. I've run over 4,000 charterboat trips off the coast of Georgia. I've had my fish counted maybe 15 times.

Most of your recreational fishing pressure on black sea bass – I'm strictly talking in my area, Georgia – occurs January, February, March, April and May, and there is absolutely no way, if I read the data right, that we caught more fish from June 1, 2010, to December 2010 than we caught the whole year of '09. There were far less people fishing. The charter business was down probably 25 percent.

And just counting boat trailers at the marina and the recreational fishermen in this economy were way off. We've got to get some real science. We've got to go send some divers down. The catch quotas on the commercial to recreation is absolutely totally out of reality for the state of Georgia. I don't know about the other states. In the state of Georgia we have six to seven commercial/recreational snapper grouper permits. These guys are being given currently 43 percent of the fishing, which seems unreal.

We've got hundreds of thousands of Georgia recreational fishermen. The quota needs to be cut down at least 20 percent of what it is, and that still would be too high. The taxpayers of Georgia deserve to be able to fish. If we would put a dollar value on the sea bass fishery, we would never sell a fish for less than twenty dollars a pound. The average recreational angler spends much more than twenty dollars a pound to go catch black sea bass.

When the market hunters quit hunting ducks, deer and turkeys, we heard this outcry there would be no meat in the market. It's the same thing out here. Yes, there was still meat in the market to be bought. Georgia commercial fishing on sea bass would bring a hardship to a very few people. I promise you the recreational closure has brought economic hardship to hundreds of charterboats, marinas and a major trickle-down effect to every aspect of the recreational fishery, especially to my pocketbook.

Leave the black sea bass limit alone on the recreational side. Fifteen fish at 12 inches is not too much. The Georgia sea bass population is fine. The one subject – I'll be quick – that you all never talk about, the most destructive fishery in the world, the Georgia shrimp trawlers, and these mega boats that come in, they're going to kill hundreds of thousands of pounds of game fish and nothing is going to get done about it. Please go back to the drawing board. Let's get some real numbers. Let's cut out this guessing game, which is affecting thousands of people's lives. The Georgia fishery needs to be made a recreational black sea bass fishery. Let's reopen red snapper, keep the black sea bass open. And this IFQ and these catch shares, throw that out the window. It isn't fair just because a guy has a piece of paperwork that says he is a commercial fisherman, that you're going to guarantee him X number of fish. Thank you.

MR. HOWIE: I'm Edward Howie, and I am a retiree. I've lived on St. Simons for 11 years; offshore fisherman, avidly. I'm not connected with any group, commercial or recreational. I'm a lone fisherman. I've fished with a lot of these guys; they're friends of mine. Anything I was going to say is redundant; but the reason I'm here, my wife urged me to come yesterday. I've been moping around the house because I can't go fishing. I sat through 11 hours yesterday. I want to tell you that what I've found with this council was hard working, well intentioned and dedicated.

I was talking to one of my young friends over here a little while ago, and he said, "You know, I feel like there is a brick wall between me and the council. I can't get over that wall to get with them." I wanted to make some observations that are general but have already been spoken to specifically. You're our representatives; you're appointed by our governors, or your names were given to the Secretary of Commerce by our governors. I think there is a sense that it's a we-they thing, and we have to attack that. You've got a real PR problem.

You may need one of those PR firms in New York that get our corporations out of trouble when they're in crisis. The perception by this community is that our federal government is trying to do away with fishing entirely. That's the perception; that's what they all say. And they look at it as being sponsored and backed by very well-financed environmental groups. I think we've got to bring the environmentalists and us conservationists together and we need to do that fast. First of all, you've got that perception.

The second thing is as we heard yesterday – and it was a gut-wrenching two hours at the end of the day when I saw people who are all losing their livelihoods. Frankly, after two hours I had to leave and go have two drinks. It's clear that this fishing community is reaching out to you to get your help and to be part of what you do. If I want to go catch red snapper, I'm not going to go with any of you. There are about ten people out here that can take me right now to catch all the red snapper I want to catch, all the black sea bass I want to catch.

They know what is happening; they know what bait to use. Well, you've heard all that and I'm just beating a dead horse, but they need to be included in your analysis. Scientists are not enough. If you read the papers, which I've been spending the last two weeks on the internet doing, scientists have now been brought into the picture. I think they add a valuable part and that we need them, but you need the guy that's on the water everyday. You cannot do an analysis and make decisions without his or her input.

Finally, the council has a duty, in my mind, to report to the Secretary of Commerce and the Senate Committee on Commerce that what you're hearing here today – and I saw yesterday a lot of discomfort among council members making decisions on what they felt were less than adequate data. You need to bring that to the attention because I know there is a higher authority that is giving you orders, but you need to let them know where the objections are coming from and how important they are because you're our representative and not theirs. Thank you.

MR. FEX: Hello, Council. It's good to see you guys. I'm on the advisory panel and involved with stock assessments. I'm glad that you fishermen come to these meetings to speak to the council and bring good ideas. I support the state-by-state ACLs for each charter and recreational. It seems like every fishery is different. I don't support it for commercial because of other reasons that we can't maintain by a land-and-sell license.

As ACLs you're talking about unassessed stocks. Before 2006 we used to fish and just strictly target vermilion and grouper. We'd sleep in the daytime to avoid triggerfish and jolt grunts and joltheads; I mean, they weren't valuable fish. If you've got a box that only holds so much, you're going to put what you can in it where the price is better. So now you're going to take and take an average medium of that timeframe and then take a cut off of that, and I don't think that should be done.

I think the AP advised 85 percent. I think Brian Chevront made a point about just keeping it straight up of that average medium, because we never did target them fish. Now we're targeting them because we can't catch vermilion and grouper and stuff like that. I support what Brian Chevront had said. On the trip limits, black sea bass trip limits, I support them. The advisory panel supported them. Golden tile, that's a quota that's always caught. There is a trip limit

there; because at 90 percent there is a reduction down to 10 percent. That should be done with the black sea bass, too.

I believe that the trappers catch the majority of the black sea bass, so I think there should be some left for the hook and line; the reason being because when the trappers are done catching their quota, they take their gear off and then they put bandit gears on and then they get into the hook-and-line fishery. I think there needs to be some kind of trip limit there. The AP did support trip limits for vermilion of 1,500 pounds. Charlie was opposed to it, and I can understand; he has got a bigger vessel.

I coordinated with a few people in North Carolina because most of the vessels in North Carolina are smaller, and a 1,500 pound trip limit really isn't going to stop me. I mean, I didn't have 1,500 pounds on a trip last year. I think there should be a trip limit for smaller vessels. Anything below a 40-foot vessel should be at a thousand pounds for vermilion, the same thing with the black sea bass because it isn't limited to the bigger boats. It's hurting them.

I think that it should be happening, too, because of the quality of the fish. Your fish ain't going to be ten to twelve days old; they're going to be three to four days old, and that brings a better value to your fish and a better price. Dr. Crabtree, I thank you for all the stuff you bring to the table. You're very smart and very wise. Your talk at the question-and-answer sessions has done real well. You've said comments that you've dealt with the Gulf. The Gulf has dealt with quotas, they dealt with closed areas, they went to trip limits and then they went finally to IFQs.

Well, the IFQ ain't working in the Gulf so I think maybe we could deal with some trip limits here to keep our fishery going. I've heard questions of what do we see the fishery being? Commercially, right at the present time, we're derby fishing. Just a month or so ago there was a couple of boats that got their windows blown out because they were out in rough seas and had to be airlifted, trying to catch vermilion. I kind of laughed at it.

Well, then, just last week I about rolled my boat over and made a reef out of it. It was kind of ironic but it happened to me, too, so I don't think the fishery is very healthy to be trying to fish at the roughest time of year. I've handed out a thing to you guys about maybe shifting some control dates and maybe start everything in May. I understand all these ACLs are coming up. I understand bycatch is going to be taken into accountability. If we started everything in May and maybe left a two-month closure, September and October, or something that would allow for vermilion spawning time, which the AP recommended that the council check, I think that would be beneficial. I think it would bring you a better quality of fish and you'd bring the first bycatch to the dock.

The bad part about it, you'd be eliminating pretty much fishing from February to the end of April, which is the roughest time of year and it's the hardest cold water problems. I would support some kind of method like that. As for catch shares, you're just adding a middleman. I don't think it's a very good idea. I read the National Fisherman all the time and there are negatives to it all the time.

As for a referendum to vote for it and send it out to the federal permit holders, please do it, because I'm getting – I mean no offense – tired of getting up here and trying to voice my opinion against it, and I imagine these people are, too, back here. I would support a referendum vote on it and get it out of the way. I thank you for your time, Council.

MR. GOOD: Good afternoon, guys. My name is Brooks Good. I'm a charterboat captain and an avid recreational fisherman. I'm here today on behalf of my eight-year-old son, J.T., who loves to sea bass fish. When he found out on February 12th I couldn't take him fishing anymore, he held me accountable for that. I'm going to hold you accountable to try to help me fix that. I've got three comments I want to make this morning. I'm going to keep them short and keep them concise.

My first one is public involvement and comment always is, has been and should be a critical part of this management process. This is a pretty easy one to fix, guys. Please revise the public comment time on the agenda to reflect it as a priority. It's Thursday morning and it's 10:45. Everybody in this room works for a living. Can't we do this at a time in an afternoon, say 6:00 o'clock, where we allow the working class person a chance to come out and speak because this is important. We've got a lot of people that want to come out and speak and they want to be here, but they can't. So let's look at making our public comment time a priority and setting the schedule accordingly. That's number one.

Number two, I propose a limit reduction in black sea bass instead of a season closure. Season closures during the spring eliminate opportunities for anglers to catch sea bass when they're the most plentiful off of Georgia. Now, we've got our brothers here from North Carolina. If we move that season closure to a later date, it's going to impact them. It's the observation of the anglers and the fishery managers is we're hearing that the sea bass populations are on the increase. A bag limit reduction of 50 percent or greater significantly reduces the catch on a fishery that is already improving on its own. Access to the fishery year round is important to both our economy and our lifestyles here on the coast.

The third comment I want to make is regarding the black sea bass date to begin the fishing year. The fishing year for black sea bass needs to be modified to begin on January the 1st. This would make it consistent with the fishing year for other species and would allow anglers to take advantage of late winter and spring sea bass fishing. Sea bass off of Georgia is our staple in the wintertime and in the springtime, and all efforts need to be made to allow fishing during that time of the year. Thank you, guys.

MR. OWENS: I appreciate this opportunity to speak to the council. My name is Captain Geoffrey Owens. I am the captain of the Fishing Vessel Rolling Thunder; also vice-president of Rolling Thunder Fisheries. I am the youngest operator in the South Atlantic Snapper Grouper Fishery. I've been a commercial spear fisherman and hook-and-line fisherman for 15 years. I have over 6,000 dives in the South Atlantic from Point St. Lucie to Cape Lookout, from 55 to 185 feet. I make 15 to 20 bottom fishing trips a year that are a week and over long.

I think what you have in this room is a bulging well of anger and despair. These are some options from my perspective that will alleviate this well. I am in support of a trip limit of 1,500

pounds on vermillion snapper. I believe this would create a year-round fishery, be more economically viable and become much easier to keep track of the yearly landings under the new TAC. Also, I am in support of a 2,000 pound trip limit on amberjack. This would relieve some pressure on other snapper grouper species and create a more economical and viable situation within the fishery.

I am not in support of a trip limit on gag grouper since the TAC has not been met since the new gag quota has been implemented under Amendment 16. In fact, I believe you should keep it open until the TAC is met. The new TAC should ensure that overfishing is not occurring. On red porgy, in wake of the recent closures on other fisheries there needs to be an up-to-date benchmark stock assessment done on red porgy. I have witnessed this species make an extraordinary rebound over the entire EEZ.

An increase to a 500 pound trip limit and reduce the spawning closure to January and February, coupled with other trip limit increases, would alleviate pressure on the entire snapper grouper fishery. Dolphin and wahoo, I don't believe you have enough data to make any sound decision on that. I would go status quo. As far as catch shares, the only way you would get me on board on a catch share is a pound-per-pound IFQ under my best year under the new Magnuson-Stevens regulations being '09 forward on.

Everyone knows the data system is broke. How much money would it cost to put cameras on all the boats; not just the handful of boats that are jerry-pandering to Environmental Defense and pro-catch shares. Let's take the millions of dollars spent on catch shares and put them in video assessments both on board vessels and underwater. On the red snapper issue, I believe a reasonable TAC could be met in the near distant future. I believe the commercial fishermen could easily live with a 200-pound trip limit until the TAC is met.

Another issue I wanted to touch on is landing validation. We are given crumbs to fish for. With operating costs skyrocketing, we need every fish that is allocated to us. I'm out there every week. I know what is being caught and the numbers on the paper are not adding up. I think dealers should send in an accompanying state trip ticket so that the landings could be better validated. That's all I have.

MR. HAGAN: My name is Dave Hagan. I fish out of St. Augustine, Florida. I have boats that fish for me from Key West to Carolina Beach, North Carolina. Here is what we think. Catch shares; no way. I had a Gulf of Mexico reef fish permit. I was involved in that boat; the boat was 70 percent negative for catch shares or an IFQ. The fishermen didn't want it. They had to turn around and get a weighted vote that the people that line their pockets with these IFQs, of course, voted for it. We're not in favor of catch shares. I am, however, in favor of trip limits. I think that 1,500 pounds of amberjack is a good number. It may be low but a good number and a step in the right direction.

Ten boxes of gag grouper; the TAC has never been met; just like the TAC has never been met in amberjack. I don't think you need a trip limit on gag. I would suggest a 15 box or 1,500 pound trip limit on B-liners. I think that will extend the season. It will let people fish longer, give them

more opportunity for employment. The rest of the stuff everybody has beat to death. Some people have run over time; I'll cut mine off now. Thank you.

MR. DETTMANN: Good morning, everybody. I'm Matt Dettmann. I'm from Key Largo, Florida. I am a bandit fisherman; been down there for about 22 years; full-time bandit fisherman. I just want to hit on a few points, especially the 17B being revisited. That will definitely help my boat. It has been tied up at the dock now since it has been in place. The 240 to 500; 400 feet would be a little better for the Keys area because our big snowies kind of end up right outside the 400-foot mark out to about 800 feet.

We could definitely make a day. We could go catch our amberjack; definitely 1,500 pounds a day. It takes us about an hour to catch a thousand pounds during a certain time of year that they're there, so we can definitely catch our hundred pounds of snowies at the moment. It would be a good thing to fulfill our day instead of just being home in an hour and a half. I would be happy to see the – the 240 to 400 would be better for us in the Keys.

Also, I would like to see like an AP Panel for the Keys separated because we've had no longlining for snapper groupers in the Keys. Especially for like golden tiles and stuff, we catch those down there. I haven't been able to catch them for years now because the quota has been full. We need separation because we have a totally different fishery down there. We have a lot of live bottom, a lot of rocks. We're fishing over a long big area. I would be happy with that and definitely the 1,500 pounds on the amberjacks would extend our day a little bit, cut back on expenses.

Also, for the science part of it, I also hold a Gulf of Mexico charter/headboat permit and a South Atlantic permit. For the Gulf of Mexico I get – you know, they have a 33 percent – like a limited access permit for the Gulf of Mexico, but they come and ask me what I catch for a charter/headboat, and I don't fish for it, but they send me a letter in the mail every month, and they want you to fill out how many fish, how many people you took out. I think they should do that for the South Atlantic. The charter fishermen are willing to do a little bit of paperwork to get good science for every charter fisherman, and I think that would help out the information; you know, kind of follow what the Gulf is doing with the charter fishermen. That's the information I have today and I appreciate your time.

MR. WALTER: Thank you very much. My name is Chris Walter. I run a charter business out of Long Key, Florida, in the Middle Keys. I have been down there 15 years and active in all of it, and I want to be more active in what we're doing here. I appreciate everybody working hard at it. I spoke with everyone I know down there prior to coming up here to the meeting, business owners, charter fishing, commercial fishermen, recreational guys, you know, everybody, people that have lived there all their lives.

We talked a lot about – like what Matt was just saying about the unique geographic structure of the Keys, how maybe having a separate advisory panel down there. We have a lot of volunteer people that are willing to come out now and help out with very little cost to any of the money funded to anything else that you guys already do. Everybody is willing to step forward and start making a difference here because they realize this is where it's at now. We've got to do

something or else you can't buy local fish in the restaurants. There is a lot of stuff being – you guys know that already, I'm sure.

The Regulatory Amendment 11 is going to be major for us down there. I'd really like to see – like what Matt was also just saying – that the 250 to 400 and 500 range, that would open up a lot for us. I think everybody sounds pretty happy as a starting point to try to get us fishing again. A lot of my charters – I run a hundred charters a year probably where we drop to the bottom outside of there. We do not interact with the speckled hind the Warsaw, ever. I've seen three of them maybe in 15 years of doing it a hundred days a year. That's not very much.

Anything that can be done in a timely manner to replace or revisit that 17B on that would be major to everybody in Keys; like I said, just everybody. I didn't come here to represent charter guys or commercial guys or anybody; it's just everybody that I spoke to it's a major topic and everyone is really concerned about it. I appreciate what you guys are doing and I want to be a part of it. I'm here to learn. If you guys can come up – I challenge the council to give us a way of helping the science and the data like we talked about yesterday by getting everybody together to send – like I said – at very low cost or anything out of the budgets.

It won't cost anything for us to help out with – like some of the other fishermen said; send some observers; or if there is any way we can collect data; you know, everyone is willing to volunteer now. I think that if we can get that going and you guys can show us how to do it, I'll talk with everyone down there and we can get it going. I'm open to all the suggestions, That's about it. Thank you.

MR. SEBASTIAN: My name is Cameron Sebastian. I operate Little River Fishing Fleet and Coastal Scuba, and I also operate a commercial fishing vessel in the North Myrtle Beach/Little River area. I'm here to speak to the council about some of the effects of your actions that are hitting us there in the Grand Strand Area. I work with a group of individuals, probably 200-250 or so, and we really want to stress that we stand for keeping our jobs, keeping our fisheries open and having the freedom to go out and enjoy the fishing off of our coastline. This is very, very important to us.

I would also like to thank you for taking the time to move the black sea bass issue to the forefront in this meeting because you see the impact that it is having on us. With your taking this action, we have a chance in the 2011-2012 season to reduce the economic impacts that we're facing right now. As all of you know, the current closed season is creating major economic havoc with the black sea bass in our area and probably across the entire southeast coastline.

I would imagine during the last comment period you probably saw over 80 to 90 percent of the comments coming in in some way reflected displeasure with the black sea bass being closed down. These comments are made from the stakeholders that work, enjoy or affected by the black sea bass fisheries being closed down in the South Atlantic. These comments should carry the most weight possible; not the comments from environmental groups.

From those of us who work in it everyday, the guys sitting behind me who go out everyday and fish in the ocean, our comments should carry much more weight. As far as some of the certain

points that we're looking at for the black sea bass, let's face it, nobody wants to see black sea bass reduced 66 percent down to five fish from fifteen; but, damn it, we've got to make a living and we've got to make money, all right, so we're willing to do that; fine, go to five fish for the black sea bass. We can make it happen.

Until the stock assessment is done – as Dr. Crabtree pointed out yesterday, if the stock assessment comes in good, he is more than willing to put in an emergency measure to increase our bag limit, so we'll take the hit for the five, we'll roll with it and we'll go forward with that just so we can keep it going. The January start date can work. We can work with a January start date. However, I implore you that we must be proactive, that the January start date does not close us down in August, so you're going to have to be ahead of curve and you're going to have to take some actions to keep that fishery open during an August timeframe. God forbid we catch so many fish that we're looking at a shutdown. That would be an economic disaster for those of us in a tourism community.

We would also like to see and propose rolling closures. North Carolina and South Carolina can come up with a couple of months we can live without. Florida and Georgia can come up with a couple of months they can live without. During those timeframes, we can close the sea bass down totally. You have between now and until June to work diligently to try to have something like that come up, all right. We feel that would benefit both the different groups since our fishing seasons are so different. They choose when they want to be shut down; and it's not as important to them, we choose when we can be shut down.

We could probably live with December, January and February timeframe. I don't know what the Florida guys could live with, but talk to us, engage us and see what we can work with to make something happen so that the travesty of sea bass does not occur again. This is extremely, extremely important. Now, for the proposed spawning closures from March and April I heard is a relatively close vote. I am definitely against spawning closures in April and May – or, I'm sorry, in March and April.

Basically what you're doing is you're playing Russian roulette with livelihood. You're putting one in the chamber, you spinning it and you're putting it against our heads and pulling the trigger. I ask you, implore you, especially those from the science and environmental side, leave the guns on the table and keep them away from our heads. All right, take a step back from a spawning closure, wait until the new data comes in. Then if you decide, well, by gosh, we absolutely have to have one, then we can look at it; and if we look at it, do it as a reduced bag limit and not a total closure.

The way our businesses work are pretty simple. We pretty much starve in North and South Carolina from December, January and February. I've got fifteen or twenty thousand dollars in the bank right now, and I'm getting ready to have to hit some notes that are in excess of that amount. All right, so you've got to see how we're coming from and the enormous effects that it is having on us.

Show us at this meeting that you're willing to work with us, all right, by reducing that spawning season, taking it off the table, or at least giving us a bag limit; because I guarantee if I get back

up to all my guys and say, “Well, we’re closed down from March and April, total shutdown due to spawning” – now this is not a Magnuson Act requirement. This is something that you guys came up with.

It would go a long, long way in reducing the hostility and the disenchantment that we have with NOAA and the National Marine Fisheries and the council if we can get some room on this, take it off the top burner, move it back, and revisit it, or come up with a bag limit of two to three fish. The key for us is if somebody calls our business and says, “What are you fishing for?” we can say March and April black sea bass and sharks. “Can I keep anything?” Right now the answer is, no, you can’t keep anything.

If we can at least give them answer, sure, you can keep them; they get on the boat, catch a couple of fish, nope, the bag limit is two or three, most of our tourists are going to be fine with that during that timeframe, but we have to be able to keep our people fishing. So show us now for this closure, that you hear us and you want to work with us; and in turn I would be willing to bet most of the guys are going to be willing to come to you, work with you more without such hostility that’s on the table right now.

As far as catch shares go, catch shares are going to be bad for the majority of the smaller fishermen in the Carolinas. We run charter/headboats during the main season. We don’t make big money doing commercial fishing in the off season, but it’s enough to pay some bills, enough to keep our operations running. Snowy groupers, 500 feet plus is a great idea. My captains tell me all the time, “Man, I could have picked up another – you know, with a hundred pound limit, five or six hundred bucks, I could have just slid out past the 240 mark and brought in some snowies.”

For the guys who are sitting behind me, this is a long, long battle we’re in for, guys. We need to stay the course, stay focused on what you’re doing and don’t get discouraged when we get beat up because we’re going to keep taking some hits. So keep fighting and keep staying strong. That’s all I’ve got to say.

MR. SNYDER: Good afternoon. Council, thank you for being here and everybody else. Duane, Charlie, Kim, thanks for everything that you’ve done for us. You’ll probably call me Chef. I’m Dave Snyder. Sustainability is very important to me. While I may not agree with every decision, I respect the fact that something does have to be done. There has to be balance, balance in everything. When people come to my restaurant and I offer them one local fish out of seven, it doesn’t look so good.

I’m trying to compete with other restaurants and other towns that have local fish. Right now I am buying fish from other parts of the country, and I’m buying fish sometimes from other countries. It’s certainly not helping everybody out. I want to have the best restaurant I can to serve the best thing I can. I know that sometimes our perception is that you’re not allowing us to fish. I understand we’re allowed to fish and just not catch.

I spoke with Duane the other day and said an idea from a friend behind me that maybe from a PR campaign that you’re going to hire because of Mr. Howie, rather than saying it’s closed, which

tells a tourist in Atlanta not to come down here because he can't fish, I believe that would be their perception. What about having that PR firm say, "Hey, it's a non-harvest. I'm not telling you you can't leave Atlanta and not fish. You just can't keep them."

Maybe that might help out with some tourism. Do you have any questions for about restaurants and how this affects what I'm paying for fish from other countries, what I'm paying for fish from other regions because I'm paying them to transport the fish? Do you have any questions for me that you need to know about the restaurant business? You guys have no questions? Please, I've got 26 years' experience. I've owned my own business for eleven. I've got three restaurants.

MR. HARTIG: It's not that we don't have any questions. We usually don't entertain questions in this venue.

MR. SNYDER: I am available. People know where to find me. I will give you every bit of information I can help so that the food industry is represented. No questions? I understand. You need them; you need them. We all need to work on this together. I agree with Mr. Howie, we're all in this together, guys.

MR. HARPER: I'm Captain Wendell Harper. I'm a charter captain in this area right here. One thing I want to state right now since the black sea bass closure now, I've had to turn around and alter my books a little bit more because I've had three to four other charters already booked for black sea bass fishing this time of year. These people come in to fish, these certain species of fish; and when your charter captain – this is a really good fishery here. You all say it's hurt; you say we're catching too many fish.

We're catching the best of the variety of black sea bass on quality and numbers I've ever seen in my life even from the seventies. Because, back in the seventies, you know, we have no limitation. We had a little bitty eight-inch fish when we finally put a limitation on it. Now we've come from an eight to a ten to eleven to a twelve-inch fish. We're getting a better quality of fish. We've got better spawning fish out there, a lot more numbers on spawning fish. I mean, a hundred fold I'm talking about.

The fish are coming in closer on certain areas because of Georgia's artificial reef and stuff of this nature, which has helped out. I just can't understand how you say we are having a black sea bass crisis or overfishing when everywhere you go in the areas – I know it's temperature-based areas, but whenever you go to these areas you hit abundant of fish, not in one certain spot but all over the areas where there is any type of structure or bottom.

I just lost four charters within this month, and this is charters that I booked from October and November for this time of year for black sea bass fishing. I had to lose that fishery already. And this is not the ones I'm calling now, which is yesterday, who wanted to go catch some black sea bass, but I had to tell them we can't do it no more. This is really a hardship on me and my family. My son is a charter captain. I've got a lot of friends who are charter captains.

I just don't understand how you all can close down a fishery that is so good that you all claim that we've hit over the quota from where you don't know what really the quota is out there. You

have no earthly what you call newly data on this fishery; but if you go out there and see the fishery and you go out and see the data that's out there, if you go out there in your boats and find out for yourselves, you'll understand what I'm saying. Now this is one thing.

I wanted to bring up another thing is the closure on the spawning season. I'm not really for no closures at all no more. I used to be really open head on a lot of closure stuff, but I'm seeing you're taking a point and now you're rubbing it a little bit harder now. So when you get one thing, you put another foot in front of it or a bigger foot on top of it; let's put it that way. When you do that, you hurt more and more people because you're hurting my economy here not just for me. My people had to call the motels, cancel their motel rooms and all because they can't come to go fishing for black sea bass now.

Another thing is you want to cut the creel limit from fifteen to five. I'm definitely not seeing that. I just don't understand how you can do such a drastic cut. If you're going to cut, just cut – we've cut from 25 to 15 and you raised the size limit up to 12. If you want to do something really nice, raise the size limit up to 13, which gives a lot better spawning fish more time to spawn, and a creel limit of 10 to 12. This seems more real.

I know you get a bigger fish on weight, but on your statistics you're saying you're getting a fish close to what, a pound and a half, two pound whole fish that you're using for your tonnage. This is wrong. You weigh a 12- or 13-inch fish and you get out of it and see what you come out of. I have been in the fish market all my life – business all my life. My family started right here in Brunswick, Georgia, Harper's Seafood, and it went all the way through the mid-eighties before my father sold it. This is what I grew up doing, and I have been out in these waters all my life.

I just don't understand how you can take a piece of paper and write down statistics on there and say this is what we've got when you do not know what really is out there until you go out there to see. One other thing –

MR. CUPKA: Will you wrap it up, Captain Harper.

MR. HARPER: I'll wrap it up. You get paid for coming up here. I had to lose time to come up here. I don't get the pay. Okay, one other things is on the circle hooks, I just want to make one statement on circle hooks. I understand circle hooks; I love circle hooks myself, but we've got certain species that goes into the federal waters, which is actually state-regulated species, also a sheepshead, and now you're going to try to say we're going to have to use circle hooks on sheepshead because it is a grouper snapper. I just want to get this kind of taken off that agenda with the circle hooks; because if you've ever fished for sheepshead, I have caught one or two on circle hooks, yes, but it is an extremely hard thing to do on that species of fish. I thank you.

MR. OWENS: How is everybody doing today? My name is Scott Owens. I'm a local charter captain here in Brunswick, Georgia. I want to talk a little about sea bass closures. They've affected about everybody here that's a charter fisherman, restaurant owner, tourism whether it be hotels. With all the current closures, the closure of sea bass was devastating. I mean, that's all there is to say about it. I've got a friend of mine in this room that's cancelled 12 or 13 charters in the last couple of months. Wendell Harper himself just had four last month.

You guys might not realize that; that is a house note. I mean that's a house note, okay. With the proposed drop in bag limits roughly 66 percent, I don't think there needs to be a closed spawning season. That's 66 percent of a difference. I mean, that's huge. Okay, if we're going to close the spawning season in two of the better months that we needed, which proposed right now is March and April, you're just turning this in the opposite direction. It's closed; I mean, right now is when we need it; right now is when we've got to have the money.

You've got people in this room including myself, business is way off. Yes, it's because of the economy, but we're paying four dollars a gallon for gas right now. Somebody in here said yesterday, oh, well, when gas gets to four dollars – go to the marina; it's already four dollars, okay. I don't support the March/April thing at all. You can ask anybody in this room, I do a lot a lot of catch and release; but when you guys say closed or when the term "closed" is used, our people are not educated like we are. They assume they can't even go so they don't come. They don't call.

I don't believe the ACLs are going to help you guys collect accurate data. I had a conversation with Kim about that yesterday. I think when you're telling us that, you know, hey, you're going to reach this amount of weight or this poundage, we're going to close you, you are encouraging people to lie, unfortunately, because their house payments, their wives, their children are going to come first. It's human nature.

I think that the reduction may help keep the season open longer, but I think 66 percent is an awful lot; I really do. Like Wendell said, you maybe go down to ten fish, okay, that's a big improvement on a fishery that I heard several people on this board yesterday say they knew was improving, so why do we continue to decrease it? If it's already improving with the current limits where they are, why do we need to keep decreasing what we're able to keep?

I think having public comment sessions like this at 10:30 in the morning on a Thursday morning is disrespectful to half the people in this county that wanted to come and had to be to work. It's just not acceptable. Okay, I know you guys are getting paid to be here and at six o'clock at night, after being here all day, you might not want to be here, but I don't necessarily want to be here either at six o'clock at night, but at least that way some people that need to be heard, who might have some real important things to say, they can be heard.

Now, yes, I know they can submit a letter or an e-mail, but you know is more powerful than somebody getting up here and looking you people in the eye and actually talking to you. Most of you people are looking at me right now, and I appreciate that because this is an important issue. Please take our comments seriously. Action needs to be taken now, now; not June; not January of next year. This fishery in the sea bass does need to start in January. If we're going to run it this way, let's start it in January. Thank you very much.

MR. NOBLE: Council members, I appreciate you all allowing us this opportunity to speak. I've read a lot about our past history. My name is Mark Noble. When the Magnuson-Stevens Act was brought up and implemented, I had hope. I said we're on the precipice of a historical change in our fishery. I think the Act itself was good if the intentions are true and honorable. A natural resource is made up of many different things, animals included.

The word animal means basically just having breath, reproduce, eats. Fishing, deer, ducks, geese, everything are all part of a natural resource. But here we have a unique situation when we're dealing with a specific number of fish, a group of fish where the recreational and commercial sectors collide. There needs to be a definition termed for this, maybe a unique resource demand group of fish.

This process has become so complicated that not many people can understand it. Myself and many of the people behind me that represents mankind or let's say recreational fishermen don't really have a way to accurately describe how they feel because words are hard to find sometimes in the midst of emotion, but the root of the problem here is, you all, the natural resource belongs to all men equally, not one greater than the other for monetary gain, for any other reason. Its foundation must be based on all men equally. As I mentioned, I do a lot of reading about history. The Lacey Act was not the solution to many things or to all things concerning what it dealt with was game laws, a living, breathing, eating, reproducing animal.

I guess you could say a fish is living, breathing and reproduces. The Lacey Act didn't bring an end to all means because evolution had to take place. The evolution of the Lacey Act took about 60 years, and I would just like to just briefly mention a few of the goals of the Lacey Act started, only started because the Lacey Act was not fundamentally the end to the means, but the Lacey Act did have the power to act, which the Magnuson-Stevens Act has now. It has the power to act and it acted.

If you're familiar with what John F. Lacey introduced back in the 1900's, then you know where I'm at right now. Over-exportation of a natural resource had to be stopped immediately, but they didn't know how to handle it, but a natural resource was the goal and the topic and the desire of the Act for long-term sustainability. Over the years this is what had to happen, and in the beginning started with the power just to act.

Secondly, managers knew there was a need for support and enforcement of international agreements because these ducks and geese they were talking about crossed state lines as well as our fisheries cross international lines and pass lines of each state, Georgia, Florida, North and South Carolina, the southeast Atlantic region. Secondly – well, that was second – was they knew they had to enforce if they was going to stop it.

Third, soon after the managers had to promote a conservation-based principle because they didn't know how to govern this now because the resource had been gone at almost like a gold rush. Everybody wanted to participate, but now they stopped that activity from happening and they now had to figure out how can we best manage that. Fourth, later managers had to provide for the implementation of resource management plans which would achieve optimum goals for long-term sustainable use.

They had to figure out how to manage this natural resource for long-term sustainable use. Five, they had to make a decision to establish regional and resource management councils to steward natural resource food, the preparation, the monitoring and revisions of plans which, a, enables people to participate in the administration of the natural resource; and b, consider social and economic standards.

Understand the implication of that Lacey Act stopped commercial market hunting. It stopped it because they knew there was a need. Over-hunting – market hunting was occurring. Taking product is an issue today. This is why these fisheries are closed. We are competing aggressively in this unique, demanded resource with a commercial sector that takes these fish for product purposes individually, and equally we are now suffering the blame and holding a rock on our back of the commercial sector on the backs of everyone because of their actions.

MR. CUPKA: Can you wrap it up, Mr. Noble?

MR. NOBLE: Sixth, along the way the managers of wild resources had to develop underutilized natural resources and find ways to manage them as well. This process took over 60 years. And, then lastly –

MR. CUPKA: Mr. Noble, could you wrap it up, please.

MR. NOBLE: Yes. The last one is the seventh one, which is your own – and by the way I am accurately describing point by point exactly the mandate of the Magnuson-Stevens Act as defined when you open up the Magnuson-Stevens Act's first seven principles. Seventh, then find a way to protect essential natural resource habitat. The problem here is how you define humans. You know, we hear the term and have seen on TV where they said determine what the word is is.

Well, humans mean all men, and I am a man like these people behind me, and we demand equality. Where are the environmentalists who we need on this panel to protect? Where is the conservationist on this panel that decide –

MR. CUPKA: Mr. Noble, I'm going to have to ask you to wrap it up, please.

MR. NOBLE: All right, I'll wrap it up right here. I just wish we had equal representation for the people here and that political philosophies will not take over and that they would decide that all fisheries management decisions are not based on feelings, emotion, entitlement, but should be based on fishery science equally for all men to participate in. Thank you.

MR. HAMILTON: I'll be brief. My name is Brad Hamilton with the National Fishermen's Association. At the risk of offending Captain George Strate, I'm going to stick my head down here in this laptop for this. Two of things that are obvious from the testimony here today, number one, the fisheries are not in the desperate situation that certain groups are claiming. Number two is that fishermen have seen the need for regulation to sustain quality fisheries and are willing to follow reasonable regulations.

We have reached a critical mass when it comes to fishing regulation. In the past when a fishery was closed, fishermen could have an alternate fishery. Now there are no alternatives except to stay home. When fishermen stay home, they don't spend money at gas stations. They don't spend money at hotels, restaurants, marinas, boat repair shops. They don't need rod and reels anymore, tackle or new boats along with countless other things. We're on the verge of destroying all fishing-related industries.

I know that there are a couple of groups represented here today that don't care if fishermen go out of business, but they are not the only ones going out of business here. Every closure that has been approved since 2009 has cost thousands of jobs. In these economic times it is treasonous to continue with these regulations. I would like to close with a quote that among these are life, liberty and the pursuit of happiness; that to secure these rights governments are instituted among men deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it. Thank you.

MR. DARNER: My name is Rob Darner and I'm a recreational fisherman out of Jacksonville, Florida. I'm here to testify again so you guys can overlook me, to look down upon my testimony. I am here to voice my opinion only to be ignored. I want to remind this council about the Magnuson-Stevens Act, the economic and social component of this Act, only to have that swept underneath the carpet and pretend it is not there. Now, when it comes to the black sea bass, no action, guys; you're killing us.

When it comes to catch shares, are you guys nuts – no action on that. We've taken a look at the red snapper. Like the gentleman before me, he has an eight-year-old son, I have a ten-year-old son. Is it reasonable to ask that young man to be 44 to say the populations are rebuilt? No! I would like to give you guys a thought on the council about catch shares. If I was wealthy enough, I would buy all of them. That way I could determine who gets out there on the ocean. I could determine who is the right type of people I want to put out there on the ocean.

Does this council really want to go down an affirmative action path to determine who is the right person or who is the right gender or transgender that can go fish upon our ocean? This is a slippery slope when you start handing out catch shares for money. If I owned all of them, I would charge a premium on all of them. That is kind of what I have to say to the council. However, I'm not done testifying. I want to talk to each and every one of the recreational fisherman out here. We are the dogs.

MR. CUPKA: Mr. Darner.

MR. DARNER: We are the dogs. Listen, I still have the green light. When I get to red, let me know. No, I've testified for 12 years out here to be ignored. What I have to say is important because you folks are Dr. Pavlo and we are the dogs. They send us a card, we come here –

MR. CUPKA: Mr. Darner, if you continue, we are going to have to –

MR. DARNER: Then throw me out. We come here, we salivate at the dinner table, so we can be ignored by these people time and time again. What we need to do is go through our congressmen. The congress wants to cut money, we need to go ahead and get our congress to defund this organization and start anew. 2012 is coming up, if they don't do it this year we can get it done in 2012. That's what needs to be done.

The longer we come here to talk to these people, the more they ignore us. How many seven to six votes are we going to need to get this through our heads? This needs to be done. We have to

go back out to the Magnuson-Stevens Act and change that word that Pew had put in there. We need to go back to “shall” so reasonable people can consider reasonable options instead of “must”. That is the thing that we need to do. This is a waste of time and effort. Guys, we need to get on the bandwagon and get these people defunded. The next people that need to lose a job is not you; it’s them.

MR. TUCKER: Good afternoon; I’m Alan Tucker. I’ll try to be a little more polite and concise. One of the things that has not been addressed that I’ve heard today, and you all may have addressed it during the week. I’m a local attorney in town; I own a charterboat service. I’ve been fishing since I was five. The only thing that I love more than fishing is my family. I would rather fish than breath.

In the last year I have caught 60 sea bass. That was done on January the 3rd of this year. It’s the only time we went sea bass fishing and now it’s closed. Mainly I target wahoo, dolphin and kingfish. My understanding is that in the wind that there is going to be a limit on dolphin and wahoo put on folks. Here in Georgia we’re in a unique situation. It’s 98 miles where my boat is docked to the Gulf Stream. I burn anywhere from 350 to 380 gallons of fuel.

It’s not so bad when it’s a dollar-fifty a gallon. Now that it’s four dollars a gallon it’s getting kind of tough. I can’t get people to hire me to take them fishing and spend 1,500 to \$2,000 to catch nine fish. They’re not going to do it. I fished less last year than I have in the last 20 partly because of closures and partly because of fuel expenses and partly because of the economy. One thing that hasn’t been addressed for a long time around here is habitat construction. There is a whole lot of talk about destruction but very little about construction.

I have talked to my legislators; I’ve sent letters to my governor. We have tons of concrete going into landfills that is not biodegradable; that for some reason no one wants to take offshore of the coast of Georgia – we have thousands of acres of barren sand – and start creating fish habitat with it. Create habitat; create fish; it’s real simple. One of the things that the council has done – and I understand why – is the economic impact on local guys and fishermen that this has created.

Last year when the oil spill in the Gulf happened, all you heard day after day, hour after hour on the TV from the news organizations, well, these poor folks in the Gulf, they can’t fish anymore. They can’t earn their living. They can’t pay for their boats. Nobody is here today for Georgia fishermen worried about how they’re going to pay for their boats, how they’re going to pay for their houses and how they’re going to make a living even though the consequences are the same.

There an oil spill shut down the industry; here the government has shut down an industry. The only difference is in the Gulf BP put up a billion dollar trust fund for those folks over there to go against. We have nothing. We have no trust fund. We have nothing except do the best that you can and go get a job somewhere else in an economy that sucks, and there is no work anywhere else.

The other thing I wanted to address is just all these folks want is fairness and justice. Most of us are beginning to feel like the old days in the story of Robin Hood where you can’t hunt in the king’s forest or the Sheriff or Nottingham is going to lock you up and cut off your head. What

we're at now is the government saying you cannot fish in our ocean or the Coast Guard and the DNR and the South Atlantic Fisheries Commission is going to cut off your head. We own it; it's ours. The government doesn't own us; we are supposed to own the government. It's our fish. We expect reasonable regulations, but a complete shutdown without any economic, viable alternative is just not acceptable. Thank you.

MR. BOWEN: Thank you for hearing our comments today. I'm not usually one for making public speeches; so if I get sidetracked, just bear with me. My name is Zack Bowen. I'm a charterboat owner-operator out of Savannah, Georgia. What I would like to discuss is the overlapping seasons. I didn't come up here to rant and rave. I tried to come up with a solution to the overlapping seasons that are killing the charterboat industry.

What I would like to ask for the council is a single start date for all recreational snapper grouper harvest; but along with that single start date we would also want an end date. I know everybody, especially the guys behind me, might not agree to that, but just, for instance, if you let everybody know that we could start fishing – and I'm throwing these dates just from the top of my head – April 15th and snapper grouper recreational fishing ends October 31st, that gives us – you have to understand my perspective. As a business owner that gives me a business plan.

It would also let the recreational angler know when he could fish, everything would be open, and when he could not fish. And the time that season would be closed, there would be zero discard mortality; none. I understand that there would be regional differences that would have to be taken into consideration by North Carolina, South Carolina, Georgia, Florida, for instance. There are several of these guys behind me that has alluded to this, about single start dates.

We could make a business plan. The recreational angler would know when he could and could not fish. I have a note here. As the owner of a charterboat company, that would be more manageable from the business standpoint than what we're dealing with right now. Some of you have probably received an e-mail from Steve Amick, who is a close, personal friend of mine and a business partner.

I want you all to realize the amount of time that Steve and I right there in Savannah, just the two of us, spent on the phone, in person, sleepless nights trying to come up with some solutions. I hope this will be at least some conversation that the council can at least come up with something for a fishing season for us. Like April 15th, if you started, it would be a little before the grouper opening, a little after the vermilion snapper opening. With the ACLs and the lower bag limits, it just seems like a season would be a lot more feasible and manageable for everyone. Thank you.

MR. LLOYD: My name is Vic Lloyd. I'm sorry, I'm not really prepared to talk to you. I didn't know I was going to be able to make this meeting. I would like to talk to you a little bit about what you're doing to the fishery. I would like to specifically talk about – I'm going to refer to it as a B-liner fishery. You know it as the vermilion snapper fishery. I don't know where we came up with this split quota deal, but it has turned this fishery into a derby fishery.

The quota is extremely stringent. It should be almost double what it is and it should be a yearly quota. Like I said, it has turned the fishery into a derby fishery. The fishery started off opening

in January. January, February and March are the slowest times of the year for fishermen. It gives relief for the fish as well, but you've started this B-liner fishery in January with this extremely short quota and you're forcing fishermen to go out in harm's way to produce these fish.

There was a boat lost – a 48 footer was lost out of Georgetown earlier this year. The crew was all saved, thank goodness. But, there is no need to have this type of operation. You could make the quota much – make it a yearly quota and make the trip limits – I know that we're talking about 1,500 pounds. I don't know whether the industry can survive on 1,500 pounds. Right now we've got to do something to address what is going on from January to May with all these closures. Grouper are closed; amberjack are going to close this next month; B-liners closed today.

These guys are out here targeting triggerfish. The guys are out there targeting barracuda. We've got to get some relief. I'm suggesting that you look into the red porgy fishery. There has never been a problem with the red porgy fishery in northeast Florida; never. There has been a problem in South Carolina and North Carolina. Something needs to be done to open this fishery. You can open it below 32 degrees or even 31 degrees, but we need some kind of relief to take the pressure off these other fisheries.

You're forcing people – people are in the fishery and they're catching fish, and then all of a sudden the B-liner fishery that has been closed is going to open. I hate to say it, but we have got to go out and catch our share of this quota. You're forcing the people out of what they're doing into this other fishery, and it's putting extreme pressure on everything. I don't know what's going to happen. There is not going to be any triggerfish left and that's all the guy has got to go fish for.

I'm sure you've heard the comment – I didn't come in here until late – I'm sure you've heard the comments from the headboats about how many headboats are tied up because of this sea bass thing. I'm sure somewhere along the line something could have been done with that for a smaller bag limit or something to keep these guys in operation. The fishermen are hurting. I have two boats. I've been fishing 42 years. My son and I own two boats. Our boats support seven families. The fishermen are hurting. There is nothing for them to catch. We have to tell the guys now we can't go fishing. There is nothing we can do right now. We need some relief and I hope you would consider it. Thank you.

MR. CUPKA: Well, that's all the cards and people who have indicated that they want to speak. Is there anyone here whose name I didn't call? Yes, sir.

MR. HULL: My name is Jimmie Hull. I'm from Ormond Beach, Florida. Basically everything that I want to say has already been said. However, I would like to give a different view from the street for you from the consumer side of this. I own a fish market that I've operated for 31 years. Yesterday was Ash Wednesday. The showcases are a little barren. There is no product for the local consumers. Everything is shut down. I believe that we're headed in the wrong direction. I have made lots of comments prior to this, but it's a sad day when there is no fish for the local people to eat. I know you were forced into this by the Magnuson-Stevens; but as Dr. Crabtree

said, you should think out of the box. You need to do something. You need to change this situation. Thank you.

MR. CUPKA: Okay, that will conclude the public comment period. For the council it is now 1:17; let's come back at 2:30 to pick back up with snapper and grouper.

The South Atlantic Fishery Management Council reconvened at the Sea Palms Resort and Conference Center, St. Simons Island, Georgia, Thursday afternoon, March 10, 2011, and was called to order at 3:15 o'clock p.m. by Chairman David Cupka.

MR. CUPKA: I'll call the Council meeting to order. The first order of business is adoption of the agenda. Are there any changes? I know we have one change. The Snapper Grouper Committee Report is being moved until tomorrow. That will be the last committee report to give staff time to put that together. There were a lot of changes, a lot of work done today and yesterday during the Snapper Grouper Committee meeting, so I would like to change that until tomorrow. Are there any other changes for the agenda? Seeing none, then the agenda is approved.

The next order of business is approval of our December 2010 minutes. Are there any objections or corrections or deletions? Seeing none, those minutes are approved. Why don't we start at the back here and just have a roll call and have everyone go around and identify themselves, and we'll start with Mr. Gill.

MR. GILL: Bob Gill, Gulf of Mexico Fishery Management Council Liaison.

MR. SWATZEL: Tom Swatzel, South Carolina Council Member.

LT. FISCHER: Lt. Brandon Fischer, United States Coast Guard.

LTJG LAM: LTJG Matt Lam, Coast Guard District VII.

MR. BOYLES: Robert Boyles, council member, South Carolina.

MR. BURGESS: Tom Burgess, council member, North Carolina.

MR. GEIGER: George Geiger, council member, Florida.

MR. CURRIN: Mac Currin, North Carolina.

MR. HAYMANS: Doug Haymans, council member, Georgia.

MR. PHILLIPS: Charlie Phillips, council member, Georgia.

MR. HARRIS: Duane Harris, Georgia.

DR. CHEUVRONT: Brain Cheuvront, council member, North Carolina.

MR. MAHOOD: Bob Mahood, council staff.

MR. CUPKA: David Cupka, council member, South Carolina.

MR. O'SHEA: Vince O'Shea, non-voting council member, Atlantic States Marine Fisheries Commission.

MR. HARTIG: Ben Hartig, council member, Florida.

DR. LANEY: Wilson Laney, also non-voting, U.S. Fish and Wildlife Service representative.

MS. McCAWLEY: Jessica McCawley, non-voting, alternate for Florida.

MR. ROBSON: Mark Robson, council member, state of Florida.

DR. PONWITH: Bonnie Ponwith, non-voting, NOAA Fisheries Service.

MS. SMIT-BRUNELLO: Monica Smit-Brunello, NOAA General Counsel; also non-voting.

DR. McGOVERN: Jack McGovern, NOAA Fisheries.

MR. CUPKA: This is the part of the agenda where we normally recognize individuals and give out awards and recognitions and whatnot. We don't have any awards to give today, but I am very pleased to announce that the council is going to receive a national award. It's the President's Award from the National Association of Environmental Professionals. They have their annual meeting next month in Denver, and we will be accepting the award there on behalf of the council, staff and members, as well as our many partners and cooperators.

We're receiving this award for the work that was done on CE-BA 1, the deepwater coral protection. We certainly want to recognize all the people that are involved in that. It was certainly a large cooperative effort. We had a number of advisory panels involved in that. Our Habitat Advisory Panel, Coral, Law Enforcement as well as our Golden Crab and Deepwater Shrimp APs all worked together as did the Southeast Regional Office and the Southeast Fisheries Science Center and a number of scientists from various universities in our area.

Like I say, we'll be receiving that award next month. I especially want to recognize a couple of staff people, Myra Brouwer and Roger Pugliese, for all the work they did on that particular amendment. I also want to recognize Karla Gore who unbeknownst to us was the individual who nominated us for this award. It's, like I say, a national award, a very prestigious thing.

On behalf of everybody, I just want to thank everybody who worked on that amendment for all their hard work. It's nice to be recognized by a group for doing something right. All right, we'll go ahead right on into our committee reports. We'll start with spiny lobster, Mark Robson.

MR. ROBSON: Mr. Chairman, I'm going to go into the Spiny Lobster Report. The Spiny Lobster Committee met on March 7th, and a number of motions related to Spiny Lobster

Amendment 10 were taken up. I will go through those. I believe you all have a copy of the summary report which lists all of the actions and alternatives. I'll just focus on the motions that were taken relative to those.

Motion Number 1 relating to MSY proxy was to make Alternative 4 our preferred alternative. That was the MSY proxy is the OFL recommended by the Gulf of Mexico SSC; 7.9 million pounds. On behalf of the committee I so move. Is there any discussion? Any objection? That motion carries.

The second motion the committee took up was to remove old Alternative 4 and make new Alternative 4 our preferred alternative related to the overfishing threshold, which is now to be considered as the OFL defined by the Gulf of Mexico SSC, with an OFL equals 7.9 million pounds. On behalf of the committee I so move. Is there any discussion of the motion? Any objection? The motion carries.

Motion Number 3 was to adopt Alternative 3 as our preferred alternative for setting the minimum stock size threshold equal to one minus the natural mortality times the biomass at maximum sustained yield. On behalf of the committee I so move. Is there any discussion of the motion? Any objection? The motion carries.

The next motion was related to sector allocations. Motion Number 4 was to adopt Alternative 1 as our preferred, which was the no action alternative, which is to not establish sector allocations. That motion was approved by the committee and on behalf of the committee I so move. Is there any discussion? Any objection? That motion carries.

Motion Number 5 related to the ABC Control Rule, and the committee voted to adopt Alternative 2B as our preferred alternative, which is to adopt an ABC Control Rule, which is the Gulf Council's ABC Control Rule. On behalf of the committee I so move. Is there discussion? Objection? That motion passes.

Motion Number 6 related to annual catch limits was to adopt Alternative 2A as our preferred alternative. Alternative 2A is to set an annual catch limit for the entire stock based on the acceptable biological catch with the ACL equal to the optimum yield, which is equal to the acceptable biological catch. On behalf of the committee I so move. Any discussion? Any objection? That motion carries.

Motion Number 7 related to annual catch targets, and that was to adopt Alternative 2C, which is to set an annual catch target for the entire stock, and that annual catch target is to equal 6 million pounds. On behalf of the committee I so move. Any discussion? Any objection? That motion carries.

Motion Number 8 was regarding ACT as an accountability measure. Motion Number 8 was to adopt Alternative 4 as our preferred, which was approved by the committee. That alternative is to establish the ACT as the accountability measure for Caribbean Spiny Lobster. On behalf of the committee I so move. Is there any discussion? Any objection? The motion carries.

Motion Number 9 dealing with the use of shorts in traps – Motion Number 9 was adopt Alternative 4 as our preferred alternative, which is to allow undersized spiny lobster not exceeding 50 per boat and one per trap aboard each boat if used exclusively for luring, decoying or otherwise attracting non-captive spiny lobsters into the trap. That motion was approved by committee, and on behalf of the committee I so move. Is there any discussion? Any objection? The motion carries.

Motion Number 10 was to adopt Alternative 2 as our preferred alternative for gear marking requirements, and that alternative is to require all spiny lobster trap lines in the EEZ off of Florida to be color or have a color marking along its entire length. All gear must comply with marking requirements no later than August of 2014. On behalf of the committee I so move. Is there any discussion? Any objection to the motion? That motion carries.

Motion Number 11 is to approve Amendment Number 10 for public hearing, and this is Spiny Lobster Amendment 10, for public hearing and DEIS review and to give staff editorial license to complete the document. That motion was approved by committee. On behalf of the committee I so move. Is there any discussion? Any objection to the motion? The motion carries.

And then finally the timing and task motion was to adopt the timing and task items one through six, which was approved by the committee. On behalf of the committee I so move. Is there any discussion? Any objection? That motion carries. Mr. Chairman, that completes my report of the Spiny Lobster Committee.

MR. CUPKA: Thank you, Mark. Our next report will be the Mackerel Committee Report; Mr. Geiger.

MR. GEIGER: Thank you, Mr. Chairman. I direct everybody's attention to my 18-page summary mackerel report. The Mackerel Committee met on St. Simons March 7, 2011. The committee reviewed Mackerel Amendment 18/EA and options for Mackerel Amendment 19. Staff provided us with a very handy document of which we could go point by point in an effort to finalize the document for public hearing. We'll just take the actions that we looked at and motions that were concomitant with those actions.

Item 2.1. Action 1, was a modification to the fishery management unit. A motion was made to adopt Alternative 3 as our preferred alternative. That was approved by committee and on behalf of the committee I so move. Is there any discussion of that motion? Any objection to the motion? Seeing none, that motion carries.

2.2. Action 2, that was to modify the framework procedure. The committee made a motion to adopt Alternative 3, Option 1, as our preferred. Approved by committee and on behalf of the committee I so move. Is there any discussion? Any objection to that motion? Seeing none, that motion is approved.

Action 3, we made no motions or took any action on. **2.16 in the document, Page 7, Action 16 was to specify MSY, MSST, MFMT/OFL, ABC, OY, ACL (TAC), and ACT levels for Atlantic Migratory Group Spanish Mackerel. Motion 3 was to use an interim OFL for Spanish mackerel equal to the mean of ten years' landings plus two standard deviations times OFL equals 1.64 million pounds based on the Gulf Council's ABC Rule. That was approved by committee and on behalf of the committee I so move. Is there any discussion?**
Gregg.

MR. WAUGH: Just one minor clarification; you said that it was two times the standard deviation times the OFL. That parentheses just is referring that the OFL is 6.14.

MR. GEIGER: Thank you. Any discussion? Any objection to that motion? Seeing none, that motion carries. On Page 12, 2.19, Action 19, specify MSY, MSST, MFMT, OFL, ABC, OY, ACL (TAC) allocations and ACT levels for Atlantic Migratory Group Cobia. **Motion Number 4 was set the interim OFL – we need to make a correction there in that first sentence – set the interim OFL equal to the mean of ten years' landings plus two standard deviations. That OFL would equal then 1.68 million pounds based on the Gulf Council's ABC Control Rule. That was approved by committee and on behalf of the committee I so move. Is there any discussion? Any objection to that motion? Seeing none, that motion carries.**

On Page 13, Motion Number 5 was to adopt as an interim control rule the Gulf Council Control Rule and ask the SSC to review that control rule at their April 2011 meeting. That was approved by committee and on behalf of the committee I so move. Is there any discussion of that motion? Is there any objection to the motion? Seeing none, that motion carries.

Moving right along to Page Number 16, 2.21, Action 21, which is the management measures for Atlantic Migratory Group Cobia. **Motion Number 6 was to add an alternative that reduces the bag limit from two to one cobia per person per day during the spawning season. That was approved by committee and on behalf of the committee I so move. Any discussion? Any objection? Two objections to the motion; that motion is approved.**

Motion Number 7 was to adopt Alternative 1, no action, as our preferred alternative. That was approved by committee and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none, that motion is approved. Motion Number 8 was to approve the document for public hearings.

Motion Number 8 was to approve Mackerel Amendment 18 for public hearings and give editorial license to staff to incorporate changes from the new data. That was approved by committee and on behalf of the committee I so move. Yes.

MR. WAUGH: To just clarify, too, that we would have editorial license to make other changes and not just to the new data. Those are the main items, but generally also editorial license to –

MR. GEIGER: To make any changes necessary. Is there any objection to giving staff that editorial license? Seeing none, you have it. The last order of business was we had a very brief discussion of Amendment 19; and basically the committee provided guidance to staff to develop alternatives for the committee and council to review at the June 13-17, 2011, meeting.

The last order of business was the timing and tasking. That was Motion 9 and that's on Page 18. Mr. Chairman, I'm not going to read each of these things. I would give everybody an opportunity and they can read it themselves. Let's take a second and read them. **The motion was to approve timing and task items. That was approved by committee and on behalf of the committee I so move. Is there any discussion; any additions to that list; anything that we might have forgotten or you might want to see at the next meeting? Seeing none, is there any objection to the motion? Seeing none, that motion carries.** Mr. Chairman, that completes the report from the Mackerel Committee.

MR. CUPKA: Thank you, George. The Ecosystem-Based Management Committee; Duane.

MR. HARRIS: Thank you, Mr. Chairman. The Ecosystem-Based Management Committee met on March 7th on St. Simons Island, Georgia. The committee was provided an overview of the public hearing comments received on the Comprehensive Ecosystem-Based Amendment 2. The committee discussed changes to the CE-BA 2 Amendment, including development of additional alternatives and selection of preferred alternatives for all actions. The committee directed staff to further refine analyses in the document for final approval of CE-BA 2 during the June 2011 council meeting. An update on South Atlantic Fishery Management Council activities pertaining to ecosystem-based management in the region was also provided.

I have several motions and I will start with the first one, which is add Alternative 3, modify the fishery management unit to indicate that octocorals are included in the EEZ of North Carolina, South Carolina and Georgia. That was approved by the committee and on behalf of the committee I so move. Is there discussion of that motion? Is there objection to the motion? Seeing none that motion is approved.

Motion Number 2 is to make Alternative 3 our preferred. That was also approved by the committee and on behalf of the committee I so move. Is there discussion of that motion? Yes, Gregg.

MR. WAUGH: I'm just showing from the committee that it was Alternative 2 is what was approved from the committee.

MR. HARRIS: Well, if you've got it up there and that is what was typed in, that is probably what it is, but I want to ask Anna to – you've got it?

DR. CHEUVRONT: Yes, actually we had requested – there was a motion to make Alternative 3 the preferred alternative. I had made the motion, but that motion was withdrawn. Then it was changed to make Alternative 2 the preferred and that motion carried. Hold it a second.

MR. HARRIS: You mean Alternative 3 as our preferred?

DR. CHEUVRONT: Hold it a second. We went backwards there. That's what it was, remember. We went forwards and backwards on it so it is actually Alternative 3. I went down and read the rest of the motion; it is Alternative 3.

MR. HARRIS: Okay. So, on behalf of the committee I so move. Is there discussion of that motion? Motion Number 2 is to make Alternative 3 our preferred. Is there objection to that motion? Seeing none, that motion is approved. **Motion Number 3 is to make Alternative 1 our preferred and Alternative 1 is the no action alternative, which is do not extend FMU for corals into the Gulf of Mexico Fishery Management Council's jurisdiction. On behalf of the committee I so move. Is there discussion of that motion? Is there objection to the motion? Seeing none, that motion is approved.**

Motion Number 4 is to add Alternative 3, which is an ACL of zero, which is to modify the ACL for octocorals in the South Atlantic. That motion was approved by the committee and on behalf of the committee I so move. Is there discussion of that motion? Is there objection to the motion? Seeing none, that motion is approved.

Motion Number 5 is to make Alternative 3 our preferred. Alternative 3 is an ACL of zero. On behalf of the committee I so move. Is there discussion of that motion? Is there objection? Seeing none, that motion is approved.

Motion Number 6 – and this is going to take a little bit of discussion – is to make Alternative 4 our preferred. Now, there was an Alternative 4 in the document, and there were some new Alternative 4s, which had Subalternative 4A and Subalternative 4B. Anna and I believe that it was Subalternative 4A and 4B that the committee moved to make our preferred. If there is concern about that; if anybody does not recall that, remember that is the list of sea turtle release gear that is required. Subalternative 4A and 4B are the ones that are based on the Gulf of Mexico's freeboard height. Gregg.

MR. WAUGH: Mr. Chairman, during the committee meeting, when we were discussing this, we discussed how it could be confusing with this, and that's why we put the approved by committee down below all this text. **The motion that was approved is all of that material that's highlighted; the new Alternative 4 and Subalternatives 4A and 4B.**

MR. HARRIS: Thank you, Gregg; then that means I was the only one that was confused. On behalf of the committee I so move. Is there discussion of that motion? Is there objection to that motion? Seeing none, that motion is approved.

Motion Number 7 is to select Alternative 2 as our preferred. Alternative 2 was to amend the Coral Fishery Management Plan to designate Deepwater Coral HAPCs as EFH-HAPCs. On behalf of the committee I so move. Is there discussion of that motion? Is there objection to the motion? Seeing none that motion is approved.

Motion Number 8 is to select Alternative 3 as our preferred. Action 8, Alternative 3, is to amend the Sargassum Fishery Management Plan to designate the top ten meters of the water column in the South Atlantic EEZ bounded by the Gulf Stream as EFH for pelagic

sargassum. On behalf of the committee I so move. Is there discussion of that motion? Is there objection to the motion? Seeing none, that motion is approved.

Motion Number 9 is to select Alternative 1 as preferred. Alternative 1 is the no action alternative; do not designate EFH-HAPCs for pelagic sargassum. On behalf of the committee I so move. Is there discussion of that motion? Is there objection to that motion? Seeing none, that motion is approved. Brian has a question.

DR. CHEUVRONT: Mr. Chairman, I would like to make a motion that we make Action 6, Alternative 2, a preferred, which is to establish HAPCs for golden and blueline tilefish. If you recall, during the committee meeting I had some questions about it because we didn't – read that again – okay, make Action 6, Alternative 2 a preferred to establish HAPCs for golden and blueline tilefish. If I can get a second to the motion, I'll explain the reason why I have made the motion at this time.

MR. HARTIG: Second.

DR. CHEUVRONT: Thanks, Ben. If you recall during the discussion of the committee, I had some questions about whether or not this had been vetted through North Carolina. Roger and I kind of stumbled over this and tried to get through it. In the meantime we have had some conversation with some folks from North Carolina that it had been reviewed; and so just for completeness of the document I thought it was appropriate to go ahead now and bring it back up and just let us go ahead and vote on it so we can move ahead. That was the reasoning behind it.

MR. HARRIS: Okay, you're heard the motion; is there discussion? Roger.

MR. PUGLIESE: Just one slight modification, the depth range in Subalternative 2A goes to 300 meters, and I think that was the key that Ben had brought up, too. That was what we got verified with Ann Deaton, Jack Holland, Ben; and going back and looking at SEDAR 4 and then other material. It would be extending the depth range in Subalternative 2A to 300 meters.

DR. CHEUVRONT: So I should change my motion to read Alternative 2A?

MR. PUGLIESE: 2A and 2B; he has the wording up there now. The modification is changing from what was originally 225 meters as the outside bound for golden tilefish to 300 meters.

MR. HARRIS: Is that your motion then, Brian?

DR. CHEUVRONT: Yes.

MR. HARRIS: Okay, is that okay with the seconder? Discussion of that motion? Do you want to read the motion, Brian; you made it.

DR. CHEUVRONT: The motion is to select Alternative 2, amend the Snapper Grouper FMP to designate the following EFH-HAPC; Subalternative 2A, designate EFH-HAPC for golden tilefish to include irregular bottom comprised of troughs and terraces intermingled

with sand, mud or shell hash bottom, mud clay bottom in the depth of 150 to 300 meters our HAPC. Golden tilefish are generally found at 80 to 540 meters but most commonly found in 200 meter depths. Subalternative 2B, designate EFH-HAPC for blueline tilefish to include irregular bottom habitats along the shelf edge in 45 to 65 meters depth, shelf break or upper slope along the 100 fathom contour, 150 to 225 meters; hard bottom habitats characterized as rock overhangs, rock outcrops, manganese phosphorite, rock slab formations or rocky reefs in the South Atlantic Bight and the Georgetown Hole, Charleston Lumps off of Georgetown, South Carolina.

MR. HARRIS: Any further discussion on the motion? **Is there any objection to the motion? Without objection, that motion is approved.** Now, I think, unless there are any further motions, Mr. Chairman, that completes – Monica.

MS. SMIT-BRUNELLO: No further motions, but your first motion, which was modifying the FMU to indicate that octocorals are included in the EEZ off North Carolina, South Carolina and Georgia, I think that it would be good for the council to know from the state of Florida whether they would manage these species and maybe what kind of management they may even put in. I was thinking that perhaps at the June meeting you could get maybe a letter back from Florida or some indication as to what the management would be.

I think you'd need this for your record to make a good decision as to whether you think that you don't need to manage octocorals in the EEZ off Florida; so along the lines of what the Gulf got from Florida when they were and still are considering withdrawal of the Stone Crab Fishery Management Plan. This is not withdrawal of the fishery management plan, but again I think it would be good to get an indication from the state of Florida for your June meeting as to what the management might be and if Florida would be willing and all those sorts of things. Maybe Mark can speak to that.

MR. ROBSON: Yes, we've had a little bit of discussion and we certainly can do that. You're talking about basically a letter of intent to extend regulations?

MS. SMIT-BRUNELLO: Well, that would be great; something along those lines. It would be good for the council to know.

MR. ROBSON: Yes, okay, I'm quite certain we can come back to the June meeting with something in hand. It would be basically a letter is what you're asking for?

MS. SMIT-BRUNELLO: However you want to do that; some indication for the council and the stronger the indication would probably be more beneficial and strengthen the record for the council's action in June.

MR. ROBSON: Right, our timing would be such that we would not be able to take it to our commission until their June meeting, which is the week prior to the council meeting, so we should be able to come back to the council meeting with something.

MR. HARRIS: Thank you, Monica, and thank you, Mark. Yes, we had an extensive discussion, as you recall, in the committee meeting, but I think you're correct, Monica, it needs to be on the record before we take final action on CE-BA 2 what Florida's intent is with respect to managing octocorals off the state of Florida. Now, Mr. Chairman, I'm through.

MR. CUPKA: Thank you, Duane. Earlier when I was passing out the kudos for our work on CE-BA 1, I failed to mention, of course, Duane, who was not only council chairman when most of that work was done but also chair of the Ecosystem-Based Management Committee. Duane, I apologize for the oversight, but we appreciate your work on that. All right, our next report is the Golden Crab Committee.

The Golden Crab Committee met on March the 8th. We received a summary of the Golden Crab Amendment 5 scoping comments and also discussed whether we wanted to make any changes at this time in the Golden Crab Amendment 5. **There was one motion that came out of the committee meeting, and that was to approve the timing and tasking motion to ask staff to conduct analysis for Amendment 5 and bring it back to the council for the June meeting. On behalf of the committee I so move. Is there any discussion on the motion? Any objection? Seeing none, then that motion is approved.**

Our next report will be the SEDAR Committee Report. The South Atlantic Council SEDAR Committee met March the 8th at St. Simons Island, Georgia. We discussed the following items. Number one, SEDAR activities update; the committee was updated on progress on SEDAR 25, the South Atlantic Black Sea Bass and Tilefish Assessment.

It was noted that during SEDAR 25 scoping no recreational fishermen were identified to participate in the data workshop. Members were asked to consider candidates to participate in the recreational workgroup of the data workshop and to address this issue during the council session. The committee directed that the terms of reference for the assessment be modified to evaluate an alternative rebuilding strategy for black sea bass based on a fixed exploitation rate that is an F rebuild. Before I proceed with the report further, I want to ask if anyone did have an opportunity to talk with some people. Doug.

MR. HAYMANS: Yes, Zack Bowen, Captain Zack Bowen that you heard speak earlier this morning has agreed to be able to work on that SEDAR 25.

MR. CUPKA: Okay, do you want to make a motion to that?

MR. HAYMANS: Sure, I make a motion that we accept Zack Bowen to participate on SEDAR 25 as a recreational fishing participant.

MR. CUPKA: We have a motion by Doug and a second by Duane. Any discussion on the motion? Brian.

DR. CHEUVRONT: Yes, would Zack be considered then for the headboat because we've got a representative from North Carolina who was also interested in headboat participation as well. I don't know how we want to handle that.

MR. HAYMANS: Which is why I started to hold off on the motion until we heard how many folks had –

DR. CHEUVRONT: And Ben might have somebody as well; I don't know.

MR. CUPKA: Well, we discussed about having a headboat and a hook and line from both the north and the south.

MR. HAYMANS: He is a headboat charter captain.

MR. CUPKA: Okay, so we have a motion and a second. Is there any discussion? Ben.

MR. HARTIG: Just as long as you all realize going in that Zack is probably only going to attend the data workshop. I mean that is what he did in red snapper. In my view that was fine. It's just as we go down these roads if we want people to participate at a higher level, we're going to have to know that going in.

MR. CUPKA: This was for the data workshop. Further discussion on the motion? **Is there any objection? Seeing none, that motion is approved.** Mac.

MR. CURRIN: Thank you, David. I have been back and forth e-mailing a private recreational guy. He does a little bit of charter work and does some charter fishing for black sea bass but also fishes personally as a recreational angler. He has expressed interest in participating. I've got no firm commitment from him, but I could submit his name and we could see if all that would work out. He is not currently on an AP or SEDAR-approved list, so I don't know whether that confounds things or not.

MR. CUPKA: Well, what we could do is we could have a motion to appoint them contingent on a background check and all of that. We didn't need to do that on Zack because he is already a part of the pool.

MR. CURRIN: And that's why I put that out up front because if somebody else had another recreational angler who was interested and perhaps already on the approved list, then I would withhold it. **I'll just offer the motion then to appoint Ron McPherson as a recreational representative to the black sea bass data workshop contingent upon his approval and acceptance.**

MR. CUPKA: Okay, the motion is to appoint Ron McPherson as a recreational representative to the black sea bass data workshop contingent on his approval. We have a second by Brian. Is there discussion on the motion? **Is there any objection? Seeing none, then that motion is approved.** Ben, did you have someone you wanted?

MR. HARTIG: Not yet, no.

MR. CUPKA: I believe this will probably be our last opportunity to appoint somebody since that data workshop is scheduled here pretty quick.

MR. HARTIG: Well, it's problematic. I'm going to put this on for your consideration. Rusty Hudson has a long-term history of recreational fishing in the black sea bass fishery although he is a commercial representative for his group. I was hesitant to bring his name up because of the baggage he carries with it, but he has a lot of history in black sea bass and could bring a lot to the table in the data workshop. **I bring that up; if you don't want to do it, that's fine, but I would make that in the form of a motion to add Rusty Hudson as a recreational representative for the black sea bass assessment.**

MR. CUPKA: Okay, we have a motion by Ben and a second by Duane. The motion is to add Rusty Hudson as a recreational representative to the black sea bass data workshop. He is a recreational fisherman, and according to Ben he has done a lot of recreational fishing even though he is a commercial.

MR. HARTIG: Yes, he is not a commercial fisherman at this time. He is a representative for a commercial industry, but he has historically recreational fished and commercial fished for black sea bass, but his family also goes back in that long-term history of recreational fishing for black sea bass. He knows all the history of that fishery in that area. We don't have anyone from that area so it would be I think appropriate to add him.

MR. GEIGER: Mr. Chairman, I certainly don't have any objection to appointing Rusty Hudson to the black sea bass workshop, but I would hope that his seat would not take away from another true recreational representative if we should find one, which begs again back to a discussion that we had I don't know how many council meetings ago reference appointment of alternates in the event that we have a conflict; and one of the primary people doesn't show up, we don't have gaps in representation or participation like we did in red snapper.

I don't think we've discussed that and I don't think we have any appointments for alternates in this SEDAR either. I think it would be prudent to do it based on the history of participants and the history of how these SEDARs have gone. This is an important subject and we need to really beat the bushes and see if we can get people to participate.

MR. HARTIG: Well, to that point, Mr. Chairman, one of the good things about Rusty is he will be there for the entire series and he can participate at a higher level in assessments now –

MR. GEIGER: No doubt.

MR. HARTIG: – and as the learning curve goes we get – the more assessment you go to – and certainly I've witnessed this from my personal experience – that you become better able to participate with the more that you go to, so certainly –

MR. GEIGER: And I agree with you a hundred percent; I'm just hoping that we can get additional people to attend or at least get on the appointment schedule as alternates so that we don't have gaps in representation at this SEDAR.

MR. CUPKA: Well, again, John can correct me if I'm wrong, but I think this is pretty much our last opportunity to appoint people; and what we've asked people to do is even if you haven't gotten a definite answer like in Mac's case, you need to go ahead and make a motion to appoint him based on, number one, their willingness to serve; and, number two, that they pass all the checks and everything. This is your last and final opportunity, I'm afraid.

MR. GEIGER: Well, I make a motion that the SEDAR staff contact all the recreational fishermen on the Snapper Grouper AP in an effort to determine the availability of a representative to –

MR. CUPKA: We have a motion on the floor already. Is there any further discussion on the motion on the floor? **Is there any objection to the motion? Seeing none, that motion is approved.** George.

MR. GEIGER: I would make a motion then that council staff contact the recreational members of the Snapper Grouper AP in an effort to discern if anyone is available or willing to participate in the black sea bass SEDAR.

MR. CURRIN: Second.

MR. CUPKA: Okay, we have a motion and a second. Is that everybody or one person – I mean, obviously, not everybody is going to want to do it.

MR. GEIGER: You have to poll the recreational members of the Snapper Grouper AP. I mean, every one of them has already been cleared and they meet the qualifications to serve and they would be logical people to see if we could get to participate.

MR. CUPKA: Are these black sea bass recreational fishermen or just any recreational fisherman on the –

MR. GEIGER: Well, recreational fishermen, David, I don't know how to say it. You know, they fish for everything.

MR. CUPKA: Well, there are some that don't.

MR. GEIGER: And again we have an opportunity here, even if they aren't possibly even a black sea bass fisherman, to participate in this process to get a feel for how SEDAR works, learn how it works and be available as an educated member for another fishery that they might prosecute with more vigor than black sea bass.

DR. CHEUVRONT: And related to George's motion here, I believe Terrell Gould is a member of the Snapper Grouper AP and he has already said that he is willing to participate in the data workshop for black sea bass. He is a headboat operator out of North Carolina, so we've got one. I would be fine to have him considered as an alternate or something.

MR. CUPKA: Okay, we have a motion on the floor. The motion is to have council staff contact the recreational members of the Snapper Grouper AP and determine if anyone is able and willing to participate in the black sea bass SEDAR. Discussion on the motion? Robert.

MR. BOYLES: Mr. Chairman, does this imply that if they are willing and available, that they will be appointed?

MR. GEIGER: I would give staff license to determine which might be the most qualified, the best able and the best fit for this particular appointment. Again, Robert, it looks like what we're trying to do here is develop a pool of potential alternate members who get all the information ahead of time and are brought into this process in the event that one of the primary nominees or appointees fails to show.

DR. CHEUVRONT: And the motion as we have it now just says the black sea bass SEDAR; do we specifically mean the data workshop or do we mean all the workshops?

MR. CUPKA: Well, when we talked about it, it was for the data workshop.

MR. GEIGER: Well, we know that a couple of them are only going to attend the data workshop. I think it's important to understand the entire process. If we have people who are willing to attend all three workshops and participate in all three workshops, I think it's beneficial. I would look for people who are willing to attend any or all of the SEDAR.

MR. CUPKA: Further discussion on the motion? **Is there any objection to the motion? Seeing none, then that motion is approved.** I think that should cover it. Okay, we also discussed the SEDAR Steering Committee. John briefed the committee on the steering committee meeting which was held March the 2nd. The assessment schedule changes to address at the SEDAR Steering Committee meeting in May 2011 include treating the planned red porgy assessment as an update; requesting an update of vermilion for 2011; and delaying an update of greater amberjack until 2014.

The committee discussed the challenge of obtaining reliable biomass and productivity measures for stocks which occur beyond the boundaries of the U.S. EEZ, such as spiny lobster, dolphin and wreckfish. The Southeast Fisheries Science Center was requested to provide guidance on assessment methods for such stocks and the prognosis for successful and informative assessments at our June meeting.

There were a couple of motions that were passed. **The first was to replace the greater amberjack update in 2012 with the vermilion snapper update in 2014. In other words, switch the vermilion snapper and greater amberjack in the schedule. On behalf of the committee I would so move. Is there any discussion on the motion? Any objection? Seeing none, that motion is approved.**

We had a couple of timing and task items; for the full council to consider the nominations for black sea bass SEDAR 25 data workshop from the recreational sector, which we just did; and that the June agenda have a presentation by the Southeast Fisheries Science Center on

assessment and management criteria for species that the council does not control the entire stock. We look forward to getting that at our June meeting. That concludes the SEDAR Committee Report.

The next one is the Joint Executive/Finance Committee. The Executive/Finance Committees met in joint session on March 8, 2011, on St. Simons Island, Georgia. The minutes from the December 2010 Joint Executive Finance Committee were approved. The committee received presentations on the following agenda items:

Number one, status report on the calendar year 2011 council budget; Mr. Mahood briefed the committee on the status of the calendar year 2011 budget. He indicated that the expenditures for the year are below what would be expected. However, since we do not know what our funding level will be for the year, it is difficult to project what level of activities our budget will support in calendar year 2011.

He explained that we have received approximately 25 percent of our baseline item funding from NOAA so far this year. Additional funds will be made available to the council when congress approves the FY 2011 budget. Bob indicated that at this point the council has adequate funding to accomplish the activities specified in the activities schedule for the first quarter of calendar year 2011.

On the status of the congressional 2011 budget, Mr. Mahood stated that the congress has not approved the FY 2011 budget to date. Currently the government is under a 14-day continuing resolution and congress is working on the FY 2011 budget. We hopefully will know what level of funding the council will receive in the near future.

Since the council does not have a 2011 budget, we didn't really discuss the activities schedule. The last item that we discussed was the stipends for the Socio-Economic Subpanel. Chairman Cupka explained the reason for adding this agenda item. It stems from his participation at the most recent Socio-Economic Subpanel meeting. The subpanel is an advisory panel to the council that reports to the council through the council's Scientific and Statistical Committee.

The SEP membership consists of individuals that serve on the SSC and individuals appointed by the council from the private sector as well as one federal employee. The SEP members that are also SSC members receive a stipend of \$250 a day while serving on the SEP. The individuals that are not SSC members do not receive a stipend.

The chairman indicated that he did not believe this was equitable since all members are providing the same service to the council. He asked the committee consider providing a stipend to those SEP members that are not on the SSC, excluding the federal employee who is not eligible. The committee discussed the issue and approved a motion to provide stipends to all eligible members of the SEP.

The motion that was approved by the committee was that council will offer the same SSC stipend to the non-SSC members of the Socio-Economic Subpanel. On behalf of the

committee I would so move. Also, I guess before we vote on that, I want to ask – Mark, I think you made that motion, if I remember correctly.

MR. ROBSON: I'm sorry, I wasn't paying attention. What was the motion, Mr. Chairman?

MR. CUPKA: The motion at the Joint Executive/Finance to pay compensation to the non-SSC members on the SEP; I believe you made that motion. You didn't?

MR. ROBSON: I don't recall making it.

MR. CUPKA: I can't remember who made it, but anyway the issue is – okay, Robert made the motion. We need to know the intent, whether it was retroactive to that meeting that I attended or whether it would start starting now. I don't know that we discussed that or whether you even had that in mind when we made the motion, but we need to clarify whether it would be for the last meeting or just starting now.

MR. BOYLES: I didn't have anything in mind, Mr. Chairman. How is this for being neutral Switzerland, but I suppose if we are looking for clarification would you like a motion?

MR. CUPKA: I don't think we need a motion. I just think we need to decide whether we're going to do it starting at the last meeting or whether we're going to start it now. My intention would be that we include the last meeting on it, but I don't know if anyone has any objections to that.

MR. BOYLES: I hadn't thought about that, but I've got no problem with it. I don't know about the rest of the committee.

MR. MAHOOD: The only precedent we have is when we did establish the SSC stipend we did not go back to the first meetings of this year. I don't know if that's a precedent that you want to follow or however you all want to do it. I just need to know.

MR. BOYLES: David, my sense of things – again, I guess when we talked about my sense of things is the folks who were asked to help and were invited to help knew the conditions under which they came; and given the executive director's comments just now I suppose that maybe the best way to handle this would be from this council meeting forward to pursue that policy.

MR. CUPKA: Okay, thank you for that clarification. All right, the motion is on the board to offer the same SSC stipend to the non-SSC members of the Socio-Economic Subpanel. Is there any further discussion on the motion? **Any objection? Seeing none, then that motion is approved.** That concludes the Executive/Finance Committee Report. Next is the SOPPs Committee; Mr. Harris.

MR. HARRIS: Thank you, Mr. Chairman. The SOPPs Committee met the afternoon of March 8th on an island in Georgia. The minutes from the December 2010 SOPPs Committee were approved. The committee received presentations on the following agenda items: The first one was to develop changes to SOPPs in accordance with the final rule as proposed by staff.

Mr. Mahood noted that the final SOPPs Rule, Attachment 1, in the Model SOPPs provided by the National Marine Fisheries Service, which was Attachment 2, are included under Tab 9. The council's current SOPPs are under Attachment 3A and Draft Council SOPPs are under Attachment 3B.

Mike Collins briefed the council on how Draft Council SOPPs were put together using the final SOPPs Rule, the model SOPPs and the council's current SOPPs. Mike led the council through the document and the council approved individual items by consensus. The council discussed a number of items and approved the draft document by consensus.

Mr. Mahood indicated that the Regional Fishery Management Councils intend to compare and discuss their SOPPs at the May 2011 CCC Meeting. Also, in the interim between now and the June 2011 council meeting, staff will review our Administrative Handbook including the Scientific and Statistical Committee and Advisory Panel Policies to determine if there are any changes needed in these documents. Final approval for submission of the council SOPPs will take place during the June 2011 council meeting. That concludes my report.

MR. CUPKA: Thank you, Mr. Chairman. Any questions? Monica.

MS. SMIT-BRUNELLO: If you recall, I had thought I would get you an answer on the one question – the only question I really had on the SOPPs, which was whether you could delegate the initial deeming of regulations to the chair. I thought I would have an answer for you by this meeting and I do not, but I will have an answer for you by the time we take this all up in June again. That's the only issue I had with the SOPPs.

MR. CUPKA: Thank you, Monica. All right, next is Law Enforcement; Mr. Geiger.

MR. GEIGER: Thank you, Mr. Chairman. I refer everybody to the 12-page Law Enforcement Committee Report. It's only one page; I'm sorry. The South Atlantic Fishery Management Council Law Enforcement Committee met jointly with the Law Enforcement Advisory Panel on March 8, 2011, at St. Simons, Georgia. The committee and AP discussed the following items:

The Law Enforcement Advisory Panel Report was presented by Chairman Chisolm Frampton. It provided an overview of the items discussed during the LE AP meeting held on Monday, March 7, 2011, right here at St. Simons. The LE AP received overviews from the council staff on Comprehensive Ecosystem-Based Amendment 2; Regulatory Amendment 9; and the Comprehensive ACL Amendment, as well as Regulatory Amendment 11.

SERO staff provided the LE AP with an overview of the black sea bass bag limit analysis. The LE AP provided recommendations and requested another opportunity to review the Comprehensive ACL Amendment before it is approved for submission to the Secretary of Commerce in June 2011.

The committee also received a vessel monitoring systems, VMS, presentation from Mr. Pat O'Shaughnessy, NOAA OLE. He gave a presentation on the use of VMS in the Southeast

Region. Otha, I hope you take back our regards. I think that was an outstanding presentation. It was in depth and covered all the points and provided a great deal of information; so thank Pat for us. It was a very professional presentation.

The Law Enforcement Committee and LE AP made no motions during this meeting. Timing and task items under one was to add items on the Law Enforcement of the Year Award to the agenda for the next 2011 LE AP meeting, and the LE AP should be prepared to discuss nominees at their next meeting. The LE AP should review the Comprehensive ACL Amendment possibly via webinar prior to the June 2011 meeting in Key West. Mr. Chairman, that completes the Law Enforcement Committee Report unless anyone has anything to add. Seeing none, that does it.

MR. CUPKA: Thank you, George. The Shrimp Committee Report; Robert.

MR. BOYLES: Thank you, Mr. Chairman. The Shrimp Committee met on March 8, 2011, here in St. Simons. Robert Boyles, committee chair, asked Vice-Chair Charlie Phillips to run the meeting given that the state of South Carolina would be requesting a shrimp closure. The Council Shrimp Review Panel had met via conference call on March the 2nd and reviewed data provided by both South Carolina and Georgia.

The review panel concluded that both states met the criteria of greater than 80 percent reduction to be eligible for requesting a concurrent closure of the exclusive economic zone. Kari MacLauchlin of the council staff reviewed the Shrimp Review Panel Report. Robert Boyles described South Carolina's request to close the EEZ off of South Carolina.

Doug Haymans indicated that Georgia was not requesting a closure of the EEZ off of Georgia because they felt a closure of state waters was sufficient at this time. NOAA General Counsel clarified that the council could request closure of the exclusive economic zone off of one state or multiple states. The committee provided guidance and approved the following motions:

Motion 1 was to request the National Marine Fisheries Service Regional Administrator close the exclusive economic zone off of South Carolina out to 25 miles to trawling until June 7, 2011; or, until the state of South Carolina opens any or all portions of state waters to trawling. That was a motion by the committee and on behalf of the committee I so move. Any discussion on the motion? Any opposition to the motion? Seeing none, that motion carries.

The second motion was to ask staff to begin development of an options paper for the Shrimp Committee to allow a more timely response to cold water events. On behalf of the committee I so move. Any discussion? Seeing none, any opposition to the motion? Seeing none, that motion carries.

The third motion was to ask staff to examine better definitions of overfishing for pink shrimp. On behalf of the committee I so move. Any discussion of the motion? Any opposition to the motion? Seeing none, that motion carries. Mr. Chairman, also provided for the council's benefit is a letter that has been drafted by you, which will be now signed by you to the Regional Administrator requesting that closure. That concludes my report, Mr. Chairman.

MR. CUPKA: Thank you; any questions for Robert? Ben.

MR. HARTIG: Robert, do you have any rock shrimping that goes on off South Carolina?

MR. BOYLES: I'm not aware of any South Carolina boats that go rock shrimping. I think there are some boats that make their way up that way, but that's the reason we asked that the 25-mile ban be honored with a closure.

MR. CUPKA: Okay, thank you, Robert. Before we go on, I want to continue working a while today. That's all the committee reports except for snapper grouper and we can't get that until tomorrow. I was going to go over some of these other agency reports and whatnot, but I wanted to ask Monica first – at the end of the meeting today we want to close for a legal briefing, and I was wondering if you had any idea how long we would need for that so I could play accordingly.

MS. SMIT-BRUNELLO: Fifteen minutes.

MR. CUPKA: Okay, thank you. All right, let's go on then and get some status reports from the Southeast Regional Office. Jack, are you going to handle any of those?

DR. McGOVERN: Okay, the Southeast Region, the quota and monitoring report is Attachment 1 in the briefing book. The recreational fishery for black sea bass closed February 12th. The commercial fishery for golden tilefish closed on March 9th. The commercial fishery for vermilion snapper closed on March 10th, which is today.

For Amendment 17B; Amendment 17B was approved on December 21st. The final rule published on December 30th, and the regulations became effective on the 31st of January. For Regulatory Amendment 10, the proposed rule published on February 18th, and the comment period ends March 21st.

With regard to protected species, since November 2010 there have been five North Atlantic right whales and one humpback whale that have been documented as being entangled in fishing gear. Three were gill net or possible gill net entanglements and two were unknown lines and one was some sort of trap pot gear. That concludes my report.

MR. CUPKA: Thank you, Jack; questions for Jack? Jack, don't we have an experimental fishing permit request?

DR. McGOVERN: Yes, sir. This is Attachment 2 in Tab 11. This is a request from Don DeMaria, who is a member of the Snapper Grouper AP. He has requested an exempted fishing permit to collect gorgonians belonging to the genus thesea in approximately a hundred feet of water off of Morehead City, North Carolina. Collections are to support research efforts towards a grant awarded to Dr. Pat Collins to screen marine invertebrates for possible anti-cancer compounds.

He intends to collect a maximum of 11 pounds of gorgonians that will be collected by hand using scuba gear and a total of three to five samples weighing a maximum of two pounds. The vessel that would transport Don to the sampling sites would be piloted by Jim Attack, who is also a member of the Snapper Grouper AP and the Spiny Lobster AP. That concludes it.

MR. CUPKA: Thank you, Jack. What normally happens in these situations is we don't approved those, but we can make a recommendation to the Regional Office whether to approve or disapprove that request. Brian.

DR. CHEUVRONT: Mr. Chairman, I would like to make a motion that we recommend approval of Don DeMaria's EFP.

MR. CUPKA: We have a motion and second; Robert. Okay, the motion is to recommend to the Southeast Regional Office that they approve the experimental fishing permit requested by Don DeMaria. Is there any further discussion on the motion? Is there any objection? Seeing none, then that motion is approved. Okay, if there are no further questions for Jack, we'll move on. Bonnie, the Southeast Fisheries Science Center Report.

DR. PONWITH: I have got a powerpoint. What I have here is the status of the landings that we've got to date. First of all, we can report that the logbooks were collected from the headboat. The expected release of the 2010 data will be by March. I would also like to add to this report that we are looking at changing our business practices with respect to the headboat survey and looking at being able to produce interim estimates for the headboat during the course of the year. I will have more to report on that at the June meeting.

The preliminary headboat landings for the South Atlantic were provided for the ACL projections, so again the data that they used for those projections were presented. Again, what we're going to do is go through each of the species as we've done traditionally; go through and taking a look at the table and then looking at the graph. I think the table is small so let's just go to the graph on each of these. You've got in your briefing books the actual numbers

MR. WAUGH: These are whole weight; correct?

DR. PONWITH: If you flip back to the table, the table I believe states that it's reported in – let me double-check on that. I will double-check and if it's – it should be actually stamped on the table, and we will make sure that the future reports have that in there so that there is no confusion as to whether that's whole or gutted weight.

Again, here is the graph for the dolphin recreational landings through 2010 preliminary; gag grouper landings; the greater amberjack landings – and again 2010 are incomplete data – king mackerel landings; mutton snapper landings – and that's kind of an interesting uptick on mutton snapper – red porgy landings; red snapper; snowy grouper landings; Spanish mackerel; recreational tilefish; vermilion snapper; wahoo landings; and the yellowtail snapper. I believe that's the last slide.

Those are just kind of a quick overview of the preliminary recreational landings for 2010. I believe those will be final in June, and they'll be able to post those as final and there will be more we can discuss on that. In terms of the status of the staffing under the expand annual stock assessment budget line, the most recent addition to the stock assessment staff will be on Monday, the 14th. We've got a new stock assessment scientist who is beginning then.

Again, per our philosophy they'll be coming in in journeyman status for this year, working as an assist on a suite of stock assessments this year as sort of a training process to prepare them for being a lead stock assessment, then, in the future years. This is going to greatly influence our ability to increase the through-put of stock assessments in the South Atlantic. I view that as a really good success story. Yes.

DR. CHEUVRONT: When you get a chance, I want to go back and ask you a question about the recreational landings.

DR. PONWITH: Okay. In addition you've seen already during the Snapper Grouper Committee Meeting the preliminary results from the longline fishery that we did last year. We are in the process of working up the results from the first year of our expanded fishery independent data collection last year. When we've got preliminary results on those, I'll be presenting, but the take-home point is that we're gearing up again this year.

We're purchasing additional cameras and additional traps to be able to continue with the expansion of the camera/trap work. We're viewing that as a very successful productive sampling technique. We will continue to watch that and also do the comparisons between that and the data that we collected on the longline fishery to be able to evaluate what the relative utility of those gears are, the selectivity of those gears are. Again, the fishery-independent data collection will be adaptive as we refine the sampling regime to make sure we're getting the highest statistical power for the money that we've got to be able to do that work. You had a question about landings?

DR. CHEUVRONT: Yes, just real quickly; has anybody looked at the CPUE or the number of trips to look at the trend in those because clearly in all the fisheries except for mutton snapper, we saw a decrease. I think it would be nice if we could see is there some kind of an indication as to what caused that; whether it's a drop off in trips or if the fish really weren't there.

I suspect that it probably was people just didn't fish. Mutton snapper went up. That's more of an inshore species. You don't have to pay as much to get out there and get those fish, so some of the trips – and I'm thinking maybe at least in Florida moved inshore as opposed to further offshore because of trip costs and things. The fishermen are telling us that a lot of folks just aren't fishing right now. The economy is too bad for that.

DR. PONWITH: Just for clarification, you're asking for catch-per-unit effort for each of those species or to be able to look at effort?

DR. CHEUVRONT: I'd really like effort, and I was just sort of thinking in my mind the CPUE might give us some clues as well as number of trips taken.

DR. PONWITH: All right, so as the recreational data are finalized, what we will do then is put both catch and effort on there; and if we see some patterns that are informative, we'll include the catch-per-unit effort if we see that there are some changes in that.

DR. CHEUVRONT: Thank you; I'd really appreciate that.

MR. HARRIS: Bonnie, I talked to several fishermen following your report on the longline study that was done, and, of course, one of the main purposes of that study was to see if we could find those larger red snapper farther offshore that were being reported by some of the fishermen. The guys I talked with said that they don't have a whole lot of confidence that longline gear is going to catch those fish.

Number one, it's using dead bait; number two, it's where it's placed on the bottom and part of it is not even on the reef structure itself; it's off the structure. I would like to have you have a conversation with some of those people as to what they would recommend and see if we can maybe try some other fishing techniques. I know you talked about selectivity, and they're pretty well convinced that the longline gear are not going to select for the larger fish.

DR. PONWITH: Well, that actually is really interesting because this whole study was based on the recommendation of people in the commercial and the for-hire and charter fishing industry.

MR. HARRIS: And that's what I told them.

DR. PONWITH: And so we sat and we talked for a long time about what can we do to test this very testable hypothesis. This is the way science works, and so let me say that; is that I like the fact that there are afterthoughts of, okay, that has been tested, here is what we should do next, because that's how science works.

I'm absolutely eager to hold those discussions because every conversation with them is informative. It helps us refine our own thinking about the fishery-independent data collection. It is a stronger program because of that kind of input. I welcome the discussion, but it's with that caveat that the longline fishery was designed specifically based on that input.

MR. HARRIS: Followup to that, Mr. Chairman; yes, I understand that and that's what I told them. None of our fishermen use longline gear off the coast of Georgia to speak of. I'm talking to recreational guys, and the recreational guys obviously have different techniques. They have learned how to catch the bigger red snapper over the years with the techniques that they use. It still would be instructive I think to have a conversation with some of those folks, and I'm going to recommend that they get in contact with you.

DR. PONWITH: And just one more thing, and that is that we will continue to work the video traps in those deeper waters. We do get to a point where when the current is too swift it tumbles them, which isn't very good for them and isn't very informative in terms of what is out there. Again, the video traps have been enormously helpful because they've got the ability to capture at

least some of the fishes out there for age structure analysis, and then also we've got the ability to gauge the size of the ones that we don't catch.

MR. WAUGH: And what would be helpful, Bonnie, too, in addition to having the units on these tables is where there is a quota or an ACL for the recreational, when that started if there could be a line added to show where that is. I think that would be very informative.

MR CUPKA: Has that completed your report, Bonnie?

DR. PONWITH: That does complete my report, Mr. Chairman.

MR. CURRIN: Just one comment – and we kind of ran out of time after your presentation today, Bonnie, and thank you very much for making that available to us – several comments were made about the age structure. It was apparent to me that it doesn't appear from that sampling effort at least that there is this big pool or pot of older fish out there. Maybe there are some problems with the methodology; I don't know.

But the other thing that struck me from your presentation was the number of sets where you had no encounters with red snapper at all, and that's very different from what we had heard from many people in the industry that they were everywhere, at every rock, every reef. David Nelson has been calculating how many should be there based on the amount of habitat and all that. It was informative to me to see that in fact the ocean is not paved with red snapper; that they are patchy in distribution as I would have suspected and no doubt in high concentration is some areas, but they're not everywhere.

MR. CUPKA: Okay, why don't we go ahead and see if we can't get through the liaison reports, and then we'll give Monica a few minutes in closed session for a legal briefing and then we'll wrap it up for today and come back to take on the Snapper Grouper Committee Report tomorrow. Let's start with Doug Haymans.

MR. HAYMANS: We're preparing for FY-12 budget-wise; but other than that we almost finished with our new digs. We've only got to put new locks on the doors and we'll be done with that.

MR. BOYLES: We're, again, waiting to see what the South Carolina state budget situation is going to do. We've had some early favorable indications out of the House Ways and Means Committee. After years of withering budget cuts, it looks like we may be reaching the bottom at least with respect to the impacts to the Marine Resources Division although it's still a little early.

We're still very, very early in the process. As matter of fact, I understand that our agency went before our Senate Finance Subcommittee yesterday. The House of Representatives takes up the budget next week, I believe, and the Senate is beginning to their budget deliberations as well. We're, of course, watching that very, very closely.

We're also looking at ways to improve recreational data collection. South Carolina, as many of you may know, is I think one of the only states in the southeast where the state does not do the

MRFSS Intercept Survey. We are exploring those options. Quite frankly, our options are rather limited due to budgetary constraints, but we certainly heard the comments from the public with respect to snapper grouper and other fisheries that people demanding better information. We're certainly seeing what we can do to improve that.

That is going to be probably a mid-range project probably we'll be working on over the next six or eight months and maybe getting geared up as MRFSS transitions to MRIP. Maybe it will be DNR creel clerks out at landings doing the intercept surveys rather than the macro-contractor, but we're still evaluating that. A lot of other things cooking, but those are certainly two things that are high on our radar at this point.

MR. CUPKA: Thank you, Robert. Questions for Robert? Seeing none, then, Matt, do you have anything from the Coast Guard?

LTJG LAM: Mr. Chairman, there is just one project that I wanted to bring to the council's attention that District VII is working on. District VII Response Enforcement Division was contacted by NOAA Commander Matt Pickett, who works in the National Marine Sanctuary's Office, about creating and developing pilot handbooks for depicting all the rules and regulations and violations in closed areas and whatnot for Gray's Reef National Marine Sanctuary and also the Florida National Marine Sanctuary.

Units involved in the project are going to be the D-7 DRE, Air Station Miami, Air Station Savannah and also Sectors Charleston, Miami and Key West and their corresponding stations and patrol boats; in addition to sanctuary staff. The agency is already providing consistent sanctuary enforcement.

Their input will aid in developing best practices and also lessons learned for implementation into the handbooks. What the handbooks will do is they'll aid in providing over-flights by the air stations; mainly in their MH-65 aircraft and also Coast Guard Auxiliary, which are mainly single-engine, fixed-wing assets.

The first meeting for this project is March 21st with Air Station Miami and March 24th at Air Station Savannah. Commander Pickett is going to be providing training to the air crews and also the LE officers at the air stations during these meetings and also getting an idea of what exactly they need as a guide for their specific air frame and also for their specific sanctuary. Once we get our patrols up and running, I'll be sure to keep the councils and also the sanctuary staffs apprised to Coast Guard enforcement efforts and how we're interacting with the inter-agency partners.

MR. CUPKA: Thank you, Matt; questions for Matt? Seeing none, then we'll come on around. Otha, did you have anything from enforcement.

MR. EASLEY: We have the regular reports on Oculina and quarterly activity reports either on their way or already sent. It will also be posted on the website to provide transparency for all to see what our activities are. I also wanted to take – I'll also let Pat O'Shaughnessy, the VMS program manager, know that the council has given acknowledgment on a well-done presentation.

Along those lines, while the public comment period was going on, I had a thought that I would like for the council to possibly consider as an alternative to a black sea bass closure, and that is using VMS on the commercial and charter/headboat vessels. The black sea bass spawning areas are pretty well documented as far as locations. I spoke to Nick Farmer and those areas are pretty well – or at least at this point coarsely defined, and those areas could be closed potentially. It depends on what the science shows as far as if enough – if the model has shown enough of a difference that will help the population continue to grow, so hopefully that there would be just a rolling closure – that would even be possible – northern and southern spawning areas so that again just those areas would be closed.

Other areas would be open to black sea bass fishing. And, with VMS, managing those closures could be very well managed and there wouldn't be anything that we're not already doing. I just wanted to float that out there for you all to consider. And maybe I guess as far as these particular amendments we're dealing with now or this week, it's probably too late for those, but timing-wise maybe it could be something that can be considered and presented for the industry to think about in future amendments.

I'm thinking also this VMS implementation could be an option for them as well. If they want to fish during a black sea bass closure, they would have to have VMS and stay out of certain areas while others elected not to have VMS would just have to stay out of that fishery altogether. There are necessarily other options or a few other options that come to mind, but those were the two major options. Just something for you to think about.

MR. CUPKA: Thank you, Otha; questions for Otha? Tom.

MR. BURGESS: Yes, Otha, you had mentioned about spawning black sea bass; are you thinking of an area-specific type of a thing? You also referred to rolling closures. First on the black sea bass spawning; was it a site-specific type of a thing, an area specific?

MR. EASLEY: Correct. Nick Farmer had sent to me an e-mail that is showing the South Atlantic cut up in grids and with some particular spots where spawning for black sea bass is more peaked than others. He also said that there were two population in northern and southern, and they have different times for peak population so that as far as enforcement with VMS-equipped industry, that those closures could be separate times and it wouldn't be an issue as far as enforcement is concerned.

MR. HARRIS: Mr. Chairman, it's not really a question for Otha, but it's going to be very, very difficult for us to move away from using the terminology "closure", but Dave Snyder made a really, really good point today in his testimony, and that is if we could call these "no-harvest periods" rather than "closures", the public is probably going to have a different perception as to what that is. I think we really need to consider that, and I'll just throw that out there for you all to think about, and I'll make a motion in June or something like that.

MR. CURRIN: Not a question but just a comment and thank you, Otha, to you and everybody at OLE for over the past years expanding your capability to monitor VMS. That was a real

enlightenment to me and I'm delighted to see it. I remember a few years ago at least that we were talking about adding VMS to certain boats or sectors that it was questionable as to whether you guys had the capability at that time to add the number of boats we were talking about. I'm delighted to see that it's unlimited right now as far as your capability. That's good news.

MR. EASLEY: Technology is improving everyday and we're taking advantage of it, too.

MR. CUPKA: Okay, any other questions for Otha. Seeing none, then we'll move on to Florida. Mark.

MR. ROBSON: Thank you, Mr. Chairman. Nick Wiley, my executive director, had to leave during the public workshop. He was called away to important legislative stuff he had to take care of back home. He extends his regards to you, Mr. Chairman, and to all the council members and staff. He said he learned a lot in a very short amount of time. I don't know if he got a chance to talk to everybody or meet everybody, but I know he is very interested in learning about this council process. I think he is also going to be attending the Gulf Council Meeting, Bob, so you may be seeing him in April.

MR. GILL: We have been pre-warned.

MR. ROBSON: Yes. But, he does extend his regards and thanks you for the hospitality. Also, we've submitted to both councils and to NOAA Fisheries Service a letter expressing our interest and intent to extend our stone crab fishery management program into federal waters, both for the Gulf and if there is no opposition, of course, to the Atlantic waters. Of course, there is no stone crab federal plan in the Atlantic but there is one in the Gulf, and they're in the process of removing that plan from their program.

And then just one last thing; just FYI we've just gone through a major renovation of our FWC website. It looks nice. It has still got some things I think they're working out, but you may want to check it out and see of the new stuff we're trying to do there on the website. Thank you, Mr. Chairman, that completes my report.

CHAIRMAN CUPKA: Thank you, Mark, and please tell Director Wiley that we were glad he was able to make it and sorry he couldn't stay longer, but it was good to get to meet him, and we appreciate his efforts to come, so thank him for that. Questions for Mark? Seeing none, then, Wilson, Fish and Wildlife.

DR. LANEY: Thank you, Mr. Chairman. Everyone will be getting a detailed, written quarterly report from me, but I'll just mention a few highlights. We have a new assistant regional director for refuges in the southeast region. That's David Viker. David is a long-time Fish and Wildlife Service employee. Some of you may know him from his previous career. His immediate past position was Chief of Migratory Birds in Atlanta, and he came up through the refuge system. I think we'll all enjoy working with David in that new position.

The North Carolina Dam Removal Task Force recently met in Raleigh and continues to work to try and come up with criteria for prioritizing dam removal in North Carolina with a lot of focus

on anadromous fish and trying to target those structures where we get the most bang for our bucks by removing dams.

The Shad in the Classroom Program continues in North Carolina. We've gotten a tremendous amount of interest from schools in particular who want to participate in that program which entails providing the schools with shad eggs in the spring of the year, having them raise those to the fry stage and then going out and releasing those fish into several selected river basins in North Carolina.

We've gotten funding from Dominion Generation and from the National Fish and Wildlife Foundation through the North Carolina State Museum of Natural Sciences, and so that has been a very productive partnership; so much so that we're getting so many requests from schools, that we can't meet them all. We've had to put a cap on the number of eggs so as not to compromise our production program for American shad. This is a collaborative state and federal program working with NCDMF and the Wildlife Resources Commission as well.

American eel passage at Dominion Generation's Roanoke Rapids Dam continues to surpass all expectations. It has been a very successful program. We're going to be attending a workshop on American Eel Passage later this month and giving a presentation about that on behalf of Dominion Generation.

With regard to the Cooperative Winter Tagging Cruise this year, the National Marine Fisheries Service Headquarters did not come through with our research vessel funding so we have had to scramble to find an alternative way to get the sufficient number of fish tagged offshore to keep that time series intact. What we have been doing is again collaborating with all of our partners to get out there on some charter vessels and hook and line the fish to tag.

We got 108 tagged last week. We're trying to get out on a second trip. We're working with NOAA Law Enforcement to get clearance for a second vessel to use in those operations. I just wanted to personally take this opportunity to thank LTJG Lam and the U.S. Coast Guard for getting out there and doing a tremendous job of maintaining high visibility during that winter fishery off North Carolina this year.

I think they were highly visible in air and on the seas and possibly on land as well, I don't know, but they did a great job in responding to a lot of concerns I know especially from the recreational community but also from those of us in the management end of things that would like to see a strong enforcement of the regulations during that fishery when those fish – as they were this year, they're more in what we consider a normal habitat area based on our 23 years of experience and kind of concentrated relatively close to the North Carolina shore there so are highly susceptible to fishing, and, of course, that's where the majority of the brood stock is during the wintertime.

In that regard I'll be providing Duane with some data. Duane, I do have an update on the number of returns we got from 2010 when we for the first time ever did have to vent about half of the fish, so I'll be getting those data to you in advance of that barotrauma work next week. I don't have a tremendous number of returns. It's a pretty small sample size, but it is fairly

interesting in that our returns from the vented fish are running about three to one over the unvented fish.

Roger already mentioned the South Atlantic Landscape Conservation Cooperative which met for the first time in Raleigh so I won't talk about that. I'll provide you more details in the written report. The last thing I wanted mention is in view of the issues that we've had with getting funding for the research vessel for the cooperative winter tagging cruise, I think there are a number of alternatives under discussion.

One possibility that is there is for us to collaborate with the states of North Carolina, South Carolina and Georgia and apply for Section 6 funding to put some of these acoustic receivers offshore for the purpose of detecting Atlantic sturgeon. The same three states were awarded a substantial Section 6 grant last year and as a result have put lots of VR-2 receivers in estuaries and rivers in North Carolina, South Carolina and Georgia.

They're putting a lot of acoustic tags out there in Atlantic sturgeon. We put three out in North Carolina. It's desirable to try and get additional acoustic arrays offshore to try and detect those fish when they move out of the rivers and into the nearshore Atlantic Ocean so we can find out where they go and what habitats they use out there. That's something that's under discussion.

We've talked to South Carolina and Georgia. I think they definitely want to collaborate with us. I need some more time talking to Brian and the North Carolina folks just to refine that proposal that was presented in the past. Those are the highlights, Mr. Chairman, and I'll provide more details in a written report. If anybody has any questions, I'll be happy to try and answer those.

MR. CUPKA: Okay, thank you, Wilson. Questions for Wilson? Ben.

MR. HARTIG: Wilson, what species are you doing in your barometric?

DR. LANEY: With striped bass, migratory striped bass. Normally in the past, Ben, we have always caught them in fairly shallow water, you know, between 30 and 60 feet close to shore, and we've never have had any issues with them not going right back down after we turn them loose, but last year, for some reason, we were further offshore getting around the neighborhood of a hundred feet or so, and the fish were floating on us.

So, we said, well, heck, we're not going to leave them floating on the surface; we'll go ahead and vent them. They didn't have any problems at all going down when we vented them. It's interesting to me that the returns from the vented fish are outpacing the non-vented fish so far, but, again, sample size is real small. The data are certainly preliminary.

MR. CUPKA: Thank you, Wilson. All right, Vince, I'm sure there is not anything going at ASMFC, but maybe you can think of something.

MR. O'SHEA: Thanks, Mr. Chairman. I was thinking about shad in the classroom, and at ASMFC it kind of reminded me that we have shad in the courtroom, and that is the commission and 30 of our commissioners, along with the Secretary of Commerce, are being sued on behalf of

advocates for shad and river herring allegedly for not taking sufficient action to recover the stocks. We've gone through a series of complaints and answers to the complaints.

The final motions were filed Monday afternoon, and the next step will be to go forward with oral arguments in the next couple of months. The suit was filed in D.C. District Court and is going to be tried or is going to be dealt with in the D.C. District Court. The plaintiffs are Martha Vineyard's Fishermen/Dukes County Fishermen's Association and Earth Justice.

The ASMFC's next meeting, Mr. Chairman, is going to be the week of the 21st of March in Alexandria, Virginia. Our agenda is posted on the website. The thing of interest to this council, the South Atlantic Board is going to deal with an Omnibus Amendment that we're doing on our spot, spotted seatrout and Spanish mackerel plan. The purpose of that omnibus is to bring that plan up to Atlantic Coastal Fisheries Act standards.

It will freeze the state regulations within the ASMFC plan and also specify the adaptive management measures that the board will be able to take through an addendum process, which as you know is a much faster process. We've also been tracking what this council has been doing with regard to your Spanish Mackerel Amendment and trying to put those applicable parts into the Draft Omnibus. The board is going to review that and consider sending it out for public comment at our next meeting.

I think the last thing, Mr. Chairman, is I did make a comment this morning when I introduced myself as a non-voting member, and I got a couple of chuckles. I deeply appreciate that, but the real purpose was I think some of us sit here on this council, and I think that members of the public don't always understand our role here and why in some cases we're not voting on actions. Now that I've given you all the explanation, which you all know, I notice there is nobody in the public to hear it, I feel much better. Thank you very much for your kindness and hospitality. It's always a pleasure to be here.

MR. CUPKA: Thank you, Vince; any questions for Vince. I had one and this has nothing to do with the commission, but I know you've been involved in the process to try and find a new head of law enforcement for NMFS, and I wondered if you could make any comments not on what is going on in terms of people but maybe where the process is.

MR. O'SHEA: Sure, I'll make two comments, Mr. Chairman. My role was to identify potential candidates and reach out to them and encourage them to apply. I completed that assignment in the middle of December when the vacancy announcement closed. Now, the National Marine Fisheries Service also used their advertising network, Jobs USA, a number of different places where they advertised for the position. It was two-pronged approach to search.

My understanding is they've telephone-interviewed candidates. They've done personnel interview of candidates, and they're down to a very, very short list. I think that they're very close to making an announcement. I would say within the next six weeks. Thanks, Mr. Chairman.

MR. CUPKA: The last I heard they were down to like three, I believe it was. Other questions for Vince? If not, we'll go to North Carolina; Brian.

DR. CHEUVRONT: Actually, there is a lot going on in North Carolina and a lot of it is not all that wonderful. You may have heard about the problems that we had with striped bass this winter. And then there is speckled trout, which were some more issues that we had. The season is and access is closed now due to the cold stunt events that we've had. However, our Marine Fisheries Commission voted to allow a 50-pound bycatch in the commercial fishery, in this primarily recreational fishery which has created some issues. The fishery will reopen in June.

Our commission actually – I think it was more symbolic than anything, because their actual motion actually voted to go out of compliance with 17B and it's actually not a compliance issue at all, and they really were referring to the deepwater closure. It was a close vote, five for the motion and four against the motion, but really what they were trying to signal is their displeasure with the deepwater closure.

I think when they see what has been going on with Regulatory Amendment 11 and the motions and preferences and things that the council has now, they'll probably be much happier with the way things are going. I appreciate the council's consideration about the bangstick issue. It's something that became an issue for us last fall.

By the time we meet in June, the North Carolina Division of Marine Fisheries will be a much smaller, leaner agency. We'll be issuing reduction-in-force notices on June 1st. We don't know exactly how many positions yet at this time. Right now we're looking at 23 positions; it will probably go up. We're going to be eliminating probably seven programs or greatly reducing them altogether.

Now these are all state-funded programs. The thing that is really making it more difficult when I wear my other hat in the office is that dealing with some of these positions that we're losing, they are all on state appropriations, and we tend to use state appropriations to match federal grants, and I think we've got it figured out how we're going to match our Fish and Wildlife grants, but we're having problems with some of NOAA grants.

If we can't figure out a way to do it, we could end up losing some NOAA grants, which means we'll lose additional people who are paid off of federal funds because we can't come up with a match to match those grants. It's really quite grim. The governor's budget came out a couple of weeks ago, and we were told this is where it starts. We are expecting to have – our legislature is hoping to have a budget by June 1st, and part of that reason is because we have a 30-day requirement for issuing RIFs in the state.

Whatever happens to be the case on June 1st, whatever the state of the budget is, those are the people who are going to get RIFs, and some of the positions have been identified, one of which is a stock assessment biologist. We were told specifically that we had to reduce mid-level management positions. In many cases we were given absolutely no ability to decide what some of those positions were going to be. We were told sort of at the level at least.

So, it's difficult; it's really, really difficult times for us now, and it's just going to get worse for a couple more months. We've already had a 25 percent reduction in our state appropriations at this point. That's just for this year on top of what we've had from the previous years, and it will probably go up from there. I think we're probably looking at somewhere between 40 and 50 percent reduction in our appropriations when it's all done and said just in this year alone.

MR. CUPKA: Questions for Brian?

DR. CHEUVRONT: I'm not looking for a job yet.

MR. CUPKA: Brian, do we need to respond to the letter from the commission on the bangstick issue or can we depend on you to bring them up to date on where we are?

DR. CHEUVRONT: Every time we have a commission meeting, I make a report on what happened at our council meetings; but if the council wanted to send a letter saying that the council is going to look into the issue, that would be actually a good thing.

MR. CUPKA: Okay, we'll get staff to draft up something and something in the record. Any other questions for Brian? If not, I'm going to turn it over to Bob just for a minute to give the council report.

MR. MAHOOD: It's not really a council report, but I am a little remiss. We do have some new staff members that have been hired since the last council meeting. Andrea Grabman; Andrea is the assistant public information officer and is working with Kim. She was the head park ranger out at Edisto Island where I live. I've been trying to find if they've filled her job yet, but it doesn't look too promising for any kind of a trade there.

Also Kari MacLauchlin; Kari is our new social scientist. Kai is our catch share expert or was our catch share expert. She was back there crying during George's motion. We're very glad to have Kari. We've got plenty of things to do. Mike Errigo, Mike is our new fisheries biologist who will be working with the SSC and the council. He will be in John's shop. That's our three new members, and we're really excited about that. We look forward to the new members and we look forward to moving ahead.

MR. CUPKA: Thank you, Bob, and welcome to all of you. I'm sure you'll find this an exciting period in your career. There are a lot of challenges but a lot benefits, too, so we look forward to working with each and every one of you. At this time I think what we're going to do is go into closed session for – Robert.

MR. BOYLES: Mr. Chairman, are we going to deal with sturgeon issue tomorrow? We had some preliminary discussions early on about the proposed listing of sturgeon.

MR. CUPKA: That's under other business for tomorrow. We'll deal with that and the Snapper Grouper Committee Report tomorrow. Duane.

MR. HARRIS: Mr. Chairman, just one announcement before we go off the record. I just wanted all of you to know that Dave Snyder, Chef Dave who came up and gave testimony this morning is the guy that provided your meal the other night.

MR. CUPKA: We will be meeting at 8:30 in the morning to finish our council business. With that, we'll go ahead and close the meeting and go into closed session.

(Whereupon, a closed session was held and the meeting was recessed at 5:30 o'clock p.m., March 10, 2011.)

The South Atlantic Fishery Management Council reconvened at the Sea Palms Resort and Conference Center, St. Simons Island, Georgia, Friday morning, March 11, 2011, and was called to order at 8:30 o'clock a.m. by Chairman David Cupka.

MR. CUPKA: We'll go ahead and reconvene the meeting of the South Atlantic Fishery Management Council. At this point I want to turn it over to our Snapper Grouper Chairman Mack Currin.

MR. CURRIN: Thank you, David. The Snapper Grouper Committee met earlier this week for a couple of days, as usual, and had a number of issues before us. We received an overview of management issues on black sea bass and golden tile from Gregg Waugh, and Jack McGovern provided an overview of some analysis on black sea bass bag limits.

There was one motion as a result of that, and on behalf of the committee I move that we ask that the upcoming black sea bass assessment take a look at F-rebuild or constant F and constant catch to rebuild by the end of ten years with the ten-year rebuilding period ending in Fishing Year 2015 and '16. Is there any discussion on that motion? Any objection? I see none and that motion is approved.

We also received a presentation from Nick Farmer on Regulatory Amendment 11; some analysis of the distributions of speckled hind and Warsaw that he and others had put together since our last meeting. **There were several motions as a result, and on behalf of the committee I would move that we provide the Regulatory Amendment 11 presentation and issue papers to the SSC for their review at their April meeting. Is there discussion of that motion? Any objection to that motion? I see none; that motion is approved.**

The committee moved to establish a series of alternatives for blueline tilefish besides the no action alternative. On behalf of the committee I would move that these alternatives be established besides the no action: (1) To open the blueline tilefish in the South Atlantic in the deep water seaward of the 240-foot depth contour; (2), open blueline tilefish off North Carolina in the deepwater seaward of the 240-foot depth contour; (3), open blueline tilefish off North Carolina north of Cape Hatteras in the deep water seaward of the 240-depth contour. Is there discussion of that motion? Is there objection to that motion? I see none; that motion is approved.

Several other motions regarding issues or alternatives in Regulation Amendment 11. **From the committee a motion to add an alternative to exclude blueline tilefish from the deepwater closure south of Cape Canaveral. Is there discussion? Is there objection to that motion? I see none; that motion is approved.**

Also a motion from the committee to include an option to open the closed area in the South Atlantic seaward of 500 feet. Is there discussion of that motion? Any objection to that motion? I see none; that motion is approved. I would note that the intent regarding that motion is for the closed area to extend from 240 to 500 feet, and it will necessitate transit and possession provisions that would have to be addressed.

Another series of motions from the committee regarding alternatives for snowy grouper from the committee. **I move that we establish the following alternatives besides the no action alternative: (1), Open snowy grouper in the South Atlantic in the deep water seaward of the 240-foot depth contour; (2), open snowy grouper off North Carolina in the deepwater seaward of the 240-foot depth contour; (3) open snowy grouper off North Carolina north of Cape Hatteras in the deepwater seaward of the 240-foot depth contour, with the clarification that “open” entails maintaining the current commercial and recreational regulations. Is there discussion of that motion? Is there any objection to that motion? I see none and that motion is approved.**

Another motion from the committee to add an alternative to exclude snowy grouper from the deep water closure south of Cape Canaveral. Is there discussion of that motion? Any objection to that motion? I see none and that motion is approved.

The committee also took a look at Regulatory Amendment 9. Myra provided us with a summary of the public hearing comments on Regulatory Amendment 9, and the committee reviewed all the actions in that regulatory amendment. There were a number of motions. **Regarding Action 1, harvest management measures for black sea bass, the committee moved to select Alternative 6 as its preferred, and I would move that on behalf of the committee. Is there discussion of that motion? Yes, Tom.**

MR. BURGESS: Mr. Chairman, that is the change in the black sea bass fishing year?

MR. CURRIN: That is correct. If you'd like, I'd read that. Alternative 6 states to change the black sea bass fishing year from January to December and separates the commercial ACLs for January to June and July through December based on years 2006 and 2009.

MR. BURGESS: Well, I'm not in favor of changing the fishing year at this time for a couple of reasons. One is because of the June starting date I think was established to protect spawning. If there was going to be a closure, it would be done in the spawning season. Secondly, we have a stock assessment that will come before the committee, the final outcome, if you will, in December, so I'm reluctant to support it. Is it appropriate at this time to make a motion?

MR. CURRIN: I don't see why you can't if you –

DR. CHEUVRONT: You've made a motion.

MR. CURRIN: He can offer a substitute motion, I presume, if he would like.

MR. BURGESS: Yes, I would like to offer a substitute motion to have Alternative 3 as our preferred.

MR. CURRIN: A substitute motion by Tom to change the preferred to Alternative 3. Is there a second? Second by George Geiger. Discussion on that motion? David.

MR. CUPKA: Mr. Chairman, do you happen to have Alternative 3 there in front of you or can we see what that is?

MR. CURRIN: David, I can pull it up. Maybe Myra can more quickly than I can and she can put it on the screen. Everybody see that or would you like me to read it? Alternative 3 is to retain the June to May fishing year and specify separate commercial quotas for the June to November period and the December to May period based on the landings from 2006-2009. Discussion? Roy.

DR. CRABTREE: So both the current preferred and the substitute preferred would separate into two seasons, right?

MR. CURRIN: Correct.

DR. CRABTREE: And both of them would have a June through November and – I guess this preferred is June-November and December-May, and our current preferred was what? It was June-January and January-May?

MR. CURRIN: The current regulations, the fishing year begins in June. The current preferred and the motion I offered on behalf of the committee was to start the fishing year in January – two six-month periods.

DR. CRABTREE: But what are the six-month periods?

MR. CURRIN: June to –

DR. CRABTREE: January through June and then June through December?

MR. CURRIN: Yes; July to December.

DR. CRABTREE: It's really a pretty fine difference between the two of these for the commercial fishery, it seems to me, Tom. If you assume that they're going to catch their quota before the end of these two seasons, it seems to me they're unlikely to be fishing in December and probably not even most of November really under either one of these. I'm not sure there is a whole lot of practical difference between these and how it's going to affect people.

MR. BURGESS: Well, also the recreational fishery is part of it, also.

DR. CRABTREE: Your concerns are mostly related to the recreational fishery?

MR. BURGESS: Yes, that is correct. It seems that Alternative 6 kind of reallocates a large portion of the landings or the harvest, if you will, because North Carolina headboats don't fish in, say, December, January and February and not much in March, so there is going to be a big change there. The fall season is very important to the headboats of North Carolina. It's like their bread and butter. By cutting them out of their fall season with Alternative 6, if there is that possibility, it's going to be devastating to them. At this time my justification for bringing this up would be that also the stock assessment that's going to come before the council and the numbers associated with that.

DR. CRABTREE: If I could, Mr. Chairman, it seems there was a lot of interest in having different closures in the north and the south recreationally, and we couldn't get that done at this meeting. We could do that for a framework, though, and we probably could get that done by the end of the year. I guess that's a possibility.

You could decide to leave this fishing year alone for now, work on another framework that you would try to vote up by, say, the September meeting and then address the geographically different start dates somehow and see if you couldn't come out to an accommodation that would work for you, whether we could or not.

I understand it seems like no matter what we do with the start date, I think where the start date is now, Tom, is advantageous to the northern part of the South Atlantic, but clearly is very unpopular in the southern of it. I'm sympathetic to these guys in the southern part because everything seems to be closed in those months whereas in North Carolina in those late spring months grouper opens back up, vermilion opens back up, there are other things to fish for, but I can't think of a way to solve the problem other than to have some differences in a northern season and a southern season, which I think we could do by next year. We just can't do it at this meeting, so it's something for you to think about.

MR. BURGESS: So you're saying like more of a regional approach to keeping everybody happy, if you will?

DR. CRABTREE: Well, you'd have – to do it, you're going to have to divide the quota into a northern quota and a southern quota, and then you'd have I guess a different closed season in each area to push the fishing. Now you get into some allocation decisions and things like that, so it may be more complicated than you think. I don't know how else to get at it.

With the lower bag limit, maybe the season stretches out enough that everybody gets a crack at it. I think you could go ahead and change the fishing year now, but then come back and keep working on this and try to come up with some separate closed seasons to kind of even it out or you could decide to just hold off on the fishing year and work on a second regulatory amendment that gave you some more options in terms of the rolling closures or different closures and try to get that done by the end of the year.

You don't need to get the fishing year business changed until next year sometime – I guess before the end of the year and you could work it because it wouldn't kick in until January, anyway. The thing you need to do immediately is the bag limit reduction and then you could probably spend another meeting or two working on this. It's just up to you guys how you want to handle it, but I don't see any other way to accommodate each other. If we don't do something like a northern/southern season, then we're just going to have to make a decision that is going to be popular in one part and unpopular in another.

MR. HAYMANS: And Roy hit all the points, but Rick sent around this bag limit effects this morning and it has got the new clock with 15 fish on it, but it still begins with a June fishing year, and it looks like it pushes the season into April, if that's right on the 10th month. I was just wondering is it possible that staff maybe in the next half hour, Rick, is it possible just to try to adjust those landings for that Table 2 to see what a January start date would look like with a five-fish bag?

MR. CURRIN: I was under the impression that's what it was based upon was our current preferred January start date..

MR. HAYMANS: Well, I was trying to read the heading and it tells me it's a 2010 calendar year, so that tells me it was still based on last year, but is that a January start date?

DR. McGOVERN: That calendar year is January through December so that's a January start date.

MR. HAYMANS: Okay, so I apologize, so then if that's using '10's landings for this year, then that gets us into October then.

DR. McGOVERN: That table shows that if you have a five-fish bag and you have the March/April no harvest period, you get into October. With just the five-fish bag limit by itself, it gets you into August. That's the next column over.

MR. HAYMANS: All right, so then if we do something in a moment with the March/April closure, that might roll that back a little bit more?

DR. McGOVERN: Correct; if you did the March/April no harvest, you would go to October.

MR. CURRIN: And I would just remind the committee that this issue is going to come up in reference to another motion, so I would like to try to – and I know they're related, but let's try to keep the discussion focused on the current motion before us. Duane.

MR. HARRIS: Mr. Chairman, I'm going to speak against the substitute motion and in favor of the original motion. We had a lot of discussion on this in the committee meeting. Our guys down in the south were really disadvantaged by the closure this year, and that's why I made the motion to go to a January start date. I still think that's the best way to do it.

I agree with what Roy said, but he's not promising that we can get a framework amendment in by next January. If he were promising that, I might be willing to do something different. I think right now that's too iffy for me to see our guys closed out for another fishing year. I'm just going to speak against the substitute and in favor of the original.

MR. ROBSON: And I would have to speak against the substitute motion for the same reasons that Duane just mentioned. I know we discussed this, and I certainly acknowledge that we've got a big difference in the impact between the northern part of our area and the southern part. I think we're going to need to deal with that, but I'm going to have to continue to support the January start date.

MR. CURRIN: All right, let's vote, if we can. **All in favor of the motion of the substitute motion raise your hand – and the chair votes in the affirmative – 7; all opposed, 5. The motion carries and is now the main motion. Any further discussion on the main motion? All in favor of the motion raise your hand; all opposed. Four opposed; that motion carries.**

DR. CRABTREE: Mac, let the record show I abstained on this one.

MR. CURRIN: Thank you, Roy; I noted that. Another motion from the committee to select Alternative 7 as the preferred alternative is that under Alternatives 3 through 6 carryover unused portions of commercial ACL quota from the first part of the fishing year to the second portion of the year. Is there discussion on the motion? Any objection to the motion? Gregg just pointed out that Alternative 7 is moot in that it refers to changing the fishing year; and if the fishing year is not changed, it becomes I think irrelevant and perhaps the next two motions as well. Somebody correct me if I'm wrong. Myra.

MS. BROUWER: I believe this motion has to do with carrying over the unused portion of the ACL into the second portion of the season; so even though you're changing the fishing year, it is still going to have a split season. It is still applicable.

MR. CURRIN: That's right, I'm sorry, thank you. Okay, I think that motion has been made on behalf of the committee. Is there further discussion? **I'll read it again; on behalf of the committee I move that we select Alternative 7 as the preferred. Discussion? Any objection to that motion? I see none; the motion is approved.**

The next two motions – from the committee I move that for both sectors any unused quota at the end of the 2011 fishing year would be added to the first half of the following fishing year. I think this one is moot because the start date has not changed. Somebody verify that. How do we handle that; just withdraw the motion? Brian.

DR. CHEUVRONT: I think what was going to happen here is that we were looking at potentially a six-month season starting in 2011; and so if there was any unused quota – we could still keep the motion I would think if we had the 2011 and 2012 fishing year, but it's highly unlikely given the past couple of years of what has gone on that there would be any quota left over to carry over.

DR. CRABTREE: Well, I think we need to withdraw this motion because it was directly a result of having a short season, and so I would make a motion – I don't know how we do this. It's a committee motion; do we just vote it down, then? **I would move that we withdraw this motion.**

MR. CURRIN: **Motion by Roy to withdraw this motion; second by Robert Boyles. Discussion? Any objection to that motion? I see none; that motion carries.**

The motion from the committee was to select Subalternative 12A as a preferred. Subalternative 12A is to implement a March 1 through April 30 spawning season closure for black sea bass that would apply to commercial and recreational sectors. Is there discussion on the motion? Tom.

MR. BURGESS: Yes, Mr. Chairman, there has been a lot of public comment on that. Some of the public comment was discussion about the status of the stocks and how they have rebuilt. Also, with the upcoming stock assessment that will be coming before us, that any increase or lengthening of the season would be after December and it would benefit people to the south and things like that. I'm not sure – this is just for discussion – if we need to pursue this at this time. I think with where we stand, there is a good chance if it is going to be closed, it will be closed during some spawning, but I'm not sure if we need to pursue it.

MR. GEIGER: Mr. Chairman, yesterday I asked Jack if it would be possible for him to look at what we would get with a two-fish harvest during the no-harvest period that we contemplated as a spawning season. I think everybody has received that e-mail; has everybody had a chance to look at it. There is an e-mail that has a table in there that shows what reductions we would get with different bag limits during different periods.

Originally my thought was to divide the no-harvest period between the southern zone and the northern zone, and then Duane requested some additional information and it appears that we even get a better savings if just have a two-fish bag limit during the March/April no-harvest period and a five-fish bag limit the rest of the time. **I would offer as a substitute motion, Mr. Chairman, a two-fish March through April bag limit with a five-fish bag limit the remainder of the season.**

MR. CURRIN: Substitute motion by George; is there a second? Second by Ben. Discussion?

MR. HAYMANS: Based on the way these landings fall out now, it's going to be a spawning season closure beginning February and running through the rest of the year because we're going to going hit it mid-February.

MR. GEIGER: And one of the things, Doug, I think Jack calculated these figures based on 2010 landings, and they were extremely high. If you look at periods before that, they were much lower so it may or it may not happen.

MR. HARRIS: Mr. Chairman, that was what I was going to say; it wouldn't happen if you had a January fishing year start date, but we've moved away from that now, unfortunately. I'm not in

favor of the spawning closures as I was yesterday if we go to a June start date. I would rather see, as George has moved, a two-fish bag limit during a certain time of the year; but if we're closed, it doesn't really matter what – or if there is no harvest – excuse me, Jack – if there is a no-harvest time, then a bag limit is moot during that period. Unless we can do away with any no-harvest time and go strictly to a bag limit during a certain period of the year, it doesn't make a whole lot of difference to us.

DR. CRABTREE: Yes, I'm kind of thinking with Duane. I came in prepared to support something like that, George, but if we're staying at June I don't think it's going to much matter because odds are we'll be closed by the time we get there. It seemed like this was very unpopular, especially unpopular with the guys up around the North Carolina/South Carolina line.

I guess my inclination right now is to hold off on doing this and let's get the new assessment and figure out where we're going; or, if you want to work on a framework action to look at these seasonal things, we could visit it in that when we saw how it was. Otherwise, if it is your intent to come in and do some sort of framework to adjust this seasonal disparity, that might itself lead us to need to change this. My preference would be let's leave this alone for now and decide if you want to do a framework and come back to it a little bit later.

MR. CURRIN: Other discussion? Yes, I think it's clear. The analysis was very impressive when I saw it, but I take partial responsibility because I voted in the affirmative for the previous motion to switch the start date back to June. Perhaps in hindsight that was a mistake considering the analysis that we saw right here. George.

MR. GEIGER: Well, of course, the argument is a supposition based on the fact that we're going to have a closure. We're faced with reduced effort within the fishery. It's hard to look into the future and see what is going to happen as a result of fuel prices and what effort is going to be. It's possible based on landings that we do get into a situation where we don't have a closure at the times predicted here. Is there any problem with putting this in place in the event that the season gets stretched out to this particular point?

DR. CRABTREE: I think what you need to decide first is do you want to do a framework action before the end of this year to have it in place next year to address this. If you do, then come back to the seasonal closure there and you can get it all done before it would happen, anyway. If you're not going to do a framework action to do that, then it makes some sense to go ahead and make a decision about what you want to do now. I really think decide on the framework – if you're going to do the framework, then it seems to me you've got time to come back to this one.

MR. HARRIS: A question for you, Roy; what is the earliest we can get a framework in place and approved to do what you're suggesting we do, and I agree with it. What's the earliest?

DR. CRABTREE: How long are you guys going to argue about it before you decide what you want to do?

MR. HARRIS: I would move right now to immediately start work on a framework action to deal with these rolling closures –

DR. CRABTREE: You know, we pulled this bag limit together for this meeting to vote it up; and if it's not a very complicated thing and you guys don't ask to look at umpteen zillion things, we could potentially come in June with something, but I would think we could get it done by the September meeting, and that would give us time, Monica, to go through a rulemaking.

I don't think – you know, even if we were a little late with the final rule, that could mean the fishery closes when the quotas are caught, and we don't know when that is, but then we could change the year and reopen it then. I think it's doable unless we get into a divided council and you can't decide and all kinds of things that drag it out.

MR. CURRIN: Duane, before you offer a motion, understand that we have two motions before us, the main motion and a substitute, so we need to deal with those first. Tom Swatzel.

MR. SWATZEL: Mr. Chairman, first of all, I want to thank George for trying to mitigate the impacts of the spawning season closure on recreational fishermen, but I would say that I certainly do favor a framework action and think probably the best thing to do is simply withdraw the motions, particularly the one even having any spawning closure at all until we can rapidly, as soon as we can deal with a framework action.

MR. WAUGH: Not directly to the motion, but more about the timing for another regulatory action. What you're doing here is affecting the 2011/2012 fishing year with Regulatory Amendment 9. The next opportunity that we are already planning on is a regulatory action for you to finalize at the December council meeting that will implement whatever changes are allowed from the black sea bass SEDAR stock assessment, and that would affect the 2012/2013 fishing year.

So if you have additional actions that you want – we can't implement anything else besides what is in Regulatory Amendment 9 for this next fishing year, 2011/2012. The next opportunity to effect a change is before the 2012/2013 fishing year. We've already got an amendment that we will be working on, so I would suggest rather than create yet another one, we just add those items to the one that you will take final action on in December. The intent would be that would be implemented prior to the start of the 2012/2013 fishing year.

MR. CURRIN: And that's a good point, Gregg, thanks very much. George.

MR. GEIGER: I was negligent in not thanking Jack. We often take Jack's work for granted, and I appreciate the fact that Jack spent a lot of time working this up in short notice, so thank you, Jack, for doing that. What it has done is opened up a great discussion reference framework. **Based on that, I withdraw this motion, Mr. Chairman, if it's okay with the seconder.**

MR. CURRIN: Okay, that motion is withdrawn with the consent of the council; any objection? All right, we still have a motion from the committee to implement a March/April spawning season closure for black sea bass that would apply to commercial and recreational sectors. Is there discussion on that motion? Robert.

MR. BOYLES: Mac, just again based on the discussion and the bag limit analysis that Jack did, I just kind of wonder whether it's even worth going down this road and whether it's superfluous at this point. Given that, I would make a substitute motion to withdraw –

MR. CURRIN: Okay, further discussion? **All right, all in favor of the motion raise your hand. I see none; that motion is defeated.** Roy.

DR. CRABTREE: I'd like to come back to Alternative 11, which is close the pot fishery when 90 percent of the commercial quota is met. I just don't think it's workable because it cuts it so close. I would make a substitute motion that Alternative 11 not be a preferred.

MR. CURRIN: A substitute motion by Roy that Alternative 11 not be a preferred; is there a second? David. Discussion on that motion?

DR. CRABTREE: I withdraw my substitute motion, Mr. Chairman.

MR. CURRIN: Okay, we withdrew the substitute motion and now we have to withdraw the main motion.

DR. CRABTREE: You never made the motion from the committee; you need to make the motion from the committee that Alternative 11 is preferred so we vote on it. Then we can just vote it down if we don't want to do it.

MR. CURRIN: I'm looking for Alternative 11 on my sheet and it's not there, so that's why I didn't make it.

DR. CRABTREE: It's right before Alternative 12.

DR. CHEUVRONT: We didn't make a motion, Roy.

MR. CURRIN: Yes, that one has not been considered at this meeting, so I haven't made that one at this meeting on behalf of the committee. We didn't monkey with that earlier in the week.

DR. CRABTREE: So we need a new motion?

MR. CURRIN: You need a new motion.

DR. CRABTREE: Well, I'm going to make it because I just worry that we're setting something up that administratively we can't pull off and then that will make people frustrated with us. **I move that Alternative 11 not be a preferred.**

MR. CURRIN: A motion by Roy; second by David. Discussion on the motion? Tom.

MR. BURGESS: I'm not going to speak against the motion, but just for the record that I think it's a good idea; and that in the future as get to electronic dealer reporting and maybe try to work something like this, then I think it's appropriate.

DR. CRABTREE: I was going to make exactly that point, Tom. It may be a very good thing to do, but let's get the electronic reporting in place and see how that is going to work; and then if we can do it, we'll come back and put it in.

MR. CURRIN: Yes, and we look forward to that day I think because there are certainly instances where an approach like this would benefit some fishermen. Further discussion on the motion? **Is there any objection to the motion? I see none; that motion is approved.**

Another motion from the committee to move Alternative 13 and its subalternatives into Regulatory Amendment 9. Alternative 13 is to modify the recreational bag limit for black sea bass, and there are a number of different bag limit options under that motion. Is there discussion of the motion? Any objection to that motion? I see none; that motion is approved.

Another motion from the committee to select Alternative 13B, which is a five-fish per person bag limit as the preferred. Is there discussion of that motion? Any objection to that motion? I see none and that motion is approved.

Under Action 2, trip limits for vermilion snapper, motion from the committee to select no action, Alternative 1, as the preferred. **There was a substitute motion to adopt Alternative 3 as the preferred without Subalternative 3A.** The substitute motion, which was approved, was to select Alternative 3A as the preferred and that would establish a 1,500 pound gutted weight commercial trip limit. Is there discussion of that motion? Roy.

DR. CRABTREE: Well, I believe you just said Alternative 3A or did you say 3?

MR. CURRIN: Three was the final preferred. Any further discussion of that motion? Any objection to that motion? I see none and that motion is approved. We spent a lot of time on the comprehensive catch share – or, comprehensive annual catch limit. Roy.

DR. CRABTREE: I'm sorry I missed that.

MR. CURRIN: You missed the Freudian slip? I said we spent a lot of time on the comprehensive catch share amendment, but I intended to say the annual catch limit, the ACL Amendment. Myra gave us a brief preview of an overview of the public comments that we had received on the amendment and a number of motions from the committee.

The first one under Action 1, to remove species from the Snapper Grouper FMU, the motion from the committee is to modify Alternative 4 to remove mutton snapper from the Snapper Grouper FMU along with the other species in Alternative 4. Is there discussion of that motion?

MR. HARTIG: Not discussion of that motion, but did I miss amberjack somewhere along the line; the trip limit for greater amberjack?

MR. CURRIN: I'd have to check, Ben, to see where it is. I haven't gotten to it and I don't think I've skipped anything yet. All right, the motion before you everyone understands regarding the changes to the FMU. Discussion on that motion? Monica.

MS. SMIT-BRUNELLO: Just for my clarification; are you finished with Regulatory Amendment 9?

MS. BROUWER: I failed to bring up the motion to approve it, so I'm doing that right now.

MR. CURRIN: Yes, Ben, I did skip that because it wasn't on my overview. Let's deal with this one in the Comprehensive Amendment, if we can. I've made the motion on behalf of the committee; so if we can approve that one, then we'll come back to the amberjack issue and Regulatory Amendment 9. Any further discussion of that motion?

MR. HARRIS: Mr. Chairman, is it Action 1 to modify that we're voting on now?

MR. CURRIN: That is correct. Any further discussion of that motion? **Any objection to that motion? I see none; that motion is approved.** All right, let's get back into Regulatory Amendment 9.

MS. BROUWER: You only made one motion on the greater amberjack trip limit, and that motion failed and that's why it was not brought up, so your preferred is still to increase the commercial trip limit to 1,500 pounds.

MR. CURRIN: Okay, and that's why we skipped it, Ben; it failed in the committee.

MR. HARTIG: Well, would it be appropriate at this time to change the preferred to another option or offer a substitute motion for a preferred?

MR. CURRIN: I guess you can do that. I don't know whether that's out of order or not. It's certainly something we discussed in committee. You can make a motion to change the preferred on that if that's your desire.

MR. HARTIG: That's my desire. **Mr. Chairman, I would like to make a motion to change our preferred to a 1,200 pound trip limit on the greater amberjack.** If I get a second, I'll explain why.

MR. CURRIN: Motion by Ben; second by George Geiger. Discussion? Ben.

MR. HARTIG: We had a lot of testimony in the public hearings that we did not want to change to this. The conversations I had with a number of fishermen in the Keys said that they could possibly tolerate a 200-pound change but not a 50 percent increase in the trip limit for the commercial sector for greater amberjack. That's a bit increase. Whether this council realizes it or not, amberjack is on a rebuilding plan. It's on a rebuilding plan with regulations brought to this council by fishermen over time. It is rebuilding.

I still participate in this fishery to a significant degree, and the changes I see are good. We are getting to some semblance of what the fishery was, but we're not there yet. And 200 pounds, the guys in the Keys could tolerate the 200 pounds. Those guys that I have talked to have been in the fishery since '86, the same time I have. They could tolerate that extra 200 pounds but not a 50 percent increase in the commercial trip limit for greater amberjack at this time.

MS. BROUWER: Mr. Chairman, we currently do not have a preferred to have a 1,200 pound commercial trip limit. The only two alternatives that have been analyzed are for a 2,000 pound trip limit and the 1,500 pound trip limit.

MR. CURRIN: And I would ask Monica or someone whether that's a real big deal because we seem to have them bracketed in the analysis, and so it would seem fairly simple to interpolate between those two values to assess impact.

MS. SMIT-BRUNELLO: Well, I would agree with that. I think it falls within that range so you did have the 1,500 analyzed as well and the 2,000, so I think you're fine.

MR. CURRIN: Yes, we've got 1,000, 2,000 and 1,500 analyzed, I believe. Myra.

MS. BROUWER: In that case, Mr. Chairman, I suggest that you make a motion to add that as an alternative first and then choose it as your preferred.

MR. CURRIN: That's probably good advice, so perhaps, Ben, you could withdraw your motion.

MR. HARTIG: I'll withdraw that motion.

MR. CURRIN: George, is that okay with you? With the consent of the council, that motion is withdrawn. Ben.

MR. HARTIG: And I would add that we make the 1,200 pound commercial limit for amberjack another alternative in this amendment as a preferred. Do you want to handle it all at once? Okay, so are you clear, Myra, on what we're trying to do?

MR. CURRIN: Okay, motion by Ben; second by George. Discussion? Roy.

DR. CRABTREE: Well, just for the record, officially we aren't in a rebuilding plan for greater amberjack, but we may be. I understand – I think what Ben is saying is that a lot of fishermen believe we ought to be and they're treating it as such. Having said that, maybe a more gradual approach on this is a good idea, Ben, and so I think I'll support your motion, and we can see how this goes at 1,200 and then revisit 1,500 at a later day.

MR. CURRIN: Further discussion on the motion? Duane.

MR. HARRIS: Mr. Chairman, I support the motion. I was the one that made the motion to move to 1,500 pounds. I appreciate Ben talking to the fishermen and giving the folks a few more fish than what the thousand pound trip limit offers. I will support the motion.

MR. PHILLIPS: Well, Ben, I'm not going to support your motion because I was standing the hall when I heard one of your Florida fishermen say, "Yes, 1,500 would help me; I'm seeing a lot more fish; and when I start piecing my trips together" – with these various trip limits that we are putting in place, they need what they can and they are nowhere catching anywhere close to our TAC, and 1,500 is not going to let us catch anywhere close to our TAC. I'm strongly in favor of staying with our preferred, and I'm going to vote against it for those reasons.

MR. CURRIN: Further discussion? The motion is to add an alternative for a commercial trip limit of 1,200 pounds for amberjack and make this our preferred. Roy.

DR. CRABTREE: Yes, a question I guess for Myra; we have a TAC for greater amberjack, but in the Comprehensive ACL Amendment we must be implementing an ACL for greater amberjack, and is it the same as the TAC or is it some different number?

MS. BROUWER: I would have to go into the amendment and look that up.

MR. CURRIN: I don't recall.

DR. CRABTREE: I don't either, but it may well be that the current TAC is going to be reduced when the ACL goes in place because a lot of other things are being reduced, and I just don't remember.

MR. CURRIN: I don't recall either. Duane.

MR. HARRIS: I'm sorry, Mr. Chairman, I misspoke. I did not think that we prevailed with the 1,500 pound trip limit being the preferred, so I will vote against the motion, Ben. I'm sorry, but I want to stick with the 1,500 pounds if possible.

DR. CRABTREE: Well, Jack is showing me in the ACL Amendment the commercial ACL would be 1,023,000 pounds, and what is the current, Jack?

DR. McGOVERN: 1,169.

DR. CRABTREE: And the current is 1,169,000 pounds, so it is coming down by more than a hundred thousand pounds.

MR. CURRIN: Further discussion on the motion? **All in favor of the motion raise your hand – and I vote in favor – opposed to the motion. Do that again; raise them high, folks, in favor, 8 in favor; opposed, 5 opposed. The motion carries.** Okay, now back to the Comprehensive ACL

MS. BROUWER: I'm sorry, Mr. Chairman, we still need to approve the motion to submit to the secretary.

MR. CURRIN: Okay, on behalf of the committee – Bob, is this a roll call on the regulatory amendment or not. **The motion is to submit Regulatory Amendment 9 to the Secretary of Commerce for formal review.**

MR. MAHOOD: Dr. Chevront.

DR. CHEUVRONT: Yes.

MR. MAHOOD: Mr. Boyles.

MR. BOYLES: Yes.

MR. MAHOOD: Mr. Burgess.

MR. BURGESS: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Geiger.

MR. GEIGER: Yes.

MR. MAHOOD: Mr. Harris.

MR. HARRIS: Yes.

MR. MAHOOD: Mr. Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Mr. Robson.

MR. ROBSON: Yes.

MR. MAHOOD: Mr. Swatzel.

MR. SWATZEL: Yes.

MR. MAHOOD: Chairman Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Chairman Currin.

MR. CURRIN: Yes.

MR. MAHOOD: **The vote is unanimous.**

MS. BROUWER: Mr. Chairman, we still need a motion to deem the draft regulatory text; and since there has been some changes, we're also going to need editorial license to revise that.

MR. CURRIN: I would entertain a motion to that effect from someone on the council. George.

MR. GEIGER: I move we submit the amendment and deem the chairman as the approval authority in the event it's necessary – write the motion, Myra, what you said. Okay, we're going to deem the codified text for Regulatory Amendment 9 and give the staff editorial license to make changes as necessary.

MR. CURRIN: Motion by George; is there a second? Second by Duane. Discussion? **Is there any objection to that motion? I see none; that motion is approved.** Monica.

MS. SMIT-BRUNELLO: You gave the staff license to obviously modify the regulatory text so that it matches up with the changes that have been made to the amendment. You would also, I hope, give the staff editorial license to change the amendment to make sure that it matches up to what the council chose this morning in the various motions.

MR. CURRIN: And if you'd like to see a motion to that effect, I'll bet I can get one, but it's certainly my intent. Bob.

MR. MAHOOD: Monica, we don't have to do a roll call vote on the regulations; do we?

MS. SMIT-BRUNELLO: I don't think so, Bob.

MR. CURRIN: Myra, are you okay with that direction or would you rather have a motion?

MS. BROUWER: Yes, Mr. Chairman, I'm okay with that one. I do have a question, however. I'm confused as to whether it needs to be the chairman who has to be given authority to deem –

MR. CURRIN: He is our official deemer; always has been.

MR. GEIGER: But don't we have to give him authority to do that?

MS. SMIT-BRUNELLO: Let me read the motion first before I say anything as Myra is drafting it. What you're doing is allowing the – you're giving the authority to the council chair to redeem the regulations as necessary to reflect the changes; correct?

MR. GEIGER: Okay, so we have changed the motion then to read the chairman to deem the codified text for the Regulatory Amendment 9 and give staff editorial license to make changes as necessary, which is where I was headed before I was cut off by confused stares.

MR. CURRIN: I think your point may be, Monica, that the council needs to deem the codified text as we have it before us and then allow our chairman to deem any changes; is that what you're after?

MS. SMIT-BRUNELLO: Right, and I think you already deemed the codified text as necessary and appropriate to implement the amendment, and then now what you're doing is you're giving the chairman the authority to deem any changes as necessary and appropriate.

MR. CURRIN: Is that sufficient, and I'll read it for you.

MR. GEIGER: Well, as the maker could we change it –**the motion is to deem changes to the codified text for Regulatory Amendment 9 as necessary and give the staff editorial license to make changes as necessary, period, and then give the council chair the authority to deem those changes as necessary and appropriate. That's the motion.**

MS. SMIT-BRUNELLO: And that's a good motion. I would assume that you also want the chair to review the editorial changes that the staff has to make to the amendment. George, when you say "changes" you mean the changes to the amendment and to the codified text, right, to the regulations?

MR. GEIGER: Yes; do you want to spell that out? Yes, that's exactly what I mean, thank you.

MR. CURRIN: The motion is to deem the changes to the codified text for Regulatory Amendment 9 as necessary and give staff editorial license to make changes as necessary; give the council chair the authority to deem those changes as necessary and appropriate. Is there further discussion on the motion? As the record reflects, our intent is also to give the chairman the authority to approve the changes made by staff in the document itself. Any further discussion? Brian.

DR. CHEUVRONT: Just to try to help out here; our intention really is to make sure that the chairman has the authority to deem the changes to the codified text as well as the changes that the council has made to the document through our motions, because there is codified text changes and there are changes to the amendment; our preferreds and actions, options and all that. I just want to make it clear that we're giving him authority to deem, redeem, whatever, all of it.

MR. CURRIN: As well as the changes that we've given the staff the license to make. I think it's pretty clear. **Is there objection to the motion? I see none; that motion is approved.** That

was a whole lot tougher than it needed to be. Myra, am I okay to get back into the Comprehensive ACL?

All right, from the committee a motion to add a new Alternative 8 to remove tomtate, knobbed porgy, jolthead porgy and whitebone porgy from the FMU. Is there discussion of that motion? Any objection to the motion? I see none; that motion is approved.

Another motion from the committee to add the new Alternative 8 as a preferred in addition to the other preferreds. Is there discussion of that motion? Any objection to that motion? I see none and that motion is approved.

On behalf of the committee regarding Action 2, I move that we Action 2 to the appendix. Is there discussion? Is there objection to that motion? I see none; that motion is approved.

Regarding Action 4 to establish an ABC Control Rule for snapper grouper species, on behalf of the committee I move that we modify Alternative 5 under Action 4; for assessed species establish ABC based on the SSC Control Rule; for unassessed species establish ABC equals the median landings for the years 1999-2008 and an OFL equals unknown until the SSC Control Rule is fully applied and make this a preferred alternative. Is there discussion of that motion? Is there objection to that motion? I see none and that motion is approved. Roy.

DR. CRABTREE: But I do want to repeat one of the things we talked about, which is to ask Myra before we take final action in June, go through this and make a list that we can easily look at and see where we're being consistent on is there an OFL, is there not, and all of that after we get through the SSC and all so we can clean it up if we need to.

MR. CURRIN: All right, regarding Action 7, specify accountability measures and ACTs for species in the Snapper Grouper FMU; the committee instructed the staff to draft an alternative that would base the trigger for shortening the fishing seasons on landing trends from the previous five years, excluding the maximum and the minimum. In addition, the new approach would establish a technical panel to periodically review and evaluate the efficacy of the new approach.

On behalf of the committee I move that we direct staff to include language to clarify that additional management measures are not being established for unassessed snapper grouper species in this amendment. Is there discussion of that motion? Any objection to that motion?

DR. CRABTREE: I'm not objecting, but we asked staff to draft that alternative and I think there is a presentation they've put together on what they did. When are we going to – are we going to deal with that now, Mac, or come back to it?

MR. CURRIN: I guess if there is a presentation, are we ready? John is coming. Go ahead, Rick.

MR. DeVICTOR: I sent around alternatives that we worked up for the council to look at. That was sent around this morning by Mike. The new language is in blue and John will go through

this in detail, but I'll just point out what we is – again, the council asked us to look at a new smoothing technique, and so Subalternative 6A is what was in the document.

So what we put together is 6B, and you can see there is a series of steps here, and one is you determine if you have to do anything in Step 1, and that's where you look at MRFSS and headboat data. And then two is where you look at the last five years of landings and then you take the high and the low out; and then you look at the three year; and then you go below that, and so that's one way to tackle this. Again, John has some great examples to see. And then for the next series is you put together a technical group of SERO staff, council staff and such, and this group meets and talks about the data and looks at the high and the low values and puts together a recommendation.

Now that would take more time to put that together where the first steps are something that would trigger in the regulation, and we could actually set that up as subalternatives if you decide to go forward with the alternatives to add. Again, the alternatives in blue are ones that we put together for you to look at. John, again, has some examples where you can see how this would work in detail.

MR. CARMICHAEL: What I've put together some examples of how this would pan out. We looked at a couple of different species. The idea was to find a way that will keep from triggering the sudden rapid action by the regional administrator just because there is a single data point from some of our more uncertain data sources, but yet we want to make sure that you would compel some action if there really is an increasing trend which would indicate a need to take some action.

The first example is gray snapper, just kind of randomly selected, but it did have a bit of a trend at one point, which seemed interesting, and it's just using the ABC from the SSC recommendation and an approximation for OFL, called the Maxil Approximation because he threw the idea out there of ABC over 0.5.

This first one, the gray snapper, is just looking at the private recreational data, the MRIP data essentially. This shows you the landings' trend over time. The red line is the OFL approximation. The orange line is the ACL. The dark blue line there, that's the actual observed landings estimate.

The lighter blue line that's a little below that is your three-year moving average, and then the green line is the confidence interval approach where we talked about taking the lower 95 percent confidence interval of the estimate from MRFSS, using the PSE to calculate it, so using the estimated uncertainty around the data to derive a lower bound that we would use to judge against the ACL.

So the red lines show you points – the red dots show you points where you'd be over your ACL. So, take this year here, on the base estimate you'd say, yes, I'm over my ACL; my three-year moving average and my confidence interval, the conclusion would be that you're not. And you see some interesting things that go on here.

Say, this year, near the end of about 2007, I suppose that is – you'd be over your ACL on your base and you'd be over your ACL on your confidence interval and you'd be over your ACL on your moving average, so this would be one of those years where you could possibly trigger action. What you see here is that although the observed estimates dropped off the following year, the three-year moving average tends to stay high.

This was a key concern with the three-year moving average is that a single spike would end up having a lag effect over time and it would compel you to think your landings were high; and your landings were high when if your landings immediately dropped off, you wouldn't make that conclusion. So the idea is to deal with things like these spikes here that happen and you stay low, get a little bit of an increase, but then you get kind of a spike up.

So in comparing approaches, the base run that showed numerous ACL overages, the three-year moving average over that time declared ACL overages in six years. The confidence bound only declared an ACL overage in two years, and in one of those years it's only by 121 pounds; so in general it seems that when you have sort of that spiky data, the confidence bound is going to be a bit better way of declaring whether or not you actually have a legitimate overage.

Looking at that 2007, the base as I showed was over the ACL, you'd think a regulatory change was needed in that case. If the three-year moving was over, you'd think a change was needed. If the confidence bound was over it, you'd think a change was needed. So all of those would say I need to look at 2007; I need to consider some kind of management change were to be required.

So that's where we get in this idea of, you know, the first step is what are the conditions that trigger us considering a management change? The next step then is what do we do to evaluate the type of management change, the magnitude of what we need to do about it. Two options discussed yesterday; one was establishing some rules apriori.

Hopefully, we can come up with a robust rule that the regional administrator can apply rapidly to deal with situations where you have an increasing trend and the council wouldn't have time to come in and do an amendment or framework to really look at the data in a much more detailed approach. So that's where we came up with the idea of using a five-year mean and throwing out the lowest and the highest; just deciding up front we'll do that without having to go through a rigorous evaluation of what might be possible outliers and such.

So, really, that's a modification of the moving average and it would hopefully remove some of the spikiness; but if that modified mean were over the ACL, the idea is that you would trigger some management. Another thing we discussed was a review team, and it would be their job to review those trends; and rather than just throwing out the highest and lowest over five years, they would look at the overall data stream and the uncertainty around it and perhaps consider things like management changes and recommend that they think that a change needs to be done.

In discussing this, we thought it probably would be best, if we go this route, is that the group should just be council staff and regional office, science center staff and maybe SSC representatives, so we can deal with the issues of giving such advice. Roy has a question there.

DR. CRABTREE: A question sort of for Monica; I think a review team like that has to be all federal employees or it's a FACA violation. We already do this. Every time we make any of these internal decisions, there is a group of people, science center and regional office, that review all of this stuff, and then they bring me a report and advise me what they should do. That's already internally part of the process, but I would ask Monica it would be a FACA violation if it had SSC members or council staff; am I correct?

MS. SMIT-BRUNELLO: Well, I think if those SSC members were not federal employees, it would be, and probably that goes with council staff, too, so I'll look at the FACA issues in dealing with this, but we could make this broad enough in terms of the review team at least for you to – I'll bring it back with more definitive of who can be on it and who can't be on it and that sort of thing at the June meeting. But if you wanted to pursue the review team idea, we could make it broad enough now that we could address those concerns.

MR. CARMICHAEL: Okay, and I think as I said that's an option. If this five-year works out with the idea of this being situations where you see there is a clear and solid trend upward and you need the regional administrator to take that rapid action to prevent unexpected consequences in the current year, then we may not need to do that. Recognizing that if things are borderline and on the bubble the council is going to be looking at these things regularly, anyway, in the future under the ACL framework, then we may be comfortable just with the apriori rule.

So what I did in this figure was just compare for that individual year sort of how these things would work out and the type of evaluation that would go on, so you have the ACL value there on the left. The point estimate is the next bar, or the highest. Then here we have with the three-year moving average it would give you in '07, the confidence interval in '07 and then that modified mean.

So if you applied this approach, the conclusion would be in 2007 that you didn't need to take additional action because you said, well, okay, there is a possibility there was an overage because I was over my confidence interval; but if I look at this modified mean, then the regional administrator wouldn't take further action because dropping the highest and lowest has put you below that limit.

I think the way the system would work is the council would know this, and you'd be informed and you could look at it yourself and you could decide, okay, we didn't force Roy's hands to take an action in 2008 to prevent something getting worse, but we as the council might want to take an action during 2008 to hold off what we think perhaps an increasing trend to landings.

So I think that's an important of this is what we talked about is this is the trigger for Roy to take sudden action outside of the council doing it; and nothing would preclude – if you saw the situation where like, well, you know, that modified mean is pretty close to the limit, the council might want to consider some action, which involve you getting into the data and the CPUE and the trends and everything else and deciding what that action might be. So in that regard I think this shows that it could be a pretty good fail safe.

The other option then is the review committee; and some of the things they would do, if you go that route, is review the data trends, measures of uncertainty, look at what is going on – and what Roy is saying is that's something that they do, anyway, so getting this kind of information to the council in a time when you're borderline on that modified mean may satisfy your desires to know what is going on and be able to take a more reasoned evaluation of whether or not you want to take further action.

And just sort of building further on what that group would do, I blocked out what you see after 2007 – what you wouldn't know in 2007 was that landings were going to drop off sharply in 2008 and 2009. So the question would be let's say Roy didn't take action because of the modified mean, but if the council was provided this information, then some time in early 2008 you'd look at a trend like this, and it will be up to the council to decide, well, what do we think the trajectory is; do we think this spike here in our landings is a legitimate thing; do we think this overall trend here is a sign of impending problem; or do we think it's going to drop back down as it did here and we think maybe we're going to stay more in this area. These are the kinds of judgments that we need the council and the SSC to make because, remember, you wouldn't know what is going to happen inside this gray block at the time you get this information.

Some of the data you could look at, of course, then would be things like mean lengths straight up from MRFSS, easily accessible, and so you could decide, well, the mean length is staying pretty good, so maybe we're really not seeing a big fishery here. Maybe it's just a data issue or maybe it's just a short-term spike. You could also look at the PSEs, which this one was interesting. They've kind of gone down over time; that's encouraging. We like to see that. And you decide to do with this.

The next thing I wanted to look at, then, was in 2008, what happens one year after that peak, and this just points out that really this three-year lag, it would trigger action but in that case you probably didn't need to do it because things were happening. The caution is, of course, those were things perhaps given if it was tied to the economy is why the landings went down, and those were things outside of our control.

But I think it really illustrates a spiky data point can have an impact on the three-year moving average, and that's something we wanted to avoid. And you looked at, then, in 2008, though, using the confidence approach, you were under the ACL and it wouldn't trigger anything for 2008 based on that method.

One example for a species – now here is one that has a lot of interesting things going on in terms of its data. It's wahoo and we talked about it yesterday. It's got a clear spike near the end of the time series, but it has also got a period in time in here where the landings were kind of increasing. I would point out that at this point the council put in a bag limit change, which to me would suggest the council was aware of these increasing landings and it was somewhat concerned.

The colors are the same; the base catch here is the blue; the three-year moving average, moving through this thing is in green. The ACL again is orange; the OFL was based on what the SSC

recommended. And in the case wahoo what I did was I took the MRFSS data for the private and then I added to it the for-hire from our ACL data base, so this actually shows true conditions.

It has got the full recreational fishery accounted for, and the recreational ACL is based on your allocation decision that was in the ACL Amendment, so it's pretty accurate as to how things would really play out with a fish like wahoo. So what goes on here in this year is that every measure that we're looking at the stock would exceed the ACL.

The three-year moving average is over it; the confidence interval bound is over it; so you'd say, you know, we need to look at this, we need to look at this and see if we need to do some action. So if you did that in 1999 and you applied the rule that we talked about, you'd decide your ACL is here – it's actually little above the red line; it must have shifted in this picture – you see the point estimate is over your ACL, the three year is over your ACL, the confidence interval is over your ACL; but if you take that modified mean, you're not going to be over, so you decide that's a pretty good outcome. Then it goes what happens in here when things were trending up considerably. What you hope is that you might lead to something that triggers some action.

Actually, I got these years mixed up; so doing this this morning at the last minute is okay. If we look in that period, this is the area when most of our measures were over, the data was a little bit spiky, but there had been kind of a consistent increasing trend. So if the method would work, what would happen is the modified mean, dropping the high and low over the five-year period, you hope that will trigger the council to take some action – trigger some action at least by the regional administrator perhaps at that time and then the council could take another approach to try and come up with a long-term solution, because that's what you guys ultimately did at that time.

So if we apply that to actually 1999, there is the ACL, your point average is well above it, your three year was above it, your confidence interval was above it; and your modified mean, dropping the highest and lowest over that period of sustained increase, your modified mean stayed high, so that would say at that point the regional administrator would need to take action, and he has to do something to prevent further overages, which in this case that's what you want.

If your landings were steadily increasing, you'd want to prevent further overages because you wouldn't want to get into – you didn't know this at the time and you didn't have this value, but if you were getting up close to your OFL and you don't want to trigger overfishing; so if there is a regular trend, you'd want to do that. It seems that works in this case.

Looking at the wahoo example, it gave me a lot of confidence that I think this modified mean could be a good way, using the confidence interval to decide if you're over and then letting the regional administrator take action based on that modified mean could be a pretty good fail safe for the council.

Then we looked at one other example because the issue came up about what are you doing with lots of zero observations, and silk snapper is one where there are lots of zeros in the private recreational, and it has pretty low landings. Here you can see the landings; the blue is the private

so you see a lot of years where there is nothing. Where there is no blue down here on the bottom it's because the landings were actually zero.

But it does have another interesting spike right here happening back in like 1995, and again you see the lag of a three-year average when you get spiky data like this; and here what you're going to notice is that there is really not any difference between the base and the confidence interval adjustment.

What I'm going to point out is because the confidence interval adjustment uses the MRIP PSEs and the headboat is added to that and we don't have confidence intervals around the headboat estimates as we do around the MRFSS estimates, because MRFSS is a survey and the headboat is intended to be largely a census, we know that just as our commercial data is not perfect we know our headboat data is not perfect, so one refinement of this perhaps over time would be to come up with some error estimate around the headboat values from year to year; but I think at this point in time with the way we handle the headboat data is simply to add it in.

And this shows that when you have primarily a headboat fishery, you're not going to have a lot of difference between your base estimate of just adding up the base from MRIP, the point estimate from MRIP with the value from the headboat is going to be very similar to taking the confidence interval adjustment from your MRIP data.

The other point is here you have a position here where you had a little bit of an increase and you'd have to think am I possibly over. But if we look at the same figure and taking the big spike year, right, 1994, and say my ACL is down here and my point estimate was way high and my confidence interval was way high, high value is the headboat, no PSE, my three-year average was high, but in that case my modified mean was not high, so that's again reflecting a single point that goes up really high.

So again it seems to be that this modified mean approach will be a good way perhaps to not lead to action when you just get a situation with some spiky data. And, of course, the important thing here is looking – this was trying to look at what happens when you have a lot of zeros, so the outcome will be is that you're not going to have a lot of adjustment due to your confidence interval.

Unless we come up with some way to assume a CV or something perhaps about the headboat data with some feedback from the science center maybe and some way of deriving some confidence intervals around there, you could apply that to the headboat as well. The goal on what we were doing was trying to devise a robust approach that will avoid triggering actions just due to variation in catch from year to year, but we also wanted to compel action when there is evidence of the increasing trend.

Overall I think that we probably did that; and I think accounting for the uncertainty in the private recreational estimates using these confidence intervals is going to outperform the moving average. That seems pretty clear. If you look at a couple of those spiky years, that is definitely the case. I think the other concern is you get a spike that's really low; you could have that as well. All these things are two-way streets.

If you get a really low spike when otherwise your landings have been kind up close to your ACL or maybe above it, you could decide that you're not over your ACL and really you should be concerned that you were on some of those other years. I think there is always going to be years that come up in circumstances that require this expert judgment.

And really thinking about this, I think the fact that what we're dealing with here is situations where you're allowing the regional administrator to act quickly because of a compelling and impending problem and you also always have the ability to act in a slower pace; but to deal with what you think are developing issues or areas of concerns that maybe didn't trigger his action, I think that the method will work pretty good and just allowing them to use that five-year adjusted modified mean will work pretty good. That was it, so are there any questions?

MR. CURRIN: Questions for John? I'm impressed; it's very, very appealing to me at first blush and thanks very much.

MR. CARMICHAEL: Full disclosure, we had no idea how that modified mean was really going to work out. One of my concerns was on the wahoo and that period when the landings had increased and you guys took action is that, well, what if the method doesn't say you need to take action, and I was very encouraged that in that wahoo test it actually performed well. I imagine we can find some situations in all of our data where it won't work well, but on a couple of known problem areas it seemed to work out.

MR. CURRIN: Well, you gave some very different examples and it's impressive how it handled each one. I was also impressed with the fact that we're going to go beyond just the analytical approach and have review teams look at other information to inform any sort of opinion or data on it. I like it a lot. Monica.

MS. SMIT-BRUNELLO: The guidelines suggest that the council has to look at the ACLs every year for species or a complexes, however you do it; and if the ACL exceeds the stock or stock complex ACL for more than once in each four years – it actually says exceed more than once in the last four years, then you are supposed to reevaluate the system of ACLs and AMs to determine if any modifications need to be made. I just want you to keep that in the back of your head, too, as you go along through all this.

DR. CRABTREE: Yes, and that's in the guidelines and so we'll need to do that, but that's kind of separate to me to figuring how to trigger. I like this. I don't think the convening team stuff is workable. There are going to be too many of these events, and we'd be convening teams almost every week. I think we will internally have a group that will watch all of these and review it all.

I agree with John that the modified mean seems to solve some of our problems and so I would make a motion, Mr. Chairman, that we add alternatives to the document to incorporate this approach with the modified mean and that we add that throughout all of our ACL documents that we're working on. I would think we ought to add this to the mackerel document and all of our accountability measure options at least for recreational fisheries.

MR. CURRIN: Motion by Roy; is there a second? Second by the entire council including me. Yes, I think it's a good move, Roy. Obviously, we have some problems with the method that we've selected that kind of just popped up or became obvious to me, anyway, and this addresses that in a much better way.

DR. CRABTREE: Yes, and I will run this up the flagpole with folks between now and the June meeting and staff will do further analysis of it and then we can come back in June and make a decision then is this what we want to do.

MR. CURRIN: Further discussion on that motion?

MR. BROUWER: I'd like somebody to make sure I captured the motion correctly.

MR. CURRIN: I believe that's it, Myra. Further discussion on that motion? Any objection to the motion? I'm sorry, Bonnie, discussion?

DR. PONWITH: I also appreciate the fast analysis on this, and I think the examples were very telling. I know when we talked about this in committee the specific use for it was in cases where the confidence intervals on the recreational estimates were high, so the idea was to use this to mitigate for cases where the spikes were – we were reasonably certain that the spikes were due to measurement error because of rare-event occasions.

I just want to make sure that in the wording of this we're either consistent with that philosophy or explicitly straying from that philosophy. In other words, are we doing this for all of the species regardless of the breadth of the confidence intervals about those estimates or not. The other thing that I do want to raise is the more formulaic we can make this, I think the better it is. I certainly recognize the need for expert judgment, but what you don't want to do is have to go on a case-by-case basis and have to second guess or look at skirt lengths in Paris or something like that to try and interpret those; and so the more formulaic it is, I think the better it is going to serve.

MR. CURRIN: I think the answer to your first question was that the motion will create an alternative to look at this. It doesn't necessarily mean that is the way we're going to go in every case, but it's going to allow us the opportunity to look at those. We may well decide, as you suggested, that there are cases where we may decide this is an inappropriate methodology, but there certainly are some where it seems to me it's appropriate. Roy.

DR. CRABTREE: And, John, my look at this so far is this problem occurs in stocks with low PSEs. I mean we still – wahoo has a surprisingly low PSE and yet we have that just one big spike there. I suspect there are examples where there are even lower PSEs, but you still see a big spike. I think one of the problems is the PSEs are underestimated.

I think the re-estimation process that's coming out; the one thing I have heard is that the PSEs are going to be higher. I think one problem we have is the PSEs aren't really capturing the variability of the data, and this to me is to deal with these just occasional spikes that occur and not end up having a spike drive management if it's just a one-time event.

I'm not sure that's really connected with the PSEs so much as they're estimated now. Now, with the re-estimation, once we get that, there may be then that you see a connection, but we don't see it there. But, Mac is right, we're not at this point deciding what we're going to do and we need a more thorough look at it; but I think, John, that's one thing to look at is, is this a problem that exists even with very low PSE species because my suspicion is it does.

MR. CARMICHAEL: To comment on that, I think that's right. Wahoo is a good example. The PSEs are surprisingly low on that year when it spiked. I think part of what goes on is when you're looking at the data over years, you're looking at a time series situation. The PSEs are reflecting variability within the mean of that individual year, so it's just simply reflecting how well that estimate is, and it doesn't bring in the idea of how well that estimate may compare to past estimates in prior years. That's just part of the estimation procedure.

DR. CRABTREE: And just to follow up, if I could, one of the problems with this approach in recreational fisheries is going to be a big year class hits the fishery, you get a spike and then you take action, but now the year class is already diminished. I think this helps alleviate that because I'm still of the opinion that the most likely reason we're going to exceed a recreational ACL is because there is a big year class and there are more fish out there. If this helps resolve that, then I think that's a major problem and concern that I've had that can be addressed with this.

DR. PONWITH: Yes, thanks, that clarifies, and I think the main point was – in committee the discussion was focused around measurement error, which was spikes caused by high PSE estimations. The inclusion of spikes that are driven by genuine increases in the prevalence of a species in the bags – you know, the catches of these on recreational vessels is a completely separate issue; and because there is latitude to consider this for those cases, too, I don't have a problem. It's just a completely separate question. We had a fairly long discussion about teasing apart spikes that were caused by a genuine increase in the catch versus the other kind.

I think that it's fair to look at both of them. They're just two completely different cases. I can understand why the PSEs are small because if everybody is catching them you would have a very high catch and you would have very low PSEs because the span of the percent presence in the bags would be narrow.

MR. CURRIN: And, Bonnie, I agree with you that keeping this as formulaic as we can would be very beneficial. However – and I'm not saying that expert judgment should overwhelm or overrule the approach – I do feel strongly, as I've indicated to the SSC and to the council, that using other information such that John brought out, such as mean lengths, looking at the mean lengths, looking at anything we can use, other quantitative data to better inform our decision in particular is very important to us. It's going to be difficult to perhaps put that into the formula, but I'd argue until I leave here that is very important for scientists to use to try to explain oddities in data.

DR. PONWITH: Thank you, Mr. Chairman, and I don't disagree with you. I think my biggest concern is when something like this happens there would be a sense of urgency. I have a concern about each one of these decisions becoming a mini-stock assessment, and so there would have to be a way to bound the problem.

MR. CURRIN: All right, thank you. Before we get back into the amendment, Duane had someone who joined us that he wanted to introduce.

MR. HARRIS: Mr. Chairman, we're pleased to have with us today Charles Wilson, who is the First District Congressman Jack Kingston's aide here in Brunswick. Of course, the congressman has been receiving lots of telephone calls and e-mails from fishermen who are upset, as you can imagine, about the black sea bass closure and other management actions. It's good to have Charles here not only as the congressman's aide, but he's a good friend. Charles, welcome, and I hope this is enlightening to you.

While I've got the floor, let me just say for his benefit as well as everybody else's I'm always amazed when I come to the meetings at the work products that are done at these meetings by staff of the council and staff of NOAA Fisheries. What John just did and what Jack and others did with respect to black sea bass bag limits and closures just never ceases to amaze me. I want you to know, Charles, that this is a smart group of people, myself excluded, but there are a lot of smart people here. Anyway, thank you, Mr. Chairman, I appreciate that.

MR. CURRIN: Did we ever vote on that motion? I was thinking we forgot that. Do I need to read it again in view of all the discussion? The motion is to adopt the modified mean approach and add that as an option to all actions that establish accountability measures in the Comprehensive ACL and other amendments. Any further discussion? Any objection to that motion? Discussion?

DR. CHEUVRONT: Yes, I'd like to find out is it possible to get a copy of what John just showed us on this because I'm sure I'll get some questions about it, and I'd like to be able to have some examples.

MR. CURRIN: I'll bet it would be.

MR. CARMICHAEL: I think you've already got it.

MR. CURRIN: Further discussion. **Is there any objection to the motion? I see none and that motion is approved. Under Action 10 to specify accountability measures for the wreckfish fishery; there was a motion to make Alternative 2 as an additional preferred. Is there discussion of that motion? Any objection to that motion? I see none and that motion is approved.**

Action 12, specify jurisdictional allocations for black grouper; a motion on behalf of the committee to specify ACLs for black grouper and gag for three years; the ACL established in the third year would stay in place until modified with notes that increasing ACLs are contingent upon not exceeding the annual projected harvest level. Is there discussion of that motion? Any objection to that motion? I see none and that motion is approved.

Under Action 15, to establish to AMs and management measures for black grouper. A motion on behalf of the committee to remove Alternative 6A as a preferred. Is there

discussion of that motion? Any objection to that motion? I see none; that motion is approved.

There was an issue with regard to yellowtail that I think, Monica, you or someone was going to look into and tell us whether you thought it would be appropriate and possible to include yellowtail in the ACL Amendment or whether it was so complicated that we needed to deal with it perhaps in a future action.

MS. SMIT-BRUNELLO: Well, I looked at it in terms of the permitting issues, and one of the questions that was asked is, is it simple enough to require – of course, in the South Atlantic you continue to require your commercial snapper grouper permit to harvest yellowtail commercially, but could you also then require the Gulf reef fish permit to harvest yellowtail in the Gulf of Mexico area.

There were a lot of negative responses I'm receiving back from my office when I ran this by them because yellowtail then is taken out of the reef fish fishery management unit; and it's a limited access permit and yet you'd be requiring it to harvest yellowtail, which would not be a species that would normally be required – you would need a permit for. In other words, it's very complicated, so I would advise you to deal with this at a later time.

DR. CRABTREE: It sounds like we're not going to be able to work that out in the timeframe we're on, so it looks to me like what we need to do is add in these jurisdictional alternatives that were worked up. We need to make sure, Bob, that we provide those to the Gulf Council because we're going to need to put that in the Gulf Council ACL Amendment; and if you could talk to staff over there and make sure that happens. But, it seems that we have no choice but to go down that path and then revisit this issue in the future when we have more time to deal with it.

MR. CURRIN: I assume everyone is in agreement with that. It sounds like there are too many issues to try to sneak this into the current amendment. Myra.

MS. BROUWER: Mr. Chairman, in that case we would need a motion for you to add an action to establish jurisdictional allocations for yellowtail.

DR. CRABTREE: Yes, I would move that staff develop a suite of alternatives to address the jurisdictional division of the ACLs for yellowtail snapper.

MR. CURRIN: Motion by Roy; second by David. Discussion on that motion? Is there objection to that motion? I see none; that motion is approved. Okay, continuing in the Comprehensive ACL, under Action 18, to establish ACLs and optimum yield for dolphin; on behalf of the committee I move to change the preferred to Alternative 3. Is there discussion of that motion? Is there objection to that motion? I see none; that motion is approved.

We've got a couple of instances here and this is one next under Action 19, establish accountability measures for dolphin. We ended up with two preferreds for accountability

measures for the commercial industry. There were two motions approved by the committee. One was to select as a preferred the commercial sector ACT equal to 90 percent of the ACL.

We also had one that we approved as a preferred, which was to select 2A, and that was do not specify a commercial ACT. We need to sort that out and I guess some decision on which one of those we want and then perhaps a motion to withdraw the other one or to de-select it. I'm not sure of the best way to handle that, but first we need to decide what the committee's intent was.

DR. CHEUVRONT: If I remember correctly, the committee's intent was to go ahead and select Subalternative 2A, no commercial ACT, and this was done after we had looked at some of the analysis and the change in the numbers – that had the corrected numbers that we had gone with. The previous ACT was seen as a necessary step-down because we thought that it was much more likely that we were going to exceed that ACT.

I think now when you look at the landings' history, it's quite unlikely that the commercial sector is going to hit that ACT. I think it may have been hit once in the last ten years or so. I would like to go ahead and make the motion that we withdraw the previous motion where we had set the commercial ACT for dolphin at 90 – the accountability measure I believe it was 90 percent of the ACT. I'm not quite sure of the wording; can you help me with that, Myra? I want to withdraw the motion that set it at 90 percent.

MR. CURRIN: Motion by Brian to withdraw the committee motion to select as a preferred for the commercial ACT equals 90 percent of the ACL; second by Charlie. Discussion? Any objection to that motion? I see none and that motion is approved.

Then on behalf of the committee I would move that we select Subalternative 2A as a preferred, and that is to not specify a commercial sector ACT. Is there discussion on that motion? Any objection to that motion? I see none and that motion is approved.

Another motion from the committee, on behalf of the committee I would move that we modify Alternative 3; “after the commercial ACL is projected to be met, all purchase and sale of dolphin is prohibited and harvest and/or possession is limited to the bag limit;” to change “ACL” to “ACT” and to change to “met or projected to be met with guidance to change back from ACL to ACT”. Now, I'm confused.

MS. BROUWER: Yes, I believe this is another instance during which it's reflecting your previous thoughts and it would have been necessary to make these changes if you had stayed with your previous preferred.

MR. CURRIN: So then I had made that motion on behalf of the committee; I guess a motion to withdraw that would be in order or we can vote it down. Is there any support for that motion? I see none; that motion is defeated.

DR. CRABTREE: Mac, you're confident that leaves us where we need to be because I'm not sure what we just did.

MR. CURRIN: Well, I think where we ended up, Roy, was not setting a commercial ACT for dolphin. The best I remember I believe that's where we ended up as well. I think this was just a previous preferred and we didn't change it.

DR. CRABTREE: And I know we had motions to reconsider and undid a lot of things; so as long as we end up where we're supposed to be.

MR. CURRIN: I don't think this was one of the instances where we had motions to reconsider anything. I think it's just where we didn't pick up that we had previously selected a preferred, but Myra can inform us better.

MS. BROUWER: I believe since we had a note under that motion with guidance to change it back to the ACL from the ACT, in fact we would need to approve that motion and then everything is going to be as it needs to be.

MR. CURRIN: So rather than withdraw it, we need to approve it; is that the advice I'm getting from you? If we don't establish an ACT, then it's when the ACL is met; correct? Gregg.

MR. WAUGH: For those of you that are looking at it, Alternative 3 preferred, it should read "after the commercial ACL is met or projected to be met" and the rest of it continues the same. What we did is we had changed it to ACT and then add the "met or" in front of "projected" and then you gave us just guidance to change that back instead of a motion. So, really, the net effect – and it might be cleanest now to make another motion to add "met or" before "projected". That's the only net change to the preferred Alternative 3.

MR. CURRIN: All right, let's see if I can pull that off; from the committee I would move that Alternative 3 under dolphin read, "After the commercial ACL is met or projected to be met, all purchase and sale of dolphin is prohibited and harvest and/or possession is limited to the bag limit." Is there discussion of that motion? Any objection to that motion? I see none; that motion is approved.

We've got a similar situation I think under the next action or all series of alternatives, Alternatives 5, 6 and 7, referring to recreational AMs, where we have two preferreds from the committee. The first motion that came from the committee – and I will not offer that yet until I figure out which one I need to offer – but it was to change the preferred recreational AM to Subalternative 5A, and that is where this recreation sector ACT equals 85 percent of the recreational sector ACL. We also had a motion from the committee to select Subalternative 5C.

MR. WAUGH: And we ended up – and I don't know if we approved a motion changing your selection of 5A, but my notes show where we ended up was back with our preferred of 5C.

MR. CURRIN: And I think that's my recollection as well, so should I present of these on behalf of the committee and we'll vote one up and one down; is that the easiest thing to do? **Okay, the first motion, which I would recommend we vote down, is on behalf of the committee to change the preferred recreational AM to Subalternative 5A, with the ACTs equal to 85**

percent of the ACL. Any discussion on that motion? Is there any support for that motion? I see none and that motion is defeated.

On behalf of the committee I would move that we select Subalternative 5C as our preferred, and that is using the PSE formula to calculate the ACT. Is there discussion of that motion? Any objection to that motion? I see none and that motion is approved.

Regarding management measures for dolphin, on behalf of the committee I move that we select Alternative 2 as the preferred, to prohibit bag limit sales for for-hire vessels. Is there discussion of that motion? Monica and then Mark.

MS. SMIT-BRUNELLO: Yes, a question has been raised so if a for-hire vessel also has a commercial permit to harvest dolphin, when they're acting as a commercial vessel they're allowed to sell their commercially caught harvest of dolphin, but when they're in a for-hire – they're operating as a for-hire vessel, then they're not allowed to sell any.

MR. CURRIN: I believe that was the intent of the committee. Yes, there are a number of dual permit holders and when they're on a commercial trip, then, yes, certainly they're allowed to sell those fish; but when they're on a for-hire trip being paid by clients, customers, then –

MS. SMIT-BRUNELLO: That's fine; we just wanted to clarify it because that's the way it is for most all other fisheries that has that.

MR. CURRIN: Further discussion? Is there objection to the motion? The motion is approved with one objection. **A further motion from the committee, I would make on their behalf to select Alternative 3 as the preferred, which is a minimum size limit of 20 inches off of South Carolina. Is there discussion of that motion? Any objection to that motion? I see none; that motion is approved. David.**

MR. CUPKA: Mr. Chairman, I wonder if it wouldn't be – where we state the intent up there, “a for-hire vessel that has a commercial permit they would be allowed to sell their catch” if we add “if operating under their commercial permit”. Otherwise, somebody may –

MR. CURRIN: Yes, that's certainly is fine with me if we can just make a note there and capture that. Yes, Brian.

DR. CHEUVRONT: I'm not sure that just saying operating under their commercial permit is going to capture the intent is that when they are not – they should be allowed to sell it only when they are not operating in a for-hire mode.

MR. CURRIN: Yes, I think that may be a little cleaner; is that okay with you, David? Yes, that clarification – I mean, I think it's clear from the record. Monica raised the question and I think it was answered, but that will make it crystal clear. **Okay, on behalf of the committee regarding Action 21, establishing ABC control rules for wahoo, on behalf of the committee I would move that for dolphin and wahoo we provide guidance to the SSC that based on the biology and productivity and no overfishing/overfished status, the council is comfortable using**

mean landings over the last ten years plus one standard deviation to set the ABC. Is there discussion of that motion? Roy.

DR. CRABTREE: Yes, and I support the motion; and I think to John, when you get to the SSC meeting, I think what the council is trying to convey to the SSC is an approach based on average catches doesn't necessarily mean we're going to set the limit at the average catch. It may be set at some level above that, which is what the Gulf Council control does.

I think what we need to convey to the SSC is that we think an approach that allows that is more consistent with the amount of risk we're willing to take than the approaches which have all relied on scaling down from the average catches. It may not be the case for every species but at least for quite a few of these species where we don't think there is any problem, that our approach to the risk is more consistent with where the Gulf has gone and this motion and stepping these things up a little bit.

MR. CURRIN: Thank you for that, Roy, and I think it's pretty clear in our discussion from the committee that that in fact is the case.

MR. CUPKA: We ought to take probably a 15-minute break, so let's recess for 15 minutes.

MR. CURRIN: Let's vote on this motion. **Is there any objection to the motion? I see none and that motion is approved.**

MR. CURRIN: If we can get everybody back to the table, we'll resume the Snapper Grouper Report. I promise you I'm almost done. **Okay, under Action 25, management measures for wahoo, on behalf of the committee I would like to move to calculate the reduction in harvest for wahoo using the landings for years 2005-2009, excluding 2007.** Is there discussion of that motion? Yes, Brian.

DR. CHEUVRONT: This is just to remind folks this is where the discussion occurred that John presented to us earlier this morning about the modified mean landings, but this is where that all occurred, and what we basically did is went ahead and applied that now at this point to wahoo. I just want to make sure everybody understood where we were coming from and where that was originated.

MR. HAYMANS: This doesn't remove low values; does it? This only takes that '07 peak?

MR. CURRIN: That's correct and I think the discussion was that appeared to be quite an outlier. Through the discussion and the agreement from the committee, I think everyone is of that opinion and felt comfortable with that action to not consider the value since it was two times the average landings at least. Further discussion on that motion? **Is there any objection to that motion? I see none and that motion is approved.**

Also on behalf of the committee I would move to change the preferred alternative to Alternative 1, no action. Is there discussion on that motion? Is there objection to that motion? I see none and that motion is approved.

Two items were brought up under other business. Brian explained earlier I think during his liaison report the bang stick issue from North Carolina that the committee considered. **The other was a discussion regarding Amendment 21, and a motion from the committee that I will make on their behalf to terminate all work relative to catch share development in Amendment 21 with a note to continue on catch share development for the golden crab fishery and wreckfish.** Is there discussion of that motion? David.

MR. CUPKA: I guess it is on the motion, too, but I have some concerns that knowing human nature to be what it is and how things can get twisted and turned around, that some people may arrive at the conclusion that because somebody either voted for or against this particular motion that they're philosophically for or against catch shares, and I don't necessarily think that's the case.

This is a specific motion pertaining to one amendment that we're working on in snapper grouper in which catch shares just happens to be one of the possible management options that we were looking at in that amendment. I hope that nobody gets the impression because I don't think they would be right that they can look at how somebody voted on this particular amendment and maybe think they know something about how the person feels philosophically about whether they're for or against catch shares. I just want to put that on the record, Mr. Chairman.

MR. CURRIN: Thank you, David, and I think that captures the feeling of a number of the committee members and council members. Duane.

MR. HARRIS: I agree with what David said. I have maintained all along that I'm not a proponent or an opponent of catch shares. I simply want to look at what is developed before I determine whether I will support the catch share amendment or vote against it, and we're not there yet. I just wanted to make sure that everybody understands that is where I'm coming from. I would like to see us move down this road and get to the point where we actually know what it is that we're talking about, and we don't right now.

MR. BOYLES: Mr. Chairman, I'd just to follow on both David and Duane's comments. I think what – as you all recall it was a very, very close vote, and I think what it represents is just a request by the committee to just take a time out, just to take a breather. We've got a lot of stuff on our plates. I think we're all interested in seeing these fisheries sustainable.

I think we're all interested in maintaining vital, viable and healthy fisheries recreationally and commercially. I do think there is going to come a time when this is council is going to have to come back and have a very open and honest and frank discussion about catch shares as a tool; but given where we are, I think it's important that folks just recognize that this is a breather for the moment. Thank you.

MR. CURRIN: Further discussion on that motion? Ben.

MR. HARTIG: Just one quick think; if in a small fishery a group of people came to this council and said we want to develop a catch share system in the next couple of years; what would we do? Does this preclude us from doing this in any timeframe or not?

MR. CURRIN: No, I don't think so, Ben, unless we tried to sneak it into Amendment 21, and then we'd have to I guess reconsider this motion from a previous meeting or something, but we could make that happen, I'm sure. Bob.

MR. MAHOOD: I will remind all council members that from one council meeting to the next, the council can pretty much do what it wants to do, so you can turn around and be big proponents of catch shares at the next meeting if you so desired. We've seen cycles on everything where the council is against something and doesn't move in that direction.

Actually if you think back, it was about two years ago we did the same thing; maybe a little more than two years ago that we went out to public hearing and we got no support and the council determined they weren't going to make any moves on catch shares. We got some interest here more recently and the council looked at it and now the council has said they were not going to move in Amendment 21 to do anymore on catch shares with snapper grouper other than the exceptions.

MR. PHILLIPS: Mr. Chairman, I'm not going to argue with this again. I will have another motion for us so we can try to develop – and I'll bring Kate up after we vote on this motion, please.

MR. CURRIN: All right, any further discussion? **Is there any objection to the motion? I see none and the motion is approved.** Mr. Chairman, that ends my report from snapper grouper. I'll turn it over to you, David and then you can handle it from here.

MR. CUPKA: Well, I just wanted to make sure, before we leave this, that there has been some discussion about wreckfish, and I thought we were going to handle that under this.

MR. CURRIN: I'll handle it any way you want. My thoughts were that other business would come up under other business for the council; but if you want me to chair the discussion on wreckfish, I'm aware of that issue as well. There may be another one; I think Charlie has got something he wanted to bring up as well. They're both snapper grouper related, so we can handle it any way you want to.

MR. CUPKA: Well, why don't we go ahead and deal with them now.

MR. CURRIN: Okay. I think Roy had an issue on wreckfish, and I think Kate and some other of the staff have perhaps prepared some information or presentations as well. Roy.

DR. CRABTREE: I think we've had a number of discussions about the issues that are created by reducing the current 2 million pound TAC down to 250,000 pounds. We may get some relief on that after the SSC meeting, but I believe we're going to have to make some management changes fairly quickly by the end of this year.

I think, Kate, you wanted to go over some things with us and then I'd like to have some discussion of a possible control date. We need to start thinking about fix because I think it's going to be difficult to do an emergency fix because we see this coming now. I think now we need to start working on a fix now to get it done by the end of the year.

MR. CUPKA: If I may, Mr. Chairman, I think everyone was here the other night when Holly Burwell, who is at Cherry Point Seafood, discussed this issue, and he is right, and it's something, if we don't take some kind of action on, I'm afraid we're going to lose that whole fishery. It's something we need to address. I agree with Roy. When we reconsider some of these catch limits and all, I don't think we're going to be able to get to the level we need to to sustain this fishery the way it's operating now. We need to do something or we're going to lose this whole fishery.

MS. QUIGLEY: Council staff just wanted to give kind of their understanding of the problem and what could be possibly be done, just some of our thoughts on the subject. From what we understand, the council would like to maintain harvest of wreckfish preferably by current participants. We talked about what Roy just alluded to what the problem is.

We're going from a 2 million pound TAC down to a 250,000 pound TAC, so that's an 87.5 percent reduction in the number of pounds that any shareholder can harvest, depending on how much they've been allocated. Essentially that will end the fishery because they can no longer make a profitable trip. They might be able to make one trip, but that's it, so they're going to have to get out of the fishery. They've told us that.

And the reason, of course – and John is going to talk about this more, but the reason that, of course, this is happening is because in 1992 the Wreckfish ITQ was implemented with what has turned out to be an inappropriate long-term TAC. In all other catch share fisheries that Kari and I know of that are implemented, they're implemented on stocks with fully accepted stock assessments. We don't necessarily have that situation with wreckfish. I've got some brainstorming that Kari and I have done, and I've done over the past year, year and a half. John and I have also talked about this quite a bit, and I'm going to let John just talk for a minute first.

MR. CARMICHAEL: Mainly I just wanted to refresh people of where the SSC stood in looking at wreckfish. They talked about this in August again. They talked about it in April and they talked about it again in August of last year. When they looked at it in August, they looked at the overall trends in the fishery.

There was a workshop done with the SSC in June 2009 with the different wreckfish fishermen and the fishermen provided a history of the fishery. They showed the landings and had another column that showed the different events. What happened in the fishery was from landings of nearly 4 million pounds in 1990 down to the current average the SSC pegged at 250,000, which is approximated based on the issues with confidentiality and such in the data, but the landings declined pretty rapidly.

The SSC looked at that, they looked at what had been estimated in the different assessments and they said, yes, the MSY for this population and when its biomass is at its appropriate level could be one or two million pounds. They weren't exactly sure, but they were concerned about was that when the landings got over a million pounds, over two million pounds specifically it seems like the population dropped off.

There was a period in the mid-nineties, right about the time you guys put the ITQ in, where there were 11 vessels operating in the fishery over a number of years and landings dropped off from 1.2 million pounds down to about 250,000. That's one of the things they noted, and over that time, you know, you look at the FMP information and things like catch per trip and stuff were going down.

The SSC was concerned that the population may have gotten fished down some in that period when the landings were pushing 4 million pounds. They said, you know, if the population is at a lower level, then the yield at the sustainable rate could be about what the yield is that you're seeing now. They pointed out that the last assessment that was done, that there were issues with it, it did show a current F that was close to the F_{msy} .

So they felt that shows that at least there was a possibility overfishing had occurred during those high levels, and they haven't seen evidence necessarily that the population has really rebounded. And again, without having an assessment and knowing the issues with the stock, that's going to be difficult evidence to come by, perhaps. Their main concern with it was that – you know, they looked at their tiers and their main concern was that it could possibly fall in one of those of tiers of the unassessed stocks that says that an increase in landings could lead to overfishing.

That is where they pegged that one. I think it's different than some of our unassessed stocks where like – you know, we can look at ones in some of these others and say, well, we don't really think an increase in landings would lead to overfishing; so as Roy said you could set your levels a bit higher than the observed landings.

But in wreckfish they looked at it pretty in depth and they are concerned that an increase could lead to it. That's gives us the biological situation and it points to the issue of setting shares based on an equilibrium MSY when you have a population that may not be capable of supporting that level of removals given its current biomass. In a system like this, something needs to be taken into account that the population may be at different conditions, and I think that points to the need to realize the different really between your shares at equilibrium versus the productivity of your population today.

MS. QUIGLEY: So, one thing that as social scientists we feel necessary to say is that we think there is a misunderstanding on some people's part and on some SSC members' part that this thing that is happening with the wreckfish fishery is a problem with the ITQ management system. The staff position is we don't believe that all.

What we think is that it needs to be – we need to have the correct biological TAC and then people can adjust to that. People have adjusted to a TAC that was much too high and it could not be sustained. For us, what we were thinking previously is, well, the ideal solution is have a new

stock assessment. However, this is very unlikely to help. It's probably not a long-term solution, as John has alluded to.

The stock assessment probably won't show 2 million pounds that are available since the stock showed problems even at 1 million pounds. So then the other option, of course, which I think Roy is going to speak to, is possibly implement some sort of use-or-lose policy through a control date to ensure harvest whereby you issue a control date and reallocate based on who remains.

So one idea that we had or that was brought up to us is you could possibly have a control date where you say if a wreckfish permit hasn't been used in the past five years – that is if one pound has not been taken on that wreckfish permit in the past five years, then the individual who owns those shares loses the shares. That control date could be made effective today.

Now, there is a problem, though, because some people are gearing now to go into the wreckfish fishery that currently own shares. There are also people who have invested over a hundred thousand dollars in these wreckfish shares. Now, thank goodness, the people who have done that had actually been fishing the sharers from time to time and have used their wreckfish permits.

What I'm referring to is people down in Florida who have made small landings in the wreckfish fishery. So another option would be if a wreckfish permit hasn't been used – that is they have not harvested at least one pound in the past five years, then the individual loses the shares associated with that wreckfish permit, but make it effective in 12 months, so publish something today that says if you do not make one pound of landings in the next 12 months or 6 months or whatever your timeline is, then you lose those shares.

At least it gives people a heads-up so if they're seriously interested in the fishery, they will make an effort to go out and catch one wreckfish, if they're able to do that. Now, if there is no time to do either of those things, then another option is in Amendment 20 to simply have some action that deals with reallocation based on the past five to ten years of landings with some landings in 2008 or 2009 required, so you're letting in current participants and you're basing the landings on the past five to ten years; or, you don't to do that, you could just say reallocation based on the five to ten years for current shareholders. So there are a couple of different solutions but implementation or use-or-lose policy is an option; reallocation is an option, but all based upon the premise that we've got an inappropriate TAC.

MS. SMIT-BRUNELLO: Well, just for your consideration – and I think these are really interesting ideas – control dates usually don't get into specifics as to what the council or the service is going to do or not do, but what they is they announce to the public that the service and the council may at some point be considering further restricting access to the fishery, and it puts people on notice that from a certain date, whether it's today or whatever day, if you choose to do that, that they should be aware of that.

Kate's ideas are good. I think that you don't necessarily have to decide on the approach you want today, but you could choose a control date, which would just announce to the public that you may intend to take some action at some future point, and today is the date or whatever day you choose may be possibly used as a cutoff date for participation in the fishery.

DR. CRABTREE: Yes, that's my thought, and what I want is these fishermen to know that if they're purchasing permits or anything else from here forward, they do it at great risk. If the permit has no landings, it may be worthless. Now, I don't know what we'll decide to do, but I know we have a large number of permits that are inactive.

I don't see a much other solution right now other than to eliminate those permits and allow the people who are active in the fishery to catch the available TAC. So I think what we ought to do is put out a control date notice that essentially does what Monica said, puts people on notice that we're considering further effort limitation in this fishery and those who have not – those permits which have not been active up to now may not be allowed to continue or something to that effect.

And then I think we can take the ideas Kate has come up with and start developing a plan amendment, but we would need to keep this plan amendment pretty straightforward and get it done quickly because I think the fishery reopens, is it April 15th the fishery is going to reopen. They'll be able to fish until the ACL Amendment is implemented, which would be probably at the very end of this year, so they'll be okay I think until then.

And then the fishery would close with the next spawning season; but unless we get something put in place by April 15th of 2012, there is to be very little allocation available to the active participants. We need to get something done I guess by about April of 2012 and have it effective in order to keep this fishery going.

MR. CUPKA: I would like to offer a motion that we establish a March 11, 2011, control date for the wreckfish fishery.

MR. CURRIN: Motion by David; is there a second? Second by Roy. Discussion? Tom.

MR. BURGESS: I have just a question concerning someone that is alerted of the control date today; and as I understand it – I just want to make sure I'm clear – is that they will have the option to fish in the near future if they so choose when the season opens or else transfer their shares – you know, if they know they're not going to fish, they will have a chance to do that?

MR. CURRIN: I think the answer to that is yes. Certainly for this year they would have an opportunity to fish. If they have permits and shares and coupons, certainly for this upcoming season they would be able to fish and I presume transfer those quota shares. Roy.

DR. CRABTREE: Yes, and I mean when we figure out what we're going to do with this you could decide to let people who get landings between now and whenever we take action stay in, but I think part of what we're notifying people is even if they go out and fish right now, we still may decide only to look up to today, because what I'm not sure I want is all of these inactive permits to suddenly go out and catch ten pounds of wreckfish and then they're going to remain in the fishery when they haven't landed anything for potentially the last decade. I don't know how we'll figure that out. We're going to have to look at what has gone on with these permits and Monica is going to have to figure out the confidentiality issues and how exactly we're going to do that because I think it's going to be tricky.

MR. CURRIN: Other discussion on the motion? **Is there objection to the motion? I see none; that motion is approved.** Monica, Roy kind of put some clarifying language in his discussion regarding the control date, indicating that people who landed fish after this year may not be included. Is that proper to perhaps include in the issuance of the control date, if in fact that's allowable?

MS. SMIT-BRUNELLO: What I've done is just pulled up a Fishery Bulletin on a recent control date for the mackerel fishery, and I thought I'd just read a little – it's very short but read a couple of sentences to you on what it says. It's usually pretty standard as to what we put in there, and the Fishery Bulletin I think closely tracks what the Federal Register Notice said for the control date:

“The notice announces the council may in the future consider management measures to limit participation or effort for the king and Spanish mackerel fishery using the September 17, 2010, control date as a part of the management strategy. The control date does not commit the council or NOAA Fisheries Service to any particular management regime or criteria for entry into the coastal migratory pelagic fishery. Fishermen are not guaranteed future participation in the fishery regardless of their level of participation before of after the control date. The council may recommend a different control date or it may recommend a management regime that does not involve the control date.”

And then it goes into you may look at other criteria and it kind of quotes the Magnuson Act in terms of limiting the amount of landings or effort or that sort of thing. It's very broad but it does announce to the public that you're considering limiting future participation. Now I think the public has already got that idea because you're working on an ITQ Amendment, but that's kind of just been going along for a number of meetings for good reasons. This may put the point home even a little bit further.

MR. CURRIN: All right, thank you, and that clarifies it for me. Any further discussion. Any objection to the motion? I see none; that motion is approved. Anything else on wreckfish? All right, thank you, Kate, Kari and John. Brian.

DR. CHEUVRONT: Mr. Chairman, I wanted to bring up something regarding Amendment 24, and this is the Red Grouper Amendment. It came to my attention from our discussion that we had the other day about this amendment and our overall intention was to use individual ACLs for black, red and gag and eventually get rid of the aggregate bag limit that we had.

But the issue is that right now in Amendment 24 we don't have an option in the amendment to remove the red grouper, black grouper and gag aggregate from the regulations. The staff is going to need some direction in the form of an action, an alternative and all that to analyze that, and I think we need to get this into the amendment.

They were planning, I believe, to present some information to the council at the June meeting, so I would like to make a motion to get this into the amendment now so hopefully to get some analysis prior to June. **With that said, I would like to make a motion to add an option to**

Amendment 24 to remove the red grouper, black grouper and gag aggregate from the regulations.

MR. CURRIN: Motion by Brian; is there a second? Second by Duane. Discussion? I think the intent is clear and we had a lot of discussion about that, and I guess this certainly clarifies it for the staff. For further clarification, I think the end result would be separate ACLs for all three, and that's I think very obvious, so it would end up I guess in 24 establishing a separate ACL for red grouper; and then this motion would remove that aggregate which would necessarily have to be done. Any other discussion on the motion? **Any objection to the motion? I see none and that motion is approved.** Okay, Charlie, I think you had something as well that you wanted to bring up.

MR. PHILLIPS: Yes, Mr. Chairman. The SSC had some recommendations for socio-economic, and I've been trying to figure out, as Roy says, outside the box of ways we can go forward and listen to the fishermen. I've heard a lot of good ideas from fishermen. **I'd like to make a motion to start the development of a workshop to help the council identify goals and objectives for future management.** If I can get a second, then I'd like to have Kate come up and explain kind of how we might do this.

MR. CURRIN: Motion by Charlie; second by Ben. Kate, come on up.

MS. QUIGLEY: Well, the SEP in their meeting a few weeks ago, they reviewed Amendment 21. We asked, you know, what do you think of this? They basically told us, well, we really – we thought they'd be really excited about being able to review a catch share type program, but they really didn't have much to say.

They basically said, "You know, we can't evaluate this catch share program and what we think of these actions and alternatives because we really don't know what your goals and objectives are for the future of the fishery. So, until you tell us what your goals and objectives are – what the council's goals and objectives are for the future of the fishery, we can't say whether this amendment is going to get you there or not."

So basically what they suggested and what they said they would like to have is a listing of prioritized goals and objectives that are actually – you can look back and you can see whether those have been met or not of what you would like the fishery to look like in ten years, things you would like to have achieved, and I think that's what Charlie is referring to and the background that he wanted.

MR. HARTIG: Yes, and the context that I was thinking in this for now is get the fishermen together, sit down with them, discuss how they're getting through these times when everything is closed, what they're catching, look at a possible trip limit of a combination of species of lower values to give them a trip that is profitable for the long term and try and not to have the bycatch – to really get at the bycatch issue and reduce these bycatch problems we're having and see – you know, maybe we'll end up with a snapper grouper season based on whatever catch levels that they want to catch for all the different species when you can catch them. That was the goal now

that we have all these catch limits is how are you guys going to get through this, what do we have to do to get you through this?

MR. PHILLIPS: I'm not trying to backdoor catch shares. What I want is the fishermen to come in – you know, Kenny had some good ideas. I mean, there are a lot of good ideas and I want the fishermen to come in and say this is what we want our fisheries to look like and this is ways we can live, this is ways we can't live, these are some new ideas.

And if the fishermen actually decide they want a catch share, then bring it back and we'll go from there, but this is not a – I wanted the fishermen to come in and be proactive. We were reacting way more often than not. I want to be proactive. I want to know where we're going and start looking that way.

DR. CHEUVRONT: Mac, I'm going to speak in support of this motion, but I think we also have to be careful. I mean some of the issues that we were talking about was regionalization because this is going to be very different, and we're going to need to be able to look at the different fisheries that maybe are not snapper grouper fisheries that people are also participating in.

I think we need to have a comprehensive look at the patterns of participation, and it needs to be recreational and commercial. We need to take into account the for-hire sector, how they're going to survive through this as well. It's not just a commercial issue. It's a very complex issue. It shouldn't be just fishermen because there is going to have to be some rational bounds put on the things that they're coming up with.

There needs to be some managers as part of this as well who could tell the fishermen, no, I'm sorry that you think that might work for you, but this is why it won't so we need to come up with another alternative. We to think this through very carefully about how we do this and realize that it's a very, very complex process, but I am very much in favor of at least trying to tackle this notion because it's a place where the council needs to go.

MR. BOYLES: Mr. Chairman, I would just echo Brian's comments. I would just encourage us if we go down this path – and I'm very much in favor of the motion – I would just encourage us and challenge us to think big, think outside the box, think beyond our traditional way of thinking about commercial, recreational and for-hire.

I believe if you recall, those of you who have been around, we've had discussions along these lines as far back at least as far as I can recall our Coconut Grove meeting back in 2006. I think this is very, very important. I think we all recognize that we're rushing to catch up with statutory deadlines that it's my great hope that we will take care of with this Comprehensive ACL Amendment.

I just would encourage and challenge us to think big; and, of course, the ever-present can we budget for something like this? I think to do this right it's going to cost us, and I think we need to have some discussions at the appropriate place in the executive-finance to just make sure that we can program this.

MR. PHILLIPS: And people like Chef Dave, people like that, and the retail fish people that we're talking about that had no fish; those are people that also need to be part of this discussion. I just want to make sure that – I don't want it so big where we can't do it. We may have to take bites, but we'll let staff kind of work with us and direct those.

DR. LANEY: Mr. Chairman, I'm not on your committee, but along the lines of Robert's thinking outside the box, think about the ecosystem, too, when you have the workshop. I think it's a great idea, and I think this council a number of years ago was moving in the direction of ecosystem-based management.

Roger briefed us earlier in the week about a lot of initiatives that are currently ongoing that are looking at ecosystem-based management of essentially the same ecosystem that the South Atlantic Council has jurisdiction over, so thinking about that dimension of it as well I would think would be a good thing.

MR. CURRIN: Bobby Cardin from our Snapper Grouper AP and various other advisory panels I think may be able to provide us some information.

MR. CARDIN: Mr. Chairman, Robert Cardin, and thank you for recognizing me. This is a very interesting idea with this motion. I would like to remind that council that we have a Grouper Snapper AP that meets once a year. We've rushed through a schedule. There are a lot of people on the AP that has a lot of ideas that we want to bring into this fishery, but we haven't had the time. Then we've got the LAP Workgroup. It met six or eight times in a year and yet the Grouper Snapper AP meets once a year.

I would just ask that you would let the AP meet a little more often before you keep making all these other committees and let us have time to bring our ideas to the table. I would also like to say the past two or three years when we tried to bring an idea to the table it always gets reverted back to we're talking about catch shares right now. Now the catch shares seem to be tabled for a meeting or two. I would just like this Grouper Snapper AP to have some time to work on these ideas like Charlie is talking about. We've got ideas; we just need time to bring them to the council. Thank you.

MR. CURRIN: Thank you, Bobby. In fact, when we talked about or brought the idea up of getting a group of fishermen together, the Snapper Grouper AP came to my mind as at least the core group, and perhaps for this particular issue we might want to expand that and invite some other people in or whatever, but that's certainly a good core group of fishermen that we should utilize as best we can,.

MR. CARDIN: Thank you, sir, and I appreciate you recognizing me.

MR. CURRIN: Other discussion? **All right, is there any objection to the motion? I see none and that motion is approved.** Mr. Chairman, I believe that ends the Snapper Grouper Report and some additional other business.

MR. CUPKA: Thank you, Mac, for your usual outstanding job of guiding us through all these snapper grouper issues. We appreciate all your efforts and thank everyone who contributed to it. All right, that brings us down to other business. There is at least one item I'm aware of, and that is in regard to sturgeon. I'm going to ask Bob to make some comments on that.

MR. MAHOOD: I had been conversing with some of the other executive directors. Chris Moore up in the Mid-Atlantic indicated that their states had requested the council to write a letter on the issue of listing Atlantic sturgeon under the Endangered Species Act. Subsequently, I contacted our state directors to see if they were interested in the council doing this since I knew they all had commented from a state perspective.

All the states were not in favor of the listing. I have a question for Roy. I think at this point we're beyond the comment period, and I'm not sure whether we have any – certainly, we have a lot of clout and it might be worthwhile to write Roy a letter, but I don't know if we're too far down the path of a decision being made or whether it's still an open issue and that the council writing a letter on behalf of the states supporting their recommendations is worthwhile or not.

DR. CRABTREE: Well, I think you're welcome to write a letter; and if you have views on it, I think you should send them. I have seen the letters from the states. A lot of the concern seemed to be about whether it should be listed as endangered or threatened, and there seemed to be some acceptance of threatened rather than endangered. I would say, Bob, if you guys want to write a letter, you should write it.

MR. MAHOOD: With that, Mr. Chairman, if the council would like us to pursue that, we can draft a letter for your signature and get something sent in supporting the states' position.

MR. BOYLES: Mr. Chairman, I would make a motion to that effect; that the council craft a letter for your signature to the service regarding the proposed listing of sturgeon – excuse me, reaffirming the states' interests in the proposed listing of sturgeon. Myra, maybe is should be affirming and maybe not reaffirming, but affirming the states' interests.

MR. MAHOOD: And then the position would be that it not be listed as endangered? That's unclear right here.

MR. BOYLES: That would certainly be my motion, yes. The intent is to not support listing at this time.

MR. CUPKA: Okay, we have motion by Robert; is there a second before we get into all this discussion? Second by Duane. All right, discussion. Roy.

DR. CRABTREE: Well, I don't think a position of it should not be listed is consistent with all of the states' position. I have right in front of me right now the letter from the Florida Fish and Wildlife Commission, which says, "The FWC does not support the proposed endangered listing of Atlantic sturgeon by NMFS pursuant to the ESA at this time, but would support a threatened status or status quo," but I don't think a statement we don't support listing at all is consistent with all the states' position. I don't recall at this point the other states' position. I just happened

to have the commission's letter in front of me. I think that's something you need to be careful with and work out.

MR. GEIGER: Mr. Chairman, as a council member, I'm not very comfortable with any decision either way without seeing the parameters under which something is listed or not listed or the assumptions that are made pertaining to the specific listing that's made. We haven't had a chance to review that. If the states have had that opportunity and they've already made their recommendations, why don't we just let that stand until the council has an opportunity to look at the parameters? I'm not comfortable supporting this motion.

DR. LANEY: I was just going to brief the council on what the Fish and Wildlife Service did in response to the notice, and in the interest of full disclosure note that I served on both the 1998 and the 2006 status review teams for Atlantic sturgeon. That latter team did recommend in 2007, when we submitted our report to the National Marine Fisheries Service, we recommended threatened at that time.

I presume hopefully Roy has gotten a final letter now. What I'm looking at is a draft. I haven't received our final comments, which were supposed to have gone out in December. The Service did not take a position relative to whether it should be listed as "T" or "E", either one. What we did do was we formally requested joint jurisdiction with the National Marine Fisheries Service for the species.

And, again, let me stress, too, that this is for the southeast DPSs. We didn't comment on the northeast DPSs. I think most of you are aware there were two separate notices. I presume the motion would apply only to the Atlantic Sturgeon Southeast DPSs. We did request joint jurisdiction. Joint jurisdiction from my perspective seems to be working pretty well with Gulf sturgeon in the Gulf of Mexico where the two federal agencies and the Gulf States Marine Fisheries Commission and the Gulf of Mexico Fishery Management Council all worked together to produce a joint recovery management plan.

I think that plan is currently under revision. Roy may know a whole lot more about that than I do. That was one of our recommendations, and I think that was the primary one. We had some additional comments, some editorial sorts of things which I won't go over. I'll just say that I know some of the states, specifically North Carolina – Brian may want to speak to that – have done quite a bit of analysis.

Obviously, since the status review team submitted their report in 2007, I think there has been a lot of additional data generated on Atlantic sturgeon populations particularly in Georgia and also in the Albemarle Sound in North Carolina where that species is routinely encountered in the DMF Fishery-Independent Gill Net Survey.

That just sort of gives you an indication of where the Fish and Wildlife Service is coming from. Our main comment was requesting joint jurisdiction with the National Marine Service if they decide to list it. We didn't take a position on listing one way or the other. I will say that some of us internally had strong feelings one way or the other, but we couldn't reach consensus on that,

so the Service didn't take a position on it. At least the Southeast Region didn't take a position on it.

MR. CURRIN: David and council members, the North Carolina Division of Marine Fisheries and the Marine Fisheries Commission wrote a letter opposing it, and it was outlined with a tremendous amount of rationale and information as well. I had some concern with some of the rationale from North Carolina's letter, to be honest with you, even though I did not oppose the letter from our commission.

I just make the point that I think a lot of that is what is missing from this council here, and the letter I presume will not include any rationale for the position other than it's based on the comments or letters from the four states. It gives me a little bit of concern that perhaps, as George indicated, that there are a number of council members outside of the state agency representatives that may or may not be fully aware of the issue and all of the rationale included in the various states' position.

MR. MAHOOD: The individual state letters are included in the briefing book. Now, again, we don't know – I haven't looked and compared rationale for why the states don't agree with it, so I'm not sure that it's all compatible from state to state. Like Roy said, there is I think – which state was it that – Florida that would entertain the threatened. It's up to you; I'm just asking. Now, maybe if we go to write a letter – and again we could either use or not use some of the rationale that the states did or the letter just could say that we support the states in it being listed as endangered, which has some significant consequences associated with it.

DR. CRABTREE: Well, if you write a letter that doesn't provide a very clear rationale for why you think what you're thinking, then I don't think your letter serves any purpose. If you don't give us a carefully thought-out rationale, it serves no purpose in my view. We have all the states' letters so those will be responded to; so unless you're going to put together a well thought-out letter that provides a rationale, I'm not sure it really serves much purpose.

MR. BOYLES: Given the fact that we're beyond the comment deadline and given the fact that there seems to be some discomfort with crafting a letter that would have any real meaning, I would like to withdraw my motion.

MR. CUPKA: Okay, the motion is withdrawn. Any other discussion on the issue? Seeing none, then we will move on. As you know, our next council meeting is a joint meeting with the Gulf; not only the council but a couple of the committee meetings, so I'm going to ask Bob if he wants to make any comments about what we've been discussing in terms of when people need to be there and that sort of thing.

MR. MAHOOD: We'll be getting out some written direction relative to approved travel times and this type of thing as we move – actually, you'll probably start getting it next week. Basically, the Spiny Lobster Committee of our council is going to meet jointly with the Spiny Lobster Committee of the Gulf Council on Tuesday morning.

Members of our council that are on the Spiny Lobster Committee will need to think about getting down there on Monday. That meeting will be Tuesday morning. Then I guess based on what Cindy is able to work out with rooms and stuff, those folks that are involved will just have to decide whether they want to stay there or they can get home.

It's at their pleasure on how they want to deal with that because the meeting doesn't start until Thursday, and that's the joint Mackerel Committee, so that pretty much includes most of our council members. They'll have to arrive on Wednesday. That joint meeting will take place on Thursday. Then on Friday we will have a joint council session with the Gulf and our council where we will hopefully and absolutely wrap up the mackerel and spiny lobster amendments, and we will go away smiling and everybody will be happy and they'll be ready to submit.

It will be just like good old days. New members might not realize it, the Gulf Council and the South Atlantic Council used to meet jointly twice a year back in those early mackerel days in the eighties. It will be interesting. Our council meeting will then start on Sunday. You'll have one down day down there and our council meeting will start Sunday. We're still trying to determine, based on when we get back and look at the schedule, whether it will run through Friday or we'll be able to wrap it up on Thursday.

It will start Sunday afternoon and we're going to try to do it primarily with administrative type committees so that Roy and his folks don't have to travel on Sunday, although Roy said he'd gladly be there whenever we need him. It was something like we will have somebody there when you need us. It is going to be a Wednesday through Thursday or Friday session, so it's going to take some time. I'm not sure what you state director guys do that have business to run back home, but we'll try to be amenable if people do have to leave and come back. We will try to work that out. Are there any questions about the schedule tentatively that we've got set up?

MR. CUPKA: Thank you, Bob. Is there any other business to come before the council? Robert.

MR. BOYLES: Mr. Chairman, just for the record I want to let everybody know that in recognition of Mark Robson's years of service to the state of Florida, without ever having officially attended an Atlantic States Marine Fisheries Commission, that the executive director of the commission and I have presented Mark with an honorary lapel pin, so that he can wear it in the remaining months of his tenure as director of Florida Marine Fisheries.

MR. CURRIN: Just two quick things, David; no business in particular; but one just to note for the rest of the council members I'll be unable to get to Key West until Saturday night or Sunday morning, hopefully. I've got a previous engagement. And then I just wanted to thank again Myra and the IPT and all the staff involved for the hard and diligent work that they've done to prepare us not only for our regular council meeting but several other issues that came up. It's greatly appreciated by me and I'm sure the rest of the council as well.

MR. CUPKA: Yes, there is no doubt that not only our council staff but Roy's staff have done a tremendous amount of work in trying to get us ready for this meeting, and we appreciate that very much; thank you. Wilson.

DR. LANEY: Mr. Chairman, this is a followup to one of the things that we discussed earlier in the week, which was with regard to the octocoral fishery and redefining that fishery management unit to exclude the Florida portion. Mark and I had some informal discussions about Florida's intent with regard to trying to keep in place some level of protection in federal waters.

I think Mark and Jessica had concurred with that by head nods to my recollection earlier in the meeting, so I just wanted to get on the record that is my understanding that is their intent to work with staff to put whatever protections in place are deemed necessary to try and protect octocorals especially within HAPCs and possibly other areas and just indicate that's something that will take place between the Florida delegation and staff.

MR. ROBSON: Yes, we'll work on that. One of the things we need to do is look at exactly what those areas are and then we can evaluate them, but it would be our intent to try to do what we need to do to protect those in federal waters. But, again, we need to see those areas specifically and which ones we're talking about, so we'll work with staff.

DR. CRABTREE: Just real quick – and I think everybody is probably aware of this, but I wanted to be sure. The NOAA Aquaculture Policy is out for public comments, and I think the comment period runs April 11th, and it's available on our website if you're interested.

MR. CUPKA: Any other business to come before the council? If not, we are adjourned. I'll note for the record that we're 15 minutes early.

(Whereupon, the meeting was adjourned at 11:45 o'clock a.m., March 11, 2011.)

Certified By: _____ Date: _____

Transcribed By:
Graham Transcriptions, Inc.
March 28, 2011

INDEX OF MOTIONS

SPINY LOBSTER COMMITTEE MOTIONS

PAGE 41: Motion to make Alternative 4 the preferred alternative. Motion carried on Page 41.

PAGE 41: Motion to remove old Alternative 4 and make new Alternative 4 the preferred alternative related to the overfishing threshold. Motion carried on Page 41.

PAGE 41: Motion to adopt Alternative 3 as the preferred alternative. Motion carried on Page 41.

PAGE 41: Motion to adopt Alternative 1 as the preferred. Motion carried on Page 41.

PAGE 41: Motion to adopt Alternative 2B as the preferred alternative. Motion carried on Page 41.

PAGE 41: Motion to adopt Alternative 2A as the preferred alternative. Motion carried on Page 41.

PAGE 41: Motion to adopt Alternative 2C as the preferred alternative. Motion carried on Page 41.

PAGE 41: Motion to adopt Alternative 4 as the preferred alternative. Motion carried on Page 41.

PAGE 42: Motion to adopt Alternative 4 as the preferred alternative. Motion carried on Page 42.

PAGE 42: Motion to adopt Alternative 2 as the preferred alternative. Motion carried on Page 42.

PAGE 42: Motion to approve Spiny Lobster Amendment 10 for public hearing and DEIS review and to give staff editorial license to complete the document. Motion carried on Page 42.

PAGE 42: Motion to adopt the timing and task items one through six. Motion carried on Page 42.

MACKEREL COMMITTEE MOTIONS

PAGE 42: Motion to adopt Alternative 3, Action 1, as the preferred alternative. Motion carried on Page 42.

PAGE 42: Motion to adopt Alternative 3, Option 1, Action 2 as the preferred alternative. Motion carried on Page 42.

PAGE 43: Motion to use an interim OFL for Spanish mackerel equal to the mean of ten years' landings plus two standard deviations. Motion carried on Page 43.

PAGE 43: Motion to set the interim OFL for Atlantic Migratory Group Cobia equal to the mean of ten years' landings plus two standard deviations. Motion carried on Page 43.

PAGE 43: Motion to adopt as an interim control rule the Gulf Council Control Rule and ask the SSC to review that control rule at their April 2011 meeting. Motion carried on Page 43.

PAGE 43: Motion to add an alternative that reduces the bag limit from two to one cobia per person per day during the spawning season. Motion carried on Page 43.

PAGE 43: Motion to adopt Alternative 1, no action, as the preferred alternative. Motion carried on Page 43.

PAGE 43: Motion to approve Mackerel Amendment 18 for public hearings and give editorial license to staff to make any changes necessary. Motion carried on Page 44.

PAGE 44: Motion to approve timing and task items. Motion carried on Page 44.

ECOSYSTEM-BASED MANAGEMENT COMMITTEE MOTIONS

PAGE 44: Motion to add Alternative 3, modify the fishery management unit to indicate that octocorals are included in the EEZ of North Carolina, South Carolina and Georgia. Motion carried on Page 44.

PAGE 44: Motion to make Alternative 3 the preferred alternative. Motion carried on Page 44.

PAGE 45: Motion to make Alternative 1 the preferred alternative. Motion carried on Page 45.

PAGE 45: Motion to add Alternative 3, which is an ACL of zero, which is to modify the ACL for octocorals in the South Atlantic. Motion carried on Page 45.

PAGE 45: Motion to make Alternative 3 the preferred alternative. Motion carried on Page 45.

PAGE 45: Motion to make the new Alternative 4 and Subalternatives 4A and 4B the preferred alternative. Motion carried on Page 45.

PAGE 45: Motion to select Alternative 2 as the preferred alternative. Motion carried on Page 45.

PAGE 45: Motion to select Alternative 3 of Action 8 as the preferred alternative. Motion carried on Page 46.

PAGE 46: Motion to select Alternative 1 as the preferred alternative. Motion carried on Page 46.

PAGE 46: Motion to select Alternative 2, amend the Snapper Grouper FMP to designate the following EFH-HAPC; Subalternative 2A, designate EFH-HAPC for golden tilefish to include irregular bottom comprised of troughs and terraces intermingled with sand, mud or shell hash bottom, mud clay bottom in the depth of 150 to 300 meters our HAPC. Golden tilefish are generally found at 80 to 540 meters but most commonly found in 200 meter depths. Subalternative 2B, designate EFH-HAPC for blueline tilefish to include irregular bottom habitats along the shelf edge in 45 to 65 meters depth, shelf break or upper slope along the 100 fathom contour, 150 to 225 meters; hard bottom habitats characterized as rock overhangs, rock outcrops, manganese phosphorite, rock slab formations or rocky reefs in the South Atlantic Bight and the Georgetown Hole, Charleston Lumps off of Georgetown, South Carolina. Motion carried on Page 47.

GOLDEN CRAB COMMITTEE MOTIONS

PAGE 48: Motion to approve the timing and tasking motion to ask staff to conduct analysis for Amendment 5 and bring it back to the council for the June meeting. Motion carried on Page 48.

SEDAR COMMITTEE MOTIONS

PAGE 48: Motion to accept Zack Bowen to participate on SEDAR 25 as a recreational fishing participant. Motion carried on Page 49.

PAGE 49: Motion to appoint Ron McPherson as a recreational representative to the black sea bass data workshop contingent upon his approval and acceptance. Motion carried on Page 49.

PAGE 50: Motion to add Rusty Hudson as a recreational representative for the black sea bass assessment. Motion carried on Page 51.

PAGE 51: Motion that council staff contact the recreational members of the Snapper Grouper AP in an effort to discern if anyone is available or willing to participate in the black sea bass SEDAR. Motion carried on Page 52.

PAGE 52: Motion to replace the greater amberjack update in 2012 with the vermilion snapper update in 2014. Motion carried on Page 52.

JOINT EXECUTIVE/FINANCE COMMITTEE MOTIONS

PAGE 53: Motion that council will offer the same SSC stipend to the non-SSC members of the Socio-Economic Subpanel. Motion carried on Page 54.

SHRIMP COMMITTEE MOTIONS

PAGE 56: Motion to request the National Marine Fisheries Service Regional Administrator close the exclusive economic zone off of South Carolina out to 25 miles to trawling until June 7, 2011; or, until the state of South Carolina opens any or all portions of state waters to trawling. Motion carried on Page 56.

PAGE 56: Motion to ask staff to begin development of an options paper for the Shrimp Committee to allow a more timely response to cold water events. Motion carried on Page 56.

PAGE 56: Motion to ask staff to examine better definitions of overfishing for pink shrimp. Motion carried on Page 56.

FULL COUNCIL OTHER MOTIONS

PAGE 58: Motion to recommend to the Southeast Regional Office that they approve the experimental fishing permit requested by Don DeMaria. Motion carried on Page 58.

SNAPPER GROUPE COMMITTEE MOTIONS

PAGE 70: Motion to we ask that the upcoming black sea bass assessment take a look at F-rebuild or constant F and constant catch to rebuild by the end of ten years with the ten-year rebuilding period ending in Fishing Year 2015 and '16. Motion carried on Page 70.

PAGE 70: Motion to provide the Regulatory Amendment 11 presentation and issue papers to the SSC for their review at their April meeting. Motion carried on Page 70.

PAGE 70: Motion that these alternatives be established besides the no action: (1) To open the blueline tilefish in the South Atlantic in the deep water seaward of the 240-foot depth contour; (2), open blueline tilefish off North Carolina in the deepwater seaward of the 240-foot depth contour; (3), open blueline tilefish off North Carolina north of Cape Hatteras in the deep water seaward of the 240-depth contour. Motion carried on Page 70.

PAGE 70: Motion to add an alternative to exclude blueline tilefish from the deepwater closure south of Cape Canaveral. Motion carried on Page 70.

PAGE 70: Motion to include an option to open the closed area in the South Atlantic seaward of 500 feet. Motion carried on Page 70.

PAGE 71: Motion to establish the following alternatives besides the no action alternative: (1), Open snowy grouper in the South Atlantic in the deep water seaward of the 240-foot depth contour; (2), open snowy grouper off North Carolina in the deepwater seaward of the 240-foot depth contour; (3) open snowy grouper off North Carolina north of Cape Hatteras in the deepwater seaward of the 240-foot depth contour, with the clarification that "open" entails maintaining the current commercial and recreational regulations. Motion carried on Page 71.

PAGE 71: Motion to add an alternative to exclude snowy grouper from the deep water closure south of Cape Canaveral. Motion carried on Page 71.

PAGE 71: Regarding Action 1, harvest management measures for black sea bass, motion to select Alternative 6 as its preferred alternative.

PAGE 71: Substitute motion to have Alternative 3 as the preferred alternative. Motion carried on Page 75 and carried as the main motion.

PAGE 75: Motion to select Alternative 7 as the preferred alternative. Motion carried on Page 75.

PAGE 75: Motion that for both sectors any unused quota at the end of the 2011 fishing year would be added to the first half of the following fishing year. Motion withdrawn on Page 76.

PAGE 76: Motion to select Subalternative 12A as a preferred alternative. Motion defeated on Page 79.

PAGE 76: Substitute motion for a two-fish March through April bag limit with a five-fish bag limit the remainder of the season. Motion withdrawn on Page 78.

PAGE 79: Motion that Alternative 11 not be a preferred alternative. Motion carried on Page 80.

PAGE 80: Motion to move Alternative 13 and its subalternatives into Regulatory Amendment 9. Motion carried on Page 80.

PAGE 80: Motion to select Alternative 13B, which is a five-fish per person bag limit as the preferred alternative. Motion carried on Page 80.

PAGE 80: Motion to adopt Alternative 3 as the preferred without Subalternative 3A.

PAGE 80: Motion under Action 1 is to modify Alternative 4 to remove mutton snapper from the Snapper Grouper FMU along with the other species in Alternative 4. Motion carried on Page 81.

PAGE 81: Motion to change the preferred alternative to a 1,200 pound trip limit on the greater amberjack. Motion withdrawn on Page 82.

PAGE 82: Motion to add the 1,200 pound commercial limit for amberjack as another alternative in the amendment and as the preferred alternative. Motion carried on Page 83.

PAGE 83: Motion to submit Regulatory Amendment 9 to the Secretary of Commerce for formal review. Motion carried on Page 85.

PAGE 85: Motion to deem the codified text for Regulatory Amendment 9 and give the staff editorial license to make changes as necessary. Motion carried on Page 85.

PAGE 86: Motion to deem the changes to the codified text for Regulatory Amendment 9 as necessary and give staff editorial license to make changes as necessary; give the council chair the authority to deem those changes as necessary and appropriate. Motion carried on Page 86.

PAGE 87: Motion to add a new Alternative 8 to remove tomtate, knobbed porgy, jolthead porgy and whitebone porgy from the FMU. Motion carried on Page 87.

PAGE 87: Motion to add the new Alternative 8 as a preferred in addition to the other preferreds. Motion carried on Page 87.

PAGE 87: Motion to move Action 2 to the appendix. Motion carried on Page 87.

PAGE 87: Motion to modify Alternative 5 under Action 4; for assessed species establish ABC based on the SSC Control Rule; for unassessed species establish ABC equals the median landings for the years 1999-2008 and an OFL equals unknown until the SSC Control Rule is fully applied and make this a preferred alternative. Motion carried on Page 87.

PAGE 87: Motion to direct staff to include language to clarify that additional management measures are not being established for unassessed snapper grouper species in this amendment. Motion carried on Page 87.

PAGE 94: Motion to adopt the modified mean approach and add that as an option to all actions that establish accountability measures in the Comprehensive ACL and other amendments. Motion carried on Page 97.

PAGE 97: Under Action 10, motion to make Alternative 2 as an additional preferred. Motion carried on Page 97.

PAGE 97: Action 12, motion to specify ACLs for black grouper and gag for three years; the ACL established in the third year would stay in place until modified; with notes that increasing ACLs are contingent upon not exceeding the annual projected harvest level. Motion carried on Page 97.

PAGE 97: Action 15, motion to remove Alternative 6A as a preferred. Motion carried on Page 98.

PAGE 98: Motion that staff develop a suite of alternatives to address the jurisdictional division of the ACLs for yellowtail snapper. Motion carried on Page 98.

PAGE 98: Action 18, motion to change the preferred to Alternative 3. Motion carried on Page 98.

PAGE 99: Motion to withdraw the committee motion to select as a preferred for the commercial ACT equals 90 percent of the ACL. Motion carried on Page 99.

PAGE 99: Action 19, motion to select Subalternative 2A as a preferred, not specify a commercial sector ACT. Motion carried on Page 99.

PAGE 99: Motion to modify Alternative 3; “after the commercial ACL is projected to be met, all purchase and sale of dolphin is prohibited and harvest and/or possession is limited to the bag limit,” to change “ACL” to “ACT” and to change to “met or projected to be met with guidance to change back from ACL to ACT. Motion defeated on Page 99.

PAGE 100: Motion that Alternative 3 under dolphin read, “After the commercial ACL is met or projected to be met, all purchase and sale of dolphin is prohibited and harvest and/or possession is limited to the bag limit.” Motion carried on Page 100.

PAGE 100: Motion to change the preferred recreational AM to Subalternative 5A, with the ACTs equal to 85 percent of the ACL. Motion defeated on Page 101.

PAGE 101: Motion to select Subalternative 5C as the preferred alternative. Motion carried on Page 101.

PAGE 101: Motion to select Alternative 2 as the preferred alternative. Motion carried on Page 101.

PAGE 101: Motion to select Alternative 3 as the preferred alternative. Motion carried on Page 101.

PAGE 101: Action 21; motion that for dolphin and wahoo to provide guidance to the SSC that based on the biology and productivity and no overfishing/overfished status, the council is comfortable using mean landings over the last ten years plus one standard deviation to set the ABC. Motion carried on Page 102.

PAGE 102: Action 25, motion to calculate the reduction in harvest for wahoo using the landings for years 2005-2009, excluding 2007. Motion carried on Page 102.

PAGE 102: Motion to change the preferred alternative to Alternative 1, no action. Motion carried on Page 102.

PAGE 102: Motion to terminate all work relative to catch share development in Amendment 21 with a note to continue on catch share development for the golden crab fishery and wreckfish. Motion carried on Page 104.

PAGE 108: Motion to establish a March 11, 2011, control date for the wreckfish fishery. Motion carried on Page 109.

PAGE 109: Motion to add an option to Amendment 24 to remove the red grouper, black grouper and gag aggregate from the regulations. Motion carried on Page 110.

PAGE 110: Motion to start the development of a workshop to help the council identify goals and objectives for future management. Motion carried on Page 112.

OTHER COUNCIL MOTIONS

PAGE 113: Motion that the council craft a letter for the council chairman’s signature to the service affirming the states’ interests in the proposed listing of sturgeon. Motion withdrawn on Page 115.

South Atlantic Fishery Management Council

2010 - 2011 Council Membership

COUNCIL CHAIRMAN:

David M. Cupka

P.O. Box 12753
Charleston, SC 29422
843/795-8591 (hm)
843/870-5495 (cell)
palmettobooks@bellsouth.net

COUNCIL VICE-CHAIRMAN

Dr. Brian Chevront

N.C. Division of Marine Fisheries
P.O. Box 769 (3441 Arendell St.)
Morehead City, NC 28557
252/726-7021 Ext. 8015 (ph)
252/726-6187
brian.chevront@ncdenr.gov

Robert H. Boyles, Jr.

S.C. Dept. of Natural Resources
Marine Resources Division
P.O. Box 12559
(217 Ft. Johnson Road)
Charleston, SC 29422-2559
843/953-9304 (ph)
843/953-9159 (fax)
boylesr@dnr.sc.gov

Tom Burgess

P.O. Box 33
Sneads Ferry, NC 28460
910/327-3528
tbburgess@embarqmail.com

Dr. Roy Crabtree

Regional Administrator
NOAA Fisheries, Southeast Region
263 13th Avenue South
St. Petersburg, FL 33701
727/824-5301 (ph); 727/824-5320 (f)
roy.crabtree@noaa.gov

Benjamin M. "Mac" Currin

801 Westwood Drive
Raleigh, NC 27607
919/881-0049 (ph)
mcurrin1@bellsouth.net

George J. Geiger

566 Ponoka Street
Sebastian, FL 32958
772/388-3183 (ph)
georgejgeiger@bellsouth.net

Charles Duane Harris

105 Demere Retreat Lane
St. Simons Island, GA 31522
912/638-9430 (ph)
seageorg@bellsouth.net

Ben Hartig

9277 Sharon Street
Hobe Sound, FL 33455
772/546-1541 (ph)
bhartig@bellsouth.net

Doug Haymans

Coastal Resources Division
GA Dept. of Natural Resources
One Conservation Way, Suite 300
Brunswick, GA 31520-8687
912/264-7218 (ph); 912/262-2318 (f)
Doug.Haymans@dnr.state.ga.us

Deirdre Warner-Kramer

Office of Marine Conservation
OES/OMC
2201 C Street, N.W.
Department of State, Room 5806
Washington, DC 20520
202/647-3228 (ph); 202/736-7350 (f)
Warner-KramerDM@state.gov

LTJG Matthew Lam

U.S. Coast Guard
Brickell Plaza Federal Building
909 S.E. First Avenue
Room 876/ DRE
Miami, FL 33131-3050
305/415-6768 (ph)
305/415-6791 (f)
Matthew.R.Lam@uscg.mil

Dr. Wilson Laney

U.S. Fish and Wildlife Service
South Atlantic Fisheries Coordinator
P.O. Box 33683
Raleigh, NC 27695-7617
(110 Brooks Ave
237 David Clark Laboratories,
NCSU Campus
Raleigh, NC 27695-7617)
919/515-5019 (ph)
919/515-4415 (f)
Wilson_Laney@fws.gov

John V. O'Shea

Executive Director
Atlantic States Marine Fisheries
Commission
1444 Eye Street, N.W., 6th Floor
Washington, D.C. 20005
202/289-6400 (ph); 202/289-6051 (f)
voshea@asmfc.org

Charles Phillips

Phillips Seafood / Sapelo Sea Farms
1418 Sapelo Avenue, N.E.
Townsend, GA 31331
912/832-3149 (ph); 912/832-6228 (f)
Ga_capt@yahoo.com

Mark Robson

Director, Division of Marine Fisheries
Florida Fish and Wildlife
Conservation Commission
620 S. Meridian Street
Tallahassee, FL 32399
850/487-0554 (ph); 850/487-4847(f)
mark.robson@myfwc.com

Tom Swatzel

P.O. Box 1311
Murrells Inlet, SC 29576
843/222-7456 (ph)
tom@swatzel.com

RICK DEVICOR
JACK MCGOVERN
MONICA SMIT-BRUNELLO
BONNIE POWWITH
JESSICA McCRAWLEY
KATHY KNOWELTON
LT. BRANDON FISHER
RED MUNDEN
NICK FARMER
BOBBY CARDEN
OTHA EASLEY

South Atlantic Fishery Management Council

Staff

Executive Director

✓ Robert K. Mahood
robert.mahood@safmc.net

Deputy Executive Director

✓ Gregg T. Waugh
gregg.waugh@safmc.net

Public Information Officer

✓ Kim Iverson
kim.iverson@safmc.net

Assistant Public Information Officer

✓ Andrea Grabman
andrea.grabman@safmc.net

Senior Fishery Biologist

✓ Roger Pugliese
roger.pugliese@safmc.net

Staff Economist

✓ Kathryn (Kate) Quigley
kate.quigley@safmc.net

Science and Statistics Program Manager

✓ John Carmichael
john.carmichael@safmc.net

Coral Reef Scientist

✓ Anna Martin
anna.martin@safmc.net

Fishery Biologist

✓ Mike Errigo
mike.errigo@safmc.net

Fisheries Social Scientist

✓ Kari MacLauchlin
kari.maclauchlin@safmc.net

SEDAR Coordinators

Julie Neer - julie.neer@safmc.net
Kari Fenske - kari.fenske@safmc.net

Fishery Scientist

✓ Myra Brouwer
myra.brouwer@safmc.net

Administrative Officer

✓ Mike Collins
mike.collins@safmc.net

Financial Secretary

Debra Buscher
deb.buscher@safmc.net

Admin. Secretary /Travel Coordinator

Cindy Chaya
cindy.chaya@safmc.net

Purchasing/Adm. Assistant

✓ Julie O'Dell
julie.odell@safmc.net

SEDAR/ Staff Administrative Assistant

Rachael Silvas
rachael.silvas@safmc.net

FULL COUNCIL - ROLL CALL VOTE

Date: March 7-11, 2011

Meeting Location: St. Simons Island, GA

Issue: Regulatory Amend 9 approval

	YES	NO	ABSTAIN
CUPKA	✓		
CHEUVRONT	✓		
BOYLES	✓		
BURGESS	✓		
CRABTREE	✓		
CURRIN	✓		
GEIGER	✓		
HARRIS	✓		
HARTIG	✓		
HAYMANS	✓		
PHILLIPS	✓		
ROBSON	✓		
SWATZEL	✓		



March 10, 2011

David M. Cupka
South Atlantic Fishery Management Council
4055 Faber Price Drive, Suite 20
North Charleston, SC 29405

RE: Comments on Amendment 24 to the Snapper Grouper Fishery Management Plan for the South Atlantic Region

Dear Chairman Cupka:

Please accept the following comments on behalf of the Recreational Fishing Alliance (RFA)¹ in regards to Amendment 24 to the Snapper Grouper Fishery Management Plan for the South Atlantic Region. The amendment poses to a rebuilding plan and other actions for red grouper. RFA believes the situation with red grouper illustrates the very shortcomings of the nation's federal fisheries law, Magnuson Stevens Fishery Conservation and Management Act (MSA). By all accounts, the red grouper stock is rebuilding at a very strong rate. Figure 4 in SEDAR 19 shows a spawning stock biomass (ssb) increase in red group over 400% from 1985 to the terminal year of the assessment. Furthermore, ssb estimates for 2007 and 2008 are the second and third highest in the past 35 year time series as illustrated in Table 6. in the same document. Based on all available information, the rate and magnitude of rebuilding in the red grouper stock can only be described as a success. This marked increase in stock size is predicted to have occurred during a period when overfishing was occurring. The empirical data clearly suggests that status quo would continue to have a very positive impact of the overall stock and therefore RFA supports that position.

Specific to the proposed action items in Amendment 24, RFA offers the following comments.

2.1 Maximum Sustainable Yield. RFA supports Alternative 1 which maintains the current definition of Maximum Sustainable Yield (MSY)

2.2 Minimum Stock Size Threshold. RFA supports Alternative 1 which maintains the current definition of minimum stock size threshold.

2.3 Rebuilding Schedule. RFA does not support any of the alternative provided under this action item. RFA believes the rebuilding schedule should not be arbitrary but based on the biological characteristics of the stock and its productivity under the current environmental conditions. Therefore, RFA supports setting the rebuilding timeframe to 10 years plus one generation unit.

¹ The Recreational Fishing Alliance (RFA) is a national, 501(c)(4) non-profit grassroots political action organization that has been representing individual sport fishermen and the sport fishing industry since 1996. The RFA Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs and ensure the long-term sustainability of U.S. saltwater fisheries. RFA members include individual anglers, boat builders, fishing tackle manufacturers, party and charter boat businesses, bait and tackle retailers, marinas, and many other businesses in fishing communities.

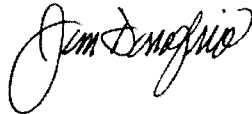
2.4 Rebuilding Strategy. RFA does not support any of the alternatives provided under this action item. The fishing mortality rate associated with optimum yield should be set at a rate consistent with achieving 90% of maximum sustainable yield.

2.5 Allocations and Sector Annual Catch Limits. RFA supports Option 2e which would set the commercial catch limit at 45% of the overall annual catch limit and the recreational catch limit at 55%.

2.6 Management Measures. RFA supports the immediate lifting of the recreational seasonal closures in light of landings data included in the scoping document that the only 40% of total red grouper landings are attributed to the recreational sector.

In closing, the RFA is urging the South Atlantic Fishery Management Council to reject the bad science and analysis being produced by NOAA and to require that NOAA and NMFS comply with the Congressional mandate that required that fatally flawed MRFSS to be replaced by January 1, 2009. While some improvements to MRFSS are being made, it will be years before this new system is calibrated to the previous system and all its biases are identified. This must be accomplished prior to any new regulations or changes to the existing regulations be made. We further urge that all regulations passed since January 1, 2009 to be rescinded and regulations be reinstated to the status quo of January 1, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Donofrio", written in a cursive style.

Jim Donofrio
Executive Director



March 10, 2011

David M. Cupka
South Atlantic Fishery Management Council
4055 Faber Price Drive, Suite 20
North Charleston, SC 29405

RE: Comments on Amendment 22 to the Snapper Grouper Fishery Management Plan for the South Atlantic Region

Dear Chairman Cupka:

Please accept the following comments on behalf of the Recreational Fishing Alliance (RFA)¹ in regards to Amendment 22 to the Snapper Grouper Fishery Management Plan. RFA acknowledges that the objective of Amendment 22 is to explore management options for red snapper if harvest is allowed as the stock continues to rebuild. However, RFA contends that recreational anglers should not have been excluded from the red snapper fishery under Amendment 17A. RFA points out that there has been only partial implementation of the Magnuson Stevens Fishery Conservation and Management Reauthorization Act (MSA) signed into law in 2007. National Marine Fisheries Service (NMFS) has selectively enforced provisions of MSA to the detriment of recreational fishing community. In particular, NMFS has failed to fully implement section 401(g) which deals with recreational data collection programs. Yet, NMFS has moved forward with sections 304(e)(3) and 303((a)(15) which demand a far more accurate and reliable recreational data collection system than is currently available.

Of further concern, the stock assessments for red snapper and most other species under the snapper grouper fishery management plan are primarily driven by recreational catch estimates. Much of the information used to develop red snapper rebuilding objectives and biological reference points are derived using recreational catch estimates prior to the implementation of MRFSS in 1980. This is not a responsible way to manage this critically important recreational fishery.

RFA finds it completely unacceptable to base so much of the assessment and management of this tremendously important recreational fishery on historical catch and harvest estimates from years when a data collection program was not even in place. Until NMFS fully complies with section 401(g), RFA does not support restricting recreational anglers from the red snapper fishery.

Specific to the alternatives contained in Amendment 22, RFA offers the following positions.

¹ The Recreational Fishing Alliance (RFA) is a national, 501(c)(4) non-profit grassroots political action organization that has been representing individual sport fishermen and the sport fishing industry since 1996. The RFA Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs and ensure the long-term sustainability of U.S. saltwater fisheries. RFA members include individual anglers, boat builders, fishing tackle manufacturers, party and charter boat businesses, bait and tackle retailers, marinas, and many other businesses in fishing communities.

Alternative 1. RFA supports returning to a 20-inch minimum size limit in the recreational red snapper fishery. This size limit resulted in sustained rebuilding from the mid-1990's as illustrated in SEDAR 24. However, it may be necessary to address this minimum size limit in the future. As the red snapper stock continues to increase, there may be a benefit of exploring alternative minimum size limits as a way of reducing the overall number of fish killed through recreational discard mortality.

Alternative 3 RFA supports sub-Alternative 3a, a two fish bag limit for the recreational sector. Similar to the above supported minimum size limit, a two fish bag limit was in place during the period of marked growth in the red snapper population. The combination of a 20 inch minimum size limit and a 2 fish bag limit has had a very positive effect on the red snapper stock. RFA supports implementing these regulations in the recreational red snapper fishery.

Alternatives 4-7. RFA does not support catch share programs for commercial and for-hire sectors and tag programs in the recreational sector.

Alternatives 8-10. RFA is opposed to the implementation of catch share programs in the recreational red snapper. Please see the testimony provided by the RFA to the House Subcommittee for Fisheries, Wildlife, Oceans and Insular Affairs on April 22, 2010, <http://naturalresources.house.gov/UploadedFiles/DonofrioTestimony04.22.10.pdf>.

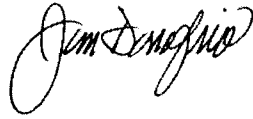
Alternative 11. RFA does not support a red snapper spawning season closure from July through September annually. SEDAR 24 clearly illustrates marked rebuilding beginning in the mid-1990's and continuing through the terminal year. During this period, no spawning season closures were in place. In fact, the highest recorded year class occurred in 2006 when no spawning season closures were in place. A more productive management measure would be to increase reef building efforts to supplement red snapper habitat.

Alternative 12. RFA supports the use of circle hooks, venting tools, and dehooking devices in the recreational red snapper fishery. These devices have been thoroughly evaluated and found to reduce discard mortality rates in the recreational hook and line fishery. The recreational TAL should be adjusted upwards to account for the savings achieved by reducing the recreational discard mortality rate.

Alternative 13. RFA does not support the establishment of red snapper special management zones.

In closing, the RFA is urging the South Atlantic Fishery Management Council to reject the bad science and analysis being produced by NOAA and to require that NOAA and NMFS comply with the Congressional mandate that required that fatally flawed MRFSS to be replaced by January 1, 2009. While some improvements to MRFSS are being made, it will be years before this new system is calibrated to the previous system and all its biases are identified. This must be accomplished prior to any new regulations or changes to the existing regulations be made. We further urge that all regulations passed since January 1, 2009 to be rescinded and regulations be reinstated to the status quo of January 1, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Donofrio". The signature is fluid and cursive, with the first name "Jim" being more prominent and the last name "Donofrio" following in a similar style.

Jim Donofrio
Executive Director



March 10, 2011

David M. Cupka
South Atlantic Fishery Management Council
4055 Faber Price Drive, Suite 20
North Charleston, SC 29405

RE: Comments on Amendment 21 to the Snapper Grouper Fishery Management Plan (FMP) for the South Atlantic Region

Dear Chairman Cupka:

Please accept the following comments submitted on behalf of the Recreational Fishing Alliance (RFA)¹ on Amendment 21 to the Snapper Grouper Fishery Management Plan. The RFA objects to the intent of Amendment 21 to establish catch share programs for nine stocks subject to overfishing in the FMP. While directed towards the commercial components of these fisheries, RFA opposes the use of catch shares because this amendment does not address the issue of commercial/recreational allocation. RFA cannot support any commercial measure that grants commercial permit holders exclusive ownership of a resource without first addressing allocation. Therefore, RFA supports Alternative 1 for Action 1 through 28.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Donofrio".

Jim Donofrio
Executive Director

¹ The Recreational Fishing Alliance (RFA) is a national, 501(c)(4) non-profit grassroots political action organization that has been representing individual sport fishermen and the sport fishing industry since 1996. The RFA Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs and ensure the long-term sustainability of U.S. saltwater fisheries. RFA members include individual anglers, boat builders, fishing tackle manufacturers, party and charter boat businesses, bait and tackle retailers, marinas, and many other businesses in fishing communities.



March 10, 2011

David M. Cupka
South Atlantic Fishery Management Council
4055 Faber Price Drive, Suite 20
North Charleston, SC 29405

RE: Comments on the Comprehensive Annual Catch Limit (ACL) Amendment to the South Atlantic Region

Dear Chairman Cupka:

Please accept the following comments from the Recreational Fishing Alliance (RFA)¹ in regards to the Comprehensive ACL Amendment to the South Atlantic Region (Amendment). RFA is troubled by this amendment and its potential impacts on the recreational fishing community due to the failure of National Marine Fisheries Service (NMFS) to make necessary improvements to recreational data collection programs. It is patently unfair to punish the recreational sector for NMFS's failure to comply with federal law.

Action 3: RFA supports Alternative 1 (No Action) for the establishment of multi-species groupings for the Snapper Group Fishery Management Unit (FMU). All species should be managed as individual species and should not be subject to closures due to the status of one fish in the group.

Action 4: RFA supports Alternative 1 (No Action) for the establishment of an Acceptable Biological Catch (ABC) Control Rule for Snapper Grouper species. RFA does not support an ABC Control Rule for species in the Snapper Grouper FMU. RFA contends that there is not an adequate recreational data collection program in place at this time that can accommodate this mandate. The regulations that were in effect prior to the enactment of Amendment 17A and 17B were working well and the stocks exhibited sustained rebuilding during that period.

Action 5: RFA supports Alternative 2 which would specify allocation for Snapper Grouper Species that do not currently have allocations. RFA supports dividing allocation between two sectors, commercial and recreational, using the following equation: Allocation by sector = $(0.5 \times \text{catch history}) + (0.5 \times \text{current trend})$. This allocation should be for all fish and all catch history, including the red snapper benchmark, should be reset to the 1986 fishing year. If there is an allocation to be set, it should be 97% to the recreational sector and 3% to the commercial sector.

Action 6: RFA supports Alternative 1 (No Action) to establish annual catch limits (ACLs) and Optimum Yield (OY) for the Snapper Grouper Fishery. RFA supports retaining existing ACLs

¹ The Recreational Fishing Alliance (RFA) is a national, 501(c)(4) non-profit grassroots political action organization that has been representing individual sport fishermen and the sport fishing industry since 1996. The RFA Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs and ensure the long-term sustainability of U.S. saltwater fisheries. RFA members include individual anglers, boat builders, fishing tackle manufacturers, party and charter boat businesses, bait and tackle retailers, marinas, and many other businesses in fishing communities.

for Snapper Grouper species or species groups. RFA does not support specifying ACLs for species that do not have them.

Action 7: RFA does not support any of the alternatives under this action item. When the recreational annual catch target is exceeded for any fish then the council should review the matter at the next meeting. RFA believes the NMFS Regional Administrator should not be given the authority to make such decisions.

Action 8: RFA does not support any of the alternatives under this action item. Allocation for wreckfish must be set at 50/50 between the commercial and recreational sectors.

Action 14: RFA supports Alternative 1 (No Action) for establishing ACLs and OY for black grouper. RFA supports retaining existing aggregate recreational and commercial ACLs for black grouper, red grouper, and gag.

Action 15: RFA does not support any of the alternatives under this action item. When the recreational annual catch target is exceeded for fish then the council should review the matter at the next meeting. RFA believes the NMFS Regional Administrator should not be given the authority to make such decisions.

Action 16: RFA supports Alternative 1 (no Action) to establishing an acceptable biological catch (ABC) control rule and ABC for dolphin.

Action 17: RFA support Alternative 1 (No Action) to continue the allocation for dolphin specified in the Dolphin Wahoo Fishery Management Plan (FMP) which is 13% commercial and 87% recreational.

Action 18: RFA supports Alternative 1 (no Action) under this action item. There should be ACL specified for dolphin. The present regulations are working well and do not need to be changed.

Action 19: RFA supports Alternative 1 (No Action) under this action item. RFA does not specifying sector ACTs or AMs for dolphin.

Action 20: RFA supports Alternative 1 (No Action) under this action item. RFA supports retaining current management regulations for Dolphin.

Action 21: RFA support Alternative 1 (No Action) under this action item. RFA opposes the establishment of an ABC control rule for wahoo.

Action 22: RFA supports Alternative 1 (No Action). Allocations for wahoo should not be defined.

Action 23: RFA supports Alternative 1 (No Action) under this action item. RFA does not support the establishment of ACLs and OY for wahoo.

Action 24: RFA supports Alternative 1 (No Action) under this action item. There should be no hard quota or AMs in place for wahoo.

Action 25: RFA supports Alternative 1 (No Action) under this action item. RFA supports maintaining current management measures for wahoo.

Action RFA position: We support Alternative 1 (No Action). Retain current management measures for wahoo.

In regards to ACL and OY for Sargassum, RFA believes there should be no harvesting of Sargassum. Sargassum has been identified as essential fish habitat for numerous fish species important to the recreational sector.

In closing, the RFA is urging the South Atlantic Fishery Management Council to reject the bad science and analysis being produced by NOAA and to require that NOAA and NMFS comply with the Congressional mandate that required that fatally flawed MRFSS to be replaced by January 1, 2009. While some improvements to MRFSS are being made, it will be years before this new system is calibrated to the previous system and all its biases are identified. This must be accomplished prior to any new regulations or changes to the existing regulations be made. We further urge that all regulations passed since January 1, 2009 to be rescinded and regulations be reinstated to the status quo of January 1, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Donofrio", written in a cursive style.

Jim Donofrio
Executive Director



March 10, 2011

David M. Cupka
South Atlantic Fishery Management Council
4055 Faber Price Drive, Suite 20
North Charleston, SC 29405

RE: Comments on Amendment 9 to the Snapper Grouper Fishery Management Plan for the South Atlantic Region

Dear Chairman:

Please accept that following comments submitted on behalf of the Recreational Fishing Alliance (RFA)¹ in regards to Regulatory Amendment 9 to the Snapper Grouper Fishery Management Plan for the South Atlantic Region. The four action items proposed in Amendment 9 are directed at the commercial components of the black sea bass, vermillion snapper gag and greater amberjack fisheries. However, these actions stand to have an impact of the recreational components of these fisheries.

Action 2: RFA supports Alternative 6 to establish a 400lb gutted weight (444lb whole weight) commercial trip limit for vermillion snapper.

Action 3: RFA supports Sub-Alternative 3a to establish a 750lb gutted weight (885lb whole weight) trip limit and a 100lb gutted weight (118lb whole weight) trip limit when it is determined that 75% of the commercial annual catch limits is projected to be met.

Action 4: RFA supports Alternative 1 (No Action) under this action item. RFA does not support the increase of commercial trip limits in the amberjack fishery.

Sincerely,

A handwritten signature in cursive script, reading "Jim Donofrio".

Jim Donofrio
Executive Director

¹ The Recreational Fishing Alliance (RFA) is a national, 501(c)(4) non-profit grassroots political action organization that has been representing individual sport fishermen and the sport fishing industry since 1996. The RFA Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs and ensure the long-term sustainability of U.S. saltwater fisheries. RFA members include individual anglers, boat builders, fishing tackle manufacturers, party and charter boat businesses, bait and tackle retailers, marinas, and many other businesses in fishing communities.

The following statements have been endorsed by

100 Fathom Fishing Club - www.100ffc.com
Central Florida Offshore Anglers - www.centralfloridaoffshoreanglers.com
Deep-Blue-Sea.org - www.deep-blue-sea.org
Florida Sport Fishing Association - www.fsfclub.org
Flagler County Sportfishing Club - www.fcsportfishing.com
Fort Pierce Sportfishing Club - www.ftpiercesportfishingclub.com
Halifax Sport Fishing Club - www.hsfc.com
Sebastian Inlet Sportfishing Association - www.fishsisa.com
Fishing Rights Alliance - www.thefra.org
Recreational Fishing Alliance - www.joinrfa.org
Coastal Angler Magazine of NE Florida
Castaway Publishing of St Augustine

Presented by John Barber before the South Atlantic Fisheries Management Council March 10th, 2011 at St Simons Island, Georgia

Background:

The MS-RA-2007 instructed NOAA/NMFS to fix its fatally flawed science and data by Jan 1, 2009. The intent was that once critical science and data issues were resolved, NOAA/NMFS would aggressively enact measures to end overfishing by Jan 1, 2010. Many of the science and data deficiencies that needed to be addressed were clearly pointed out by a Blue Ribbon panel of the best scientist in the country in the National Research Council of the National Academy of Science report to Congress. In summary, and I quote from the text presented to Congress, "The designs, sampling strategies, and collection methods of recreational fishing surveys do not provide adequate data for management and policy decisions." Reviews were done in 2002, 2004, 2006, and consistently highlighted the same deficiencies. The deadline of Jan 1, 2009 is over 2 years late, and still most of the items identified have not been corrected. Instead of an aggressive campaign to reform core science and data deficiencies, we have watched \$54 Million budgeted for Catch Shares, \$40 Million for Spatial Planning, and another \$18 Million requested to be reallocated from Fishery Science and Research to Catch Shares implantation.

It has become apparent that NOAA/NMFS is intentionally neglecting the MSA-RA-2007 mandate to address core science and data issues. This is not what Congress

intended or instructed in the MSA-RA-2007. NOAA/NMFS/SAFMC is now operating in contempt of Congress and we are petitioning Congress and the Inspector General's office of the Commerce Department to investigate the deliberate and intentional disregard of the Jan 1, 2009 deadline, and the subsequent aggressive implementation of fisheries management policies with the full knowledge that the underlying science and data was, is, and continues to be inadequate for proper management and policy decisions. We are demanding that the leaders in NOAA/NMFS/SAFMC give a full accounting of why they did not meet the prescribed deadlines, why they did not notify Congress of the non-compliance, and why they continued to enact management policies knowing that they did not have the Congressionally required science and data foundation.

Requested Guidance in making future decisions:

We are petitioning the SAFMC to use its best judgment in reevaluating recent rules, and in the creation of new ones considering it is being asked to make them without the benefit of competent science and timely or accurate data. The council has had heard the comments and testimony of thousands of fisheries users from all sectors that have overwhelmingly stated that what the scientist have represented before the council has not matched what they have seen on the water. Several distinguished scientist have reviewed and identified serious errors in SEDAR 15 which have been repeated in SEDAR 24. All parties have agreed that there is a large discrepancy between what has been observed on the water, and what has been reported by the science.

The MSA-RA-2007 intended on giving greater weight and voice to the science and data, but it was assumed that this would be after critical flaws in the science and data system had been addressed. When it was reported that the Red Snapper stock was down to 3%, it should have been obvious to anyone even remotely connected to that fishery that there was a huge error in measurement and science. SEDAR 15 was the poster child for how bad the science and data systems are. SEDAR 24 continues to have many of the same flaws.

We are requesting that until NOAA/NMFS meets the science and data reforms prescribed by Congress in the MSA-RA-2007 that the Council weigh the science

and data submitted by NOAA/NMFS against known deficiencies and biases. These biases include sample selection biases from all sectors, uncertainty in mortality rates, little fisheries independent data, useless and misused recreational survey system, and scientifically unfounded estimates for items which there are no supporting data.

Since the SAFMC does not have the benefit of the science and data reforms, we are asking that the Council use its own discretion in weighing science and data that is presented to the Council. In a perfect world, the Council and the stakeholders in the fisheries would be able to trust the science as presented, but after 2 years, it is apparent that Congress, the Federal Court system, or some external force will be required to intervene to get NOAA/NMFS to come into full compliance with the MSA-RA-2007. The Council has been put in a nearly impossible position of implementing fisheries management actions without the benefit of competent science and timely accurate data. We will do all we can do through the Congress, the federal court system, and the Inspector General's office to get NOAA/NMFS into full compliance with the MSA-RA-2007. We are asking the Council to do all it can to evaluate the science and data it is presented based on its known limitations before making decisions.

Specific action regarding Red Snapper

We are asking that the Council take action in reopening the Red Snapper fishery. The SEDAR 15 which lead to the interim rule has been discredited and many of the problems with that SEDAR were replicated in SEDAR 24. This unnecessary closure combined with the simultaneous Grouper, Sea Bass, Vermillion, and other closures has caused huge economic and social harm during the worst economic down turn in a generation. The perceived need for these closures is not based on a sudden decline in these fisheries or increase in fishing pressure, but instead, illustrates a horrible science and data system. This is compounded by a management council that is so out of touch with the state of these fisheries, it has accepted the science and data at face value. From an abundance viewpoint, with few exceptions, most of the fisheries in the South Atlantic were expanding under the pre-closure rules.

I would like to bring the following items regarding the Red Snapper closure to the attention of Council:

- **Selection Biases**

One of the consistent blind spots in the data used in SEDAR 15, and repeated in SEDAR 24 was the lack of fisheries independent data. This has been known for many years, talked about for years, but there still is a huge blind spot. It is impossible to accurately create data, or to correctly bias existing fisheries dependent data when you have nothing to compare it against. I would like to offer some observations on the existing fisheries dependent data that makes up the bulk of the data used in SEDARs 15 and 24. If you look at fish caught by commercial anglers, party boats, and tournament anglers, you would see 3 completely different sets of data based on what the fishermen was trying to accomplish.

A commercial angler is attempting to fill a trip limit with the least amount of expenses. Most consumers and restaurants prefer smaller “plate” size fish, and if there is any size selection, it would be to harvest smaller/younger fish. They congregate in mass, are closer to port, can be collected quicker, and frequently bring better prices.

A party boat is looking for constant action for the least expense, which is primarily fuel. They are fishing at anchor on larger reef systems that are easier to position at depths rarely exceeding 90 feet. In most cases they are fishing using small cut bait with average utility grade rod and reels spooled with monofilament line. The skills and experience of the individual angler are usually average or below. All of these factors tend to lead to overall smaller sized fish.

Tournament anglers tend to have greater skill, better equipment, deeper knowledge, and the ability to seek out many different locations to fish. They tend to fish deeper, with large live baits, and specifically target large fish. They may come back to the dock with only a few fish, but these will be larger fish.

The age and size of these fish was determined by the method of obtaining the fish, not the population that exist. Larger fish do exist, and the fact we have had

some huge recruitment classes proves they are there, and they are reproducing. When commercial longlining ceased, we stopped seeing these larger fish in the data because that was the only fisheries dependent source that consistently targeted them. Those larger, older fish are there, and for the most part, are not being fished by the majority of the sectors. The fisheries dependent data that comprises almost all of the available data is dependent on what the fisherman targets, not what is in the ocean. Most of the data used has come from commercial and party boats.

Before the interim closure, recreational bag limits and commercial trip limits were the rule, not the exception. The fish were and still are there, and the Red Snapper fishery was and still is expanding. NMFS science even showed the fishery was growing. It is the data selectivity that created an age truncation where none exist. The fact that we have large recruitment classes and an expanding biomass since the 2 fish 20 inch recreational limits is proof that this fishery is well on the way to recovery and can continue to expand with a 2 fish recreational limit.

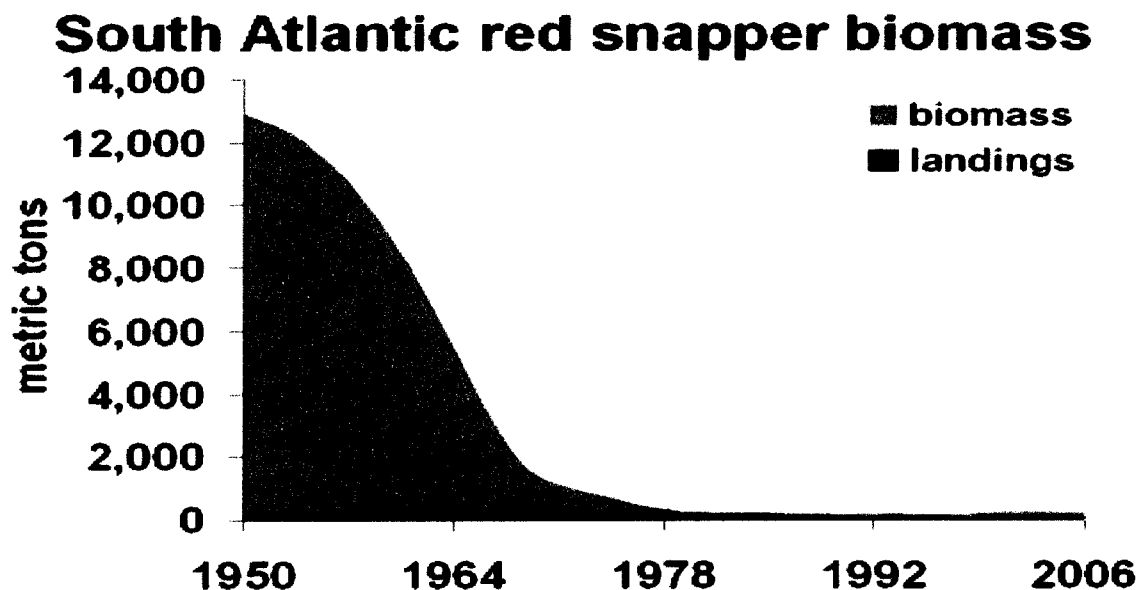
- Reduced Fishing Pressure

Fishing pressure in the South Atlantic has decreased by over 50%, and by some estimates 75% over the last 4 years. MRFSS itself has indicated a 50% decline in the last 4 years, and charter operators that are still in business are reporting a 60% decrease in trips over the last 4 years. This factor alone should have fisheries managers questioning the need for any closures of any species unless there is a clear indication that a species or fishery is at risk. This is the only data point that fishery managers can be 100% confident in. Of all the unknowns the Council has to weigh, this is something that is very well known and understood. Continued closures only add to the economic devastation which has led to the historic participation reduction. There has not been a collapse in the Red Snapper fishery. Instead, there has been a collapse in the fisherman that used to fish in the South Atlantic. There is no indication that when the Red Snapper fishery is reopened there will be a return to earlier levels. Many participating in this fishery no longer own boats. Those that still have boats do not have the financial resources to make trips with fuel approaching 4 dollars a gallon. Alcohol enriched gas has

destroyed the fuel systems and engines of many boats that have not been used in 6 months creating a huge maintenance and repair cost for vessel owners. Every economic factor that affects participants in this fishery has contributed to more than a 50% reduction in participation by all sectors in the South Atlantic.

- **Unrealistic Target Biomass**

The target biomass the Council has chosen for Red Snapper is incorrect, and is based on a guess of what the biomass was more than 30 years before there was any scientific data. NOAA/NMFS has created data where none exists by picking and choosing historical records to extrapolate a mythical biomass model that did not exist before 1980. It would be hard to imagine an agency that can't measure and model current data having the ability to accurately extrapolate historical data where little or no actual data exist. The NOAA chart below shows that landings have been constant, but biomass plunged between 1945 and 1972.



(source: NOAA Fishwatch January 2010)

This collapse coincides with the usage of extrapolated data previous to 1972. Curiously enough, there is NO catch at age data before 1972. In addition, it would be hard to explain how landings have stayed constant during that period if biomass decreased the reported 97%. Finally, if one were to add up all the

landings, cumulatively, they would not even be 10% of the decrease in the biomass. If all these fish actually existed, where did they go? We demand that the reference data be moved from 1945 to 1980, when actual catch at age data collection began. Even though this system is flawed, a bias factor could be attributed to the data, and evenly applied across all years from 1980 till present. To use the 1945 reference point is scientifically and statistically irresponsible.

The fact that the Council allowed this to be the target biomass questions the ability of the council to perform a sanity check on data presented to it. There is no scientific or biologic explanation for this number and continued use of it effectively closes the Red Snapper fishery forever. At some point, this will have to be revisited, and the Council has the responsibility to question obvious data errors and estimates. The Council needs to move the date to 1980, and go from there. Finally, we have made repeated request to NOAA/NMFS to begin performing genetic diversity studies to determine population trends, both historic and current. There is historic genetic material available from which it would be easy to determine the degree of genetic truncation due to a population collapse. If the target biomass NOAA/NMFS has selected is correct, and we are at 93-97% of that value, genetic truncation would be obvious. This has been used in many other management areas, and fills a huge hole when there is a gap in both historic and current data sets.

- Unstudied Environmental and Habitat Issues

Neither SEDAR 15 nor SEDAR 24 has addressed degraded habitat or changing environmental issues. Red Snapper, along with all bottom fish are dependent on structure. Beach renourishment has silted in many near shore nursery reefs. In addition, commercial rock shrimping and other deep water bottom trawling activities have destroyed large areas of the Oculina reef systems along with live bottom areas in the shallower rolldown and 21 Fathom ridges. These destructive activities regulated and allowed by the government for decades have diminished the capacity of the South Atlantic to support the biomass it once did. Even if the exact number of the Red Snapper biomass could be determined 50 years ago, it would be impossible for the existing areas in the South Atlantic to support the

same populations. Allowances for this must be made in determining the target recovered biomass.

Weather and sea conditions need to be included in recreational survey estimates. There are months when there are only 3-5 fishable days per month with only 1 or 2 of them being weekend days. In looking at the recreational data extrapolation for recreational trips, and comparing it with historical wave buoy data from NOAA, there are some clear contradictions. The science model that generates trip estimates must take into account sea conditions. Recreational anglers tend to use smaller vessels, and the sea conditions that allow for bottom fishing must be relatively temperate compared to other types of fishing such as trolling. Trips made on border line days usually are not bottom fishing trips. The science model must incorporate weather and sea conditions to prevent continued over reporting of recreational trips.

Short term environmental events have not been factored in calculating biomass or age dispersion. The east coast is susceptible to cold water events in the summer that may affect spawning success, and actually cause Red Snapper mortality. Severe occurrences of cold water upwelling have been documented to cause fish kills. In 1882, a cold water event nearly wiped out the entire tilefish population. Although the specific effect of these events on Red Snapper populations is unknown, these events are known to occur, are measurable, and should be studied. In addition to effecting spawning success, these events may also play a major role in age dispersion. If an event were to happen every 7 years, that would kill some percentage of the population, a 28 year old fish would have faced 4 of these events in its lifetime. Depending on the percentage of effected fish, this would be a factor in the alleged age truncation.

Not measuring or accounting for environmental and habitat issues that could reduce biomass potential and contribute to age truncation is troubling. There is a strong possibility that this is a major mortality and recruitment factor, and has not been accounted for in SEDAR 15 or 24. This is especially troubling considering NMFS parent organization; NOAA is responsible for measuring and forecasting weather and has not utilized existing or current data.

- **Unproven Mortality Rate**

The recreational mortality rate of 39% used in SEDAR 24 grossly misstates the effect that recreational anglers have on the Red Snapper fishery. Without a large scale tag and release program, it is difficult to determine this. In the last 10 years, recreational anglers have become much more disciplined in venting and proper release methods, and mortality rates have dropped. In the last 5 years, recreational anglers have been catching fewer undersize fish, and since the probability of catching a legal size fish has increased, the recreational anglers are releasing fewer fish before obtaining a 2 fish bag limit. The majority of Red Snapper targeted are in less than 90' of water, and in these depths, a 39% mortality rate is too high. We have first hand evidence of divers that have watched properly vented fish swim back to the bottom, and resume feeding behaviors. In deeper water, when the probability of mortality is greater, anglers usually encounter larger fish, and rarely release fish that are caught in these depths. This mortality rate should be cut in half. Eventually, tagging and recapture programs will give us a clearer picture, but based on changes on how recreational anglers interact with the fishery, lower probabilities of encountering undersize fish, and few releases in deep water; the mortality rate should be lowered to 20%.

- **Closing**

In closing, we are asking the Council to revisit the items stated earlier, and to reopen the Red Snapper fishery. In addition, we are asking that all future actions in the South Atlantic be signed off by the Commerce Secretary as required by the MSA. It is apparent based on current closures NOAA/NMFS/SAFMC does not have a working knowledge of National Standard 8, an understanding of the economic impacts, or the sensitivity and common sense not to close virtually all bottom species at the same time. The Commerce Secretary is better suited for weighing national standard 8 economic impacts, and quite frankly, if NOAA/NMFS cannot measure fish and fishing pressure, how can they possibly estimate economic impacts of their actions.

In the meantime, we will do everything in our power through the Congress, the Federal Courts, and the Inspector General's office to make sure NOAA/NMFS has the resources, leadership, direction, motivation and accountability to comply with its Congressional mandate to provide the Council with science and data that is

adequate for management and policy decisions instead of the current best available science.

Formal Comments
South Atlantic Fisheries Management Council
March 7 – 11, 2011

- 1.) Public involvement and comment is and should always be a critical part of the management process. Please revise the Public Comment time on the agenda to reflect that priority. Providing opportunity for the Public to comment at 10:45 on Thursday morning is not a conducive time and, therefore, diminishes the value of public input in decision making. Public comment should be scheduled for an evening (6:00 p.m.) to allow for greater participation by the stakeholders in this fishery.
- 2.) I propose a limit reduction in Black Seabass instead of a season closure. Season closures during the Spring eliminate opportunities for anglers to catch Seabass when they are most plentiful off the Georgia Coast. It is the observation of the anglers and the fisheries managers that Seabass populations are on the increase. A bag limit reduction of 50% or greater significantly reduces catch on a fishery that is improving on its own. Access to the fishery year round is important to both our economy and lifestyles on the Coast.
- 3.) The fishing year for Black Seabass needs to be modified to begin on January 1st. This would make it consistent with the fishing year for other species and would allow anglers to take advantage of late winter and spring Seabass fishing. Seabass is the staple offshore fish off the Georgia Coast during the winter and spring and all efforts need to be made to allow fishing during that time.

Capt. Brooks Good
409 Whitefield Avenue
St. Simons Island, GA 31522
912-230-8957

I am Jeff Page Vice President of the Central Florida Offshore Anglers in Orlando Florida. I represent a consortium of Florida East Coast fishing clubs including the Florida Sport Fishing Association in Merritt Island, the Sebastian Inlet Sportfishing Association, The Halifax Fishing Club from Daytona Beach, the Ft. Pierce Fishing Club and the Flagler County Sportfishing Club. In total these clubs represent over 1400 recreational angling families and over 6000 recreational anglers. We promote recreational angling and provide educational opportunities to our members. We also raise thousands of dollars annually to promote conservation such as reef building and scientific study of our sport fish such as the Dolphin Tagging program. We continually reinforce the commitment that our members to be good stewards of our Saltwater resources.

the Management Councils bogus decisions. But, we cannot ignore this fact as related businesses are closing every day. Charter fleets are down to 30% or less of what they were 3 years ago, most boat dealers are out of business, marina operators are hurting, bait and tackle shops are closing and it goes on. A bad economy started the problem; the SAFMC is finishing it off. You have not only affected the livelihood of those in the business, you are affecting the very right to fish by many people that cannot afford to own their own boat and rely on the charter industry which is going out of business at a alarming rate. Closing sea bass because the annual catch limit was reached is bogus because you based the total weight on an average of 2 pounds per fish, not the reality of what is taken, a 14-18 inch fish of one pound.

So let's get back to the root cause of this travesty- inadequate data collection. Do what Magnuson Stevens dictates. Fix the science now. Rescind current closures, go back to the regulations of 2 years ago, which were working, stop this madness and be responsible to resource users, not to the well funded anti-fishing organizations such as Pew and EDF.

Let us and our children share our heritage and right to participate in these fisheries in a reasonable, responsible manner. Let our members and our organization continue to be good stewards of this resource and continue to give back to our communities.

But the biggest impact of the decisions the Councils have made is to our way of life and our right to be able to participate in the sport of fishing and keep an amount for consumption that is reasonable and sustainable.

Our members feel that the East Coast Red Snapper resource is currently not only strong enough to support a 2 fish per day recreational limit- but also healthy enough to support a reasonable commercial hook and line industry.

We also highly question the action of the South Atlantic Council in regards to Magnuson-Stevens. The fervor created to push ahead steps to "end overfishing" with best available data, when, by the Councils own documented admission the data is severely flawed.

We don't want fisheries reopened only because of the economic crisis that has been created by

clubs futures, along with degradation of a historical way of life.

They are affecting the way that our clubs operate and our ability to give back to the community. In total, the aforementioned clubs have provided over \$100,000 annually in the past few years to efforts such as artificial reef construction, dolphin fish tagging programs, environmental education, support of children and teen fishing programs and the list goes on. We are losing memberships at an alarming rate because people have become frustrated with government and even knowing that the fisheries are healthy, they feel they cannot do anything about what is happening.

Sponsorships for our fundraising programs are at an all time low. We are struggling this year with funding for existence- let alone trying to continue to give back to the community.

Our members maintain a firsthand knowledge of the health of the fishery and to be honest- where it was in decline 20 to 25 years ago, the implementation of minimum size and catch limits have worked to point we continue to see increases in most targeted species off the East coast.

We contest the data that has continually been presented that shows these fisheries to be in decline. The data is significantly flawed and being honest, if we felt that the fishery was in trouble as we did many years ago, we would be advocates of the current restrictions. Not only are the closures of the past 2 years in direct disregard for the true situation of the health of multiple fisheries, they are already having a catastrophic economical snowball effect in the State of Florida, from tourism dollars, to tackle and bait shops to charter Captains to our very

OBSERVATIONS AND RECOMMENDATIONS REGARDING MANAGEMENT OF THE SOUTH ATLANTIC FISHERIES

Conservationists are advocates for the protection of all the species in an ecosystem with a strong focus on the natural environment. **Conservation tends toward humankind's wise and sustainable use of resources, rather than hands-off preservation.**

Environmentalists seek to influence the political process by lobbying, activism, and education in order to protect natural resources and ecosystems. Environmentalists seek to improve and protect the quality of the natural environment through changes to what they view as environmentally harmful human activities.

Fisheries management draws on fishery science and input from fishermen in order to find ways to protect fishery resources so sustainable utilization is possible. Modern fisheries management is often referred to as a governmental system of appropriate management rules based on defined objectives and rules which are put in place for monitoring control and surveillance. Feelings, emotions or the demand of entitlements have no place in, and should not be considered in fisheries management.

I believe that one reason we are where we are today is because Conservationists have not been good stewards of our natural resources (grouper/snapper complex). Environmentalists have stepped forward as they have many times in the past to make Conservationists accountable for their lack of responsible use. However, the data that has been collected over the last decade is less than adequate for a truly accurate assessment of the status of our fisheries. Conservationist and Environmentalist must share the blame for this omission. Whereas Environmentalist wants to protect and not harvest; Conservationist needs to understand that in order to harvest from this natural resource, we must not push it to the edge of sustainable boundaries.

I believe that **The Magnuson Stevens Act** has given fisheries managers a **golden opportunity**. The power of a total closure which allows for pause brings the sustainability of the grouper/snapper complex into focus. Data is key to these stocks being properly assessed for future management. If our fisheries managers believe they have the absolute best data available for these stocks, the fishery should remain closed. If not, fisheries managers can still collect data and achieve the mandate to end over fishing set forth by the Magnuson Stevens Act.

For example: This time of pause allows for decisions to be made on what data should be used: a foundation for future management goals. Both recreational and commercial data has been collected for many years on the grouper/snapper complex. Today we find ourselves engaged in the act of being charged with over fishing and total closure. This cannot continue. Have fisheries managers who were conservationist possibly made

mistakes in the past because of commercial lobbyist's monetary gain? Maybe they have. During this pause we must consider what led us to over fishing. Could it have been a mistake in allowing **individual commercial quota permits** to be issued? Or was it the short sightedness of fisheries managers not accounting for future growth of the **human population**? All parties must share this natural resource equally. The recreational sector should be used as a foundation for future fisheries management. With better data, fisheries managers could factor in public harvest and factor in measures for human population growth.

How can the Magnuson Stevens Act end over fishing, rebuild the stocks biomass, and achieve its mandate?

- By opening the fishery in parts to allow for foundation base data to be collected for future fisheries management. (Two years)
- Allowing only the recreational sector to fish.
- By setting aside commercial's quota Total Allowable Catch (TAC's) used at this time to rebuild grouper/snapper complex and enhance biomass of fish stocks.
- By eliminating the harmful effects of 90% dead discards of under size fish caused by high-speed electric and hydraulic gear.
- Reducing creel limits.
- Placing the commercial sectors TAC's in a "lock box" for stock rebuilding.
- Allowing to open only the 25% estimated recreational harvest.
- Eliminating commercial sale of fish under the bag limit for monetary gain.
- Each state must be responsible for collecting data.
- Setting the guidelines for data collection by the South Atlantic Fisheries Management Council.
- Strict law enforcement of creel limits.
- By considering tackle limitations to hand held rod and reel only. This will reduce mortality rate of by-catch and undersized fish.
- By receiving open and transparent data interpretation by the South Atlantic Fisheries Management Council.
- Determining if Individual Transferable Quota (ITQ's) permits need to be reviewed based on new fishery science collection during this time.

BENEFITS OF THE MAGNUSON STEVENS ACT

- Magnuson Stevens Act will be credited with historical transformation for management of a Natural Resource (grouper/snapper complex).
- Where recreational and commercial sectors collide, fisheries managers need to consider human population and growth first before considering individual commercial monetary gain.
- Fisheries managers will allow for growth of human population in fisheries management decisions.

- By-catch at extremely high ratios will no longer be considered acceptable in the commercial or recreational harvest of any fishery resource.
- The grouper/snapper complex will be sustainable for continuing use.
- The importance of Environmentalist is to balance Conservationist who strayed too far from wise sustainable human use of a natural resource.
- Allow the coastal economies the benefits that tourism offers and the benefit of humans sharing equally in this resource during this trial period.
- Job growth: Aquaculture will replace the need to harvest wild fish stocks for commercial consumption.
- Mariculture will become a more viable alternative.
- Allow people to see fisheries management is not based on entitlements regulated by feelings or emotions, but based on actual fish counts and fishery science.

ADVERSE EFFECTS

- The unintended affect of the entire grouper/snapper complex being closed has already shifted the huge burden of federal waters being over fished to State waters becoming over fished
- Most humans who harvest fish under creel limits or the people that just care about their environment in state and federal waters are starting to see a dark side of one of the most important pieces of fisheries legislation for management that has ever been penned to paper in U.S history.
- Loosing public opinion. The longer federal fisheries managers wait to do what the vast majority of people know makes sense and is truly understandable.

Precedent / Observations

- The **Lacey Act of 1900**, or more commonly **The Lacey Act** (16U.S.C. §§ 3371–3378) was the first federal law protecting wildlife which prohibited commercial hunting of waterfowl,
- Research the evolution that sculptured federal laws that governed ducks and geese today and the success of state game laws which protects our wildlife resources.
- A good example of no commercial harvest of a wildlife natural resource is turkeys. The benefit is that the natural resource is not impacted for the convenience of commercial consumption.
- Over time all states involved acted with resposible commitment to help govern this wild natural resource. It achieved what the Magnuson Stevens Act was created for, a sustainable useable natural resource.

The “gold rush” that caused the need for the Lacey Act’s implementation was due to gun power, punt guns, pump shot guns and simi-automatic shotguns. We see the exact same thing occuring today. The use of new tools for the trade and a need to stop over

exploitation of a natural resource, i.e., fiberglass boats, bigger and more efficient diesel engines and outboard engines using up to 350 hp. A short time ago, we only had a compass and radar to navigate the seas. Now, we have Global Positioning System (GPS) and colored depth recorders. Because of technology anyone can find structure and return to the exact position day and night. GPS units can hold the exact positions of a multitude of coordinates and GPS numbers that can be shared, via satellite phones and the internet with individuals who have never even been to that location before, with pin point accuracy.

Defence Mapping Agency charts (DMA's), bathymetric charts which is the submerged equivalent of an above-water topographic map. These charts are designed to present accurate, measurable descriptions and visual presentation of the submerged terrain. With onboard ice makers, boats are allowed to stay at sea for weeks. The new high speed gear on commercial boats can handle incredible torque which can literally rip fish from the sea floor. Multiple hook rigs can devastate under sized red snapper and grouper day and night for weeks on end. One commercial boat can wrought damage in an unmanageable level. Many commercial fisherman believe by-catch is unfortunate but acceptable because fisheries managers have permitted their actions. Imagine what the whole commercial sector is capable of. The oceans cannot be considered so vast any more. Human population and its growth potential must be allowed time to be considered with proper data assessment before any individual commercial activity is allowed to begin.

These are my opinions about this issue. I would be glad to answer any questions.

Professional and personal background

Commercial fishing under (ITQ's).
Commercial fishing under recreational bag limits
Commercial shrimping
Commercial crabbing with quota permit
Served on GA DNR shrimp council. Representing recreational sector.
Recreational fishing
Scientific special permit for wild fish capture (saltwater)
Charter fishing
President of Golden Isles Charter Fishing Assoc., Inc.
Host speaker for Atlanta GA fisharama (one year)
Host speaker for Perry GA fishing expo (one year)
TV shows: host "Capt. Mark Noble Outdoor Journal"



Mark Noble
124 Harwell Dr.
St. Simons Island, Ga. 31522
(912) 634-1219

February 28, 2011

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.

COUNCIL SESSION
March 10, 2011
St. Simons Island, GA

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	P.O. BOX/STREET CITY, STATE & ZIP
Chris Corbett	386-760-0720	5743 STEWART Ave. Port Orange FL 32127
Debbie Laney	386 871 9544	107 Judges Ln Port Orange FL. 32129
David Gibbs	386 522-5589	769 Kenwood Dr. Port Orange FL 32129
Paul Nelson	786-682-4944	736 Merrilee Dr Port Orange FL 32127
Bob Surrency	904 759-2057	6652 Shadydale Dr Jacksonville 32277
Jimmy Hill	(386) 547-1254	111 West Grandd Ave. Orlando Beach FL 32174
Frank Helles GSAFF	813 286 8390	TAMPA, FL
Lee Ann Newber	910-620-5817	901 W. yacht Dr. Charleston SC
Wm Toddson	305-852-5459	156 Dove Ave, Tallahassee, FL 32307

South Atlantic Fishery Management Council
 4055 Faber Place Drive, Suite 201
 North Charleston, SC 29405
 843-571-4366 or Toll Free 866/SAFMC-10

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.

COUNCIL SESSION

March 10, 2011

St. Simons Island, GA

NAME &
ORGANIZATION

AREA CODE &
PHONE NUMBER

P.O. BOX/STREET
CITY, STATE & ZIP

Robert Davis

772-370-4163

5106 Palmdale St. P. Ft.

Buc Kery

305-619-0039

O. ReCo20

South Atlantic Fishery Management Council

4055 Faber Place Drive, Suite 201

North Charleston, SC 29405

843-571-4366 or Toll Free 866/SAFMC-10

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.

COUNCIL SESSION March 11, 2011 St. Simons Island, GA

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	P.O. BOX/STREET CITY, STATE & ZIP
Ellen DeLuca	843-242-7591	Charleston SC
Samantha Fort-Minner	727-482-2368	St Pete FL
Frank Heiles GSATF	813-286-8390	Tampa, FL
Ken Sh	910-620-5847	907 W Yacht Dr Oak Island NC
Paddy O'Brien	386-239-0948	32120-9351
Tolly Binn	850-322-7845	Tallahassee, FL
Robert Curran	772-776-4163	Ft. Pierce FL 34902
Charles A. Wilson	cell (912) 223-7640 off (912) 265-9010	805 Gloucester St. Brunswick GA Room 304 31522
U.S. Congressman Doc R. Kingston	Charles.wilson@mail.house.gov	

South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405
843-571-4366 or Toll Free 866/SAFMC-10



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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

John Brd Daniel

TELEPHONE NUMBER (& AREA CODE)

912-638-7677

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

512 Vassar Point Drive St. Simons, Ga. 31522

EMAIL ADDRESS (IF APPLICABLE)

dani7706@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

E. CRAIG STALNAKER

TELEPHONE NUMBER (& AREA CODE)

912-230-0062

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

P.O. Box 20585, St. Simons Isl GA 31522

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea

Bass



Reg 9

(trip limits)



Other

(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)

[Handwritten signature]



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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Charles A. Wilson

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

4207 Tenth St. St. Simons, Ga. 31522

EMAIL ADDRESS (IF APPLICABLE)

Charles.wilson@mail.house.gov

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

U.S. Congressman Jack Kingston 1st Dist. Ga.

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea



Bass



Reg 9

(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Julie Califf

TELEPHONE NUMBER (& AREA CODE)

912-264-7218

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

Ore Conservation Way Brunswick, GA 31520

EMAIL ADDRESS (IF APPLICABLE)

julie.califf@ga-dnr.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒ NO

☐ YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

David Beard

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

612 Beach Drive

EMAIL ADDRESS (IF APPLICABLE)

beard315@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Bill Butler

TELEPHONE NUMBER (& AREA CODE)

912 230 3675

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

65 Burgess Circle Bwk 64 31523

EMAIL ADDRESS (IF APPLICABLE)

None

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

GFA

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Don Kent

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

117 Druid Oaks Lane, SSI GA 31522

EMAIL ADDRESS (IF APPLICABLE)

DonKent@seaIsland.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Jimmy Duncan

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

418 Maple St. Saint Simons Is., GA 31522

EMAIL ADDRESS (IF APPLICABLE)

poopa100-JFD@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

ED ELLIOTT

TELEPHONE NUMBER (& AREA CODE)

843-249-2049

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

3312 Hays O Little River S.C 29566

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Lucky Strike charter

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Randy Elliott

TELEPHONE NUMBER (& AREA CODE)

(843) 249-8662

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

3370 Hwy 50 Little River SC 29566

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Chris Hawley

TELEPHONE NUMBER (& AREA CODE)

843-455-0371

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

765 Mt. Gilead Place Drive, Murrells Inlet, SC 29576

EMAIL ADDRESS (IF APPLICABLE)

Chawley24@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CCA SC

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Ashley Parmelee

TELEPHONE NUMBER (& AREA CODE)

912-617-3474

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

111 Peachtree St. SSI, GA 31522

EMAIL ADDRESS (IF APPLICABLE)

SSI FISHING @ Yahoo . Com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Coastal Island Charter Fishing

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Johnnie Simpson

TELEPHONE NUMBER (& AREA CODE)

910-371-1310

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1105 Sandy Beach Circle Leland NC 28451

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Christopher Corbett

TELEPHONE NUMBER (& AREA CODE)

386-760-0720

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

5743 STEWART AVE. PORT ORANGE FL. 32127

EMAIL ADDRESS (IF APPLICABLE)

CBCD CORBETT@AOL.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

JAMES SCOTT LAWEY

TELEPHONE NUMBER (& AREA CODE)

386 8719549

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

107 Judges Ln

Port Orange FL 32129

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Pinnacle Charters

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

FRANK HELIES

TELEPHONE NUMBER (& AREA CODE)

813 286 8390

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

GSAFF

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Chris Swenson

TELEPHONE NUMBER (& AREA CODE)

912-294-3476 ~~315-46~~

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

5336 Bethlehem Rd Jesup, Ga. 31546

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Joe Appligato

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

110 Highland Ave, St. Simons Island, GA 31522

EMAIL ADDRESS (IF APPLICABLE)

joappligato@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Capt. Larry Kennedy III

TELEPHONE NUMBER (& AREA CODE)

912-222-1687

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

206 maple st. St. Simons GA 31522

EMAIL ADDRESS (IF APPLICABLE)

Yankbream@gmail

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Kennedy Charters

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

RUSTY KENNEDY

TELEPHONE NUMBER (& AREA CODE)

912-996-4422

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

210 CIRCLE DR. ST. SIMONS ISLAND, GA. 31522

EMAIL ADDRESS (IF APPLICABLE)

W.J.KENNEDY2@GMAIL.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

RECREATIONAL FISHERMAN / COMMERCIAL FISHERMAN

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Marcus Kyle ~~Base~~ Kujala

TELEPHONE NUMBER (& AREA CODE)

912-223-1759

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

205 Palmetto St. ~~Box~~ St. Simons Fl. GA 31522

EMAIL ADDRESS (IF APPLICABLE)

M-Kujala@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

SAM GOOD

TELEPHONE NUMBER (& AREA CODE)

912-638-7664

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

PO Box 21164

EMAIL ADDRESS (IF APPLICABLE)

goodguys@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea



Bass



Reg 9

(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Brad Walker

TELEPHONE NUMBER (& AREA CODE)

912-264-6171

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

103 saltwater lane Brunswick GA 31525

EMAIL ADDRESS (IF APPLICABLE)

bradwalker103@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

DAVID EDENS

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

803 MALLERY ST. UNIT D

EMAIL ADDRESS (IF APPLICABLE)

BLUERIDGERODS@HOTMAIL.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

FLY CAST CHARTERS + OUTLETTERS, LLC

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea

Bass

☐

Reg 9

(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

STEVEN ANDERSON

TELEPHONE NUMBER (& AREA CODE)

912-571-0307

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1825 GUNN AVE, BOX 17, BRUNSWICK GA 31520

EMAIL ADDRESS (IF APPLICABLE)

SEADAWG3@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea

Bass



Reg 9

(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

DON F Clark

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

292 Bucks Swamp Rd - Brunswick GA

EMAIL ADDRESS (IF APPLICABLE)

Clark, DON @ Att. Net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☐

YES:

☐

Black Sea

Bass

☐

Reg 9

(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Michael Harris

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

122 Stewart St

EMAIL ADDRESS (IF APPLICABLE)

St Simons Island GA 31522

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒ NO

☐ YES:

☐ Black Sea
Bass

☐ Reg 9
(trip limits)

☐ Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Thomas Miller

TELEPHONE NUMBER (& AREA CODE)

912-261-1341

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1400 Sycamore ave Bnk GA 31520

EMAIL ADDRESS (IF APPLICABLE)

Doolen.Miller @ Yahoo .com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Charter Capt. for Sea Island

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Paul Nelson

TELEPHONE NUMBER (& AREA CODE)

586 682-4947

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

736 Merring Dr Port Orange, FL 3212

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

~~YES~~ YES:

☒

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Hunter Glenn

TELEPHONE NUMBER (& AREA CODE)

912 634 2848

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

300 Marina Drive

EMAIL ADDRESS (IF APPLICABLE)

CabrettaMarine@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Cabretta Marine

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

JAMES J. JOHNSON

TELEPHONE NUMBER (& AREA CODE)

904-221-6293

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

13769 HUNTERWOOD RD JACKSONVILLE FL 32225

EMAIL ADDRESS (IF APPLICABLE)

BISMARCK AT BELL SOUTH.NET.

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Bob Black

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

5008 Riverside Dr. Brunswick, GA 31520

EMAIL ADDRESS (IF APPLICABLE)

ra5black1@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☒

NO

☐

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Clay Fordham

TELEPHONE NUMBER (& AREA CODE)

706-614-8224

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1001 Chart Lane SE Townsend, GA 31331

EMAIL ADDRESS (IF APPLICABLE)

C.fordham.30420@yahoo.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SEA ISLAND YACHT CLUB

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Dave Heil

TELEPHONE NUMBER (& AREA CODE)

407-492-1991

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1653 Jocline Ct

EMAIL ADDRESS (IF APPLICABLE)

theil331@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

TK FA

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☒

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

John Barber

TELEPHONE NUMBER (& AREA CODE)

407-587-9860

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1331 Boyer St Longwood FL 32750

EMAIL ADDRESS (IF APPLICABLE)

JohnB@RevCmpSys.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CFOA, FSPA, MSFL, FCSC, SISA, FPSC, Deep Blue Sea

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

David Newman

TELEPHONE NUMBER (& AREA CODE)

212-727-4557

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

40 West 20th St. NY, NY 10011

EMAIL ADDRESS (IF APPLICABLE)

dnewman@nrdc.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Natural Resources Defense Council

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other
ALL

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Jimmy Robertson

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

111 Oyster Ct. Beaufort N.C 28516

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Snapper Grouper Fisherman

DO YOU WISH TO MAKE A
STATEMENT?



NO



YES:



Black Sea
Bass



Reg 9
(trip limits)



Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 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 Newport NC 28570

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Crystal Coast Fisheries INC.

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☒

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER (& AREA CODE)

ROD SURREY

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

6652 Shady Oak DR Jax FL 32277

EMAIL ADDRESS (IF APPLICABLE)

Capronacc@comcast.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

ATLANTIC Coast Charters

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☒

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

MARK E. BROWN

TELEPHONE NUMBER (& AREA CODE)

843 8819735

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS (IF APPLICABLE)

Capt mark brown

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

INDIVIDUAL SC-RFA

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☒

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Samantha Port-Minner

TELEPHONE NUMBER (& AREA CODE)

727-369-6613

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

449 Central Ave, Suite 200, St. Petersburg, FL 33701

EMAIL ADDRESS (IF APPLICABLE)

sport-minner@oceanconservancy.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Ocean Conservancy

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

HENRY FEDDERN

TELEPHONE NUMBER (& AREA CODE)

305-852-5459

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

156 DOVE AVE, TAVERNIER, FL 33070

EMAIL ADDRESS (IF APPLICABLE)

hunter@terranova.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

FLA Marine Life Association

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Sera Drevenak "like heart attack"

TELEPHONE NUMBER (& AREA CODE)

910-685-5705

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

25 Corbett St. NE Bolivia, NC 28422

EMAIL ADDRESS (IF APPLICABLE)

sdrevenak@pewtrusts.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Pew Environment Group

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Meli Londeree

TELEPHONE NUMBER (& AREA CODE)

407-399-9249

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

PO Box 1790

EMAIL ADDRESS (IF APPLICABLE)

Umatilla, FL 32784

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

REA

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

JEFF PAGE

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

11220 CRENS CT ORLANDO FL 32837

EMAIL ADDRESS (IF APPLICABLE)

JPAGE01@Bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CENTRAL FLORIDA OFFSHORE ANGLERS CFOA

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 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)

807 Hampton way Merritt Island FL 32953

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Cape Canaveral Shrimp Co.

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea

Bass

☐

Reg 9

(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Bill Kelly

TELEPHONE NUMBER (& AREA CODE)

305-619-0039

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

PO Box 501404 Marathon FL 33050

EMAIL ADDRESS (IF APPLICABLE)

FKCFA1@hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Florida Keys Commercial Fishermen's Assn

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Capt GEORGE STRATZ

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

13364 BEACH BLVD SAE FL 32224

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

MAYPORT PRINCESS

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea

Bass

☐

Reg 9

(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

BOB TAYLOR

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

635 Bennett Trl SW Calabash, NC 28467

EMAIL ADDRESS (IF APPLICABLE)

Calabash Fishing Fleet @ hotmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Calabash Fishing Fleet

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Capt. David Newlin

TELEPHONE NUMBER (& AREA CODE)

912-756-4573

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

P.O. Box 336 Richmond Hill Ga, 31324

EMAIL ADDRESS (IF APPLICABLE)

Captain DN @ ~~Atlantic~~ Coastal now.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Capt David Newlin Fishing Charters

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea

Bass

☐

Reg 9

(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Edward J. Hawie

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

138 HAMPTON PT. DR. ST. SIMONS ISLAND, GA 31522

EMAIL ADDRESS (IF APPLICABLE)

ehawie@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

N/A

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea

Bass

☐

Reg 9

(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Kenny Lee SA-AP

TELEPHONE NUMBER (& AREA CODE)

910-620-5847

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

907 W Yacht Dr

EMAIL ADDRESS (IF APPLICABLE)

OAK Island NC

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☒

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Brooks Good

TELEPHONE NUMBER (& AREA CODE)

912-230-8157

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

409 Whitefield Ave. St. Simons Isl. GA 31522

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☐

YES:

☒

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

GEOFFREY (JEFF) OWENS

TELEPHONE NUMBER (& AREA CODE)

904-416-5042

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

makomaster@comcast.net 11249 Campfield Cr. Jax, FL 32256

EMAIL ADDRESS (IF APPLICABLE)

makomaster@comcast.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Rolling Thunder FISHERIES Inc

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☒

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

DAVID C. HAGAN

TELEPHONE NUMBER (& AREA CODE)

904-262-2869

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

2323 Orange Picker Rd OAX 71 32223-1823

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

MATT DeTimmer

TELEPHONE NUMBER (& AREA CODE)

305 522-6225

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

102 AZALEA ST TAVENIER FL 33020

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Chris Walter

TELEPHONE NUMBER (& AREA CODE)

305-942-7039

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

P.O. BOX 2637 Long Key, FL

EMAIL ADDRESS (IF APPLICABLE)

Fungpei@msn.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Get Bent Charters (FL Keys Charter Fishermen)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

CAMERON SEBASTIAN

TELEPHONE NUMBER (& AREA CODE)

252-450-6813

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

228 SLEEPY LAKE DR MYRTLE BEACH SC

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

LITTLE RIVER FISHERY FLEET

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER (& AREA CODE)

DAVID SUTHER

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

55 CINEMA LANE ST SIMONS GA 31522

EMAIL ADDRESS (IF APPLICABLE)

DAVE@HAYARDSRESTAURANT.COM

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Wendell Harper

TELEPHONE NUMBER (& AREA CODE)

912-437-8200

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

13215 Hwy 99 - Darien Ga. 31305

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Charters

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☐

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Scott Owens

TELEPHONE NUMBER (& AREA CODE)

912-270-7300

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

113 Pheasant Dr Brunswick, GA 31525

EMAIL ADDRESS (IF APPLICABLE)

Scott@Flyfishgeorgia.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Capt. Scott Owens Charter Boat Management

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☐

Reg 9

(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Mark Noble

TELEPHONE NUMBER (& AREA CODE)

912 634-1219

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

124 Harwell dr. St Simons Isl. Ga

EMAIL ADDRESS (IF APPLICABLE)

mdnoble@bellsouth.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

The public

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Brad Hamilton

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

2165 Winchester Road, Green Cove Springs, FL 32045

EMAIL ADDRESS (IF APPLICABLE)

brad@mynfa.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

National Fisherman's Association

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☒

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER (& AREA CODE)

Rob Darnier

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

334 Van Gogh Cir, Ponte Vedra, FL 32081

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☒

Reg 9
(trip limits)

☐

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER (& AREA CODE)

ALAN DAVID TUCKER

912-638-5995

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

160 PIERCE BUTLER DRIVE, ST. SIMONS ISL, GA 31522

EMAIL ADDRESS (IF APPLICABLE)

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CRASH FLOW Fishing CHARTERS LTD.

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☒

Black Sea
Bass

☒

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

ZACK BOWEN

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

32 Bull River Bluff SAV, GA. 31410

EMAIL ADDRESS (IF APPLICABLE)

FishZack@comcast.net

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

DO YOU WISH TO MAKE A
STATEMENT?

☐

NO

☒

YES:

☐

Black Sea
Bass

☐

Reg 9
(trip limits)

☒

Other

(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)

St. Simons Island, GA

DATE OF MEETING

March 10, 2011

YOUR NAME (PLEASE PRINT)

Vis. Lloyd

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:

☐

Black Sea
Bass

☒

Reg 9

(trip limits)

☒

Other

(PLEASE ATTACH A WRITTEN COPY
IF AVAILABLE)