

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **FULL COUNCIL SESSION**

**Charleston Marriott Hotel  
Charleston, SC**

**September 19-20, 2013**

### **SUMMARY MINUTES**

#### **Council Members:**

Ben Hartig, Chair  
Mel Bell  
Dr. Roy Crabtree  
Jessica McCawley  
Chris Conklin  
Doug Haymans  
Dr. Wilson Laney

Dr. Michelle Duval, Vice-Chair  
Jack Cox  
Anna Beckwith  
Charlie Phillips  
Lt. Morgan Fowler  
John Jolley  
Zack Bowen\*

#### **Council Staff:**

Bob Mahood  
Mike Collins  
Dr. Kari MacLauchlin  
Kim Iverson  
Julie O'Dell  
Anna Martin  
Myra Brouwer

Gregg Waugh  
John Carmichael  
Amber Von Harten  
Dr. Mike Errigo  
Roger Pugliese  
Dr. Brian Chevront  
Julia Byrd

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

Monica Smit-Brunello  
Dr. Bonnie Ponwith  
Phil Steele  
Tom Warner  
Tracey Woodruff  
Dr. Marcel Reichert  
RADM Jake Korn  
Jessica Powell  
Kevin Baumert

Dr. Jack McGovern  
Anik Clemens  
Doug Boyd  
Tom Swatzel  
Lt. Michael Mastrianni  
Pres Pate  
Barb Zoodsma  
Brian Van Pay

Additional Observers Attached

\*Appointed but non-voting or sworn-in until October 25, 2013

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The Full Council of the South Atlantic Fishery Management Council convened in the Blue Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, September 19, 2013, and was called to order at 3:50 o'clock p.m. by Chairman David Cupka.

MR. CUPKA: I would like to go ahead and convene the meeting of the South Atlantic Fishery Management Council. The first order of business is going to be a roll call, and I'll start on my left and we'll go around the table.

MR. MAHOOD: Bob Mahood, council staff.

MR. HARTIG: Ben Hartig, Vice-Chairman, Florida.

DR. DUVAL: Michelle Duval, North Carolina.

MR. JOLLEY: John Jolley, state of Florida.

MS. McCAWLEY: Jessica McCawley, Florida.

LT. FOWLER: Morgan Fowler, U.S. Coast Guard.

MR. PATE: Preston Pate, liaison from the Mid-Atlantic Council.

DR. PONWITH: Bonnie Ponwith, NOAA Fisheries.

MR. STEELE: Phil Steele, NOAA Fisheries.

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

DR. CRABTREE: Roy Crabtree, NOAA Fisheries.

MR. BOYD: Douglas Boyd, liaison from the Gulf Council.

MR. CONKLIN: Chris Conklin, South Carolina.

MR. BELL: Mel Bell, South Carolina.

MR. HAYMANS: Doug Haymans, Georgia.

MR. BOWEN: Zack Bowen, nominee, Georgia.

MR. PHILLIPS: Charlie Phillips, Georgia.

MS. BECKWITH: Anna Beckwith, North Carolina.

MR. COX: Jack Cox, North Carolina.

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

MR. CUPKA: David Cupka, South Carolina. Before we get down to the agenda, I just want to take a second and recognize a couple individuals who are here with us this week. The first will be Pres Pate, who is a past Director of Marine Fisheries Division in North Carolina; who is serving as a liaison from the Mid-Atlantic Council. It is good to have you here with us, Pres. We appreciate you coming. Thank you.

Next is Doug Boyd down there at the end who is our liaison from the Gulf Council. I'll tell you at the last council meeting Doug got reelected to another term as chairman. Doug, we appreciate you being here and congratulations on your election. I also want to recognize Tom Swatzel sitting out there. Tom is a past council member and is staying real involved in the council process. Tom, we're glad to have you here.

Okay, the next order of business is the approval of our agenda. Are there any changes or additions to our agenda? Seeing none; then the agenda is approved. Next is approval of the June 2013 council meeting minutes. Are there any corrections or additions to the council meeting minutes? Seeing none; then the minutes are approved. That brings us down to elections; and at this time I'm going to turn it over to our Executive Director Bob Mahood to conduct the elections.

MR. MAHOOD: Are there any nominations for Chairman of the South Atlantic Council?

MR. JOLLEY: **It's my honor and I'd like to nominate Mr. Ben Hartig to become our next chairman, sir.**

MR. MAHOOD: Nominated by John Jolley; seconded by Jessica. Are there any other nominations? Do I hear a motion to elect Ben by acclamation? Made by John Jolley; seconded by Jessica. **Is there any objection? We have a new Chairman, Ben Hartig.** Congratulations! (Applause)

MR. HARTIG: Thank you all; I appreciate that. It is an honor working with you all through this process. I consider myself the poster child for how the nomination process should work. I started out years ago as an interested fisherman. I attended council meetings whenever they were in my area. I was encouraged to get on the AP, so I did.

I got on the Snapper Grouper AP and then became chairman of that AP; and then was encouraged to go ahead and put my name in the hat, without any real political connections or anything. Lo and behold, I got on the council way back then. At this time and this go around, I watched us losing a number of state representatives that had that corporate knowledge of how we had had some great successes in the past in management and how we were losing that. I put my name back in the hat and was lucky enough to get nominated again.

To reach this pinnacle as a fisherman is really special in the South Atlantic. It is really something that I am honored to be nominated to do. I'll always try and do the best job I can. Whenever you all have any questions about anything, please don't hesitate to call me at any time or in the halls, anywhere. I'll try and do what I can to address your issues. But thank you all very much; I sincerely appreciate the support. I actually have to do something now; nominations for Vice-Chair. Anna.

MS. BECKWITH: It would be Charlie and my pleasure to equally nominate Dr. Michelle Duval for Vice-Chair.

MR. PHILLIPS: Absolutely!

MR. HARTIG: We have a nomination for chairman; do we have a second? Second by a number of people; I'll get Jack Cox. Are there any other nominations for Vice-Chair for the South Atlantic Council? Seeing none; we'll need a motion – how did you refer to that?

MR. MAHOOD: A motion to elect by acclamation.

MR. HARTIG: **Motion to elect by acclamation Michelle Duval as Vice-Chair.**

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

MR. HARTIG: **Motion by Charlie; second by Mel. Any objection to that? Seeing none; congratulations, Madam Vice-Chair.** (Applause)

DR. DUVAL: Yes, I would echo some of the things that Ben said. Obviously, my path to the council table is different than Ben's. But I'm certainly humbled and honored and will do my best to do my best in this position. I thank you all for giving me the opportunity to do so. If there is ever any questions I can answer or anything I can do, please don't hesitate to ask. That goes for all the members of the public as well. You all are very much a part of this process. Thank you.

MR. HARTIG: All right, Bob, I guess that takes us to presentations. Proudly presented by the South Atlantic Fishery Management Council to David Cupka for his distinguished service and outstanding leadership as Council Chair. Thank you, sir. (Applause)

MR. CUPKA: Let me just say it has been an honor and a privilege to have served as your chairman for the last three years. I appreciate it very much. It has been an interesting time. We've had the reauthorization of the Magnuson Act we had to deal with and the mandates from Congress.

While I haven't gone back and actually counted them, I would venture to say that if we did that we probably set some kind of record for the number of plan amendments that we developed and submitted to the Secretary of Commerce during this three year period. I would be remiss if I didn't thank the council members and council staff and NOAA staff for all their hard work and dedication to allow us to accomplish what we have during this period. Again, I want to thank you; and we've got an excellent leadership team in there now with Ben and Michelle. I look forward to working with them during my final year on the council. Thank you again.

MR. HARTIG: Tom; proudly presented by the South Atlantic Fishery Management Council to Tom Swatzel for his distinguished service as a council member and outstanding contributions in the conservation and management of our nation's marine fisheries resources. Tom, accept this humble gift from the council for your long-standing service. Thank you. (Applause)

MR. SWATZEL: Thank you, Ben. Thank you so much. It has been an honor to have served for six years on the fishery council. It has been a great experience. I just want to briefly thank all of the people who have helped me decipher the complexities of fishing management; a very difficult issue.

I've had a hard time learning, but I do thank you for your help; especially the council staff, NOAA Fisheries and the Science Center staffs, staffs of the state agencies for all your help. It has been a privilege just to be associated with so many very bright and capable people. Thank you. (Applause)

MR. HARTIG: Officer Henry Huger McClelland; could you come forward, please, sir. The South Atlantic Fishery Management Council 2012 Law Enforcement Officer of the Year proudly presented to Henry Huger McClelland for his distinguished service and outstanding achievements in fisheries law enforcement; September 2013. Thank you, sir, very much and we also have a check here for you as well. We certainly appreciate all you have done for our fisheries enforcement. Thank you. (Applause)

MR. HARTIG: The next item on our agenda is the public hearing. We are a little bit early. We're going to go see how many cards we have from people who would like to speak and maybe go ahead and start this early and then make sure we run it into the allotted time so people who had scheduled this on their agenda can be here.

MR. HAYMANS: While we're waiting for that, a quick question. Under your new administration, what is going to be the dress code for your administration?

MR. HARTIG: Thank you for asking. You won't have to wear your coat tomorrow, Doug. We will go to casual attire for the whole meeting. It has been my – I don't know how to explain the word, but how to identify with your constituents. I believe dressing more down to their level is a better way to do that; so casual. Maybe even more casual in the Keys; we'll see.

We're going to go ahead and start the public comment. We don't have a whole lot of people today, so we are going to try and do it without the light. I would still ask you to make your comments without starting to repeat yourself and things of that nature. If you can make the comments you have in a reasonable amount of time, there won't be a spotlight on you today. The first gentleman I have is Wayne Mershon.

**MR. MERSHON:** First off, I would like to thank you for having me here to speak today. I am Wayne Mershon; a snapper grouper dealer from Murrells Inlet, South Carolina. I want to express my opposition to the consideration of anymore Deepwater MPAs through Snapper Grouper Regulatory Amendment 17. The current snapper grouper regulations have had a severe financial impact on commercial fishermen and dealers. We're struggling to survive.

The fishery council needs to follow the advice of its Scientific and Statistical Committee and analyze the impact of current snapper grouper regulations on speckled hind and Warsaw grouper stocks before pursuing any other MPAs. Here is what the SSC said about the issue in its April 2012 report.

I quote; “Given all the current regulations that affect other snapper grouper species, it is possible overfishing for speckled hind and Warsaw grouper is no longer occurring. An analysis for the regulation for co-occurring species and the reduction in landing efforts for those species may provide some data on how much bycatch of speckled hind and Warsaw groupers have been reduced. Additionally, an analysis of the associated fisheries and how they are prosecuted could provide information of the level of bycatch.”

Do you, the council, know how many regulations have been imposed on snapper grouper fishermen in just the last four years? A combined total of 16 plan and regulatory amendments and interim rules have been approved just since 2009. In comparison, during the first 25 years of the snapper grouper management plan from 1983 to 2008, a combined total of 20 plan and regulatory amendments and interim rules were approved. That is a lot.

What have been the cumulative impacts of this unprecedented spike in the regulations on commercial snapper grouper landings in effort? From 2009 to 2012 South Atlantic commercial snapper grouper landings fell by nearly 20 percent; and the number of trips fell by 15 percent. From all fishing sectors combined, snapper grouper fishing effort is down nearly 40 percent and landings down nearly 35 percent from its peaks in 2007 and 2008.

What is the impact of these substantial landings and effort reductions on speckled hind and Warsaw stocks? This is something the council needs to know before considering any new MPAs. How effective have the eight existing Deepwater MPAs aimed at protecting speckled hind and Warsaw been at protecting those stocks? That is something the council must also know before considering any new MPAs.

The SSC also said in its April 2012 report; I quote, “Based on the current info, the SSC cannot determine what benefits an additional closure will provide to the stocks of speckled hind and Warsaw grouper, what amount of area closure is necessary to reduce bycatch mortality, or if additional closed areas are even necessary.”

That is your own scientific committee now. “Additionally monitoring and data needs to be collected in order to be able to conduct an assessment of these species.” That is the end of quote. Listen to your scientific advisors before you unnecessarily hurt already hurting fishermen. Gather the scientific information necessary to properly assess the need for more Deepwater MPAs. I would like to thank you for your time and listening to me. Once again, my name is Wayne Mershon. Thank you.

MR. HARTIG: Thank you, Wayne. I appreciate that kind of testimony where you actually go in and use the information that is contained within our documents to bring it back to our attention. That is a pretty good way to do it.

MR. MERSHON: Thank you for having that available for us to see.

**MS. DUNMIRE:** Good afternoon. My name is Leda Dunmire; I’m with the Pew Charitable Trusts. We appreciate the opportunity to provide comments on Snapper Grouper Regulatory Amendment 17 and other issues. The council took an important step this week to protect speckled hind and Warsaw grouper where they live and spawn.

We are pleased that you adopted a strong purpose and needs statement and have laid out a reasonable timeline for its development with ample opportunities for public input. The scientific literature recommends protecting at least 20 percent of adult fish habitat for healthy populations and optimal benefits to fisheries.

A new peer-reviewed study released last week indicates that modifying the existing system of South Atlantic Marine Protected Areas per the recommendations of the council's MPA Expert Workgroup would protect up to 24 percent of habitat preferred by speckled hind and Warsaw grouper; up from the 8 percent conferred by the existing system.

That is a threefold increase in protections for these struggling fish with an increase of less than 40 percent in total MPA footprint from 785 square miles to 1,093. These areas could also help snowy grouper, red grouper, red snapper and red porgy rebuild after decades of overfishing. They provide refuge for other co-occurring fish and marine life species, enhancing overall ecosystem health and resilience.

In short, you've chosen a moderate, targeted approach that gets you high conservation value for your management investment. You have solicited and incorporated stakeholder input throughout the development of Regulatory Amendment 17. Members of the fishing, business and conservation communities have taken advantage of the opportunities provided to participate constructively and collaboratively.

Fisheries are a public trust resource, managed for the public good. It is appropriate and indeed necessary that you continue to engage directly with representatives from across the spectrum. We also commend the council on its work to develop a vision and strategic plan for a healthy future of the snapper grouper fishery.

Protecting critical habitat and spawning grounds should be a pillar of that plan and so should ongoing research on the MPA sites and monitoring and evaluation of their effectiveness in meeting their goals. An additional core element of long-term fishery planning is reducing bycatch. Wasting fish is bad for the resource, it is bad for fishermen, and it is bad for the ecosystem.

Stepping down trip limits as a percentage of the quota is met could reduce bycatch mortality and extend the fishing season in some commercial fisheries, as proposed for gag in Amendment 14. We encourage you to explore this and other strategies for reducing dead discards further through the visioning process.

Finally, I would like to welcome the three newest members to the council, Mr. Bowen, Mr. Conklin, and Mr. Cox. We appreciate your thoughtful participation in this week's meeting and look forward to working with you. I would also like to recognize your predecessors, Mr. Amick, Mr. Burgess and Mr. Swatzel, for their service to the resource and to the stakeholders. I would also like to congratulate our new Chair and Vice-Chair. Thank you for the opportunity to speak. We look forward to continuing to work together to promote healthy fisheries that support the coastal communities that depend on them.

**MR. KELLY:** Mr. Chairman, members of the council; my name is Bill Kelly. I am the Executive Director of the Florida Keys Commercial Fishermen's Association. The first thing I



would like to do is congratulate you, Mr. Hartig and Ms. Duval, and thank Mr. Cupka for his service, as well as Tom Swatzel.

I would like to talk to you on two issues today; one, mackerel and then the MPAs. With regard to mackerel, I want to thank you for the proposed increase from 1,250 pounds on our daily trip limits to 2,000. That is a big step for us. I just wanted to bring it to your attention that 1,250 pound trip limit was instituted many years ago by a commercial yellowtail fisherman, Peter Gladding.

The reason for doing that was to augment their catches of yellowtails when they would make that 40- to 60-mile trip down to the Tortugas to catch yellowtails, but nowadays times have changed. The techniques for harvesting yellowtails have improved to the point that when they go to the Tortugas all they do is catch yellowtails, they fill their box, and they come home.

Likewise mackerel fishermen; they've improved their techniques over the years; and when they go there, they want to harvest mackerel. I find it ironic and inconceivable that 3,500 pound trip limits in the northern Gulf and 3,000 pound trip limits in the eastern coast of Florida do not have significant impacts on the fishery; yet if we were to harvest 3,000 pounds on a daily trip limit in the Keys, that it would have a significant financial impact. That doesn't make sense.

With regard to the transit authority, thank you very much. Again, this presents a wonderful opportunity for our men and women in the fishery to return to ports that are convenient to where they're catching the fish. Climate change, as we've seen it, is having some effects in that we're finding those stocks of fish up closer to the northern boundaries. Our efforts for product quality control and so forth, it would give us access to additional ports.

With regard to marine protected areas to protect speckled hind and Warsaw grouper, I was very heavily involved in Amendment 14 to develop those eight marine protected areas out there. We spent ten years developing that amendment. It was precedent-setting; and in reviewing that document and I looked at it, there are 172 references to speckled hind in there and 107 to Warsaw grouper as being targeted species under Amendment 14 for protection.

Yet ironically that isn't enough, and less than two years later groups were approaching the council asking for additional closures. We haven't even given them an opportunity to work yet or evaluate them, and now we have individuals and groups seeking additional closures that would have significant impacts on commercial and recreational fisheries along our nation's coastlines. In addition, they've had the additional protections from the 240 closure and other regulatory issues.

What we really need here is some sound science. We're looking at information that is perhaps 20 or more years old, almost as old as I am in some cases, and we need sound science and stock assessments to really determine if there are issues there and if these two species of fish warrant additional protections. We thank you for taking the time in this meeting to address that issue and to seek further guidance before you make a ruling. Thank you very much.

**MR. BROWN:** My name is Mark Brown; I'm from here in Charleston. I am going to try to be brief. I would also like to start off by congratulating the three new members of the council also. I mainly wanted to talk about the Marine Protected Area Expert Workgroup; and that is that there

were some working papers or some information that was within the working documents of this meeting that stated that there was a majority consensus for Type 1 MPAs.

That is not true, because there was very little discussion about that. Mostly it had to do with some information coming out of the Gulf. We didn't discuss that into great extent. There was no consensus in regards to going in that direction. Also, there were a lot of things that were left open-ended when we left that meeting that we discussed during the meeting.

There were a lot of concerns that when we left out of there; that we didn't feel like a lot of our questions were answered. There came a need to file a minority report, which was done and submitted. With that said, hopefully at some point in the future we'll be able to get some of the answers to our questions.

But I think that a lot of the problem was there is just so much lack of information in regards to the speckled hind and the Warsaw grouper that there was a lot of grabbing at straws and trying to figure out exactly where these fish spawn, or where they move, or where they live. We have some information, but it is not conclusive enough to really pinpoint exact locations to cover broad areas of closed places for fishing. There needs to be a lot more discussion before anything so drastic was ever put into effect. I think that is about all I have to say. Thank you.

MR. HARTIG: Mark, your recollections are the same as mine. I don't remember a consensus coming out of that workgroup approving those as Type 1 MPAs. I didn't remember that happening either, but thank you.

**MR. McCafferty:** I'm Chris McCafferty. First, I would like to thank the council for listening to us on the VMS and our opposition to it and suggestions with some other solutions. I would like to thank the council for beginning the Visioning Project. I think that is going to be very helpful in offering some solutions to help our fisheries.

I think the council is doing the right thing in the MPA process here to take your time, get input from the stakeholders and anyone interested. We really need to take our time on that issue; and if we're going to do something, we need to make sure it is going to have the most positive benefit with the least negative impact to the fishermen and consumers and make sure we're going to have the most benefit for the resource.

Then on Regulatory Amendment 14; I would like to start on that. I think that is a great step towards us beginning to manage our quotas so that we avoid extended closures and excessive discards. Gag grouper is one of them that is in there. The 1,000 pound possession limit to start with is a little high. There are very few trips that ever meet that. I would rather see that be reduced somewhat. Then the point of the reduction, in my opinion, when you reduce the possession limit for that final 25 percent of the quota is to avoid an extended closure and to reduce the amount of regulatory discards.

The council recently allocated 27,218 pounds of our gag quota to post-closure discard mortality. If we were to avoid those closures, we should be able to get that poundage back. I would strongly recommend that the council look at reducing that possession limit for the final 25 percent to a level that fills the quota without the closure. The point of that reduction is not to have a targeted fishery; it is basically a bycatch allowance that avoids a total closure.

I would like to see RA-14 as the beginning of this process and through the Visioning Project we decide how we're going to manage these other quotas. I would like to see fishermen be more involved and stepping up and saying, you know, we realize this is the quota we have to work with; this is how we would like to see it managed in a way that is going to benefit the fishermen, the consumer, the seafood dealers and restaurants and everybody involved.

The Visioning Project, you want to have somewhat of a focused mission with that. What really should be the focus, I think, is to manage the quotas properly. Then with the MPAs; the ones that we have, I would like to see a little more research done to see how they are working. I would like to see them marked with a data buoy or platforms and even working in conjunction with like the windmills and some of the offshore energy production that other agencies and private industry are looking at doing.

Maybe do some experimental platforms out there on some of the existing MPAs that we can also have video cameras on there to monitor them, make sure there are not poachers entering. Another thing is that MPAs should be a little more targeted in key locations I believe that can be easily marked and monitored.

With the king mackerel; I hate to see anybody get their permit taken for not using it. I hope the council will really consider just allowing the people to keep the permit that have it. As far as the bag limit goes, selling the bag limit; that is the way I've always sold my king mackerel. If I had to buy a permit to be able to sell them, I'm going to have to catch more. That stock is currently in a down cycle; and so that is going to hurt us in that way.

Coral Amendment 8; I think if you're going to do that, you really should look at offsetting any closures with new artificial reef habitat. Again, that can be done in conjunction with the fishermen doing some sort of fundraising. The NGOs and the private industry could come up with some ways to do that. Enhancing the existing MPAs with artificial reef habitat would be another great way to do it.

The dolphin wahoo, I know that is not really looking at the quota allocations, but we do need to look at that, and I believe the council is considering it. Then real quick, I mentioned yesterday about Sequalizer or devices like that; descent-assisting devices. I have a little write-up here, and along with my written comments that many of you have already read through e-mail, but I'm going to drop these off with Kim.

The Sequalizer, if we can show that we can release these fish relatively unharmed; I think we can reduce the amount of discard mortality; we can get more of our quotas that we can keep. We really should try to be wise stewards of the environment. The key to that is reducing how many fish that we have to release during a trip. If it is rare that you had to release one, you are more likely to do it than if you had to release half of what you are catching.

With that and real quick on the MPA and the descent-assisting devices, if we had an incidental take permit for Warsaw grouper and speckled hind, I would like to see that we were required to tag and release any Warsaw grouper that is not already tagged and require that you keep any tagged Warsaw or speckled hind with mandatory reporting before it is unloaded. That way John can have some data to actually do a stock assessment on these species.

Then we can really work together as liaisons. I think that is what we need to be looking at through the Visioning Project and other ways to get the fishermen involved in collecting the data that we need and being more of a part of being the wise steward of the environment like we should be. Thank you for giving me the time to talk; I appreciate it. I really think the council is headed in the right direction with many of the things they're doing. I applaud you for your efforts. Thank you for listening to us.

**MR. FEX:** My name is Kenny Fex; owner and captain of the Fishing Vessel Raw Bar. I would like to congratulate the new council members. They're good representatives of the industry. I have always communicated with several of them during their time here. First of all, I was involved with the Marine Education Research Steering Committee, and I would like to thank Roy for getting that started and also apologize for my comments during that steering committee.

You are a brilliant man. I didn't mean to offend you by that. The program was very informative. The people involved, John Carmichael, Luiz, Frank Helies and all the representatives or the people that provided information; it was very good. I plan on attending the meeting next week in Tampa, Florida. It ought to be pretty informative, being management part.

I would like to make a comment about what Bonnie had said earlier. You said that we can fill out these logbook reports without the income requirement. Well, the problem is we have to fill out a state number ticket number, and I don't get that state ticket number until I get my expenditure sheets.

Maybe a suggestion might be to have the dealer put my logbook number up on that ticket, because my logbook number is numerical. They could keep that number; and each trip that they filled out another one, they could just add to it. But I think one of these would actually be a good idea to mount on the wall of the fish house; put it in a waterproof case, and have an application for it so we could all fill our logbooks out as soon as we did our poundage and everything. I think that would be a little bit quicker on getting our reporting done.

As for the regulations; I'm glad to see you guys took the vermilion thousand pound; and with the step-down I'm getting a positive opinion from the general public about that. I think that was a really good idea. The black sea bass, the 300 pound start at the beginning of the year is an excellent idea. The AP agreed on that, so I hope you guys go forward with that.

As for the gags; like I said before, Boyles' Law was not used in the allocation of that. You might consider that because we're not meeting it recreationally, but we're meeting it commercially. It might be an idea. Also the step-down; a step-down to 500 I don't think is going to be good enough. I think 300 would be more efficient. Anna made a good point about, true, it might hurt the big boats; but also when it is in rough weather, I'm not fishing. Actually the majority of the vessels are medium-sized boats. Only 20 percent of the vessels are above 40 feet.

If you think about majority, you might want to go with a smaller trip limit. I would also like to thank Jack for bringing up the split-season idea on the triggerfish – that has been a bad thing – and a trip limit on it, too, because we want them to coincide at the same time, because they do cohabitate when we catch them. I thank you for the time, and I will probably be leaving here after this. I plan to go down to Florida and get that meeting done. It was a pleasure talking to you; I'll hopefully see you in Wilmington.

MR. HARTIG: Thanks, Kenny. As usual, we always appreciate your stalwart commitment to the process and your comments.

**MR. SWATZEL:** Tom Swatzel from Murrells Inlet; thank you, council members. I want to say that I certainly appreciate concerning the Snapper Grouper Regulatory Amendment 17, the Snapper Grouper Committee's cautious approach this week to that issue. Obviously, MPAs are a big issue on fishermen's mind.

As Wayne Mershon said earlier, catches are down, fishermen are hurting. The last thing that fishermen want are more closed areas. I realize the council is under the gun concerning the issue of the rescission of the 240-foot closure, concerning doing something with speckled hind and Warsaw grouper.

I don't think most fishermen really have a problem with the issue of reorientation of the boxes that exist; but obviously there is a lot of concern about expansion of boxes or new boxes for MPAs. I do appreciate the committee's action to implement a system management plan for the existing eight Deepwater MPAs that were created to protect speckled hind and Warsaw grouper in particular.

I do think it is important that the council determine what is going on concerning those existing MPAs, concerning speckled hind and Warsaw grouper, especially before we move forward with anything new. I do also want the council to consider strongly the SSC's recommendations in the report from last year; that there does need to be an analysis of what is the impact of current regulations on the landings and effort concerning co-occurring species.

I think certainly, again, Wayne Mershon hit it on the head concerning the fact that since 2009 it has been really unprecedented concerning the number of amendments, both plan and regulatory and interim rules, that have come forward from the council. I know most of that has to do with the issue of the reauthorization of the Magnuson-Steven Act, but despite that it has happened.

I just ask you again as the council moves forward concerning consideration of MPAs and Regulatory Amendment 17; again, that you continue to approach it very cautiously; that indeed more information be gathered concerning the impacts of current regulations, and just what is happening in the existing Deepwater MPAs concerning speckled hind and Warsaw grouper. Thank you for your time.

**MR. HUDSON:** Rusty Hudson; President of Directed Sustainable Fisheries, also representing the Southeastern Fisheries Association East Coast Fisheries Section. With that said, Mr. Chairman, Ms. Vice-Chairman, welcome aboard. David Cupka, thank you very much for your help and service. The new members, Chris Conklin, Jack Cox and Zack Bowen; welcome aboard. We look forward with working with all of you as we proceed into the future.

It has been a very busy couple of years, just like David said. There is no doubt there has been a lot on everybody around the South Atlantic Region. My Directed Sustainable Fisheries had submitted three comments; one on framework, one on Amendment 19, now known as 20A. I would like to say that the effort to regionalize permits; the concept of the two-for-one was with regards to new entrants in my mind, not to eliminate any existing permits unless they wanted to sell out, and then two-for-one winds up achieving that.

As I had noted in my comment, a minimum threshold never to go below would be a very wise idea. Getting the Gulf Council, Chairman Boyd, would be a very good boon for the South Atlantic Region. We do have a little bit of a concern on how to deal with the mixing zone, but we also feel that there may be actually more South Atlantic mackerel in that mixing zone based on some analysis that was presented at SEDAR 16 than our Gulf stock at certain times of the year.

We're going to be approaching the king mackerel assessment this December with the data workshop and work our way through all that next year. At the same time we did get some increases on both the mixing zone, which was stepped up to the maximum from the Gulf, and will be stepped down over the next two years.

Then with the Atlantic quota, we had also gotten an increase, but basically throughout the years, whether it was the recreational or commercial, we have not always come close to catching the entire allocation. With Action 2, Alternative 4; I think it can be regionalized. I think that we can possibly even eventually eliminate the mixing zone and it all become part of an Atlantic quota.

There are a couple ways to do it. I think that the example set by Spanish mackerel, the Monroe/Dade County Line – we get into a gray area in the Keys, and have with sharks and other types of examples. Moving on from that; because I understand it would take a full amendment, we would want to keep it clean, a simple action and go forward.

There are a lot of people that request that and time will tell. As far as East Coast Fisheries Section; we submitted four comments; one on Regulatory Amendment 14. In that particular document we had Action 4 and Subalternative 3C, equaling 300 pounds as a step-down when a certain threshold was met. We support that.

With Dolphin Wahoo 5, Coral Amendment 8, and Joint Generic Dealer Permit; of those we had a little concern with Coral Amendment 8. I called it the finger sticking up to the north a little bit into the low-relief bottom that really was not needed. It is about five or six miles. I don't think you have to worry about rock shrimp boats wanting to run over any kind of high-relief bottom or even hard low-relief bottom because it is just not good for their nets.

Having been a captain of a shrimp boat, rock shrimping and soft shell shrimping for a decade, I pretty much know that bottom. Furthermore, with the expansion of the HAPC through the Oculina, all the way up to the Flagler County Line – and being I'm from Daytona, six generation fisherman, we have no representation on virtually any of the AP panels for Volusia County. We would like to see that rectified in the future. That includes with the coral and snapper grouper, law enforcement and probably even the mackerel.

The generic permit; East Coast did submit a comment. I noted in the briefing book today that it said none were submitted. All seven comments were submitted on August 18th. Gregg and Bob were very kind to make sure that it is now in the official record, and I have written copies here to go with that.

With that said, we have Regulatory Amendment 16 for the black sea bass pot closure removal. We think that the Protected Resource has done an overreach from Florida to North Carolina, and that we feel that in the presentation today you saw that the normal bottom or the area that those

animals are in at certain times of the year is usually 10 to 20 meters of depth, 33 to 66 foot to put in terms that fishermen can understand. Off our coast that is about five miles off the beach.

Where are our pots are set is 15 to 20, 25. Those depths are like 90 to 120 feet. We would like to be able to continue working into the winter as long as we have allocation. We have just succeeded in increasing the black sea bass allocation to all of the fisheries. We have several success stories besides black sea bass.

But, the point is that we have now reduced the number of black sea bass pots and boats through an endorsement system, and that it would be wise and prudent to allow these men and women to keep fishing; because as we see the fishery, we're tending the gear now. It is a daytime thing. We're not leaving the gear out. There are not 100 traps left per boat and stuff like that.

If you figure it on the vertical lines, it is one per pot. It pales in comparison to even one boat that is lobster fishing up into the northeast where a lot of that critical problem is arising for the right whale. Having participated in the Large Whale Take Reduction Team for several years, I understand a lot of what was presented today.

I am happy to see the increase in right whales that have occurred over the past decade. That is a good thing. With Regulatory Amendment 17 that is being presented here on Type 2 MPAs; having been a participant in both MPA Expert Working Groups like Ben, like Mark, we did not come into that thinking Type 1s.

We did come into it with eight preexisting Deepwater MPAs that we did work very diligently, after looking at the site fidelity of the two animals in concern that stimulated the NRDC lawsuit, that we're still waiting on the outcome of that took place on July 30th. I think that is very critical, but everybody in this room should also know that speckled hind and Warsaw grouper petitions that were filed were denied.

It took a couple years to get to that point for the 90-day findings. Now that is behind us. It is a low threshold of science to file a petition. I see a lot of them I have had to respond to in the recent years. Having taken the time to participate in this reorientation exercise; that is what we understood on the two half days of the May 2012 original workshop. Jack Cox was a participant, Bobby Freeman was a participant, Mark Marhefka was a participant, Ralph Delph was a participant, Ben was at both of the workshops.

Captain Mark Brown was able to participate in the second workshop. We are of the feeling that let's take baby steps. The baby steps are the eight existing Deepwater MPAs. For instance, the Snowy Grouper MPA is a wreck, and so we can make that smaller, more distinct. That helps law enforcement. But keep in mind law enforcement doesn't have to run up and down the beach.

They have a very narrow bottleneck up and down this whole region. It is called an inlet, and everybody knows where these inlets are. Everybody knows who the professional commercial and for-hire fleet are. The private fleet exists. It is very hard to monitor, but we would like to see everybody measured and participate in the same way that we do, in a way of providing the information so that we can do better stock assessments.

That is the only way we are ever going to get any more increases. Bonnie and I and others have all worked together for several years now in trying to achieve the best science to be able to reflect what we see at the side of the boat. We know when that science comes out and it does not reflect what we see at the side of the boat; that sends up our red flags, so please keep that in mind.

It has been a pleasure with working with you all. I look forward to continuing to do so. Thank you for your time today. For the record; I'm resubmitting all seven written comments to the council, and I also prepared a comment with regard to the MPA Expert Working Group that I have already passed by internet to all of the council members, and I'll give this to Mike right now.

**MR. BLUM:** Frank Blum; South Carolina Seafood Alliance. Chairman Cupka and council members, thank you very much for allowing me to talk to you for a few minutes on Amendment 19; sale of recreationally caught fish. As most of you know, I'm sure all of you do, but Sean McKeon as of tomorrow will not be with the North Carolina Fishery Association. That is going to be a loss to our commercial entity or commercial sector. You may say, well, it is just one person and he's gone. He'll go to something new, but let's look a little deeper there and find out why he left.

From what Sean said, the reason for this downsizing is the financial difficulties commercial fishermen and the fishing industry in North Carolina are facing. The regulatory burden has crippled the industry, he said. With the closing of Oregon Inlet we lost hundreds of thousands of dollars. The resources aren't what they used to be.

I hate to use the term "perfect storm", but it has been a combination of many things like the regulations and the people are getting out of the industry. What we're saying is there are not enough people to fund his job anymore. It is shrinking up. Dropping down to South Carolina, we are at about half of our maximum capacity, which was up about 1995, and I think our revenue is down about half.

The sale of recreationally caught fish is not going to be in itself a real big hit to the commercial industry. It is not going to take much, but really nothing you do individually is that bad. It is the cumulative effect of what is taking us down, or what we got used to calling the death of 1,000 cuts. Anything you can do to really make sure what you are doing is not hurting us socio-economically, would be a great help. I looked up the definition – U.S. Department of Commerce, NOAA Fisheries glossary.

I have a definition of a commercial fishery: A term related to the whole process of catching and marketing fish and shellfish for sale. It refers to and includes fisheries' resources, fishermen and related businesses. Their definition for a recreational fishery is harvesting fish for personal use, sport or challenge as opposed to profit or research. Recreational fishing does not include sale, barter or trade for all or part of each catch.

My question to you is what best available science do you use if you are going to allow the recreational sale of the fish? Is it a precautionary principle, Boyles' Law? Just what gives you the authority to say that a certain portion of that sector can sell their fish? What that would do – like I said, that one thing would not hurt us that much, putting that cheap fish on the market; but



it is an inlet for you to – or for the other recreational sectors to come out and say you gave it to them, why not us? Really, I question the authority of you to even consider allowing recreationally caught fish to be sold. Thank you much for the time.

MR. HARTIG: Frank, the Mackerel Committee did vote yesterday to not allow the sale of recreational-caught king or Spanish mackerel. They'll recommend to the full council tomorrow that action. We'll see what happens, but so far it is going in the direction that you had said that you wanted it to.

MR. BLUM: Thank you; I missed that.

**MR. LATA:** My name is Mike Lata. I own a couple restaurants here in town and I was hoping to share a few thoughts with you. Thank you for hearing my opinion. We opened a restaurant called "Fig" about ten years ago and have been selling lots of seafood over those ten years. It has been obvious to me that the people that come to Charleston want to taste and eat the local seafood.

In those ten years we developed many relationships with some great people here in the low country to the point where ten years later a few national awards. And with all eyes on the Charleston food scene, we were inspired to open a restaurant called "The Ordinary", which was a salute to our local fishermen and oystermen and crabbers, et cetera.

I am kind of new to this; politics, if you will. But what has become apparent to me is that the regulations and the decisions that go into changing the regulations affects more than just the fishermen. Now that we have this national reputation as a food town and I have this seafood restaurant called "The Ordinary", people are traveling from all over the country, as near as these drive-in communities of Charlotte and Atlanta, but as far as everyone on the west coast to have the food in Charleston and taste what we do.

At certain times of the year, like March and April, these people who have made their one planned trek to the city to taste what we do, well, there really isn't a whole lot to show off. Aside from that, the economic impact that I think these regulations – they affect more than just the fishermen, like I said earlier. My perspective is if there is a decision to be made about how to enforce or what regulations to enforce, that there is a whole company of people, of 100 people that are selling local seafood, talking about local seafood.

We have a relationship with the Marhefka's who are – Kerry is in the room right now – where we think we do a lot of good. We are pro-management, 100 percent, but I think not to speak out of turn, but I think when there is a chance to consider how the rest of the community is affected by these regulations, I would like to throw my hat in the ring saying there are a lot of us that are affected by it. Whatever we can do to soften, change, lessen the blow so the fishermen can still stay in business, it is our identity as a community and certainly the reception of the ordinary.

Being named one of the top 10 restaurants by several magazines, a new restaurant Southern Living just named us the top new restaurant in the south. I think a lot of people are benefitting from the recognition that our restaurant is getting. Not that I'm bragging; I'm trying to illustrate a point that beyond the fisherman and the dock, there are a lot of people relying on fresh local

seafood to prosper; and the decisions on which fish to shut down and when greatly affects all of us. Thank you.

MR. HARTIG: I appreciate that. There are a number of us who are working within and without the process to try and get some flexibility back in, so we can have a little bit longer season and a little bit longer access. That would benefit you in the long run as well. We're trying.

**MR. RUBY:** My name is Matt Ruby. I live on James Island, Charleston, South Carolina. I have been in the snapper grouper fishery for about 16 years now. I just wanted to say that I support the 500 pound step-down for the vermillion snapper. I think that kind of gives both user groups, the big boat and small boats, since there now seems to be a division there in the commercial fishery, an option to make a little bit of money before things completely close.

I don't support the continued reduction in trip limits. I'm not sure how it came about. I feel like in the bandit fishery in the Carolinas, the big boat fishery came about more because of weather, distance from shore and safety; not necessarily to try to gobble up all the fish along the coast. It is true that the purpose for the guys in the Carolinas is year-round employment. It is not to work six months and have six months off.

I don't think anybody would want to work along those lines. I feel like that maybe the council might have to consider some way to try to work within the user groups now if there is a way – if we have to try to separate out the bigger boats and the smaller boats; because when vermillion snapper closes here – I don't know if it will close by the end of this month or not – more than likely I am going to have to not fish any of the bigger boats, just with everything else that is closed. The amount of expenses to fish the boat is just not feasible.

Guys are going out there and working five, six days in the ocean for \$300 paychecks. It just doesn't make any sense and the wear and tear on the vessel and stuff like that. I kind of think that it maybe levels the playing field a little bit with the smaller boats. Yes, the bigger boats can fish through the weather and stuff like that; but when there is good weather, the smaller boat fleet can probably make two to maybe three trips in a week; whereas, a normal boat in the Carolinas only makes one trip, because of the distance, and they are slower boats. I hope there is maybe something that can be worked out with that.

On the king mackerel; I support the no sale on the bag limit with kings. I think that kind of keeps things pretty straight. I support the no action on the latent permits; taking away anybody's permits with the way things are right now. If anything was done, two-for-one would be the way to go. I support MPAs in small, specific areas to help with speckled hind and Warsaw grouper, but I don't support putting any new MPAs or anything in place unless there is some way to enforce it.

I think VMS would be the way to do that to be able to help law enforcement and could be used for the vessels for safety and other reasons, to help with data collection and stuff like that. I feel like the MPAs that are in place now, that they're just basically – you look at them on a piece of paper and they're there, but they are basically just still being used as before in the ocean. Nothing has changed.

I just wanted to congratulate the new council members. If there is anything I can do, I am more than willing to talk to anybody, because I want things to work out. I don't want anybody to be out of business. I just would really like to see a year-round fishery in the South Atlantic. Thank you very much.

MR. HARTIG: Thanks, Matt. This big boat/small boat controversy has been coming more and more to the forefront as we reduce these trip limits and we try and extend these seasons. We've actually requested the information on big boats versus small boats at the trip landings level to see what kind of impacts they are having. We are aware and we are working in that direction.

**MR. BARNES:** Chairman Cupka, council members, thank you for letting me come and talk to you today. I am a recreational fisherman. Logan Barnes; I live in Charleston, South Carolina. I fish out of both Charleston and Georgetown. First I would like to say I don't think we need any new MPAs or expansions of existing MPAs until scientific data shows that the current existing MPAs are actually working.

I feel like any modification to those would negate the effects of having them without you actually having the scientific data. As a scientist myself, I feel like if you have true scientific data and statistics that actually show it and aren't skewed, then I am 100 percent for management, but I do not think we should change anything without having scientific data.

As a second thing, I don't support VMS. If you want to monitor your MPAs, you could do that with video monitoring on buoys or radar out there. VMS is not the way to do that, in my opinion. I also do not think that a tag program – I know you haven't talked about this yet. I know it is coming up – a tag program for recreational; that is pretty much catch shares with a different name on it, and I don't think that is a good idea.

Snowy and golden tilefish for recreational people; I think that we would have a different idea of the way to monitor that for recreational fishermen, because we closed that in May of this year with 532 snowies that were caught. I'm not sure exactly where that data came from, but I would appreciate it if we could look into modifying that in some way, because we caught one snowy this year before it was closed due to the weather. Then it was closed in May. Thank you.

**MR. WARD:** My name is Jason Ward. I am a recreational fisherman here in Charleston, South Carolina. I think I was expecting about 15 people here tonight, so I am kind of shocked it was this big. Anyway, so I've been fishing and diving in Charleston. I lived in South Florida for a couple years. I've dove in Hawaii, Cabo San Lucas, pretty much all over the world. The one thing I can say about our fishery is we have probably one of the best fisheries I've ever seen before. There is just like a plethora of fish offshore.

I can tell you they definitely have some overfishing problems down in South Florida. It is like a desert down there, but our fishery is nothing like that. That being said, I wanted to address a couple concerns that I had tonight. The one was being this proposed reconfiguration of the MPAs.

I read through some of the minutes that you guys had from some of the Expert Workgroup Panels in February; the ones that are publicly available online. I noticed that there was talk about

basically shifting these MPAs from this east/west orientation into an orientation that follows more the contour of the Continental Shelf.

I keep hearing that the size of these MPAs is not going to change that much; it is not going to be that big of a deal; we're just trying to realign them with speckled hind and Warsaw grouper. Well, the fact is that half these MPAs are sticking out in the sand right now. When you take these things and turn them from the east/west orientation to this orientation that follows our coastline, you are grabbing a lot more live bottom.

You are closing off a lot more areas of fishing. Also there was a recommendation to close even more areas such as the Georgetown Hole, which is probably one of our most cherished fishing spots in the whole state. It is something I don't think any fisherman would want to see lost. They are doing it on such poor scientific observations.

I would like to read something that I found in the minutes, talking about speckled hind and Warsaw grouper. This is actually in reference to a slide that I guess Dr. Nick Farmer had up there showing all these different areas where they made Warsaw observations and whatnot. There are crosses on this map.

They showed some Warsaw observations in the Georgetown Hole area. Rusty Hudson asked the question. He said, "Hey, by Georgetown Hole, you had some gold stars for spawning Warsaw grouper inside Georgetown Hole. Do you have any information; male, female size, anything that goes to that gold star?"

Dr. Farmer states; "No, there is a question mark next to that ledge", and the reason was because that is anecdotal information. I believe that is based on a book. I have a citation from the book in the notes on the slide, but the actual read is kind of interesting; a fascinating book from a fisherman, I guess, who wrote up his experiences in a much longer kind of personal autobiography of his life. But it was a Google Book that I found searching online"

I would like to question the science that we can actually suggest that this Georgetown Hole is this Warsaw breeding area because of a Google Book that a scientist found online. I don't think that is what best available science means, so I would like to call that out. I would also like to ask has any consideration been given – has speckled hind every really been an important fishery on the east coast?

I did see in the meeting minutes there was a reference to a document that was done I think by Dr. Grimes back in '83 from data that was collected from 1972 to '77, and it said that the speckled hind was the fourth most occurring species that they had encountered in their search behind red porgy. Well, first of all, I find that pretty hard to believe when you have vermilion snapper, black sea bass, triggerfish, grunts, tomtates, all these other species out there.

There are red snapper that are very quickly growing and very widely found. They can live in a variety of habitats from 40 foot of water on out to deep. I find it pretty hard to believe that speckled hind was the fourth most occurring fish at that time. Then I have talked to a lot of old school fishermen that have been here for 40 years.

I can't find any of them that can claim that, oh, yes, speckled hind used to be great back in the day and now we don't see them anymore. I question the validity of that science. I also question if we're going start closing off more areas in the name of speckled hind, where we take this species that has never been commercially important and restore it to whatever, we're going to impact other fisheries that are commercially important.

Is it really under the charter of the Magnuson-Stevens to impact important fisheries to restore a fishery that was never important to begin with? I don't know that I necessarily agree with that. I wanted to point that out as well. The other point I want to point out is when I was reading through the notes here, I noticed that there was an Amendment 22.

I don't know if it has been talked about, but it was called a recreational tagging program. From the best I could tell, it looked like what it was is a catch share program, but I'm not sure if that is right. I'm not sure why the term recreational tagging program was used, because I think that is pretty misleading to the public.

If it is going to be a situation where you give out shares of a catch to the public and you're managing a quota by those means, then let's call it what it is. It is a catch share program. I think the catch share program is very hotly debated. I almost find it misleading, almost a little bit deceptive that it would be named a recreational tagging program, because I think that confuses it with things like what they're doing at DNR, where they actually tag a fish and then recapture it at some other point. Anyway, thank you very much for your time.

MR. HARTIG: Thank you, Jason, I appreciate it. That is the last card I had that people indicated to speak, but there has been a bit of shuffling up here and I could have misplaced someone's card. Is there anyone else who would like to make comment on the agenda items for today? If not, thank you very much. Thank you for being involved in a process. We appreciate your input and it was especially good today.

DR. CRABTREE: I take it we're done, Mr. Chairman?

MR. HARTIG: We are recessed for today and will meet again – Monica, do you have a report in the morning?

MS. SMIT-BRUNELLO: I can give you a very brief one, I guess.

MR. HARTIG: How about 8:15, then. Okay, 8:15 tomorrow morning.

(Whereupon, the meeting was recessed at 5:10 o'clock p.m., September 19, 2013.)

The Full Council Session of the South Atlantic Fishery Management Council reconvened in the Blue Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, September 20, 2013, and was called to order at 8:15 o'clock a.m. by Chairman Ben Hartig.

MR. HARTIG: The first item on the agenda this morning is to get a report from Monica on some litigation that we have pending.

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

MR. HARTIG: No other questions? All right, we'll open it back up and get the public back in.

MR. MAHOOD: Chairman Hartig has asked me to pass out a sheet of paper to you. Some of you have been around and filled one of these out before, but it is a committee preference form. It basically allows you to let him know what your top five committees you would like to serve on are. The new members have already filled it out. I will be passing that out; and if you are wondering what it is for, that is what it's for.

MR. HARTIG: The next item we have is we've got a distinguished guest today, and I'm very happy that you decided to make the rounds. He has been going all through the area Coast Guards and visiting them as well in his stay here in Charleston. I think I will turn it over to Lieutenant Fowler to introduce our guest.

LT. FOWLER: Good morning, everyone, I have seated to my left, if you didn't meet him the other night at the social, Rear Admiral Jake Korn, the District 7 Commander.

RADM KORN: Good morning, everyone. It is good to be here. I am visiting all the sector Charleston units. And as the new D-7 Commander, we have seven different sectors throughout the southeast here in San Juan, Key West, Miami, Jacksonville, here in Charleston and in St. Petersburg. Of course, we're your enforcement arm, not only here but for part of the Gulf Council and for the Caribbean Council.

Lieutenant Fowler here is keeping me up to speed on your work, but it is nice to be able to come in here in association with this visit and see the work that you've done. I know that you've done a lot of work in committee, so I get to see sort of the results of that here this morning. It is nice to be here. Thanks for the opportunity.

MR. HARTIG: Thank you. All right, that brings us back to the agenda, and the next item on the agenda is the Snapper Grouper Committee Report from Dr. Michelle Duval.

DR. DUVAL: The Snapper Grouper Committee met in Charleston, South Carolina, on September 17 and 18, 2013, and we received reports from the Southeast Regional Office on the status of commercial landings, as well as for snapper grouper species updated recreational landings were not available. I expect we'll get those next time. We got a quick update on the amendments we have under review, which was quite a few. I will not read through those.

I think everybody can see those on the report, but we have various amendments; several of which became effective in the last couple of months since our June meeting. We also received a presentation from Mel Bell, the deployment of artificial reef material and the Charleston Deep Reef MPA. Then we got into our first big amendment, Regulatory Amendment 14, which contains management measures for various snapper grouper species.

Staff guided us through this. **We had a number of motions, the first of which was to approve the IPT's suggested edits to the needs' statement of Regulatory Amendment 14, and on behalf of the committee, I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next motion was in regard to Action 1, which dealt with the commercial and recreational fishing years for greater amberjack. **That motion was to approve the recommended edits to alternatives under Action 1, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next motion was to change the council's preferred to Alternative 1, no action. We then had a substitute motion to change that preferred to Alternative 3. **The substitute motion was approved by the committee, which then became a main motion and so on behalf of the committee I offer the main motion, which is to change our preferred to Alternative 3. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next was Action 3, which was to modify recreational accountability measures for black sea bass. **The first motion was to approve the suggested edits to the alternatives, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to select Alternative 2 as the preferred, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next action was to modify the fishing year for the black sea bass commercial sector. This was Action 4. **The first motion was to approve the recommended edits to the alternatives under Action 4, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to select Alternative 3, Subalternative 3C as the preferred, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next action was Action 5, to modify the commercial fishing seasons for vermilion snapper. **The committee made the following motion to approve recommended edits to alternatives under Action 5, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

We did not change our preferred alternative there so there is no action in that regard. The next was Action 6, which was to modify the trip limit for the commercial sector for gag. **The committee made the following motion to change the preferred subalternative to Subalternative 2E, and on behalf of the committee I so move. Is there any discussion?**

**MS. BECKWITH:** I would like to offer a substitute motion that we reselect our original preferred 2C to reduce the trip limit to 300 pounds; and if I can get a second, I'll give some thoughts.

**DR. DUVAL:** There is a motion by Anna for a substitute; seconded by Doug. Doug, did you have a comment and then Jack.

MR. HAYMANS: Well, just simply that we heard an awful lot of public comment to that effect,; to go back to the 300 pounds; that it wasn't meant to be an actual trip limit, but more so to protect bycatch.

MR. COX: Just with the e-mails and comments that I got from the North Carolina area, that alternative seemed to be the one that they wanted to support.

MR. PHILLIPS: Madam Chair, bycatch is an issue but this is a directed fishery. It is allocation; it is reallocation. Whether it is 500 pounds or 300 pounds, it makes a week and a half worth of difference. If you give those fishermen 75 pounds of red snapper, they are going to get them. They have to go get them.

We have bycatch fishery after bycatch fishery, so it's called. It is reallocation; it is step-downs. We've heard the issues in Florida about what happens to these big boats, and it is like putting a guinea pig on a treadmill. They are having to run faster and faster and faster. We know they are going back-to-back trips to try to make the same money or even close to try to feed their families.

You end up making people go fishing more to make the same amount of money to try to survive. A lot of these fellows, they've got shorter-trip boats, they're working closer to shore. Maybe they don't fight the weather that the big boats do; but in the summertime there is not a lot of weather to fight, anyway, which is when it is mostly open. It is reallocation.

We're going to have to come back to this I'm hoping after visioning when we can get some thoughts from fishermen and get thoughts from the restaurants and the markets on what they need and when they need it, because this isn't working. We're causing more bycatch by making people make all these short trips.

Some of these boats are already tying up at 1,000 pounds. At 500 pounds, you've seen the public comment from these big boats, especially down in Jacksonville. There are some up in North Carolina, too. They're scattered all up through the regions. But this is a reallocation; this is an equity issue.

Whether it is 300 or 500 pounds, that is not the issue; the issue is try to keep people fishing and try to get fish to the rest of the public, the restaurants, and the markets. It doesn't do us any good to have fishermen fishing if they can't make a decent living. We listened to the public comment from the crews. They use to make a little bit of money. They are scratching to get by. Even that; we're not going to have year-round fisheries.

As much as we want to, we're not going to have it. Vermilion, for example, they gave us back a lot of fish. The big boats, the boats that work offshore have lost the profitability of 25 percent of those fish when you hit 500-pound trip limits. You gave in one hand and you took right back most of it in the other. It is not making sense. We have got to do a better job than this.

I'm hoping visioning will help us do a better job. And most of these guys, when they come up, it is extend fishing year; then save bycatch. It is not bycatch first. They are trying to fish. They are trying to survive, and I don't blame them. We're all trying to survive. I'm going to vote against the motion.



Because the vermilion guys got hammered so bad on this 500-pound trip limit, I was hoping to give them something so they could stay in business just a little bit longer. We're talking nine or ten days, maybe; that's it. The little boats aren't suffering with the 300-pound trip limits, because they can go make two trips, maybe three trips in the time a big boat makes one. They are not suffering. This is reallocation, and I'm going to vote against it. The bigger issue is coming back in visioning and fixing it or doing the best we can to fix it and recognize the problem and going from there.

DR. DUVAL: Thanks for those comments, Charlie. You are suggesting that we are reallocating quota to smaller vessels as opposed to bigger vessels, and I think big boats and small boats both have advantages and disadvantages. Small boats can't go as far. Big boats can go farther and can handle weather better.

Depending on where you are geographically, you need a bigger boat to get out to different waters, and so I understand that. I think if you're suggesting that we need to just keep the trip limits the same and then drop them down to something like 50 pounds at a certain point through the ACL, to allow for just a bycatch when vessels happen to be out fishing for something else and then incidentally encounter these other species, we can certainly come back and take a look at that. I agree and I am hopeful that some creative alternatives are going to bubble up through the visioning process, because the reality is we are always going to have a diversity of boats in the fleet. They might require slightly different management measures for each.

MR. COX: Well, I just wanted to point out real quickly the geographical differences between where the guys below us in North Carolina fish. In less than an hour I can be to the grouper grounds and get my 300 pounds of gags, and be in before the sun sets. I just want to let everybody be aware of that.

**DR. DUVAL: Anybody else? Okay, I'll need to read the motion. The substitute motion reads change the preferred to Subalternative 2C, which would be reduce the trip limit to 300 pounds gutted weight. Could I please see a show of hands of those who are in favor of the substitute motion; four in favor. Could I please see a show of hands of those opposed? The substitute motion fails; six opposed, four in favor.**

**We are now back to the main motion. Could I please see a show of hands of those in favor of the main motion, which would be reduce the trip limit to 500 pounds; eight in favor; those opposed, three opposed. The motion passes.**

**The next action was Action 7, which was to modify the recreational accountability measure for vermilion snapper, and the committee made the motion to approve the recommended edits to Preferred Alternative 4 under Action 7; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to approve the codified text for Regulatory Amendment 14 as necessary and appropriate. On behalf of the committee I so move. Is this a roll call vote for the codified text, Bob?**

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Why yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Duval.

DR. DUVAL: Yes.

MR. MAHOOD: The motion for the codified text passes unanimously.

**DR. DUVAL:** The next motion was to approve Regulatory Amendment 14 for submission to the Secretary of Commerce, and on behalf of the committee I so move; and another roll call vote.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Duval.

DR. DUVAL: Yes.

MR. MAHOOD: The motion passes unanimously.

**DR. DUVAL: The next motion was to give the Council Chair editorial license to make necessary changes and redeem the codified text as appropriate, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next item on our agenda was Amendment 29, which was the ABC Control Rule Amendment. Council staff guided us through the decision document and we made the following motions. **The first was to approve the recommended scalar scheme for risk of overexploitation, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next motion was to select Subalternative 2D as a preferred; however, that motion was withdrawn, and that had to do with the multiplier for the above scalar scheme. **The next motion was to remove blueline tilefish from Amendment 29 and include a three-year review provision for the ORCS species in the amendment; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

We also gave guidance to staff to include a provision that a review could happen sooner at the request of the council; and at that three-year review the advisory panel should review each species and provide their input prior to the SSC's review, going through basically the same process that the SSC and the ORCS Committee did.

**The next motion was to add actions related to gray triggerfish that were previously included in Regulatory Amendment 14, and in addition include actions to establish a commercial split season and trip limit. On behalf of the committee I so move. Discussion.**

MS. McCAWLEY: I just want to make sure that the size limit and the measurement method are also included here.

DR. DUVAL: Those were indeed the two actions that were removed from Regulatory Amendment 14. **Any other discussion? Is there any objection? Seeing none; that motion stands approved.**

The next amendment was Amendment 22, which was a recreational harvest tag program. **The first motion was to adopt the revised purpose and need, and on behalf of the committee I so move. Is there discussion? Objection? Seeing none; that motion stands approved.**

**The next motion was to remove Action 5 and 6 from the options paper, which dealt with transferability and data collection programs; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to remove Action 2 from the options paper, which dealt with establishing criteria for adding and removing species; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to remove Alternative 3 from Action 1, and remove the word “private” from Alternative 2; and on behalf of the committee I so move. Is there discussion? Does everybody understand what that means? Is there any objection? Seeing none; that motion stands approved.**

DR. CRABTREE: Just before we leave this one, since we’re going to move forward at looking at this, I’m going to ask Phil and Andy Strelcheck and Jack to come into the December council meeting with a reasonably specific model of how we think we could do a lottery and make this work.

We’ll do our best to cost it out and timing out so that when we come in we have a much more specific idea of what might be doable. Hopefully, by then we’ll have some idea of what we’re looking at next year in terms of budget. We can have a little more meaningful discussion about what is actually doable and what is probably not doable under the current level of resources we have.

DR. DUVAL: Thanks for that, Roy. Perhaps in the interim there can be some conversation also between maybe some of the state partners and some folks on your staff with regard to what resources the states might be able to bring to something like that or even their ability to do so.

MR. BELL: I was just going to say we heard the public testimony and all that there is probably a little work needs to be done in terms of explaining this to the public. Some of them have the perception that it is an attempt to create some sort of limited access program or something. Yes, it does limit access, but that is not what this is about. There was some perception I think that we were trying to pull one over on them, I think.

DR. DUVAL: I would agree, and notice I said recreational harvest tag program so as not to be confused with the kinds of tagging programs that are used for estimating natural mortality and whatnot. But I agree that we need to be very clear that the intent of this is to simply track ACLs for those species which have very low ACLs, the numbers of fish.

MR. BOWEN: Also I would like a little more clarification on the definition of “low” in the December meeting; meaning a number.

DR. DUVAL: You are looking for sort of a hard and fast ceiling of what “low” means?

MR. BOWEN: Yes.

DR. CRABTREE: Well, I think that is ultimately going to be something the council will have to figure out, but I think looking at what is feasible and what is possible in terms of the cost and all that will play into that, too. Ultimately I think it is going to be up to the council to decide what is low. We can I think have a lot better discussion in December.

DR. LANEY: I certainly agree with what Roy said, but I think also relative to what constitutes low; Bonnie may want to weigh in there, too, from the standpoint of looking at whether or not you would be able to track the actual landings better by providing those tags as opposed to deriving an estimate from MRIP. When you do have a low number, however you define that, and I guess from my perspective low would be something probably less than 1,000, but I don't know. That certainly merits further discussion.

MR. HARTIG: We had a way to do this based on characterization and a real fixed way to do it. We got away from that and I think that is a good thing. I think we need the flexibility when we get to those things, in consultation with Bonnie, and our views on what is low. I think we should just keep it flexible.

DR. CRABTREE: It's not just a number. That is part of the equation, but for red snapper; I forget how many fish it is, but it is not that low of a number. But if they are all caught in one weekend, then the survey is not going to capture that. It is not just the magnitude of how many fish, but it is also how you're catching them and the duration of the fishery. It is a little more complicated than just the numbers' game.

DR. DUVAL: I would agree. Any other comments on this amendment before we move on?

DR. CRABTREE: Moving on, I just wanted to let you know before we have the votes on the sea bass closure, that the final rule for Amendment 19 that raised the quotas and put the closure in place published yesterday and was effective at the end of the day yesterday. That is in place and the quotas are raised.

DR. DUVAL: Happy Friday! Thanks, Roy.

DR. CRABTREE: You're quite welcome, Madam Chairman.

**DR. DUVAL: Moving on to Regulatory Amendment 16, which was the black sea bass pot closure, the first motion that the committee made was to approve the purpose and need, and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

DR. CRABTREE: Jack is already correcting me. The final rule for Regulatory Amendment 19 filed today at the Federal Register and will publish and be effective on Monday.

DR. DUVAL: Well, that is still happy news for a Friday, so thank you very much for that correction. Monday the ACL increase will go into place and 30 days after that the six-month pot closure will be effective. Is everybody clear on that? The next motion was to modify the purpose statement as follows, and I think everyone can see that up on the screen, and on behalf of the committee I so move.

**The motion was to modify the purpose statement as follows: The purpose of Regulatory Amendment 16 to the fishery management plan for the snapper grouper fishery of the South Atlantic Region, is to address the balance between ESA-listed whale protection, and the socio-economic impacts imposed on black sea bass pot fishermen initiated by the annual November 1 to April 30 prohibition on the use of black sea bass pot gear. On behalf**

**of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to edit Alternative 4 as follows: the black sea bass pot closure applies only in designated right whale critical habitat in the South Atlantic Region; and on behalf of the committee I so move. Is there discussion?**

DR. CRABTREE: If we ultimately pass this, the way it would be laid out is if the Fisheries Service changed the critical habitat, then the area of the sea bass closure would just automatically be changed simultaneously without coming back before the council. Is that your intent?

DR. DUVAL: Is that the committee's intent? I don't we would –

DR. CRABTREE: That is how I read it.

DR. DUVAL: That is how I read it as well. If there are changes to right whale critical habitat and that is the alternative that is ultimately chosen, then any changes to those critical habitat borders would also impact the pot closure.

MR. HAYMANS: Well, I was considering asking to add another alternative, and maybe we can have a little bit of discussion before I do that. We heard in the presentations yesterday about that they really aren't out beyond – or their primary depths aren't beyond 20 meters. I was curious as to whether we wanted to add another alternative similar to the critical habitat, but rather to keep the black sea bass pots beyond 20 meters during those times of year. Is that worth adding in as an alternative?

DR. DUVAL: It is up to the committee.

MR. BELL: What you might find is that figure 10 to 20 meters is in the Federal Register and stuff, but I don't know that that is a hard-and-fast line for them necessarily. I don't know how useful that is in terms of doing something like that at this point. The animals are in, they're out, and 20 meters some place is not 20 meters in others, maybe. Yes, I would say by and large off of our area, we're already outside that, but I don't know how reliable that is.

MR. HAYMANS: The same can be said about the critical habitat. They don't just follow the hatch box there.

MR. BOWEN: My concern is that depth varies so much along that coast. That is just a concern because of the depth variance from state to state.

DR. DUVAL: I agree.

DR. CRABTREE: Well, I would suggest if you want to look at having some kind of depth contour component to it; that rather than trying to specify exactly what it should be, you should just ask staff to work with Barb and Jess and the Right Whale folks and take a look at the modeling and see if we could actually come up with a depth contour that would have some basis in what we know about the whales and where they are. Then we could look at that at the December council meeting.

DR. DUVAL: Maybe, Doug, you would want to make a motion to direct staff to develop alternatives for a pot closure that is maybe based upon depth contours or that restrict the pot closure based upon depth contour or something like that?

MR. HAYMANS: Madam Chair, that was pretty close to my motion, so, yes, I would make that motion.

DR. DUVAL: All right, so let's dispense with the motion that is on the floor, which was to edit Alternative 4. Is there any other discussion on that edit?

MR. CONKLIN: I think we should take "beyond" out and maybe change it, because it would be within; correct?

DR. DUVAL: We have a motion on the floor right now just to edit Alternative 4, and I was jumping ahead. I apologize for that. **Is there any other discussion on that particular alternative? Seeing none; that motion stands approved.** Now, Doug, would you like to make a motion?

MR. HAYMANS: I would change beyond; because when you're talking about restrictions, it is within the depth contour. Beyond the depth contour, then it is open. **I think the motion would read direct staff to develop an alternative that would restrict the use of pot gear – I was going to say within a specified depth contour.**

DR. DUVAL: Motion by Doug; second by Charlie. Discussion? Is there any objection to this motion? Seeing none; that motion stands approved. The next item was Regulatory Amendment 17, which dealt with MPAs for speckled hind and Warsaw grouper.

**The first motion from the committee was to request presentations for the December 2013 meeting from South Atlantic Council staff, MARMAP, NOAA Law Enforcement, and the Southeast Fisheries Science Center on which of the needs identified in Amendment 14 have been met and which are outstanding; and on behalf of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to direct staff and the IPT to work on a system management plan for the existing eight marine protected areas; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to approve the following purpose and need for Regulatory Amendment 17; and on behalf of the committee I so move.** I would just say that again sort as a caveat that we discussed while in committee was that as with any of our amendments; when the IPT begins working on these, they may come back to use with some wordsmithing suggestions, but this is the core of what we intended. Is there any discussion?

MR. CONKLIN: I think instead of reconfiguring we were going to use the same terminology modification that is in the thing.

DR. DUVAL: You would like to see reconfiguration changed to modification?



MR. CONKLIN: Yes. If I'm not mistaken, Gregg; didn't you define modifies. You can make it smaller; keep it the same or bigger, whereas reconfiguration kind of implies keeping it the same and just changing it without the ability to make it smaller or bigger.

DR. DUVAL: Is everyone okay with the use of "modification" versus "reconfiguration"?

MR. HAYMANS: Sure, I'm okay with it; but just in all of our examples and in all of our illustrations it is reconfiguration. It may have far-reaching changes.

MR. BELL: If we can all be in agreement that reconfiguration doesn't just limit us to rotating around an axis or something, I think that is the point. I guess if we're all in agreement on what we mean by reconfiguration, which could be expansion, contracting, rotation or whatever.

DR. DUVAL: Perhaps we're just clarifying here that by reconfiguration we mean all of those things; and if the committee is in agreement, then we can probably maintain the word reconfiguration given that it is one we have used consistently in our materials.

MR. BELL: Yes, and that is the point, we have been using the term reconfiguration a lot. It is in all the background documents. As long as we're clear on that, I think we're fine.

DR. DUVAL: Is everybody clear on that? **Any other discussion on this motion? Any objection? Seeing none; that motion stands approved.**

(Whereupon, the following purpose and need was approved: **Purpose:** Develop options to reduce bycatch of speckled hind and Warsaw grouper by reconfiguration of Deepwater MPAs (Amendment 14) and/or addition of new MPAs that contain evidence of occurrence and/or spawning of speckled hind or Warsaw grouper. Develop and implement monitoring/evaluation/enforcement plans for any new marine protected areas.

**Need:** Protect speckled hind and Warsaw grouper and their deepwater habitat from fishing and monitor and assess the effectiveness of MPAs, as outlined in a system management plan, in meeting the stated goals.)

DR. DUVAL: **The next motion was to direct staff to structure the actions and alternatives with one action for each state and alternatives, including no action for each state.** I think one thing that we probably want to clarify is that we can do it in this motion or the next motion, but there is still some outstanding confusion I think as to whether the MPAs we were talking about are Type 1 MPAs or Type 2 MPAs. I think we need some clarification somewhere that these are Type 2 MPAs that we are talking about.

We did have a motion from our June council meeting of a year ago, but I think it is always good to remind folks that these are Type 2 MPAs. I would suggest either a small edit to this motion to indicate such; or perhaps within the next motion we could just add that these are Type 2 MPAs. The next motion deals with a timeline for preparing a draft. Do it in this one?

MS. McCAWLEY: I would put it in this one and not the other one.

DR. DUVAL: Maybe what we can do is just have a separate motion; maybe just pass this motion and have a separate one to indicate that again reaffirm the council's intent that any MPAs under consideration are Type 2 MPAs. **If everyone is okay with this structure motion; is there any objection to that motion? Seeing none; that motion stands approved.** I would entertain a motion.

**MS. McCRAWLEY: I would like to make a motion to state that the MPAs that are being considered in Regulatory Amendment 17 are Type 2 MPAs.**

DR. DUVAL: Motion by Jessica; seconded by John Jolley. **Discussion? Any objection? Seeing none; that motion stands approved.**

MR. HAYMANS: Just a brief note, if I could. In the minutes that we're considering the Fernandina MPA under that structure; Nick and I had a discussion yesterday, but that MPA falls equally across the Georgia/Florida line. When we go to consider it, I want to have discussion about that MPA on both sides if we could.

DR. DUVAL: You would like it included in both the Georgia construction and the Florida construction? I think that's a good idea. **The next motion was to direct staff to prepare a draft Regulatory Amendment 17 Document for review at the December 2013 meeting. Approve for scoping, assuming an environmental impact assessment is necessary at the December 2013 meeting; conduct in-person scoping meetings in January, 2014; review scoping meetings at the March, 2014 meeting to provide guidance for more complete analyses; review analyses and approve for public hearings at the June 2014 meeting; conduct public hearings in August 2014; review comments at the September 2014 meeting to approve actions; and final review to approve for secretarial review at the December 2014 meeting. On behalf of the committee, I so move.**

**Is there discussion? Any objection? Seeing none; that motion stands approved. Then under other business we had a motion to request a presentation from the Science Center and Office of Law Enforcement on the Oculina Experimental Closed Area at the December 2013 meeting; and on behalf of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.**

Next we come to our timing and task motion. I would entertain a motion. Well, first of all let's look at the tasks that are in there and make sure we've got everything. It would be to prepare Regulatory Amendment 14 for submission. In November the Snapper Grouper AP will review the recommended ABCs for the ORCS species and provide their input. For Amendment 22, convene the IPT and state representatives to discuss a harvest tag program.

Revise that options paper for December; develop Regulatory Amendment 16 for council review; request that Nick and Roger participate in the Data Workshop at the December meeting to demonstrate tools available for MPA site selection and inform the MPA presenters for December that presentations were to be done on a site-by-site basis. Then the MPA scoping sessions are to be in-person scoping during January 2014. That's not verbatim, but Joe will get that list from Myra to include in the record.

**I would entertain a motion from the committee to approve the timing and tasks as presented below:**

**Prepare Regulatory Amendment 14 for submission to the Secretary of Commerce.**

**In November 2013, the Snapper Grouper AP will review the recommended ABCs for “ORCSs” species in Amendment 29 and provide their input for the council’s consideration. For Amendment 22, convene the IPT and state representatives, as appropriate, to discuss details of the possible recreational tag program such as administration, cost, etc.**

**Revise the options paper for Amendment 22 for the December 2013 meeting.**

**Develop Regulatory Amendment 16 for council review and approval for scoping at the December 2013 meeting.**

**Request that Nick Farmer and Roger Pugliese participate in the data workshop at the December meeting to meet one-on-one with council members to demonstrate the tools available for MPA site selection.**

**Inform the MPA presenters for December that the presentations are to be done on a site-by-site basis (e.g. sampling level, mapping, abundance of species, changes in MARMAP CPUE, etc.) and that presentations are to be included in the 2nd briefing book at the latest. MPA scoping sessions are to be in-person scoping during the January 2014 hearings/scoping meetings.**

MR. HAYMANS: Madam Chairman, I would so move.

DR. DUVAL: Motion by Doug,, second by Charlie. **Is there anymore discussion on this motion? Anything we’re missing? Seeing none; that motion stands approved.** Mr. Chairman, that concludes my report.

MR. HARTIG: The next item of business is the Mackerel Committee; but before we do that, I will just make you aware that we’re going to take a break after the Mackerel Committee, and that staff has asked that we get another picture of the group. I think it is appropriate that now that we have a number of new council members that we can update the photograph to be added in the council update and things of that nature.

All right, the Mackerel Committee received an update on current king mackerel and Spanish mackerel landings. The council staff provided a summary of public comments from written submissions and the hearings, followed by a review of Coastal Migratory Pelagic Amendment 20, formally Amendment 20A; and Coastal Migratory Pelagic Amendment 20B, formally Amendment 20.

The committee also reviewed the South Atlantic Coastal Migratory Pelagic Framework actions. The committee approved motions to submit the three amendments for secretarial – well, we really didn’t. We approved two for secretarial review. We have to do Amendment 20A during full council.

Lastly, the committee discussed upcoming amendments and directed staff to develop an option paper for an amendment to review sector allocations, including Atlantic migratory group Spanish mackerel; and for an amendment to separate the commercial king mackerel and Spanish mackerel permits into South Atlantic and Gulf permits.

That brings us to Amendment 20A; and under 20A the first item of business under Action 1, sale of king mackerel and Spanish mackerel; we need to approve the IPT suggested language for new Alternative 4. Kari, are you going to go through that suggested language or do you want me to do it?

DR. MacLAUHLIN: I can do it. We worked on this together and used what you guys had intended or that you indicated that you wanted to try to craft a new Alternative 4. This is the IPT suggested language.

In addition to Alternative 1, 2 or 3, king or Spanish mackerel harvested or possessed under the bag limit during a fishing tournament may be donated to a dealer who will sell those fish and donate the proceeds to a charity, but only if the tournament organizers have a permit from a state to conduct that tournament and the transfer and reporting requirements listed below are followed.

Then we have the two options below. Then we have the transfer and reporting requirements. A federally licensed wholesale dealer that is not part of the tournament must be present to accept the donated fish directly from the anglers. The wholesale dealer sells the fish and must donate the monetary value, sale price or cash equivalent of value received for the landings from the sale of tournament-caught fish to a charitable, religious, educational, civic or conservation organization.

The monetary value received from the sale of tournament-caught fish may not be used to pay for tournament expenses. The wholesale dealer instructs the tournament what records participating anglers must provide according to their trip ticket or other reporting requirements and how fish must be handled in ice according to HACCP standards.

The fish are reported through normal reporting procedures by the wholesale dealer and must be identified as tournament catch. We can make some changes to this if anyone has anything specifically that they would like to change. Then the council would need to approve a motion to accept the revised language here or however you wordsmith it for Alternative 4.

This basically will replace the current Alternative 4; so that you have a no action alternative. Alternative 2 prohibits bag limit sales except for the for-hire trips that are on duly permitted vessels; and then Alternative 3, which prohibits all bag limit sales. Then Alternative 4 sets up the exemption.

MR. HAYMANS: With regards to the charitable organization as it is defined there, I think I would be comfortable with just saying a charitable organization as determined by the state and leave the rest out of federal code. I mean if that suits everybody else.

DR. CRABTREE: I think that is a good idea. The one thing that I don't think we've been clear about is what quota these fish then are supposed to be counted against. They are going to be

reported by the dealer, so they'll go into our quota monitoring program. They will somehow indicate it is a tournament-caught fish, so we should know what is what.

But I think you need to be very clear which quota is it your intent they should be counted against, the commercial quota or the recreational quota; because I'm assuming that the Center could then back these out and we could then add them into the recreational catch somehow, I guess.

DR. PONWITH: I was asked during the committee if there is a way to account for these; and from the commercial standpoint the answer is yes. Of course, the recreational; the headboat is managed by us. The charter boat and private boat is managed by MRIP. If MRIP contacted anybody participating in this and they respond in terms of the effort calls and they respond that they did take a trip; that trip would be counted in the estimation of effort.

Then if they were sampled on the dock, it would be incorporated in making the estimate for the landings. I think probably from a recreational – depending upon what your answer to that question is; by accounting for it commercially, we would be able to subtract it from the recreational under the assumption that it had been incorporated in the recreational estimates.

MR. HARTIG: To your comments; if we do count it recreationally, that will take care of the double-counting issue that potentially could be going on in our accounting?

DR. PONWITH: If it is counted against recreational, then what we would have to do is keep a special record of the commercial sale to make sure that that wasn't in addition counted against the commercial.

MR. HARTIG: Yes, I think we can do that. The main concern that has been going around this table through this discussion was how are those fish going to be counted? If we do count it as recreational, then we will no longer have the double-counting issue. Well, that is my perception.

DR. DUVAL: Yes, anything that is recorded on a trip ticket in North Carolina is going into our commercial landings. We are able to keep track of that because the tournament organizer has to have a license to do so; so we are able to match up that trip ticket with that licensee in order to track and account for those landings.

With tournaments having been going on for years and years, then there has likely been double counting that has been occurring all along. In terms of the legality of that sold fish under the Magnuson Act being counted against a recreational quota; I agree with that and I'm just wondering can we do that. We're at final approval right now, so we need to make sure that we're not – what's a nice word – messing up.

MR. HARTIG: Well, that sounds like a Monica question. I've got lots of hands. I'm going to start right down the line.

MR. BELL: Just to add to this; I know we're coming from a different perspective in South Carolina, and I appreciate your situation. Later on we're going to be talking about trip limits for various groups and areas and things for bona fide commercial fishermen, whose job it is to bring fish to the market. What is an acceptable trip limit for a tournament or is there an acceptable trip limit for a tournament?

Is it simply however many fish that tournament can bring in? If we're going to put trip limits on bona fide commercial fishermen, should we have a trip limit for a tournament? Another thing that bothers me is this whole HACCP thing. If I were a dealer – and I'm not speaking for dealers, but I would think there would be a certain amount of liability associated with trusting a hundred recreational fishermen in small boats that you don't know to comply with some sort of standards that you have no ability to – you have no authority over them.

To me that is just kind of risky. Again, bringing these fish into commerce, into our food chain – and I know maybe there has never been a problem; but the first time there is a problem, I wouldn't want to be the guy kind of stuck between the folks enforcing HACCP regulations and things and something bad that happened.

I'm a little sensitive to that because I deal with shellfish a lot, and I know there are a lot of human health concerns with shellfish. These sorts of things that we're talking about and the amount of time we spend here should maybe tell us something that we're trying to work around a fence or something.

We're trying to dig under the fence, over the fence, go through the fence. I was reminded in the middle of the night of a lesson taught to me by a wise professor from Harvard who was teaching at the John F. Kennedy School of Leadership and Public Policy. One of the last parting comments he gave us was dealing with when you encounter fences or things in life.

Before you start trying to tear down the fence or work through the fence or go over the fence, you better ask yourself why was that fence put there in the first place? I would argue that Magnuson established some clear fences. Roy has read definitions of recreational and commercial. We've heard others talk about a definition of recreational and commercial.

There is a clear definition and differentiation between these sectors, and there is a reason for that. I just feel like what we're doing is trying to dig under a fence, go through the fence, over the fence, and tear the fence down to accommodate certain desires and all. I think it is dangerous and it may come back to bite us. We're setting a precedent here.

What is to say that others won't want similar accommodations down the line? I'm saying the same thing over and over. The council has established a clear direction related to snapper grouper, related to dolphin wahoo, and now we're just kind of trying to go over the fence to accommodate one specific little need.

I understand the economic significance of that need and all; but in South Carolina we've dealt with it. My CCA guys, my commercial guys; nobody wants to see us crossing that fence. We're very comfortable staying on one side or the other; or if you choose to be both, you can be both but you are not both at the same time. I know you get tired of me saying that, but I just think we need to be very careful about this fence we're trying to breach as it make come back to bite us in the future.

MR. HARTIG: Yes, we have several e-mails that came in late last night from people who actually have handled some of these fish. There was some real concern that you are going to compromise possibly the commercial fishery based on selling sub-quality fish that come from tournaments.

There was concern about the fish at least this one dealer had handled about the quality versus commercially caught king mackerel. Now, you made the statement that we haven't had that problem before, but there are some real pointed comments about sale from two different dealers; one, Seafood Atlantic and then Sherri McCoy's group.

I know Jessica read all those e-mails and she responded to each of them. I think we need to address that. We have it here under HACCP standards, but do we have any legal authority to introduce HACCP standards into a tournament sale provision? I don't know that we do. Roy, was that to that point?

DR. CRABTREE: Yes. Some of the things Mel brought up like the trip limits and numbers and all that; essentially what we're doing here is we're deferring to the states on that, because they are going to decide what is a tournament and what is not a tournament. We're not putting any limits on the number of tournament permits they can issue.

We're just going to recognize them. I know we have something in here about HACCP, but we wouldn't have any authority, it seems to me, to revoke the permit because it is a state-issued permit. I think that we're again going to rely on the states to police this and make sure everything is happening as it should. I think ultimately the state would have to revoke the tournament permit.

I expect what you are going to end up with is a real mishmash of things where some states are going to say, no, we're not going to issue any of these and we're not going to allow it; and other states may be very liberal in how you define a tournament and issue quite a lot of these. But that is essentially, Mel, what is happening here is the numbers of these and all that; we're basically punting that off to the states, and we're not giving them any guidelines or putting any boundaries on what is going to happen there.

MS. McCAWLEY: I was just going to say, responding to something that Michelle said earlier, the state of Florida also – and I mentioned this before – uses the trip ticket. There is a code on the Florida trip ticket for the wholesale dealer to report that the fish came from a tournament.

MR. HAYMANS: I didn't know you were Harvard educated, Mel.

MR. BELL: Yes, I have a Harvard education.

MR. HAYMANS: What's on the other side of the fence is the bull, and I figure we're taking the bull by the horns. After a few years of having some system in place, which we haven't had in the past, I think we can look at what the harvest has been from all of these tournaments. We can then decide whether we want to move some quota over from one side to the other and address it that way. We don't know right now what all of the tournaments are generating. We have a pretty good idea, but we don't know.

I can already see that if we sort of model our permit after North Carolina's but require all fish coming across the dock to be reported, we'll get some sense of what the total number of king mackerel and the total weight is. I already can see it now. I do about three of the tournaments out of our five here as the weigh master, and I handle a couple hundred fish.

Yes, there are a few fish that I wouldn't want to eat, but 95 percent of them have been iced properly and are nice fish. I would hope that the dealer, if he saw a fish that was questionable, wouldn't put that into commerce. But, anyway, I think that we're tackling this issue that has been around for a long time. The reason it has been around for a long time is previous councils have kept kicking it down the road. It is not the first time it has come up. At some point we need to settle it, and I think that is now.

MR. BOWEN: I have a couple concerns. The first one is I don't see how we as a council can put these fish in a commercial quota when every one of them was caught by a recreational angler with a state fishing license or on a recreational boat. I would not be for putting these fish in a commercial allocation because they are not commercially caught.

Second, Dr. Ponwith had mentioned how to count these fish and MRIP coming around to the dock. As in red snapper, MRIP was not designed to measure a pulse fishery. My concern would be the possibility of escalating numbers if MRIP tried to count these fish. Again, I'm talking off the top of my head. I don't know where we are in relationship with the ACL, but you are just asking for uncertainty – if that is the right word – if we go down that path, I believe.

MR. PHILLIPS: As to the HACCP issues, we can't make the commercial boats do anything. The only thing we can do on the commercial boats; our inspectors have had us have them sign papers "I will properly ice the fish on the boat". At the dock we check off was the fish iced or not when it came off the boat. Was it cold? It doesn't matter if it is recreational or commercial.

I've got some really pretty fish off commercial. I hate to say it, but I've got some fish off of commercial that weren't so pretty. But those guys at those tournaments; if they think that is a money fish, the last thing they want to do is let it dry out and not stay on ice, and it's a one day fish. I get a few fish every now and then from tournaments. I don't have problems with them.

Of course, anybody that is reputable, if they see something that doesn't look right, they are going to pull it out. There is not a lot you could do with HACCP until it comes off the boat. I don't care what kind of boat it is. You just check to make sure it is cold, and then you handle it according to your regulations. I just wanted to let you all know that.

MR. COX: I've been buying fish from the tournaments for quite a while, probably 20 years. My thinking on it is, listening to what everybody has to say; first, HACCP is really not a big issue as far as our decisions here; because the dealer, it is his responsibility to make sure those fish are what they are supposed to be, and we do that.

As far as allocation, I think that is where our biggest issue here is. Counting the fish and where does it come from; I really think we ought to leave that up to the states to figure out how to come up with a method to do it. I mean, it is a tough one, because some of the boats that are fishing these tournaments are not just recreational. Quite a few of them have king mackerel permits.

I just think we need to figure out if we do a separate allocation for just the tournaments and have that data turned in. There is another side of this. Those tournament fish are big fish, and what is that doing to the stock, because it is something that we need to take a close look at. Are we not doing the right thing by harvesting all those big fish?



I don't know; that is something for the science guys to tell us. We've been doing it for a long time, and I just think it is something that we ought to be able to continue to do, because the money does go to good places. A lot of times we're getting a lot of good data from it, because all those fish come in at one time, and we usually have a lot of science guys there that will do the data collection. Anyway, that is my two cents worth.

DR. CRABTREE: I think you probably need a motion or something to indicate what quota you want to count against. We've had some opinions, but it is not clear to me. Michelle raises some interesting questions here. Just from a common sense point of view, I look at this and say, well, these are recreational fishermen, so they would be recreational.

But then when I read the statute, commercial fishing means fishing in which the fish harvested either in whole or in part are intended to enter commerce or enter commerce through barter or sale. Well, these fish are going to be sold. I suspect every participant in this tournament knows going in that these fish are being sold.

It seems to be they're all fishing with, arguably, intent that these fish are going to be sold. I don't know if we'll run into issues. If your decision is you want them to be counted against the recreational quota, I don't know if that will raise legal issues or not. I don't think we have really – well, one, we haven't really been clear about what quota they would be counted against to begin with, but that is something I guess the attorneys will figure out on it.

But I guess I do sort of think that if you choose this as a preferred and you want to do it, you probably ought to pass a motion to indicate what quota it is your intent to count them against. I think you are leaning that you want them counted against the recreational quota, but it is not entirely clear to me.

MR. HARTIG: Yes, and I think we are as well. I think Doug made some good points about that when he talked about maybe we look at this after a couple of years and then we see what the level is and we subtract that amount of fish out of the recreational sector and add it into the commercial sector.

I think with the possible legal constraints under Magnuson or interpretations; that may be the safest way to do it because then you are not sending an amendment forward that has that fuzzy recreational/commercial sale issue in it. We just deal with it from an allocation standpoint. I think that is probably the safest way to do it and cleanest way. But we've got a committee here.

DR. CRABTREE: I'm not sure I understand you, though. What does that mean, which quota are they counted against? Jack said leave it to the states, but I don't think we can do that. I think we have to consistently say they are counted against one or the other, but which one are we counting them against?

DR. DUVAL: In our system they are going to be – because they are on a commercial trip ticket, they are going to be included in any commercial landings that get reported. Now if Bonnie is able to have a method to back out those landings, they would need to be backed out. It is post stratification of the data.

They would need to be backed out then and accounted for when we use those data for stock assessments, whatever. We're going to pull them out of our commercial trip ticket reporting system. That is what we're going to do. Well, they are going to be included in MRIP to some degree, but more through, as Bonnie indicated, the effort survey that is going to go on.

I know that we've always asked anglers were the fish that you are telling me about tournament-caught fish when they get to the intercept, and then they disregard that. They are going to stay in our system as commercially caught fish, so we just would need to be careful about that post stratification is all I'm saying.

MR. MAHOOD: Yes, and there are a lot of other nuances to this decision, because I did a paper on tournament sales of king mackerel back in the eighties for the council. It is not a new issue. One of the things is I think we need to be careful what we determine these fish to be; because the other part of this is if a vessel goes out and commercially harvests a particular species; under Coast Guard Regulations that vessel is required to have a lot of equipment the recreational vessel is not required to have.

I remember this coming up way back – it was one of the big issues – well, if we're going to allow recreational sale, then they are being caught on a vessel that should have requirements for the recreational vessel. That is just another little nuance, and there are a lot of unintended consequences. If the intent is to allow this, then I think somehow we need to not consider it a commercial venture.

But then if you read the Magnuson Act, like Roy pointed out and they are going to enter commerce – now one of the things we looked at early on was the fisherman that caught the fish on his vessel is not really the one selling the fish. It is the tournament that is selling the fish. There is a little nuance there.

I think at one point – and I remember this distinctly because Susan Shipman was a big advocate of allowing sale – we kind of reached a conclusion, as I recall, that since it is not the fisherman selling the fish, then he would not be held to the requirements of having a commercial vessel. We kind of looked at it that way. It was still fuzzy back then relative to the legalities of what you called it. There are a lot of different parts to this. I think Monica could probably figure this out in a good weekend, maybe this weekend.

MR. BELL: First, following up on something Bob said, in our case the tournament cannot sell the fish. The tournament is not a licensed commercial fisherman; the tournament is not a licensed wholesale dealer. Legally in South Carolina under state law what you're describing; I mean, they can't legally sell fish.

But another point; the fish that we are now bringing into commerce for human consumption, in the bulk of the king mackerel fishery, I would guess that the bulk of the fish landed tend to be across all age group, sizes and all. Tournaments specifically select for large fish. That is what a tournament is all about is to try to bring the biggest fish you can in to compete. Here we have fish that we're introducing into the market for consumption, that through different studies and things we've seen that particularly when you hit 39 inches or so, you start having issues with higher body burdens of mercury and things like that.

You've got a product that you are kind of forcing into the market maybe a little bit more than the regular commercial fishery would bring to the market and perhaps that product has a little bit of a higher risk of health issues and things. There is the potential for that impact, the legitimate commercial industry. Again, it creates the perception that, oh, we don't want to eat king mackerel. Then that affects the normal market. That is just another thing to think about.

You are kind of forcing the introduction in there of some fish that maybe wouldn't normally be in the market. The other thing is you are targeting – these are kill tournaments. It would be great if somebody could figure out how to do a catch-and-release king mackerel tournament, as we have with billfish tournaments now, and our billfish tournaments are predominantly catch-and-release tournaments – Governor's Cup Billfishing Series being a great example.

If someone could figure out how to do a catch-and-release king mackerel tournament, you could be a millionaire, I guess. But we're not; we're basically targeting large fish that is a lot of spawning potential. As we have had concerns in the Carolinas, or at least down our way, in recent years.

I get these questions constantly about where are the kings; what going on with the kings; why aren't the kings there? It could be a matter that they are simply just located somewhere else and they are not being recruited to the fishing areas that we would normally find them. But there are concerns about what is going on with the kings and here we are kind of facilitating something that is taking a lot of spawning potential out of the stock; just something else to think about.

MR. HAYMANS: Well, I really waved off my comment a moment ago, Mr. Chairman, but with Mel's recent one, I look at what comes in through the tournament and, yes, the goal is the largest fish. But out of 100 fish weigh-in in Georgia, I've got seven to ten fish that are in the 30-pound class. Most of those fish are either teenagers or in the low 20s, in that range, and the guys are trying to build an aggregate over a two-day tournament. They are not all 39-inch fish. They are mostly 27- to 30-inch fish, or 32-inch fish. Plus, ultimately the onus is on the consumer to read a consumption guideline and to know what is recommended for a meal per week or meal per month. It can't all be on the harvester.

MR. CONKLIN: Coming from another side; as a dealer I have some issues with the transfer requirements that are stated here in Alternative 4. From a dealer's perspective, we're not a charity business. Dealers buy fish and sell fish. In order for those fish to go into the marketplace, I think that the dealer should have some sort of an incentive for introducing them.

I think we should change the wording that the tournament sells the fish to the dealer. The fishermen donate the fish to the tournament; the tournament sells the fish to the dealer. That way it takes the liability out of the dealer's hands of who to give the money to or write a check. In the requirements down here, it is saying that the dealer has to take that check he gets for that fish and give it straight to charity. I'm a real big-hearted fellow, but at the end of the day it is all about business.

I'm not going to go handle a bunch of fish and allocate a bunch of resources to something that I'm not going to make any money on. I think the tournaments; they have tournaments to raise money for charities and stuff like that. The tournament should write a check that the dealer gives to them. That is my two cents on it.

MR. HARTIG: Well, Kari, to that point, the donated is written in a specific way to address the concerns of permits, whether or not the tournament entity had a permit or not; is that correct? The donation really makes them able without a permit to be able to do that; correct? I mean they will be approved by a state, yes, but they won't necessarily have a mackerel permit to be able to sell. They have to donate the fish in order for those fish to enter commerce. That is why it is worded that way, Chris, because they wouldn't be able to do that unless the fish were donated, so that is the crux on that one.

MS. BECKWITH: On Chris's point; there is a benefit. I mean, certainly the dealers choose to participate in these tournaments or not. If you are present there, there are always some additional benefits from marketing your fish house that is participating in these tournaments to all those recreational fishermen that on their way out of town are potentially going to stop at your fish house and buy some stuff.

I still see a marketing benefit for dealers, but it is certainly your choice if you guys want to participate in the tournaments. When I read this, when you donate the fish to the dealer, you are taking it away from the recreational person. I don't necessarily think that we have as much of a concern. Once the dealer takes it and the dealer is selling it and taking that money and donating it to a charitable contribution, then I think it does come out of potentially the commercial allocation.

To Doug's point earlier, we can relook at this in a couple of years and decide if there is an allocation issue and we can kind of account for that. I was asking Jack if he ever donates to other organizations, and he said, yes, they oftentimes donate to other organizations. This isn't completely outside of the scope of what dealers can and choose to do.

MR. HARTIG: A very complex issue as noted by a number of people around the table. We have a motion by the way, and I think that was to approve the wording, correct, Kari, the IPT wording? Oh, there is no motion. **We need a motion to approve the IPT wording for Alternative 4 under Action 1.**

**DR. CRABTREE: So moved.**

**MR. HARTIG: Motion by Roy; second by Charlie. Okay, is there any objection to changing the wording? Seeing none; that motion is approved.**

DR. DUVAL: With this new alternative, this means that we would then have to choose two preferreds; correct? We would have to select the new Alternative 4 as a preferred, and then we would also have to select Alternative 3, Option A, as a preferred as well if we only wanted to allow this exemption for sale of fish for tournaments, but eliminate bag limit or non-permitted sales everywhere else; correct?

MR. HARTIG: I think so.

DR. DUVAL: Maybe that is a Kari question.

MS. McCAWLEY: Don't we also need to approve the Gulf preferred for the Gulf Council's jurisdiction, also? That is not approved either.

DR. DUVAL: Right, so I was just thinking of our jurisdiction specifically.

MR. HARTIG: Kari will straighten us out on this; she's got a nice table to do that.

DR. MacLAUCHLIN: Yes, and you have the committee report. I think we're jumping ahead a little bit. This table up here will show you the outcome if you select all the preferreds that the committee has approved. The South Atlantic would be no sale of king or Spanish caught under bag limit on a recreational trip, private or for-hire; and then no sale of king or Spanish caught under bag limit on for-hire trip on a duly permitted vessel.

Then yes for sale of king or Spanish caught under bag limit at a state-permitted tournament. In the Gulf it is no and then yes for the for-hire trips on duly permitted; and yes for tournaments. This is if going through this you approve all of those committee motions that are in your committee report. Then I also have in this document what everything will look like. That is what your preferreds would look like if you approve all of your committee motions.

MR. HAYMANS: Can you go back to your table? Reading across the top; that is 2A, 3A, 4A and then B, B, B; is that right? That is 2A in the cell that you are in right now?

DR. MacLAUCHLIN: This is under 3A, and this one is under 2B, and this is 4A and 4B. This is what it would look like after you approve the committee motions.

MR. HARTIG: Is everybody clear? Okay, so we've got the wording change approved. I think we would need a motion from the council to select Alternative 4 as a preferred alternative; 4A.

MS. McCAWLEY: I make a motion to select Alternative 4A and 4B as South Atlantic preferreds.

DR. MacLAUCHLIN: Well, first of all you already have a preferred under Option A. That was from the last meeting. You really only need to approve this committee motion to select Alternative 4, Option B as a South Atlantic preferred.

**MS. McCAWLEY: Then I change my motion to approve Alternative 4, Option B as a preferred.**

MR. HARTIG: Well, that is what I was confused on, Joe. When we changed the language, I wasn't sure where we were. We do have a committee motion, Kari, for 4B?

DR. MacLAUCHLIN: Yes.

MR. HARTIG: Thank you for trying to get me straight. Now I'm where I should be.

DR. CRABTREE: If we vote and approve the committee motion, we're saying okay for the Gulf Council and going along. If we then don't want to allow tournament sale in the South Atlantic,

we would need another new motion to deselect Alternative 4A; correct? Somebody will have to make that motion if that is what they want to do.

**MR. HARTIG: All right, the motion under Action 1, select Alternative 4, Option B as a South Atlantic preferred, and on behalf of the committee I so move. Is there any discussion on this motion?**

MR. BELL: I'm not sure if this is procedurally okay, but I would make a substitute motion at this point. Is that procedurally okay? I would like to make a substitute motion then that we maintain Alternative 3 as the South Atlantic preferred, which it still is, right? Well, it is, right, because we have to deselect it.

DR. DUVAL: Mel, this motion that is up here right now, all that is going to do is if we approve that here; that just allows the South Atlantic – all we are doing is preferring the Gulf's preferred option in their jurisdiction.

MR. BELL: Okay, this is all just about the Gulf then?

DR. DUVAL: This is all just the Gulf's jurisdiction.

MR. BELL: Then I will withdraw my substitute motion right now.

MR. HARTIG: Okay, that makes things a little bit simpler. All right, we've got a motion. Okay, anymore discussion. We're clear that this is just in the Gulf's jurisdiction for this motion. **Is there any objection? Seeing none; that motion is approved.** Now I am totally confused.

DR. CRABTREE: Now, if you don't want to allow tournament sale in the South Atlantic, you need to make a motion to deselect Alternative 4A as the South Atlantic preferred. My impression from this discussion, there are some council members who don't want to allow this, so one of them presumably will make that motion.

MR. HARTIG: That would be now, Mel. Go ahead.

MR. BELL: Then I would make a motion that we deselect 4A for the South Atlantic as a preferred.

MR. HARTIG: Okay, we've got a motion by Mel. Is there a second?

MR. BELL: It may not go very far.

MR. HARTIG: Motion dies for lack of a second. All right, we're good on tournament sales then. We concur with the Gulf and we also have our own action. **Kari, if I'm not mistaken, the next motion is to select Alternative 2, Option B as a preferred.**

DR. MacLAUHLIN: This would track the Gulf's preferred alternative 2B in their jurisdiction.

**MR. HARTIG:** Yes, and that would allow them to allow charterboat sales only in their jurisdiction. On behalf of the committee, I would so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.

**The next motion under that action was to deselect Alternative 3, Option B as a South Atlantic preferred; and on behalf of the committee I so move. Discussion. Objection? Okay, motion passes with one objection.**

DR. MacLAUCHLIN: Just to be very clear; this is what your preferreds look like. At the Gulf meeting they will have to also track this. They will have to make this a Gulf preferred also; but other than that, everything is lined up. I want to make sure that everybody is clear about what your preferreds mean and that we're all on the same page.

MS. SMIT-BRUNELLO: This is interesting with two councils managing the same FMP and what you have to go through. I appreciate everybody's patience. I am just going to say for the record what I think has happened so far, just so I'm very clear, what you've done is prohibit bag limit sales of fish unless it is under a tournament-sponsored situation under Alternative 4. If you want to sell king or Spanish mackerel, you need a commercial king or Spanish mackerel permit unless it falls within the tournament exception under Alternative 4; is that correct?

MR. HARTIG: Yes, that is clear. That is what we're trying to do from a South Atlantic perspective.

DR. CRABTREE: Now, I still don't think you've resolved the issue of which quota, because as far as I'm concerned they are going to be reported under the quota monitoring system. Unless there is something somewhere that says back them out of it, they are going to be counted against the commercial quota.

Then if MRIP should intercept one of these vessels or do something there in some way, they will probably be counted against the recreational quota, too. But unless you are okay with that situation, I think that is what is going to happen. I'm not sure we are going to feel like we have any authority to back them out of the commercial quota if they are reported as sold by a dealer.

MR. MAHOOD: You know, Roy, this has always been an issue. At one time, I think it was said earlier in this meeting, the councils looked at shifting one or two percent of the quota from the recreational fishery to the commercial fishery to make up for that difference. I think the Gulf council did it, Gregg, if I'm not mistaken. Then we opted not to do that, as I recall.

But, again, this has always been the issue; how do you resolve that? That is one way to resolve it, I guess, if you know what the actual percentage of these fish constitute in the overall ACL of the recreational and commercial fishery. But you're right, we've kind of danced around that and we haven't given you much guidance. I don't know how – if you even figure out a way to do it, it is just going to cause a disparity in what NMFS landings look like as opposed to if you cumulatively put all the state landings together look like.

As Michelle said, they are going to show up as commercial trip ticket fish in North Carolina. When they report the king mackerel landings, it is going to include those fish. If we have a

methodology of separating that out as Bonnie kind of alluded to maybe looking at, then it is separated out at the NMFS level but not at the state level. I don't know what the answer is.

DR. DUVAL: Yes, and maybe I could just read some excerpts from an e-mail from our recreational statistics folks regarding how this is accounted for or counted in North Carolina. This was an e-mail discussion that he and I had. It was actually over a year ago when we first started talking about tournament sales.

Sampling sites are randomly selected and distributed each month. When a sampler receives an assignment and that site is hosting a tournament, the sampler is required to choose an alternate site with rules to sample. But, they still interview anglers that were participating in tournaments that used the alternate site for access. He said because there is common practice for a tournament to sell fish, and when recreational estimates of catch and landings are reported, many consider that these fish are double counted.

But this is not the case because MRIP provides estimates by multiplying a catch rate of a species within a cell, meaning species/wave/mode/area times the number of trips taken in that cell. Even though it is probable that the catch rate for a species from someone participating in a tournament is higher than the rate of catch for that species from a regular trip and tournament participants also target larger fish; but the impact of that higher singular catch rate is likely minimized when those fish are combined with a hundreds of other catches or samples in that same cell to produce an overall CPUE for that species.

That may be more significant in states with lower sample sizes; but in North Carolina we ask anglers if they are participating in a tournament during the dockside interview and have included that question since the late eighties. All that said, there is still a danger of estimates being impacted by tournament fish.

However, it is not from interviewing or sampling catch from anglers' dockside who are participating in a tournament, rather from contacting someone in the phone survey. This gets back to what Bonnie said. That is really where your I guess overestimate of harvest is going to come in is in that phone survey. This is just exchange with the folks who run our recreational statistics program.

DR. CRABTREE: Yes, there are a lot of issues on the recreational side, but that is not so much my concern right now. What we've got here is the dealers are being required to report these landings. In the transfer and reporting requirements, it says the fish are reported through normal reporting procedures – so that means trip tickets, dealer reports, et cetera – and must be identified as tournament-caught fish.

I'm assuming the state that issues a permit to one of them is going to require that they have to indicate. The Center is going to get these reports, and it is going to indicate tournament fish. But unless someone tells them, so don't count them against the quota; I suspect they will be counted against the commercial quota. My question to you is do you want these fish counted against the commercial quota or not? If they are not, then I presume they're counted against the recreational quota. Now that brings up a whole series of complexities that I don't think we need to get into the intricacies of MRIP and how this all plays into that. I don't know if they're double counted, not double counted; maybe they're never counted, period. I don't know, but it is



just a simple question do you want these tournament-caught fish in the dealer reports counted against the commercial quota or not?

MR. HAYMANS: Yes.

MR. BELL: A couple of things and I'll shut up, I promise. If it is this difficult to dig under the fence or crawl through the barbed wire or whatever we're trying to do, that may be trying to tell us something. There may be a reason it is this difficult. Accounting is one thing, but I still come back to what we are doing is we are allowing one sector to unfairly influence the markets, the lives, the businesses of another sector. In essence, we're facilitating or enabling some behavioral changes in this one sector that may escalate. We may find this catches on and I just think we may regret that. That's it.

MR. HARTIG: Roy keeps asking this question. I think it would be prudent for us to have a motion that identifies where those fish should be counted and then how we are going to deal with the possible shift of allocation down the line.

MR. HAYMANS: I would make a motion that for the purposes of tournament-caught king mackerel, that those landings be counted against the commercial ACL, and that – I want to say staff or NMFS or someone over a period of three to five years report back to us on what those landings are from those tournaments, but I don't know how to finish that out. We can leave it at that if you want – further that staff of NOAA will report back in three years as to the level of tournament-caught king mackerel for a determination of reallocation of quota.

MR. HARTIG: Second by John.

MR. PHILLIPS: Doug, I would think they could probably look in the last three years and get a rough number on what that was.

MR. HAYMANS: What we don't have is the fish that bypassed the scales, which is a significant amount of fish. My intention, at least from the Georgia side, is to make sure that I have an accurate accounting of everything that passes the scale by requiring the dealer who buys those fish to report back to the state what that number was, what he took in from that tournament.

MR. PHILLIPS: I'm a little confused now. If it doesn't go through the scales – well, everything goes through the scales. Well, if it doesn't go through the scales, then it is not going to be sold.

MR. HAYMANS: Yes, for every fish weighed, there is probably a fish or two that is not weighed because most anglers only get one fish. Most boats only get one fish.

MR. JOLLEY: Of course, these tournaments come and go so it is a fluid number, anyway, you know. When we conduct the KDW out of the Palm Beaches, we'll have 2 to 300 boats. We will pay to 8 places; 8 fish can win a prize. When those boats come in – we set a minimum size, too, I think; and when those boats come in, they only weigh a portion of their catch.

For example, if somebody has got two 10 pounds and two 12 pound fish, they may not come up on the dock. They stay in the fishbox. The guy brings up his biggest fish, weighs a 25 pounder,

and that may be the only one that gets donated. On the other hand, some guy may come in with four or five 10 to 15 pounders and donate them all, some of which don't get weighed. They go right to the dealer.

It is a very fluid situation, and, of course, it varies from year to year how many fish are going to be caught, depending upon where the fish are. I do believe though eventually it would be nice to know what tournaments are – how many fish are coming through this tournament path, winding up at the dealer and getting sold. That would be nice to know, and that is probably going to take a few years.

Then we can decide how we want to split them. Personally I think it ought to come off the recreational quota simply because those guys are out there catching those fish, it ought to go against them. But it's a fluid thing, so I think we shouldn't try to tie too many things up here until we understand it better.

DR. CRABTREE: Doug, in your motion, when you say determination of reallocation is what you are anticipating is that we'll look at this after three years and see how many pounds were being sold and then we will reallocate fish away from the recreational sector to the commercial sector?

MR. HAYMANS: That is my intention, yes.

DR. PONWITH: My question is do each of the states have a mechanism to clearly differentiate that it is a tournament source going to the dealer? In other words, when it comes time to do that accounting, is there a way to know specifically what fish were pure tournament fish versus pure commercial fish?

MR. HAYMANS: From Georgia perspective, currently no. I have work ahead of me. I have a limited number of tournaments. There are five to maybe seven tournaments when the fish are really there. I think that I can work with my dealers, and that boils down to two who can provide me that tournament level data now. How can they report it through our system, get it back to you guys like North Carolina currently does as tournament fish; we've got to work on that. But that is not an insurmountable problem.

DR. DUVAL: Yes, clearly we do. I can tell you that on average from 2000 to 2011 – and it has gone down in the last few years because the fish just haven't been showing up. It is like 30-ish thousand pounds sold through the tournaments. As John indicated, not every fish that is being caught is being sold. That is why I kind of want to be clear about what Doug's intent was.

We can get you that information. Whether it is on as timely a method as you would like it, whether monthly or every six months or something like that, a lot of these tournaments will be in the fall. It might have to be an annual thing. I'm not willing to commit a frequency of getting the information to you until I talk to our commercial stats folks.

MR. HARTIG: Yes, I know Jessica has put it on the record that Florida does have a way of separating out tournament sales on their trip tickets. I know Florida can do it. The intent is Doug is going to do it. North Carolina can do it. South Carolina is not going to do it, because they don't allow tournament sales.

DR. PONWITH: My main point in raising the question was that if this motion is passed, what I don't want to do is sort of forget about the fact that there are some steps that need to happen; and three years down the line say, well, where are the data we need to be able to evaluate this and realize we didn't get the homework done.

Right now our system, as far as I know, recognizes commercial as commercial as commercial. If this passes, there would have to be maybe some discussion within an IPT or some other format to make sure we all had a plan to enable us to understand what portion of the dealer reports were these tournament fish.

DR. MacLAUCHLIN: Anik just noted that you may want to add Spanish mackerel in here, also, since both of those are going to be included.

MR. HARTIG: I see heads nodding.

MR. HAYMANS: I would amend my motion to include Spanish mackerel.

MR. HARTIG: Is that all right with the seconder, Mr. Jolley?

MR. JOLLEY: It is all right with me.

MR. HARTIG: That's good; we've got a motion. Just to note that there is a Spanish mackerel tournament. Chris Conklin actually sponsors a Spanish mackerel tournament, which I thought was very cool. This is appropriate. **All right, we've got the motion for the purposes of tournament-caught king mackerel and Spanish mackerel, those landings will be counted against the commercial ACL. NOAA will report back in three years as to the level of tournament-caught king mackerel and Spanish mackerel for a determination of reallocation of quota. Any more discussion? Any objection? Seeing none; that motion is approved.**

All right, Kari, that brings us to Action 2. Is that where we are now; I'm just trying to make sure. Okay, Action 2, elimination of inactive king mackerel permits. **The first motion under Action 2 was to select Alternative 1 as a South Atlantic preferred, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

Under Action 3 we both had concurrence, so there were no committee motions. That brings us to language for a full council motion, which would be to approve Joint Coastal Migratory Pelagic Amendment 20A for formal secretary review and deem the codified text as necessary and appropriate; give staff editorial license to make any necessary editorial changes to the document codified text; and give the council chair authority to approve the revisions and redeem the codified text.

Before someone approves that motion, Anik is going to come up and give us the wording that she came up with for the codified text, if I'm not mistaken. I thought it was appropriate, before the motion is made, to actually see what we're going to be doing. I thought that was appropriate in that order.

DR. MacLAUCHLIN: Mike sent this around to you right before the meeting. It is the revised 20A and 20B.

MS. CLEMENS: Okay, this is Anik Clements from NMFS. I am going to go over the codified text for you for 20A. For Action 3, the Gulf and South Atlantic Preferred Alternative 2, the earned income qualification requirements have been removed from the regulations. For the Gulf Council preferred, Action 1, Preferred Alternative 2, Option B – this is for bag limit sales. They may not be sold or purchased except for a Gulf coastal migratory pelagic charter vessel or headboat that also has a commercial vessel permit for king or Spanish mackerel.

Then for the state-permitted tournament, Action 1, Preferred Alternative 4, Options A and B; this is the language that is similar to what you just saw from the IPT-recommended changes in the amendment. King or Spanish mackerel harvested in a state-permitted tournament in the South Atlantic, Mid-Atlantic or Gulf may not be sold for profit, but may be donated to a charity through a dealer.

Dealer's accepting these tournament-caught king or Spanish mackerel must be permitted, must not be part of the tournament, and must comply with all transfer and reporting requirements. Specifically, dealers must donate the monetary value, which is the sale price or cash equivalent of value received for the landings from the sale of tournament-caught fish.

Then this will be changed to a charitable organization that is determined by the state. The monetary value received from the sale of tournament-caught fish may not be used to pay for tournament expenses. In addition, the fish must be handled and iced according to HACCP standards; and dealers must report tournament-caught king and Spanish mackerel as tournament catch and comply with all federal and state reporting requirements. Does anyone have any questions on the codified text?

MS. SMIT-BRUNELLO: Anik, what does it mean that the dealer cannot be part of the tournament? I'm not sure why we need that in there, so I was just curious.

MS. CLEMENS: I think we wanted to make sure that they were permitted by the state or federal but that they weren't working for the tournament itself.

MS. SMIT-BRUNELLO: Why?

MS. CLEMENS: I'm not exactly sure; maybe we don't need that in there.

MS. SMIT-BRUNELLO: What happens with the codified text is after you all get done with it and it is submitted to the secretary and it goes through a review; if there are any changes, you give the staff editorial license to make those changes, but then the chairman has to look them over and make sure they're fine.

I guess you could leave it in there. Maybe there was a good reason. I just couldn't think of it off the top of my head, but that doesn't mean that it doesn't exist, obviously. You could leave it in there; and if that gets changed, we'll certainly bring it up with the chairman. I see maybe Doug has an answer to that.

MR. HAYMANS: Well, I was going to just say that I know of at least one instance where a dealer is a boat owner who fishes tournaments. That is a very specific instance, but I don't see the need for it to be in there.

MR. HARTIG: What is your pleasure, to not include that now? I know Monica questioned it. Do you think we're okay without it?

MR. HAYMANS: I think we're okay without it. We're speaking specifically to the dealer not being a part of the tournament. I don't think we need that.

DR. MacLAUCHLIN: Well, I asked Sue about that, because it is actually in the alternative. It was something that was in Florida's requirements and that is why they included it. They were using that as a model.

MS. McCAWLEY: What is the language we're talking about again?

MS. CLEMENS: It is dealers accepting these tournament-caught king or Spanish mackerel must not be part of the tournament.

MS. McCAWLEY: I don't recognize that from Florida law. In fact, we have some lionfish tournaments where there are people in the tournament who have an SPL and might also have a wholesale dealer's license. I just am confused about this.

DR. MacLAUCHLIN: It was from a memorandum from FWC General Counsel to Director of Marine Fisheries Management.

MS. McCAWLEY: Can you send it to me; I don't know what we're talking about.

MR. PHILLIPS: I wouldn't consider a dealer being a fisherman in the tournament as being part of the tournament. I would consider that like he was working with the sponsors or something else; but just being a fisherman in the tournament, I don't know that I would consider that being part of the tournament.

MR. HARTIG: All right, here is what we're going to do. We were going to have a break after mackerel, but it doesn't look like mackerel is going to be over for a little bit of time. Checkout time is 11:00 o'clock. Let's go ahead and break right now since we don't have a motion on the floor. We can get Jessica up to speed on what she needs to know. We can straighten this out possibly in the next 15 minutes.

(Whereupon, a recess was taken.)

MR. HARTIG: All right, I think we've got this figured out with the language. I think Michelle is going to offer a motion. We'll talk to Kari first.

DR. MacLAUCHLIN: Okay, Jessica went back and looked at Florida – what that was about and she is going to explain it quickly. What you see up here, that blue part, that is a suggested deletion from the alternative. In that way it would take care of that and then the states – however

they deal with that situation and Jessica will explain how Florida will. It will just go to the state. Then we will need a motion to accept the revised language in the alternative. Then Anik can talk about how that will work in the codified and then we can move on to final action.

MS. McCAWLEY: Okay, they were correct, there is a memo from our legal office to me that explains fishing tournament sale or donation of fish, a very detailed memo. The part that the codified text and the alternative we're referring to was misinterpreted, so I will read the statement and explain what it means.

The statement says one legal way to address tournament fish is to have a licensed wholesale dealer that is not in the tournament itself present to accept the donated fish directly from the anglers. What this means is that the tournament itself does not have to be a licensed wholesale dealer. It does not mean what was listed in the codified text in the alternative. I would make a motion to remove that language from the alternatives.

MR. HARTIG: I've got a motion by Jessica; second by Michelle. Discussion. Is there any objection to that motion?

**MS. McCAWLEY: My motion is to remove the selected language from the alternative, and the language is "that is not part of the tournament".**

**MR. HARTIG: Okay, seconded by Michelle Duval. Discussion? Objection? Seeing none; that motion is approved.**

MR. HAYMANS: Who is our representative to the Gulf?

MR. HARTIG: For the next meeting in particular?

MR. HAYMANS: Yes.

MR. HARTIG: David is going to the next Gulf meeting.

MR. HAYMANS: Okay, so I would implore our chairman when this topic comes up to have a healthy discussion on what we intend with regards to the commercial allocation and examining that over a course of time and whatnot.

MR. HARTIG: I think that is so noted by our future liaison to this meeting.

MR. BOYD: Just as a note; your chairman and I have already talked about that and we will.

MR. HARTIG: All right, how do we deal in the codified?

MS. CLEMENS: In the codified text we'll remove the caveat that says "must not be part of the tournament", as that will be left up to the states to decide.

MR. HARTIG: Okay, so we're clear on that.

DR. MacLAUCHLIN: I think we are ready. Here is suggested language for the full council motion, and somebody will have to make the motion because it wasn't a committee motion.

**MR. HAYMANS: I would move that the council approve Joint CMP Amendment 20A for formal secretary review and deem the codified text as necessary and appropriate; give staff editorial license to make any necessary editorial changes to the document and codified text; and give the council chair authority to approve the revisions and redeem the codified text.**

MR. HARTIG: We've got a second by Charlie. Discussion?

MS. SMIT-BRUNELLO: For the record, Doug, you meant that the council approve it and not the committee, correct?

MR. HAYMANS: Yes, I'm sorry, thank you.

MR. HARTIG: Yes, roll call vote.

MR. MAHOOD: Dr. Duval

DR. DUVAL: Yes.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Absolutely.

MR. MAHOOD: Mr. Bell.

MR. BELL: No.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: No.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: The motion passes with two no's.

MR. HARTIG: Moving on; the next order of business to come before the Mackerel Committee was 20B. **Under the first action, modify commercial hook-and-line trip limits for Gulf migratory group king mackerel; the first motion I have was to accept the language change in Alternative 2, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**The next motion under Action 1 of 20B was to select Alternative 2, Option C as a South Atlantic preferred, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Then we had a motion to deselect Alternative 3, Option C as a South Atlantic preferred, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**The next motion we had was accept the IPT suggested wording for Alternative 1, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Under Action 2, change the fishing seasons for Gulf group migratory mackerel for the eastern and western zone. The motion was to approve language change from fishing season to fishing year, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Then there was a motion to select 2A as the preferred and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**



**The last motion under Action 2 was to select Alternative 3B as preferred, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Under Action 3, establish transit provision for travel through areas that are closed to king mackerel fishing; we had a motion to move Alternative 3 to the considered but rejected appendix and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Action 4.1; establish regional ACLs for Atlantic migratory group king mackerel; the motion was to select Alternative 3B as the preferred, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Also we had to select Alternative 4 as the preferred, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Under Action 4.2, establish regional ACLs for Atlantic migratory group Spanish mackerel; the motion was to select Alternative 3, Option B as the preferred; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved.**

**Also like we did in that previous action was to select Alternative 4 as the preferred, and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

Under Action 5, modify the framework procedure; both councils were in concurrence so there were no committee motions. Action 6 is the same; both councils concurred. Okay, we do need that motion to do the codified text. You're going to go through it, thank you.

DR. MacLAUHLIN: This was a committee motion. Anik will come up and just run through it. That was in the same e-mail that Mike sent out to you this morning that is the revised codified that includes these committee motions.

MR. HARTIG: Okay, we need to approve this motion. She wants to review the codified text for 20B.

MS. CLEMENS: The codified text for 20B; one thing I wanted to point out is that the boundary descriptions for all the different mackerel zones and subzones have been dispersed across the regulations in the definition section, in the quota section, in the trip limit section. What we've done is condense them into one new Section 622.369, description of zones., so that they can all be found in one section.

There are a couple exceptions in the trip limit section, still. We've included tables with the boundary. The boundaries with all the coordinates; we've included them in tables now. We're still working on getting the coordinates for the new Atlantic northern zone and southern zone for king mackerel. Another thing that we want to do is include figures.

Maps of the boundary descriptions in the regulations – and we’re still working on those – we are going to be using some of the figures that are in the amendment and the ones that Jessica had sent around from Florida. Those will be in the regulations in the future. We don’t have them with us here today in the codified text. We did have a question for the council. This is in relation to the new zones.

We have a paragraph here, quota transfer and combinations, “North Carolina or Florida, in consultation with the other states in their respective zones, may request approval from the RA to transfer part or all of their respective zones annual commercial quota to another zone.” Our question is “part or all of their respective zones annual commercial quota”; was it the council’s intent to have all of the quota transferred or part of?

MR. HARTIG: Anik, what page are you working from? That would be helpful.

MS. CLEMENS: Page 11.

DR. DUVAL: I’m not sure I ever see a situation where you would have a transfer of the entire sub-ACL from the northern zone to the southern zone or vice versa. I just don’t ever see a situation in which that would happen. I think it would probably only ever be in part; but other committee members may have a different take on that.

DR. MacLAUCHLIN: We wrote that into how the transfers would work and it was based on the summer flounder, and it says in there “all or part”. I put it in there but it is not necessary.

DR. DUVAL: Yes; and to that point I think this is a regional sub-ACL as opposed to a state-by-state sub-ACL. I could see an instance where a state might choose to transfer part or all of its sub-ACL, especially if a state has a smaller quota, but I wouldn’t foresee that in here. I don’t think there is any harm in including it. It certainly doesn’t obligate anybody to transfer the entire quota between one region to another. It just might be extraneous language.

MR. HARTIG: Okay, do you want to include it or not? Since it is in the language of what is in your transfers in the Mid-Atlantic, I don’t see any harm in doing it. It doesn’t obligate us to transfer all the quota at any one time to another state.

DR. DUVAL: I’m fine with including it. I’m just pointing out it is probably going to be extremely rare if nonexistent that there would ever be a situation like that.

MR. HARTIG: I would agree with that.

MS. CLEMENS: I am trying to find if there is anything else to highlight here.

MR. HARTIG: Yes, there is on Page 23.

MS. CLEMENS: I did have one thing before Page 23. This is for cobia, Page 18. For Gulf migratory group cobia and Atlantic migratory group cobia; in the current regulations we had broken it out into commercial and recreational sectors; but upon further review, since there are no permits for cobia we didn’t think that language was exact.

We came up with another terminology and wanted to run it by the council. This is Page 19, “The following ACLs and AMs apply to persons who fish for cobia and sell their catch.” That would be one category and then the other category would be “The following ACLs and AMs apply to persons who fish for cobia and do not sell their catch”; instead of calling them commercial and recreational sectors. Would that work for the council?

MR. HARTIG: We’re just getting to the wording from where it was. I see it now. Does that work?

DR. DUVAL: Yes, I guess it does; because if fish aren’t sold, they are not going into the commercial landing system. That is what is being used to track any commercial ACLs. It doesn’t seem to be a problem. What happens in the future if we do set up – I’m not advocating this; I’m just saying what happens in the future if we do set up a cobia permit? This language would need to be revised then.

MS. CLEMENS: Right, and we would do it at that time.

MS. SMIT-BRUNELLO: I’m not too concerned about that; I think we could work it out. We may want to say commercial sector (those persons who sell their catch) or something like this. I think the amendment sets up commercial and recreational sectors – or not the amendment but the FMP; for South Atlantic, not for Gulf. I think this is probably a pretty good fix and we might need to tweak it some.

MS. CLEMENS: Okay, then going down to Page 23, adjustment of management measures; this is for the action that revises the framework procedure, Action 5, Alternative 4. We reworded it to say, “In accordance with the framework procedures of the FMP for the coastal migratory pelagic resources, the RA may establish or modify and the applicable council is required to approve the following items specified in Paragraph A of the section for coastal migratory pelagic fish. Note the applicable council refers to the council whose jurisdiction applies to the management measures.”

What we were getting at is that if just the South Atlantic Council is proposing management measures through a framework – so the management measures for the jurisdiction that applies to that council; only that council would need to approve those management measures.

MR. HARTIG: I think that is clear. That is what we had in the document in the framework. I think that just explains that well. I’m good with that if everybody else is.

MS. CLEMENS: Okay, and the last thing that we had changed was for Action 5, Alternative 2 including ABCs, ACLs, ACL Control Rules and accountability measures in the list of measures that can be changed through the framework. Are there any other questions on the codified text?

MR. HARTIG: That one is pretty clear. This is the first time we’ve done that. I think after this meeting we’ll sit down and talk to staff and see how well this went. I think we’ve put together some clarifications that mean something in this already. Maybe we may want to do this from now on, but we’ll come to that decision. That brings us – now that we’ve reviewed the codified text, brings us to the motion, Doug. Did you make that motion?

MR. MAHOOD: That's a committee motion.

MR. HARTIG: It's a committee motion. **The motion was to approve the Joint Coastal Migratory Pelagic Amendment 20B for formal secretarial and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text; and give the council chair authority to approve the revisions and redeem the codified text; and on behalf of the committee I so move. Any discussion? Any objection?** We have to do that by roll call.

MR. MAHOOD: Dr. Duval

DR. DUVAL: Yes.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Indeed.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Amendment 20B passes unanimously.

MR. HARTIG: All right, thank you, all. The next item on the Mackerel Committee's agenda was to deal with the Framework Actions for 2013. **Under Action 1, modify restrictions on transfer-at-sea and gill net allowances for Atlantic group migratory Spanish mackerel; the motion was to select Alternative 2 as the preferred; and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

Under Action 2, to modify the king mackerel commercial trip limits for the east coast Florida subzone, we had a preferred there so there were no committee actions on that. **Now we need a motion – and on behalf of the committee I will make it – to approve the Commercial Coastal Migratory Pelagic Framework Action 2013 for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text; and give the council chair authority to approve the revisions and redeem the codified text; and on behalf of the committee I so move.** Any discussion? Seeing none; Bob.

MR. MAHOOD: Dr. Duval

DR. DUVAL: Yes, sir.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Certainly.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes, sir.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: The Framework Amendment passes unanimously.

MR. HARTIG: Thanks to all again. **All right, the committee made the following motion for future amendments; and that motion was to direct staff to develop an options paper for separating permits for king and Spanish mackerel into separate jurisdictions; and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

I think that is the end of the Mackerel Committee Report. **On the timing and task motion suggested language; we will need a motion to adopt the timing and task items as presented, but I will read them:**

**Prepare Joint Coastal Migratory Pelagic 28 for submission to the Secretary of Commerce. Prepare Joint Coastal Migratory Pelagic Amendment 20B for submission to the Secretary of Commerce.**

**Prepare the South Atlantic Coastal Migratory Pelagic Framework Action 2013 for submission to the Secretary of Commerce.**

**Develop options for Joint Coastal Migratory Pelagic Amendment 24 to review sector allocations for Atlantic Migratory Group Spanish Mackerel for the December meeting.**

**Develop options paper for an amendment to separate the commercial king mackerel and Spanish mackerel permits in the South Atlantic and Gulf permits for the December meeting.**

**We need a motion, by Charlie; second by Mel. Any discussion? Is there any objection? Seeing none; that motion is approved.** Let me get back on the agenda items. That brings us to Data Collection; Michelle Duval.

DR. DUVAL: The Data Collection Committee met September 19th in Charleston. The agenda was adopted and the minutes of the June 2013 meeting were approved. We had multiple discussion items on our agenda. The first was a Joint South Atlantic and Gulf Council Generic For-Hire Reporting Amendment, which is the headboat reporting amendment.

Dr. McGovern reported that the Notice of Availability of the amendment was published in the Federal Register on September 18<sup>th</sup>; and comments would be accepted through November 18th. A decision is expected in December and regulations should be in place in early 2014. The Gulf framework to implement the for-hire reporting – again this is headboat only complementing what we do – Dr. McGovern reported that the amendment is under review in the regional office and expected to be cleared soon.

The next item was the joint Gulf and South Atlantic Council Generic Dealer Amendment, and Dr. Ponwith gave a presentation on how compliance with both the headboat and dealer reporting requirements would be accomplished. They are still working with law enforcement, but in general after a week an e-mail will be sent indicating a report is missing; and then after a month, a letter will be sent.

She asked the committee for recommendations on a phase-in in these deadlines, and the committee members expressed that there should be a phase-in period with a lot of outreach and publicity about the new requirements given that there will be implementation issues on both sides, the dealers, headboats and the agency.

Members also expressed that the second followup for a missing report should occur a lot sooner than a month. Where possible, all the deadlines should be the same for headboats, dealers, logbooks and charterboats. The committee also received a status update on the Joint Gulf and South Atlantic Council Generic Dealer Amendment from staff.

Two public hearings were held in the Mid-Atlantic and New England; and during the committee meeting it was reported that no public comments were received, but Rusty Hudson pointed out that a comment was submitted on behalf of Southeastern Fisheries Association supporting all the preferred alternatives. Staff verified that the comment was received, and also found one additional comment from Ollie Burwell, Cherry Point Seafood, who felt existing reporting requirements were sufficient, and both of those are attached.

**The Gulf Council approved the amendment for formal review at their August, 2013 meeting, so the committee reviewed changes to the amendment, reviewed the codified text, and on behalf of the committee I move the following: to approve the Joint Gulf and South Atlantic Council Generic Dealer Amendment for formal review; to deem the codified text as necessary and appropriate and give the council chair authority to approve editorial**

**changes to the amendment, and redeem the codified text as necessary. On behalf of the committee I so move. Any discussion?**

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Affirmative.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes again.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Duval.



DR. DUVAL: Yes.

MR. MAHOOD: The motion passes unanimously. We're giving a lot of work to the Gulf Council; aren't we?

DR. DUVAL: The next item on the agenda was a presentation from the Science Center on sample sizes for individual species. Dr. Ponwith gave a presentation on what the target sample size is for individual species for collection of biological samples. That target level was compared to what was actually achieved.

The committee expressed concern about the low levels of sampling and resulting impacts on stock assessments and offered to help support additional resources for the southeast to meet the needs resulting from the Reauthorized Magnuson-Stevens Act. Next was the Joint South Atlantic and Gulf Council Generic Commercial Logbook Reporting Amendment.

Council staff provided a brief review of the NOAA Electronic Data Reporting Directive and the potential for cost sharing by the industry. George Lapointe will be giving a detailed presentation at the December council meeting. Dr. Ponwith reviewed the status of the Commercial Electronic Logbook Pilot Project that began in August 2013, and that project will last 12 to 18 months. After the pilot, the Science Center would be ready to implement this, assuming funding is available. The committee discussed the timing for this amendment and provided guidance to staff as reflected below in the timing and task motion.

The next item was the Joint South Atlantic and Gulf Council Generic Charterboat Reporting Amendment and staff reviewed the status of the work on charterboat reporting and noted that the subcommittee to work on this still needs to be appointed. The committee discussed this amendment; and on behalf of the committee I move the following.

**To appoint John Carmichael and Mike Errigo as the South Atlantic Fishery Management Council representative on the subcommittee working on the technical aspects of separating charterboats from the MRIP sampling program. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

That brings us to our timing and task draft motion. **We'll need a motion from the committee to approve the task and timing as presented, which are to notify the Gulf and South Atlantic Council approve Generic Dealer Amendment for formal review at their September 2013 council meeting. Request that the Science Center provide updates at each council meeting on progress of the Commercial Electronic Logbook Pilot Study; and direct staff to defer work on the amendment until the pilot is completed. Next is to direct staff to work with Gulf council staff and NMFS staff on a generic amendment addressing charter reporting.**

**If I could get a motion from the council. Charlie; seconded by Anna. That motion is to approve the task and timing as presented. Is there any discussion? Any objection? Seeing none; that motion stands approved. Mr. Chairman, that concludes my report.**

MR. HARTIG: All right, that brings us to Ecosystem-Based Management and Habitat Committee Report; Doug Haymans.

MR. HAYMANS: The Ecosystem-Based Management Committee met Monday, September 16, 2013, in Charleston. The committee discussed Coral Amendment 8, including a report on public hearing comments and a review of the actions and alternatives, which consider modifications to the Oculina Bank HAPC, transit through the Oculina Bank HAPC, and modifications to the Stetson-Miami Terrace and Cape Lookout CHAPCs.

The committee recommended approval of the amendment for secretarial review. Anik Clemens, technical writer for NOAA Fisheries, reviewed the draft codified text for Coral Amendment 8. An update of Ecosystem management activities was also provided. There is a note here that NOAA General Counsel made several clarifying suggestions for Coral Amendment 8, including the recommendation to add reference to Amendment M, a list of the coordinates for coral habitat areas of particular concern areas proposed for modification to the language of the alternatives that considered expansion of CHAPCs.

There were a few motions. **The first was to accept the IPT wording for Subalternative 2B under Action 1; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved.**

**Two; to accept the IPT's recommendations for rewording Preferred Alternative 4 and Alternative 2 under Action 3; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion is approved.**

**Three, to approve Coral Amendment 8 for formal secretarial review and give staff chairman editorial license to make any necessary changes, and on behalf of the committee I so move. Is there any further discussion? Mr. Executive Director, I believe that is roll call.**

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: The motion passes unanimously.

**MR. HAYMANS: There was another motion to approve the codified text for Coral Amendment 8 as necessary and appropriate, and to give the staff/chairman editorial license to make any necessary changes to the codified text; and the chairman authority to deem the codified text necessary and appropriate; and on behalf of the committee I so move. Is there any additional discussion?**

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: The codified text was accepted unanimously.

MR. HAYMANS: Thank you, sir; and on behalf of the committee, the APs, staff; thank you all for your hard work on this amendment. It has been a long time coming for four short actions. It took a while to get through. **There was a fifth motion that the council write a letter to the appropriate agencies to address freshwater flow from Lake Okeechobee to the Indian River Lagoon; and on behalf of the committee I so move. Is there any discussion? Any opposition? Seeing none; that motion is approved.**

**Finally, the timing and tasks; the motion was to adopt a timing and task items that the council staff will revise Coral Amendment 8 according to council guidelines and submit a**

**final version for secretarial review; that the council staff will write a letter to the appropriate agencies to address freshwater flow from Lake Okeechobee to the Indian River Lagoon based on council guidance; and on behalf of the committee I so move. Any additional discussion? It is not a committee motion; do I have a motion from the council? Charlie; second, Dr. Duval. Any additional discussion? Any objection? That motion passes and, Mr. Chairman, that concludes the Ecosystem-Based Committee report.**

MR. HARTIG: Thank you, Doug. The next item is Dolphin Wahoo Committee report; John Jolley.

MR. JOLLEY: The Dolphin Wahoo Committee met on September the 16<sup>th</sup>. After receiving updates on the status of commercial and recreational landings, the committee received a summary of the comments received regarding Dolphin Wahoo Amendment 5 public hearings that we had in August.

The committee discussed final development of Amendment 5, clarified language as needed, chose preferred alternatives where needed, and voted to recommend to the council that the amendment is completed and ready to be sent to the secretary for formal review. The committee also discussed the issue of bringing dolphin and wahoo fillets back from the Bahamas into the U.S. EEZ.

The committee made several motions. **Motion number 1 was to accept the IPT's recommended language changes for Action 2; and on behalf of the committee I so move. Is there any discussion? Is there any opposition? Seeing none; the motion passes.**

**Motion number 2 was to select Subalternatives 2C and 3C as the preferred subalternatives for Action 2; and on behalf of the committee I so move. Brian.**

DR. CHEUVRONT: After looking at the motion that was made by the committee; to be clear we felt that perhaps what it needs to say is select Alternative 2, Subalternative 2C; and Alternative 3, Subalternative 3C as the preferred alternatives and subalternatives for Action 2. As it stands now, if you look at the text that is right below this, it does not show the actual alternative as the preferred. What would be good at this point is if somebody made a substitute motion to include the new language to replace the motion that was made by the committee.

**MR. HARTIG: I make that motion to select Alternative 2, Subalternative 2C; and Alternative 3, Subalternative 3C as the preferred alternative and subalternatives for Action 2.**

MR. JOLLEY: Do we have a second? Anna, thank you. Okay we have a motion and a second. Discussion? No discussion. Is there any opposition to the motion?

DR. CHEUVRONT: **This is the motion to make it now the main motion.**

MR. JOLLEY: Is everybody clear? Okay, seeing no opposition, the motion goes forward and passes.

DR. CHEUVRONT: Now it is the main motion and you have to vote on it as the main motion.

MR. JOLLEY: Okay, what do we do now?

DR. CHEUVRONT: Just take a vote.

**MR. JOLLEY: Is there any opposition to the motion? If there is no opposition, the motion passes. Motion Number 3 was to accept the IPT's recommended language for Action 4. The motion was approved by the committee and on behalf of the committee I so move. Is there any discussion? Is there any opposition? Seeing none; the motion passes.**

**Motion Number 4 was to select Alternative 1 as the preferred alternative for Action Number 4. Is there any other discussion we're going to have to do here? On behalf of the committee, I so move. Any discussion? Any opposition? Seeing none; the motion passes.** Monica I think you've got something coming up that you want to discuss with us.

DR. CHEUVRONT: Mr. Chairman, I can take care of that. Monica can jump in if she feels she needs to. During the committee meeting, Monica expressed that she thought that there were some needed wording changes to Preferred Alternative 2 under Action 3. The committee deferred at that point to take this up at full council.

Monica and I worked this week on altering the language, but what I put into the report is a summary of those changes that were made by Monica, which I would like to go ahead and read if I may, Mr. Chairman.

During the committee meeting NOAA GC, Monica Smit-Brunello, indicated that the wording for Preferred Alternative 2 needed modification to clarify what the alternative would do. In the course of modifying Preferred Alternative 2, Preferred Alternative 3 needed minor modifications as well.

Below is a summary of the changes recommended by NOAA GC for Action 3. Changes to Preferred Alternative 2; it removes two descriptive paragraphs under the section titled ABC, annual catch limits and annual catch target adjustment procedure, because those paragraphs conflicted with the proposed framework changes.

It also includes information in a new Number 10 that describes what activities NMFS Regional Administrator is authorized to conduct through notice action. It also includes a new Number 11 that describes what happens if NMFS decides not to publish the proposed rule for the recommended management measures.

This is a new idea, so I recommend that you go through and read that Number 11. The changes to Preferred Alternative 3 is there are minor wording changes to the Preferred Alternative 3 description and rennumbers the sections under Preferred Alternative 3 to accommodate the new numbering under Preferred Alternative 2.

Note that the Section 11 under Preferred Alternative 2 is essentially repeated under Preferred Alternative 3 as Section Number 13. The reason that was done was that section needs to apply regardless of whether the council decides to keep only one of its alternatives as the preferred alternative or should the council send the amendment to the secretary with both preferred

alternatives but the secretary approves only one of the alternatives? Even though it seems kind of redundant in the language there, this is an insurance policy to make sure that if only one of the preferred alternatives is accepted that this additional language gets in.

Below this point in the report is what the new text is going to look like, and it is several pages long, and I will make sure that Joe has this for the record to put in there, but it is about four pages of text of what these new alternatives look like. The other changes that were made by Monica do not significantly change the intent or the meaning at all of what was going to happen in the framework; but I think that Section Number 11 and Number 13 is a clarification of what would happen in case NMFS decided not to approve the recommended changes.

MR. JOLLEY: Monica, you wanted to chime in?

MS. SMIT-BRUNELLO: Yes, a quick chime – and thank you, Brian – is that this tracks what you recently did for the Snapper Grouper FMP. It sets out an abbreviated framework procedure to try to make changes to the ACL and ACTs like you’ve done recently in Amendment 27 for snapper grouper. It also tracks the regular framework that you have in snapper grouper.

The Dolphin Wahoo Framework will look pretty much identical to the Snapper Grouper Framework. There was just some conflicting language in there about – I don’t know where it came from but it is very old – about notice actions and this thing and that thing. We cleaned it up and clarified it.

MR. JOLLEY: Is there some additional discussion that the council would like to have here?

DR. CHEUVRONT: I think what needs to happen is if the council wants to go ahead and go with these modified Preferred Alternative 2 and Preferred Alternative 3; we need to have a motion now at council to accept or make further changes to the ones recommended by NOAA GC for Action 3, Preferred Alternative 2 and Preferred Alternative 3.

**MR. HAYMANS: Mr. Chairman, I would make a motion that the council accept modified changes from NOAA General Counsel to Action 3, Preferred Alternatives 2 and 3.**

**MR. JOLLEY: I have a motion. Do I have a second; Mel, thanks. We’ve got a motion we’ve got a second. Further discussion? Any opposition? Seeing none; the motion passes.**

(Whereupon, the modified changes from NOAA General Council to Action 3, Preferred Alternatives 2 and 3 are as follows:

**Preferred Alternative 2.** If commercial landings as estimated by the Science and Research Director (SRD) reach or are projected to reach the commercial ACL, the Regional Administrator shall publish a notice to close the commercial sector for the remainder of the fishing year. Additionally,

**Sub-alternative 2a.** If the commercial ACL is exceeded, the RA shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the species is overfished.

**Sub-alternative 2b.** If the commercial ACL is exceeded, the RA shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the total ACL (commercial ACL and recreational ACL) is exceeded.

**Preferred Sub-alternative 2c.** If the commercial ACL is exceeded, the RA shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the species is overfished and the total ACL (commercial ACL and recreational ACL) is exceeded.

**Preferred Alternative 3.** If recreational landings, as estimated by the SRD, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings.

**Sub-alternative 3a.** If necessary, the RA shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished. The length of the recreational season and recreational ACL will not be reduced if the RA determines, using the best scientific information available, that a reduction is unnecessary.

**Sub-alternative 3b.** If necessary, the RA shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the RA determines, using the best scientific information available, that a reduction is unnecessary.

**Preferred Sub-alternative 3c.** If necessary, the RA shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished **and** the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the RA determines, using the best scientific information available, that a reduction is unnecessary. )

DR. CHEUVRONT: Okay, Mr. Chairman, now we need to go back up

MR. JOLLEY: **I think we've got a motion here to approve the Dolphin Wahoo Amendment 5 for formal secretarial review and deem the codified text as necessary and appropriate; give the staff editorial license to make any changes necessary to the document and codified text; and to give council chair authority to approve the revisions and redeem the codified text. On behalf of the committee, I so move.**

DR. CHEUVRONT: John, I think you need to clarify the second sentence. You left off the word "staff" when you said give editorial license, so you probably need to say "give staff editorial license".

MR. JOLLEY: That is correct, give staff editorial license to make the necessary changes. On behalf of the committee, I so move. Discussion? You've got to do roll call.

MR. MAHOOD: Dr. Duval.



DR. DUVAL: Yes.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Jolley.

MR. JOLLEY: Yes.

MR. MAHOOD: The motion passes unanimously.

MR. JOLLEY: Thank you, Bob, and I think this is the final motion: **Direct council staff to begin a new dolphin wahoo amendment to allow for bringing dolphin and wahoo fillets back from the Bahamas into the U.S. EEZ. The action and alternatives are as shown in the issue paper. This amendment will be brought to the council at our December, 2013 meeting. On behalf of the committee, I so move. Discussion? Any opposition? The motion is passed.**

DR. CHEUVRONT: **We still have a timing and task motion, Mr. Chairman, on the very last page. The timing and task motion is that in October 2013 we will finalize Amendment 5 and send the amendment to the secretary for formal review. From September through December 2013 develop Dolphin Wahoo Amendment 7 with one action to address bringing dolphin and wahoo fillets from the Bahamas into the U.S. EEZ.**

**The action and alternative is as follows – it is there in the document, and I think it is also the same action that appeared exactly as it appeared in the issue paper that you were sent. In December 2013 at the council meeting we'll hold a public hearing for Dolphin and Wahoo Amendment 7 and approve it for submission to the Secretary of Commerce for final review.**

MR. JOLLEY: **I think we need somebody to make a motion and a second.**

DR. DUVAL: **I move that we adopt the draft timing and task motion as presented.**

MR. JOLLEY: Charlie, thank you; we've got a second. **We have a motion and a second. Any discussion? Any opposition to the motion? Seeing no opposition, the motion passes.** Mr. Chairman, that concludes it for the Dolphin Wahoo Committee and I'll turn it back to you.

MR. HARTIG: The next item is the Visioning Workshop Report; Dr. Duval.

DR. DUVAL: Thank you, Mr. Chairman. I'll just give a recap of our visioning workshop that occurred on Monday. Staff reviewed discussion from our June workshop and recapped how the information was relayed during August 2013 public hearings, including the materials that were prepared for distribution to inform stakeholders.

Then staff gave an introduction to the logic model, which we had sort of briefly gone over in June, and did this to prepare a discussion on revising goals and objectives or developing new ones for the Snapper Grouper FMP; and provided the framework for discussion to be focused on strategicals based on goal themes and objectives.

The next thing we did was review the Mid-Atlantic Fishery Management Council five-year strategic plan. Staff summarized feedback from the council on the content and format of that plan. Questions and comments included understanding how the South Florida Management Issue Workshops were structured and conducted; and for the Port meeting consider asking stakeholders to list three things the council is doing right, three things the council is doing wrong and use this information to plan structure and content; and also expressed an interest in sending a letter to each snapper grouper permit holder to introduce the visioning project and gauge interest in willingness to participate in those Port meetings.

Staff requested guidance on whether the council would like to structure the snapper grouper strategic plan similar to the Mid-Atlantic plan, which was based on broad goals or base the plan on more theme-specific draft goals. Some council members expressed interest to utilize draft goals that the council has already developed.

Others expressed support for basing the snapper grouper plan on broad, strategic goals similar to the Mid-Atlantic plan; especially if the South Atlantic Council is eventually going to create a broader plan and one that encompasses other managed fisheries in the region. The suggestion was to take draft goals and group them into broader categories similar to the Mid-Atlantic plan, which would be beneficial for stakeholders when they want to provide their input on a particular area.

There is a suggestion to have a separate category for the Magnuson-Stevens Act mandated objectives, as well as to have four broad strategic goals which are science, management, communication and governance. The council needs to not lose sight of the desire to not engage in a stakeholder rebuilding process when developing the strategic plan.

However, it is important that the council acknowledge how critical it is for us to regain credibility and maintain good communication with stakeholders. A suggestion was made to consider an ambassador program specifically to address the issue of rebuilding credibility among stakeholders and perhaps do this ahead of the Port meetings to increase our success.

Next was a revision of the Draft Snapper Grouper Strategicals and Objectives. Staff presented suggested edits to goals and objectives and revised those according to input from council members, which was sent to you all in a previous draft document. The draft vision statement was modified to remove the word “citizens”.

Then we moved into discussion of Port meeting structure and format. There was a suggestion to add Port Salerno and West Palm Beach as possible locations in Florida. Jessica briefly recounted how the meetings for South Florida Management Issues Workshop were structured and conducted. That lasted about three hours.

She did suggest splitting up meetings by sector and to consider new participants to the council process and making sure they understand the management authority of the council at the beginning of meetings. There were also suggestions made to consider holding workshops at inland locations, if possible, such as Colombia or Florence; consider aggregating commercial sector and chefs in one meeting and for-hire, private and recreational tourism into another meeting at each location.

There is a suggestion that preferred meeting times for chefs would be around noon to give them enough time to come to a meeting before prepping for dinner; consider holding meeting in areas where we don’t normally hold them, such as West Palm Beach. The council will continue discussion of timing and content of the Port meetings during Executive Finance, so we’ll hear more about that.

Items for consideration include timing – whether fall or winter 2014 – the budget, the models for different states. Georgia expressed concern about traditionally low turnout at hearings and the

need to consider Port meetings in conjunction with other meetings. Then also the content of the Port meetings; does council staff present the draft strategic goals and objectives, guiding questions or a mix of both? We did have more discussion about that in Executive Finance. That concludes my report, Mr. Chairman.

MR. HARTIG: The next item of business is SEDAR report from David Cupka.

MR. CUPKA: The SEDAR Committee met on September 16<sup>th</sup> and received reports on current SEDAR activities and approach for future assessment planning and topics for the SEDAR Steering Committee meeting scheduled for October. The committee provided guidance on these topics as summarized below and no motions were made.

Committee guidance; the committee endorsed the long-term assessment planning approach presented by staff; recommending the five-year interval between assessments and proposed core stocks. Further guidance will be obtained from the SSC and the Science Center with the goal of presenting a future assessment schedule for consideration at our December meeting.

The committee supported the Science Center recommendations on assessment project scheduling for 2014 and 2015. This includes increasing the analytical time allotted to the red snapper benchmark; replacing red porgy in 2015 with gray triggerfish to address the ongoing delay in triggerfish; and providing updates of tilefish, vermilion snapper, and red grouper in 2015.

The committee supported efforts to streamline the SEDAR assessment process by reducing the number of webinars and allowing communication between the analytical team and the technical and constituent advisory panels to the assessment process to occur as needed. Webinars are recommended for at the start and end of the assessment process phase of SEDAR.

During the first webinar, the continuity run will be reviewed, remaining data issues addressed, and general modeling approach considered. The other webinar will occur when the assessment is complete and will include a review of the base model alternatives, sensitivities and a discussion of the uncertainty. Mr. Chairman, that concludes my report.

MR. HARTIG: Thank you, David, I appreciate that. That brings us to Advisory Panel Selection Committee; Doug Haymans.

MR. HAYMANS: The Advisory Panel Selection Committee met September 19, 2013, in Charleston. The committee discussed term limits for advisory panel members and developed proposed changes to the Administrative Handbook Policy. **The committee made the following motion; to accept the language as modified to the Administrative Handbook regarding term limits for advisory panel members, and I'll read that change.**

**Terms of members: Members shall be appointed by the council for three-year terms in May; at the pleasure of the council be reappointed for two additional terms not to exceed three terms in succession. A member may be reappointed to the same advisory panel after having been off the AP for at least one year. If no qualified persons have applied, then the council may reappoint the member. In such case each new term shall be viewed as if it were a third term. The vacancy appointments shall be for the remainder of the unexpired term of the vacancy. This term limit policy does not apply to the SEDAR AP Pool.**

**On behalf of the committee, I so move. Is there any additional discussion? Seeing none is there any objection? Seeing none; that motion is approved.** The committee also noted the need to bring forward a motion approved by the committee during its June meeting relative to the King and Spanish Mackerel Advisory Panel. **That motion was to approve the reappointment of Ed Holder and Tom Ogle to the King and Spanish Mackerel Advisory Panel. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none; that motion is also approved.** Mr. Chairman, that concludes the Advisory Panel Selection Committee report.

MR. HARTIG: The next item is the Protected Resources Committee Report. David.

MR. CUPKA: The Protected Resources Committee met on September 19th and began with an update from Jennifer Lee with the Southeast Regional Office Protected Resources Division on two ongoing formal consultations for fisheries managed by the South Atlantic Council. Currently a formal consultation is underway for the coastal migratory pelagics fishery, triggered by the listing of the Carolina and South Atlantic distinct population segments of Atlantic sturgeon as endangered under the ESA last year.

The biological opinion is in progress and additional information will be available on the biological opinion at our December meeting. Also, there is an ongoing consultation for the southeast shrimp fisheries, including both Gulf and South Atlantic Regions, to examine the effects of skimmer trawls without TEDs. The analysis for this biological opinion is the same as for the 2012 biological opinion and a draft biological opinion is under review.

These briefings were provided in accordance with a request from this council at our June meeting for the Protective Resources Division to provide the committee and council with an update on any ongoing formal consultation and record input from committee members for consideration during the consultation.

Next the committee received a presentation from Barb Zoodsma, who is also with the Regional Office Protective Resources Division, on North Atlantic right whale biology, behavior and other biological information used in right whale protection in determining entanglement risk from fisheries. Following, Jessica Powell, also with the Protected Resources Division, provided a presentation on the Atlantic Large Whale Take Reduction Plan.

The presentation included information about current and proposed gear regulations and details about the co-occurrence model used by the Take Reduction Team and NMFS Protected Resources Division to determine specific gear regulations intended to reduce risk of entanglements.

Council staff provided a brief presentation on the Endangered Species Act Working Group, a joint working group to make recommendations on increasing the transparency and improving confidence in ESA consultations on fishery management plans. Final recommendations from the working group are expected to be available in October of this year and will be presented by staff to the committee at our December meeting.

The committee was briefed on additional items of interest. Jennifer Lee informed the committee on the outcome of the status review of river herring. U.S. Fish and Wildlife Service staff provided an update on the status review for American eel, proposed designation of critical habitat for loggerhead turtles and the Atlantic sturgeon stock assessment in progress through the Atlantic States Marine Fisheries Commission. Mr. Chairman, that concludes my report.

MR. HARTIG: That brings us to the Executive and Finance Committee Report, and the Executive Finance Committee met on September 19th in Charleston. The minutes from the June 2013 Executive Finance Committee were approved and the committee received presentations on the following agenda items.

Number one; status of the council's federal 2013 year funding – Bob Mahood briefed the committee on the level of funding we received. For 2013 it was noted that we ended up with a 10 percent cut in all of our budget categories except for SEDAR, which was level funded. We will be able to weather this budget reduction using funds carried forward from earlier grant years.

The council has been conserving funds critical to the council's future operations as we brace for these anticipated budget cuts. Number two, status of the federal 2014 budget for the council; currently the President's proposed 2014 budget for the council restores the funds cut in FY 2013. However, Congress has not yet agreed upon and passed the 2014 budget.

The House and Senate versions vary from each other and from the President's Budget. It is unclear as to what our 2014 budget will be. Number three, 2013 council budget expenditures; the committee was briefed on the council's expenditure for 2013. It was noted that although we experienced a 10 percent reduction, we were in good shape, because of funds we were able to carry forward from 2012 offset the reduction.

We have been able to operate under a budget that accomplishes our goals for the year. Number four was update on joint committee on South Florida management issues. Chairman Cupka provided the committee with background information on the makeup and function of the joint committee on South Florida management issues and the activities undertaken to date.

Jessica McCawley briefed the committee on the series of five public workshops held in Dania, Key Largo, Key Colony Beach, Key West and Marco Island, Florida. The workshops were well attended and resulted in valuable public input relative to fishery management issues in the South Florida area. The committee discussed what the next step in this effort should be.

A motion was approved directing staff to work on scheduling a meeting of the Joint Florida Management Issues and Goliath Grouper Committee early in 2014. It is to be an in-person meeting in South Florida centered on discussion on how to move forward with Goliath and other items identified at the South Florida scoping workshops. I'll bring that motion to you at the end of the committee report.

Number five was address council follow-up and priorities. Bob Mahood provided the committee with background as to how the council and NMFS regional operating agreements evolved from a formal document developed in 2006 to the current informal ROA or follow-up we use today.

There is a new effort underway to revise the original 2006 ROA as a formal signatory document to meet the recommendations in the recent Inspector General's Report.

Gregg Waugh presented a detailed briefing on the follow-up outlining the current and future activities and schedules for the committee's information, consideration and guidance. He explained how the follow-up is developed and the interactions between council and SERO staff in completing the operations document. Committee chairmen were asked to review the follow-up to ensure various ongoing council actions are moving forward as envisioned. The use of scoping webinars was discussed in detail.

Generally there was agreement that this is a good approach for future scoping, with the exception of very controversial issues like MPAs where the committee indicated they would prefer in-person public scoping sessions. There was not a committee motion but the staff was given direction to pursue using scoping webinars in the future.

Under other business, Dr. Duval continued with several items not covered in the Visioning Workshop meetings. She provided an overview of the planning activities related to the proposed port meetings. Timing and locations for the Port meetings was discussed as well as the role and participation level of council members attending.

The content and process for the port meetings were also discussed. **The one motion we had was to direct staff to schedule a meeting of the South Florida and Goliath Grouper Committees early in 2014 at an in-person meeting in South Florida to discuss how to move forward with Goliath grouper and items identified at the South Florida Scoping Workshops. On behalf of the committee, I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.** That concludes my committee report.

We have two presentations up next on the agenda, and the first one is a presentation on U.S. Bahamian border issues by the U.S. State Department. We have two gentlemen here to tag team on this. We have Kevin A. Baumert and Brian Van Pay.

MR. BAUMERT: We have a little change of pace for you. Thanks so much to the Chair and to the organizers of the meeting, Bob and others, for making room for Brian and I to talk about our boundary work with the Bahamas and get some of your input. My name is Kevin Baumert, and I'm in the office of the Legal Advisor at the Department of State. I handle law of the sea issues for the State Department.

MR. VAN PAY: I'm Brian Van Pay. I'm with the Office of Ocean and Polar Affairs, also at the Department of State. I handle the policy side of issues related to maritime zones and maritime boundaries.

MR. BAUMERT: What Brian and I thought we would do is divide our presentation in two. I'll give some background information about our boundary work in general, and with Bahamas in particular, because I imagine that it is not something that all of you deal with every day. Then I'll hand it over to Brian and he'll get into some of the more detailed discussion about the fishing activity in kind of the disputed areas and some of the resource issues.

Our doors are open; so just to note on this slide and the last one, we have our e-mail addresses up there. We're open if folks have thoughts after today, please don't hesitate to contact us. I'll just get into some background. I won't go into too much depth, but this slide we like to start with. It just shows the Maritime Zones under the Law of the Sea, starting at the coastline on the left with the Territorial Sea, the 200-mile exclusive economic zone, the Continental Shelf below it, which can go 200 miles or beyond.

What happens – and this is a situation with Bahamas. When you have the U.S. zones overlapping with the neighboring country zones, in this case it is the EEZ and the Continental Shelf that overlap with the Bahamas, then you have a boundary situation. Believe it or not, most people don't know this, but we do not have a boundary agreement with the Bahamas. It is disputed, and we'll get into that a little bit more.

That dispute is the one that Brian and I and others are trying to put to rest with a boundary agreement. Just legally; what do we do when this happens? The basic approach to boundaries from a legal perspective is that boundaries get decided by agreement on the basis of international law. The two neighboring countries are supposed to enter into a treaty in order to achieve inequitable solutions.

International law sort of leaves it to the two countries to figure out what is equitable, what is fair between them and to work that out with a treaty. Then the other thing to know about boundaries, they are pretty much permanent. We don't go back next year or the year after and kind of renegotiate our boundaries that have already been concluded. We really want to get this right.

That is one of the reasons why we're seeking input from this group and others. Just a little bit more background; we have actually 30 potential boundaries, the U.S. does, with 16 different countries. Fifteen of these have been concluded by treaty, one by a decision of the International Court. Fourteen of them remain unresolved.

This is not that uncommon around the world. There is about half of all maritime boundaries that have yet to be finalized. Important for the U.S., our boundary treaty is including – if we conclude one with the Bahamas, it has to go through the Senate for advice and consent for its approval of the U.S. Senate.

Brian and I aren't going to be out there signing treaties binding the United States. This just shows a list of our boundary treaties that are currently concluded. The last three are highlighted, because the boundary treaty with Kiribati in the Pacific just got signed the week before last. We're pretty pleased about that, and we want to keep the trend going with the Bahamas and others.

This slide just shows the boundaries that have yet to be finalized with highlighting the Bahamas where we have an EEZ, an Extended Continental Shelf ECS Boundary that we're working on now. What do we do when we have a boundary dispute or we don't have an agreement with a neighbor? We just publish out unilateral limit line in the Federal Register.

That is exactly the situation with the Bahamas. The line that you all are familiar with, our EEZ line which is shown in blue on this slide, that is published in the Federal Register. This slide I



want to take a couple minutes just so people understand the boundary situation. The blue line is really our position; that is the U.S. position. It is our existing line.

It starts in the first area in the Straits of Florida, labeled Number 1. There is not much disagreement between the U.S. and the Bahamas in the Straits. It might be that we can make some tweaks to that line that would benefit us; but for the most part both sides think of that as what we could say equidistant line, equal distance between the two countries. The second area is the one I think of greatest disagreement between the U.S. and the Bahamas.

That is the area north of the Strait in that triangle labeled 2. Like I said, the blue line is the U.S. position as to where the line should be, and the orange line there is where the Bahamas think the line should be. That whole area, Number 2 with the cross hatch, is a disputed area. Luckily we haven't had any problems with the Bahamas. There has not been Bahamian fishing boats there, and they have been a good neighbor regarding this dispute, but they have maintained this position for almost 30 years.

Looking ahead in the future, we can't be assured that we're always going to have a situation with the Bahamas where they are willing to kind of respect the U.S. Line. That is part of what we're trying to do is get some certainty into the future on this and avoid a potential bad situation. The third area of the boundary, which I'm not going to really get into, is Extended Continental Shelf; beyond 200 miles. I'm not going to get into that because it is not an area that falls under the fisheries jurisdiction of the U.S. or the Bahamas.

In terms of our interests – and I'll turn it over to Brian – what we're trying to do here is maximize the total area that the U.S. can use and/or protect our resources. We're not about to agree to that Bahamian Line you saw in the previous slide. That is their position; that is not our position. We're not going to agree to that, but we want to retain the maximum amount of space as possible.

Like I said, we want to provide certainty to U.S. fishermen and other American interests. We want to have the space managed well from a resource perspective. We don't want the two countries both trying to exploit the same area. Of course, we're from the State Department, so we want to always maintain good relations with our neighbors.

In terms of the negotiations that we've had, just so people are aware, we've had two rounds so far with the Bahamas. In those first two rounds we've mainly exchanged views on our respective positions that I just described; but in the second round I think we made a little bit of progress in that the Bahamian side expressed willingness to kind of work from the U.S. Line and think about are there areas we could swap?

Are there areas we could tweak the U.S. Line so that it is different, but it would be sort of an equal area swap. We would pick up some space; they would pick up some space. Brian will get into that in a little bit more detail. That is kind of what we want input from this group on; what are the most valuable areas for us and what areas might be slightly less important. With that, I'll hand it over to Brian.

MR. VAN PAY: Much of the effort over the past year has really been focused domestically. What we want to know is where are all the resources, not just fish, but also the hydrocarbons and

unique features and so forth. A lot of the work that we've been doing has been talking to USGS, talking to BOEHM, NOAA, the fishermen to try to get a handle on basically where all the resources are.

Before I walk through some of these maps, I want to give a couple of quick thank you's, especially to Roger on providing some of the GIS data, Bonnie and her staff, Bob has been especially helpful, but also Randy Blankenship, Carlos Rivero, Jennifer Cudney and Steve Durkee; they have been really helpful in trying to get a handle on some of this.

It has also been useful for us to talk directly to the fishermen. Rusty and others have been giving us some insights and some different perspectives on this. Let me walk through some of these maps. Kevin and I presented many of these at the Highly Migratory Species Group last week, and we have a couple others in here. But, we're going to give you some of our thoughts and what is coming out of this, but what we really want to know is what do you think?

Is the data truly reflective of what is actually going on out there or is it not giving the entire picture? This first one, I don't know if this give too many insights, but it is the VMS data over the past five years or so with some of the higher concentrations. I think the following maps will give a bit more information.

This one, total number of hooks deployed over the course of about six years here; we're seeing a couple hotspots' that Charleston Gyre in the north, which really doesn't play into the maritime boundary. If you can see that other hotspot area that is right on that boundary there in the southwest, well, that will play into how we negotiate that boundary.

That is one of the things we've seen consistently with a number of different species, and we have a couple of questions about. Now, we recognize that this dataset is incomplete, that there are some areas that are closed off to fishing. We don't have that complete dataset and also the data that is on the Bahamian side of the boundary.

Let me just walk through some of these. I recognize some of these are more applicable to the HMS group as opposed to the SAFMC, but albacore tuna, bigeye tuna, yellowfin tuna. Again, we see those couple of hotspots popping up consistently between these different species. Swordfish, dolphin mahi, wahoo; and as I mentioned earlier, it seems to us that these two areas seem to pop up in several cases.

Let me walk through a couple other maps here. This is based on some of the data that we got from Roger. The dolphin wahoo essential fish habitat; and one of the questions that we have when we look at something like this is when you look through the Straits, we see that some of the habitat is just to the east of that line.

Is it to the U.S. benefit to try to kick that line a little bit towards the Bahamian side? In some areas it may be an exchange for other areas. We might end up with an equal area exchange, but it might be to the benefit to the fishermen in the long run if we can get more resources and maybe try to navigate that line through the deepest part of the Strait, if ultimately we end up with more resources in the end.

Snapper grouper, in this case we're seeing a little bit more interest for the SAFMC species out in that classic disputed area, but it appears to us that a lot of your equities are closer to shore through the Straits and so forth. Please tell us if we're off base on that. Coral locations, we understand coral is too important for habitat and other reasons.

Again, much of this seems to not be in that disputed area, but is this product of how the data was collected or where it was collected or is this truly the case of where the coral is located? One of the things that we're thinking about from negotiating standpoint is it to our collective benefit to maybe look at that hotspot in that southwest and negotiate a line that might kick it farther south in exchange for potentially giving up EEZ farther seaward. Let me clarify. On this particular map, this isn't something that we've talked about with the Bahamas. We haven't proposed this.

We're asking folks here in the U.S. what do they think of this and is it to our benefit or some of these things that we're looking at, the differences aren't that stark or these things tend to move a bit, and so what we negotiate now might not be the case 10, 20, 50 years from now.

Let me just walk through some questions that we have and then perhaps we can open up to the floor and get some input. We're looking for your areas of interest. We're looking for your equities, where are the fish, what is important in regard to how we negotiate this line, and might small changes make a difference, especially through the Straits? Are there issues that we need to consider there?

Again, it seems to us from what we've heard that area in the southwest that straddles the line seems to be important. Also we've heard a bit on the Blake Spur, which might be important for especially some of the HMS fishermen. Also if we're willing to try to get some of these areas, are there other areas that we might not have as much equity in that we might be willing to do some kind of exchange?

Finally, recreational fishing; this seems to be one of those areas where we don't quite have a handle on it. I think we have a much better handle on the commercial fishing, because we have the VMS data and we just seem to have more on that front; but if there is any data or input that we can get on the recreational side, I think that would be particularly helpful. I think that concludes our presentation.

MR. HARTIG: Thank you, that was very interesting; very well done, too.

MR. JOLLEY: I've seen some of this before. I think that in that southwest section – can we go back to that – which is north of the Bahama bank there and specifically north of Walkers Cay in west end; that is where our longliners go. I am sure Randy Blankenship and the rest at HMS, they've talked about that, but we've got a couple of longliners that fish that area periodically for yellowfin tuna and swordfish and other things.

We do occasionally get some recreational boats that take long-term trips for yellowfin tuna, and will run over there, but it is not a lot of boats, because you've got to have a big boat, you have got to have the right weather and a pretty tough crew, because that is overnight stuff and the like. As a matter of fact, I think one of our boats broke down and got in a little bit of trouble there for a while and you guys got him out somehow.

I guess they broke down and drifted into an area. But the Bahamians, of course, don't have the capability to really fish these waters themselves to any great extent. It is not the grouper snapper thing up there that we're concerned with. It is those pelagics that move through there and they're moving through there at different times, different species at different times. Our assets aren't there all the time fishing for them.

DR. DUVAL: I just have sort of an ignorant geography question. What is the Blake Spur, which piece of that?

MR. BAUMERT: It is this area where my cursor is. There is a sub-sea feature that is not visible on this map, a little spur that comes out here. It is within the Bahamas EEZ, but it is beyond our EEZ. It is potentially something that they could say, well, we kind of give you a little chunk of our EEZ; again, if we thought it was valuable. But, of course, just following up on what John said, it is very far away. By definition it is more than 200 miles from our shores.

MR. JOLLEY: It would be our longliners.

MR. BAUMERT: Yes.

MR. BELL: I was just going to say if you go to some of the bathymetry ones, I think you can see the feature of the spur. I've just been reminded by our folks that triangle area, particularly that southwestern quadrant is important, particularly the HMS guys as we kind of push them out of other areas or at certain times of the year where they are excluded from spots, that is where they go, and it shows up.

It is an important spot as far as the significance of that eastern-most edge as being negotiable, I'm not sure. I just know that they are sensitive about that. You all probably heard that if you've been in discussions with them. It is an important area for them to be able to go to, particularly as they get boxed out of other areas and need room to operate.

MR. VAN PAY: That EEZ corresponds I'm sure as you know with that Continental Shelf Break; so we were wondering is that particularly important? Is there an upwelling that goes on there? Is there other unique species that we might get on that particular break that might be important? That would be an area that might be of interest.

MR. JOLLEY: There are several species of fish that are in that area every year at different times. It is a seasonal thing to some degree, but we've been fishing it for years. The only way the Bahamians would probably use that would be if they could sell the rights to somebody coming from outside to fish. That might be a point that they would take up.

They recently took up an idea that they thought they would sell some rights to netting of yellowfin tuna in the Straits on their side off Grand Bahama. The American people raised so much hell that they backed way down on that. They certainly are willing to negotiate. In this case we didn't come to blows.

It was just something that got in the newspapers, and the recreational fishermen let them know what an important place that was west of Lucaya, and so they backed down. Well, obviously, they get a lot of business from the Americans that are only 50, 60 miles away.

MR. VAN PAY: One of the things that we heard from the HMS group was that you can get the permit on the Bahamian side; and so that boundary doesn't necessarily – in some cases for some fishermen it doesn't have – if you have the Bahamian permit, it is not as big of a deal. That would be another question that we have; is there quite a bit of fishing by U.S. fishermen on both sides of that line?

MR. JOLLEY: Yes, there is a hell of a lot of fishing that goes on. Thousands of recreational boats go to the Bahamas during the course of the year, get that permit, and they'll fish those yellowfin tunas over there and other species as well, but I'm talking about the pelagics. A lot of our people from Miami north to Fort Pierce are running offshore to the line and fishing for dolphin and wahoo and other species.

MR. WAUGH: Thanks; that was a great presentation. On slide Number 8 where you show the line that the Bahamians are claiming; is that just an extension of the equidistant line that runs through the Straits?

MR. VAN PAY: As Kevin was saying earlier, that is equidistant through the Straits, and we drew that east/west line I think in 1977, but it is not equidistant, and so that orange line is a continuation of that strict equidistant line, yes.

MR. HARTIG: Well, I had kind of a gee whiz question. How does not having a boundary agreement with the Bahamas impact Lacey Act cases? To me it seems if you don't have a defined boundary; you don't have any way to enforce the Lacey Act between the Bahamas and the U.S.

MR. BAUMERT: This might be a little out of my zone, but I believe that we just rely on our unilateral limit line. As a matter of international law, there is no boundary; but as a matter of domestic law, we look to our unilateral limit line where we say the end of the EEZ lies, and we enforce based on that.

MR. HARTIG: Really, the only species of concern for the South Atlantic council; dolphin wahoo, that is a consideration. What else would be – well, certainly, HMS, but that is not our purview. From comments from our group about what species interactions would be important to us, dolphin wahoo; possibly golden crab, possibly. Can anyone else think of anything else that would be subject to this kind of a boundary? Wreckfish in particular – no, tilefish, that is way too far offshore for tilefish.

MS. SMIT-BRUNELLO: Sargassum?

MR. HARTIG: Yes, we manage sargassum. If the Bahamians came up with some kind of sargassum harvest, we would certainly want to comment on that. We have a management plan for sargassum, so that would be impacted as well. There isn't any harvest going on currently that I'm aware of sargassum, but that is certainly an important habitat aspect of our management.

I would just like to get on the record what you guys should be looking at. You've done a good job with dolphin wahoo, I saw. You had those sites. What are you looking at in dolphin wahoo in particular – I mean, you've got the VMS for HMS, but you don't have it for dolphin wahoo. I

guess you would have it for some vessels. For the vessels in question, you would have it, because those are the larger vessels that are making those trips and they are large catches of dolphins. They would be in your HMS database.

MR. BAUMERT: I think that is these.

MR. PUGLIESE: In working with Brian and trying to get some of this information to him, a couple things I had raised to him and provided some things; a couple things that are potentially lost with a large change like that is some of the existing gear regulations we put in place on prohibitions of fish traps.

It depends on if, say, those changes are would be made and then Bahamas would adopt those; some habitat related gear as well as – I mean, everybody laughed about the sargassum, but sargassum, we have prohibitions on the removal of coral, coral reef and live hard-bottom habitat, just a general provision of a zero OY in that plan.

The issue of the fact that boundary on the eastern side of our coral HAPC is really tied to what we had as a boundary, and knowing that distribution – and I think it actually gets pretty clear when they're talking about that one area on the southeast corner or the northeast corner, however you want to look at that; that is probably a fairly significant natural extension of the existing coral distribution, deepwater coral ecosystem in that area.

The current system that drives that and determines that distribution is also driving I think the pelagic distributions in the fisheries for yellowfin and et cetera that occur in that northern area. One of the other things, the point he was making about, is the information we have this definitive – the sampling has not occurred for deepwater corals or golden crab or some of the deepwater species.

Those areas; I know I have talked to Howard and he was talking about potentially looking to some of those deeper areas to see if there are other distributions of golden crab in those. The bottom line is we don't have the surveys; we don't have the even mapping of some of those different areas. I think that at least kind of couches – I did reemphasize the importance of, say, dolphin.

We're looking at a very good snapshot of the commercial fishery, but the dolphin fishery in general is even larger for the recreational sector. But from habitat standing point, from other gear regulations that may be impacted, that is at least something we kind of provided to them to keep that into context. A lot of it has the fact that there are probably a lot of resources under there we really don't even know exist right now, both in habitat and species.

MR. HARTIG: You said that big corner there that Bahama disputes currently; certainly, it is in the United States interest to keep that in there. The other thing is you were talking about potential changes to the boundary based on negotiations, which would – it is a little bit difficult to look at that without seeing what the use is in there. Say all the use is above that red line; that big corner that you have it is all above that red line.

MR. VAN PAY: But would it be worth negotiating for areas beneath that straight line in that corner?

MR. HARTIG: From a council perspective, possibly with dolphin wahoo, yes. Some of those big checks were right below that line I looked at. Certainly, where you have that negotiation that would be – I'm just trying to see what the Bahama gains would be on that other corner potentially. This goes beyond just fisheries. It goes into mineral rights as well. There is a lot that goes into this; hydrocarbons, exactly.

Does anyone else on the council have any ideas about any other species that would be impacted there in the gains issue? Dolphin wahoo, for sure; I don't know about wreckfish. But what we could do is we could contact our wreckfish fishermen and get their input on what they thought about it, because they are one of the few fisheries we have that extends out there as well. That may be something you would like to consider.

MR. VAN PAY: Is there any input on the Straits? Would small changes to that line actually make a difference in that area or does the line not have any practical implications because you can get a permit for either side?

MR. HARTIG: I don't know how hard that permit is to get for the Bahamian side; and once you have a cemented agreement, how important that is. Maybe they could charge exorbitant fees in the future to fish to get that permit. That could be a problem in the future. It is just that, as Roger said, our line has really been a factor in our habitat concerns, because that habitat butts right up against that straight line in that deepwater coral habitat.

Those are some concerns that we would have to look at if you wanted to do some Strait swapping in the future. When I mentioned the Strait's question, that is what I was interested in is what you were thinking about in terms of how far you would move the Strait designation in your negotiations.

MR. BAUMERT: Well, some of these EFH maps; we were looking at these and seeing some areas where if we bumped it towards the Bahamas where we could maybe pick up an area that is EFH; if there are other areas where it could bump towards the U.S. and it doesn't give up EFH; that seems like if we could have a net gain in like important habitats. Is that something we as a negotiator should be trying to do? They are some of the things we are thinking about.

MR. HARTIG: Yes, I think from our perspective, if we can protect that deepwater coral habitat, that has been a really important part of what this council has done and gone and made those designations where we don't allow any kind of bottom-tending gear in those areas. Who knows what is under those areas as far as hydrocarbons are concerned? We certainly wouldn't want any kind of drilling to occur in those types of habitats that are very sensitive to any kind of incursions. That would be a large concern from this council.

MR. PUGLIESE: Just appropriate to have this up here; while we can't have EFH outside of our boundary, what you are seeing has really driven this EFH designation of dolphin wahoo is tied to the current systems. When you referred to the Straits issues, I think what you are seeing is the current really driving – what we see as the current distribution and would also have that associated habitat with it. I think when you get to that issue, that is a pretty good depiction of what probably your habitat current distribution would be if you followed the natural boundary.

MR. VAN PAY: That's good to know. We were assuming that maybe it was as much about depth as it was about current. It sounds like current is the overriding factor there.

MR. JOLLEY: You are aware that as that line comes up the middle between the Straits there, that is just about the deepest part of the Strait in there, sometimes to 3,000 feet.

MR. HARTIG: Anything else from the council on this boundary issue? How do you guys feel about what you got from us so far? The wreckfish stuff would certainly be helpful.

MR. VAN PAY: Yes, I think this has been very useful; but if there is other data out there, especially on wreckfish, that would really help a lot. We found, too, just individual conversations with the people who fish the waters has been particularly helpful. As Kevin said at the beginning, please don't hesitate to shoot us an e-mail. We would love to talk to you.

MR. HARTIG: I appreciate that. Very good presentations, thank you. That brings us to our next presentation, which is a presentation on Amendment 7 to the consolidated HMS Fishery Management Plan, and that is from Tom Warren. Tom is from NOAA Fisheries HMS Division.

MR. WARREN: I appreciate you having me and giving me some brief time after your long meeting. I will try to keep this to a concise, high-level overview just to give you a familiarity with what we are proposing. We published a proposed rule in the last week of August, and we are in the middle of the public comment period, conducting ten public hearings in the Atlantic and in the Gulf.

As you are aware, bluefin tuna is a quota-managed species annually. The overall quota to the U.S. is recommended by the International Commission for the Conservation of Atlantic Tuna, better known as ICCAT. The U.S. quota was divided into a pie in 1999 based on historical landings. At that time there was a separate allocation for dead discards that subsequently disappeared pursuant to ICCAT recommendations.

Now we're in a situation where we're required to account for dead discards, but the quota system that was set up does not explicitly have a method for doing this. That is the underlying conundrum we're facing; how to account for dead discards, how to reduce dead discards. Recent trends indicated here; the reds are the adjusted quota decreasing over time.

The landings are in blue. The net result is less available quota to account for dead discards. This pie chart depicts how the quota is divided among different user groups, different gear types. This is the codified amount based on 2012; the specific number of metric tons. Landings are depicted here; but more importantly when you add in dead discards, you will notice the longline category in the green differs dramatically from its allocation.

It essentially has a lot of dead discards on top of the landings. The longline category directs on swordfish and yellowfin tuna, bigeye tuna catches, bluefin tuna incidentally. It reports discards and contrast to the other quota categories do not have reporting of discards mandated. I also noticed that the purse seine category that is allocated quota does not have any landings in dead discards indicated here; so that is another key take-home message.



We've basically been able to account for this large amount of dead discards because of the underuse and relative inactivity of one particular user group, the purse seine. The current situation is how to account for mortality that is limited to discard information. There are too many bluefin interactions by the pelagic longline fleet.

The quota percentages don't take into account dead discards. It is key to note that longline category vessels have an allocation of bluefin; but when they reach their allocation, they may continue to fish. When they reach their annual allocation, they may no longer retain bluefin tuna but continue to fish and discard.

The objectives given this background, of course, to prevent overfishing and rebuild; that effort continues; minimize bycatch, operate within the overall TAC. But we want to continue to optimize fishing opportunity for all categories while we're trying to account for dead discards; maintain fairness among very different user groups and maintain flexibility in the quota system. It is a tall order.

Involved in this also is a need to improve the timeliness and quality of catch data. An overview of the proposed management measures; we have measures that would reallocate quota among categories in order to facilitate this accounting problem; yet also reduce longline interactions with bluefin through the use of gear-restricted areas.

Reducing the number of interactions is the key ingredient. We propose to do this with individual bluefin quotas to increase accountability and create a hard cap on the net amount of bluefin retained or interacted by this category; enhance reporting requirements for both the longline category and other commercial categories, and then make some other adjustments to the quota system.

In order to account for mortality, reduce uncertainty and optimize opportunity; the quota reallocation measures, there are three essential measures, but the net effect is we're taking from multiple categories and increasing the longline category quota in order to account for dead discards. Basically this formalizes what has been occurring. The longline category has been using quota from other categories. This formalizes that.

It would also involve annual reallocation from the purse seine category. If quota is unused in a particular year, that quota would be used by other quota categories or go to research or counted for dead discards in the subsequent year. As an example, the large circle represents the current quota allocations; and the historic dead discard allowance is represented by the yellow circle.

We would derive 68 metric tons basically would be shared. All categories would contribute, so to speak, to a net amount of quota to the longline category. This is just numbers depicting each quota category would contribute to provide additional quota in order to enhance accounting. This represents the proposed measure that would apply to the purse seine category.

They would be allocated 25 percent minimum quota each year. However, beyond that, their quota would depend on the previous year's catch and in a step-wise fashion so that they wouldn't be shut out of the fishery. If they started to be active, they could continue that activity in future years.

As an example here, if in year one the purse seine category caught absolutely no quota, they would be guaranteed a minimum of 25 percent of their quota; but also important is the fact that 75 of that quota therefore would be available to other categories either for use or for research or for accounting for dead discards. Again, this has been occurring in a de facto manner.

This would formalize it to try to increase predictability in the fishery, but also still maintain an amount of flexibility and try to do this in a fair manner. Importantly to reduce dead discards by the longline fleet, we're proposing a gear-restricted area in the Gulf of Mexico during the months of April and May.

This geographic area would be closed to pelagic longline gear during those two months. This would reduce the numbers of kept and discarded bluefin in the Gulf by approximately 20 percent. Overall, if you are including data with respect to the Atlantic and Gulf, it would reduce the numbers by 3 percent. In a similar manner we are proposing a gear-restricted area in the Atlantic. This is structured a little differently. We're calling it a conditional access, because it wouldn't operate as a hard-and-fast closed area like your Mama's closed area.

It would be conditional upon various factors. In order to provide some incentives and flexibility, this would be based on historic bluefin catch rates as well as historic reporting compliance and exclude – based on historic activity in this area, we're projecting approximately 18 vessels would not have access, but this would reduce discards by approximately 77 percent.

This gear-restricted area is based on the data that show the vast majority of bluefin interactions by this fleet. Approximately 80 percent are caused by approximately 20 vessels. It is highly concentrated so we developed this to try to get at those so-called bad actors that either can't or won't avoid bluefin tuna.

Again, these are just the conditions that access would be based on; bluefin interactions, compliance with observer program and compliance with logbook requirements. We would evaluate this annually based on three years of data. The vessels would be able to gain access; it wouldn't be shut out of this particular area in perpetuity to try to get at some of these incentives and provide a flexible and fair system.

Then also we're proposing a minimal amount of access to current closed areas by commercial vessels if vessels were qualified based on these performance metrics and if they carried an observer. This would be a very constrained program, though, due to the limited observers that are available.

This is a depiction of the current closed areas that would have some access provided. NMFS would have the authority to terminate access to such closed areas. Transiting closed areas is proposed. Current regulations do not allot transiting, but this would allow transiting provided gear is stowed.

Again, one of the cornerstones of Amendment 7 are individual bluefin quotas. It would cap landings and dead discards in a hard manner and provide strong incentives yet hopefully provide some flexibility for vessels via leasing quota. We would define a pool of active vessels, allocate quota. That quota would be a percentage of the overall quota.

Annually, based on this percentage share, vessels would be allocated a specific number of metric tons. These quota shares would be designated as either Atlantic or Gulf. Atlantic shares can only be used in the Atlantic. Gulf shares would be able to be used in the Gulf or the Atlantic. This would prevent increases in fishing effort in the Gulf. There would be a minimum threshold amount required to fish. Landings and dead discards would count toward this individual bluefin quota.

I won't get into the specifics, but basically it would require accountability for all bluefin caught, but allow flexibility so that folks could, for instance, have an overage on a particular trip but then wouldn't be able to fish on the subsequent trip. In conjunction, NMFS would have the authority to close the longline fishery.

There is current targeted catch requirements that specify an amount of bluefin that folks may land relative to the amount of targeted catch. This would no longer be necessary. There would be appeals, cost recovery and a program review after three years; standard Magnuson requirements.

This just gets into some of the details of the formula based on historic information of looking at both bluefin catch rates as well as historic target species catch. There would be only three share amounts. This wouldn't be customized per the individual; a vessel would be designated in one of three quota bins.

In the short term we realize that catch share programs are difficult and complex to implement, so we would propose some flexibility in the short term for interim measures that would phase out as the full system was implemented with reporting and monitoring. We're proposing increased reporting in order to support this individual bluefin quota system.

Currently, as you're aware, longline vessels are required to have vessel monitoring systems. This would require reporting through such systems. We're proposing to use electronic monitoring that has video cameras and data recording as an audit mechanism. This would not provide a census of data, but would work in conjunction with the other data streams to provide an additional measure of accountability and information to help manage the fishery.

The purse seine category would also be required to utilize a vessel monitoring system and report number of sets, number of bluefin. As well, Amendment 7 proposes to bring a more level of equity to the other commercial categories by instituting a catch reporting system. We currently get landings' information through dealers that are very effective, but again we do not currently have discard information, so this would require discard information.

Then we're proposing some measure of flexibility for the general category. Another measure of flexibility for the harpoon category; essentially these two would optimize the current quota system by providing an additional layer of flexibility and yet still retain that accountability that is needed in the quota system.

Some relatively minor changes proposed to the angling category trophy sub-quota distribution between north and south; they are depicted here. Currently there are two quota areas for the trophy quota. The dividing line currently is in New Jersey at that 39/18 latitude. This would divide the southern quota territory into both Gulf of Mexico and Atlantic.

We're proposing to modify the start date of the purse seine fishery. Some administrative changes for the permit category designation is when a vessel applies for a permit there are restrictions on the duration of time they have to change their mind. Then we're proposing to formally implement an albacore quota system as recommended by ICCAT, with a limitation on carry forward and then some flexibility with respect to how overharvest and underharvest is accounted for.

This slide notes that the comment period is through October 23. Last week we extended the comment period through December 10th. Again, we would love all public comments until December 10. We're hoping for a final EIS and the rule next spring. A portion of the measures would be effective 30 days after publication of the final rule; but then acknowledging the complexity of the individual bluefin quota system and the associated reporting and monitoring systems, we would be phasing in that program over a period of time.

This notes how to submit comments electronically; by fax or by mail. I appreciate your time. I hope I did this justice by not rushing through it too quickly, but I encourage you to call myself or one of my colleagues; Brad McHale, Jen Cudney, in our Gloucester Office; and ask us any questions you have. Thank you.

MR. HARTIG: Tom, thank you. I think you did give it justice. I could follow almost everything you went through, and I think it was very well done with that significant amount of information that you gave to us today. I will tell you I am feeling a little bit better about mackerel right now. For the first time in a long time, there may actually be a management plan that is more complicated than managing the mackerel. But are there any questions for Tom? That was a really good presentation.

DR. DUVAL: Thanks for that presentation, Tom. Was this the same presentation that was given last week at the HMS Advisory Panel Meeting?

MR. WARREN: This is an abridged version. To spare you all the gory details, we've condensed it somewhat from the presentation we gave at the HMS Advisory Panel and the presentation that we're giving for the public hearings.

DR. DUVAL: I know there was input and suggestions from the advisory panel I think regarding closed areas, particularly the one off North Carolina at the area whereby access would be allowed conditionally upon grading of certain categories. I was just wondering if those suggestions have been incorporated into this presentation.

I believe that overlaps with the same area that is being proposed for some shark measures as well and just the overlapping economic impact from that. I was just curious if just this version of the presentation had taken into account any of the AP comments at that point.

MR. WARREN: No, this presentation represents the measures in the proposed rule. Again, any suggestions will be evaluated but won't be represented in the duration of the presentations or the public hearings. I neglected to mention my colleague, Steve Durkee, who is located here in South Carolina as part of the HMS Division and works primarily on sharks and swordfish.

MR. HARTIG: Any other questions? Thank you, Tom. I appreciate the time you took to do that. All right, that brings us to status reports. Dr. Crabtree.

DR. CRABTREE: You recall we have in the past talked about that we were reorganizing the fishing regulations. That rule published yesterday in the Federal Register doing that. I mentioned Regulatory Amendment 19 already. We're going to update the quota monitoring tables on the website next week. I believe we have an exempted fishing permit, which Jack is prepared to go over it whenever you like, Mr. Chairman. That is my report.

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

DR. McGOVERN: The Gulf and South Atlantic Fisheries Foundation has requested an exempted fishing permit to be able to collect sublegal federally managed species or species out of season to assist with the completion of two CRP projects, which they have received funding for. One of these projects is a continuation of a study in the Gulf of Mexico to examine red snapper bycatch in the shrimp fishery.

The other project that affects the South Atlantic as well as the Gulf is to test bycatch reduction devices for certification following the NMFS BRD certification testing protocol for both the Gulf of Mexico and the South Atlantic. The devices will be tested aboard commercial fishing vessels with on-board observers collecting the data.

To evaluate the effectiveness of the BRDS, some portion of the catch need to be identified, counted and weighed. This could involve retention of some undersized fish or fish collected out of season. It is anticipated that up to 500 fish could be examined for both CRP studies. No species would be sold. Trained observers would be present on all commercial fishing vessels. A summary of the BRD study that affects the South Atlantic is found under Tab 11, Attachment 4C.

MR. HARTIG: Discussions on the exempted fishing permit? Do you need a motion from us to approve those or recommend approval?

MR. HAYMANS: Mr. Chairman, I would make a motion that we recommend approval of the exempted fishing permit request.

MR. HARTIG: Second by John. Discussion? **The motion is recommend approval of the Gulf and South Atlantic Foundation request for an exempted fishing permit. Bob makes a good point; recommend to the Regional Administrator --- recommend to the Regional Administrator approval of the Gulf and South Atlantic Fisheries Foundation request for an exempted fishing permit. Okay, the motion was by Doug; seconded by John. Any more discussion? Is there any objection to that motion? Seeing none; that motion is approved.**

DR. PONWITH: We've just got three things that I'll update you on. As you know, the headboat electronic reporting is going well. I had mentioned yesterday I thought that we were up to 84. We're actually up to 94 percent of the vessels are now currently reporting electronically, which is getting there. The feedback that we are getting continues to be good and valuable to improve that system.

We again have upgraded the database that we're storing those data in into an Oracle System, which gives us some additional flexibilities that are going to be useful going forward. You heard during our conversation this week about the work that we're doing in collaboration with SERO, the Office of Law Enforcement, and the General Counsel, working on methods and agreements on how we're going to manage the compliance with this reporting going forward.

The second thing I wanted to bring to your attention is if you will recall back on the 3<sup>rd</sup> of June, we held a peer review program for the data collections that feed stock assessments conducted under the Magnuson-Stevens Act. Those peer review reports from the individual reviewers, a summary report from the Chair of that panel and kind of an introductory remarks and some overview information from me are now available on the Southeast Fisheries Science Center Website.

That is going to be some valuable reading I think for council members to take a look and see what the peer reviewers had to say. The next steps for us will be to study those more closely and make some decisions on what of those recommendations can actually be implemented and fold them into our strategic planning as a center.

As you know, the next peer review in queue is going to be on stock assessments. We're preparing for that now working on terms of reference and getting ready to stand up that peer review for some time in the year 2014. The third thing is just a reminder that the funding opportunity for Saltonstall-Kennedy Grants for 2013 remains open. It is available on grants.gov and it closes the end of this month. That is the end of the 60-day period.

If you'll recall, the funding was expected to be – of course, it is mysterious, because we don't have a budget yet; but the funding is expected to be around 5 to 10 million. They are seeking proposals that would range typically somewhere between 30,000 and 250,000; but the actual floor and ceiling amounts are 20,000 to as high as 400,000. Those would be more rare.

There are six areas that are called out as areas of high interest for this year's call. They include aquaculture, optimum utilization of harvested resources under federal or state management, fisheries socio-economics, conservation engineering, ecosystem studies and territorial science. I am hoping that you've got colleagues within the region who are working on proposals. This is a really unique opportunity to get some legs under some good ideas that would contribute to the council's mission. That is my report. Thank you.

MR. HARTIG: Thanks, Bonnie, and I know there are a number of people that are submitting for Saltonstall-Kennedy this year in relation to South Atlantic questions. The one thing I would like to ask you about our discussion we had about the data yesterday – I mean, the collective “we” would probably like a little more information from your office to try and cement some of these things that we can go to Congress on. Will you have a problem providing that information to us if we ask for it?

DR. PONWITH: I am absolutely willing and able to discuss with you priorities and areas of focus that would make a material contribution to our collective efforts here. That is within the spirit of strategic planning. As you know, I need to be careful about the way I talk about our requirements; but from a strategic standpoint, I can tell you where we're closer to our 100 percent requirements versus where we feel that additional focus would be beneficial.

MR. HARTIG: Okay, that brings us to Agency and Liaison reports. I think we'll just start with Jessica.

MS. McCAWLEY: I only have one small thing. I sent a letter to Bob Mahood last Friday that basically indicates that Florida has started rulemaking for blue runner. We're updating the state rules for blue runner, and we are ready to extend those rules into federal waters when that is approved by the Secretary of Commerce.

MR. HARTIG: All right, that brings us to the next state in line, which would be Michelle.

DR. DUVAL: Mr. Chairman, just a couple things. We have taken steps and are taking steps to incorporate sheepshead into our existing – well, it is actually being taken out of our Interjurisdictional FMP, but to allow for authority for our director to establish management measures for sheepshead should they be necessary for future management.

The other thing I would just note is that we did have a number of legislative changes to our for-hire licensing structure that passed this year. Those are to better meet the needs of the for-hire industry within North Carolina. We're actually looking towards developing a logbook program and are reaching out to our partners at the Beaufort Lab and Ken Brennan and his staff for some lessons learned on what they've used for the electronic reporting for headboats. That's it.

MR. HAYMANS: The only thing I guess I would mention is if you happen to be in coastal Georgia the first Saturday of October, we have our annual Coast Fest event coming up. The council is actually going to be represented at that. We're looking forward to another 9,000 people over a short six-hour period of time. If in any way you are involved with the Commission, we're hosting the Commission meeting the end of October, and that is going to be a hoot-n-nanny. I look forward to having you there. That is about all I've got.

MR. BELL: We're just focused on shrimp season right now and seeing how it is going to go. We're hoping to have a good year, but I never predict anything anymore. MARMAP and SEAMAP will be wrapping up their fieldwork here the next few months. There is still interest in the state, apparently in the jelly ball fishery, which will be primarily federal waters probably.

Of course we don't manage that, but it is just an interesting little fishery. Thank you, Georgia. One thing of note; one of my creel clerks did – or port agents actually did intercept 250 pounds of lionfish coming in off of one boat, which is the most lionfish we've actually seen in one landing. They were going to restaurants, probably more of the high-end restaurants.

There may be some ability to thin out the lionfish herds a little bit by pressure, but the interesting thing about that is I believe these were all supposedly shot by two guys in 130 feet of water. Given bottom time in 130 feet of water; that is a high density of lionfish. They are here. Hopefully, we'll be able to kind of do something with them. That is about it really of interest.

MR. HARTIG: All right upcoming meetings, Bob?

MR. MAHOOD: Upcoming meetings. Okay, you all have the calendar behind Attachment 6. I guess the next meeting that we may or may not have, depending if the government shuts down, is

our SEDAR Steering Committee Meeting scheduled for the first week in October. We will be in beautiful downtown Wilmington, North Carolina, in December. Bring your heavy coat.

We will see everyone there. That is always a nice place to meet and generally the weather has been pretty nice when we meet there. It hasn't been too bad. But that is it, Mr. Chairman, unless somebody had some specific questions about the meetings. I know that Mike is looking for 2015 sites.

MR. COLLINS: I've got their input.

MR. MAHOOD: You have got input? Well, very good, thank you. One last thing that I had was make sure that if you don't have a chance to turn in your committee preference form today, send it to me as soon as you can.

MR. HARTIG: I moved past our Coast Guard and I'm going back there. Lieutenant Fowler, we need your Coast Guard Report, absolutely need it.

LT. FOWLER: I'll keep it short then. We've had a couple of significant cases since we met in June. We had a foreign fishing vessel incursion into the EEZ, and there was a Venezuelan fishing vessel, which was south of Ponce, Puerto Rico. Then several were also noted in the Gulf by Station South Padre by Mexican fishing vessels.

We conducted Operation Carapace Compliance for the spiny lobster mini-season a couple months ago. It involved Station Key West, Station Miami, Station Islamorada, and Station Ft. Lauderdale. They measured several thousand spiny lobsters during those two days. There were also two significant violations issued for possession for spiny lobster in the Everglades National Park, and one violation issued for a fishing vessel that was found to have the mesh netting overhang too long on their TED opening. That is it.

DR. LANEY: Thank you, Mr. Chairman, I'll keep it brief too. Everyone should have a copy of a paper hot off the press that I sent around to everybody by Jarred Flowers and Joe Hightower from NC State that details the use of some very cool sidescan sonar and occupancy modeling for detecting Atlantic sturgeon.

The only other couple things I'll mention are with regard to freshwater flows and thank the council for agreeing to send that letter on the Indian River Lagoon. On the Roanoke, we have flow issues as well with the discharge coming out of John H. Carr Reservoir having low oxygen levels. We've been going through a 216 study with the Corps of Engineers on that.

We thought we were going to have a fabric weir emplaced in Carr Reservoir to force surface releases so the oxygen levels would go up; but because Virginia has not agreed to be a sponsor for that, it looks like the Corps is going to drop it as a provision of their 216 recommendations. For the flows downstream, we're still in negotiations with them, or discussions with them I guess I should say.

We had been pursuing them increasing the flows up to their authorized level, which is 35,000 CFS, which would shorten the duration of these aseasonal long-term floods on the Roanoke



River, which is basically flatlined at 20,000 CFS for months and months at a time, which has lots of adverse consequences for downstream.

Now it looks like they don't want to go with our preferred alternative, but instead they're developing another one, which I think they're calling something like the natural mimic flow, which none of us have seen yet in the agency. We're all awaiting a proposal from them on that. We did have a very successful field trip on the Roanoke River last week with Colonel Steve Baker; took him out and showed him firsthand what is going on there.

He seemed to be very receptive to working with us and his staff. There is some other information with regard to the Santee Accord. I'll send that out in writing to everybody so we don't have to talk about it. The last thing I'll mention is that the Nature Conservancy, with funding from the Southeast Aquatic Resources Partnership and the South Atlantic Landscape Conservation Cooperative, is conducting what is being called the Southeast Aquatic Connectivity Assessment Project.

Some of you may be familiar with a similar project they did in the northeast where they basically catalogue all the dams in the landscape and characterize those in terms of how much habitat would be opened up upstream and so forth and so on if you provide fish passage or you remove the dam; one or the other.

That whole study is being extended to the southeast now. It is ongoing. There are a bunch of us on the steering committee for that. It should be completed sometime around the end of January. I think that will be very interesting from a habitat perspective and from an aquatic connectivity perspective. If anybody has any questions, I'll be happy to answer those. Thank you, Mr. Chairman.

MR. HARTIG: Yes, any questions of Wilson or Lieutenant Fowler?

MR. MAHOOD: I just wanted to thank Morgan for coordinating and getting the Admiral here to our meeting. We don't have a lot of admirals visit us. I think it is critical to understand that this is the guy that really makes the decisions of how much of his command and how much of his resources will go towards fisheries enforcement.

We certainly know in the 7th Coast Guard District they've got a lot going on down there. Even though he doesn't have a lot of time to spend with us, I think it is important. I think he sat at the table a good time to see how regulations and the process of development that the regulations go through. He is the guy that will make those decisions, and it is critical he have some understanding. We appreciate it, Morgan, and we know you will convey that back to him. Sometime Admirals will have a little more clout than Lieutenants. Thank you.

MR. HARTIG: All right, is there any other business to come before the council? Mr. Boyd.

MR. BOYD: I thought I'd just give you a quick rundown from the Gulf Council, Mr. Chairman. Well, I'm going to be really brief. In the Gulf anything with "red" in the name, it seems to be very, very contentious. I am sure you all are aware of that. We are right now dealing with an amendment that hopefully will be finalized on regional and state management, and Jessica could

probably lend more to that than I can tell you, because I'm not in that state loop, but I don't know if she is at liberty to talk about that.

We got a shock with some new MRIP numbers this last meeting, due to a change in the methodology for sampling. Basically what MRIP did was they changed from sampling – and I'll use an analogy; if you go to the Superdome and you sample at 3:00 in the afternoon for a 7:00 o'clock game, it is going to be different than if you sample at 6:00 o'clock or 7:00 o'clock for the 7:00 o'clock game.

Basically they went from 3:00 o'clock to 7:00 o'clock and sampled. You can imagine the difference in the numbers of catch. Our next meeting is October the 28th in New Orleans. I am coordinating with David on what our costumes will be for Halloween. Other than that, that is all I have. Thank you, Mr. Chairman.

MR. HARTIG: Thank you Doug, I appreciate that. Is there any other business to come before the council? There was one issue that I was thinking about. I was going to get together with Mel and try and do something with the artificial reef and the coordination of that thing, but I think that will be a good one for visioning; if we can have that type of question that goes in there about what do you think about getting with the states and counties to try and have some way to put artificial material in a section where you don't fish?

MR. HAYMANS: Forgive me if this was put on record; I don't remember it; but just a public thank you to South Carolina and Mel and the other group for what a fine shindig they put on Tuesday night.

MR. MAHOOD: Is that like a hoot-n-nanny?

MR. HAYMANS: That's like a hoot-n-nanny but a little bit different.

MR. HARTIG: That was really good, and we certainly appreciate the hospitality. It was very well done. (Applause) All right, if there isn't any other business to come before this council, we stand adjourned.

(Whereupon, the meeting was adjourned at 1:25 o'clock p.m., September 20, 2013.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

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## **INDEX OF MOTIONS**

### **SNAPPER GROUPER COMMITTEE MOTIONS**

#### **REGULATORY AMENDMENT 14**

PAGE 22: Motion to approve the IPT's suggested edits to the needs' statement of Regulatory Amendment 14. Motion carried on Page 22.

PAGE 23: Motion to approve the IPT's suggested edits to the needs' statement of Regulatory Amendment 14. Motion carried on Page 23.

PAGE 23: Motion to change the preferred to Alternative 3. Motion carried on Page 23.

PAGE 23: Motion to approve the suggested edits to the alternatives. Motion carried on Page 23.

PAGE 23: Motion to select Alternative 2 as the preferred. Motion carried on Page 23.

PAGE 23: Motion to approve the recommended edits to the alternatives under Action 4. Motion carried on Page 23.

PAGE 23: Motion to select Alternative 3, Subalternative 3C as the preferred. Motion carried on Page 23.

PAGE 23: Motion to approve recommended edits to alternatives under Action 5. Motion carried on Page 23.

PAGE 23: Motion to change the preferred subalternative to Subalternative 2E. Motion carried on Page 25.

PAGE 23: Substitute motion to change the preferred to Subalternative 2C, which would be reduce the trip limit to 300 pounds gutted weight. Motion was defeated on Page 25.

PAGE 25: Motion to approve the recommended edits to Preferred Alternative 4 under Action 7. Motion carried on Page 25.

PAGE 25: Motion to approve the codified text for Regulatory Amendment 14 as necessary and appropriate. Motion carried on Page 26.

PAGE 27: Motion to approve Regulatory Amendment 14 for submission to the Secretary of Commerce. Motion carried on Page 28.

PAGE 28: Motion to give the Council Chair editorial license to make necessary changes and redeem the codified text as appropriate. Motion carried on Page 28.

## AMENDMENT 29

PAGE 28: Motion to approve the recommended scalar scheme for risk of overexploitation. Motion carried on Page 28.

PAGE 28: Motion to remove blueline tilefish from Amendment 29 and include a three-year review provision for the ORCS species in the amendment. Motion carried on Page 28.

PAGE 28: Motion to add actions related to gray triggerfish that were previously included in Regulatory Amendment 14, and in addition include actions to establish a commercial split season and trip limit. Motion carried on Page 28.

## AMENDMENT 22

PAGE 28: Motion to adopt the revised purpose and need. Motion carried on Page 28.

PAGE 28: Motion to remove Action 5 and 6 from the options paper. Motion carried on Page 28.

PAGE 29: Motion to remove Action 2 from the options paper. Motion carried on Page 29.

PAGE 29: Motion to remove Alternative 3 from Action 1 and remove the word “private” from Alternative 2. Motion carried on Page 29.

## REGULATORY AMENDMENT 16

PAGE 30: Motion to approve the purpose and need. Motion carried on Page 30.

PAGE 30: Motion to modify the purpose statement as follows: The purpose of Regulatory Amendment 16 to the fishery management plan for the snapper grouper fishery of the South Atlantic Region is to address the balance between ESA-listed whale protection and the socio-economic impacts imposed on black sea bass pot fishermen initiated by the annual November 1 to April 30 prohibition on the use of black sea bass pot gear. Motion carried on Page 31.

PAGE 31: Motion to edit Alternative 4 as follows: The black sea bass pot closure applies only in designated right whale critical habitat in the South Atlantic Region. Motion carried on Page 32.

Page 32: Motion to direct staff to develop an alternative that would restrict the use of pot gear within a specified depth contour. Motion carried on Page 32.

## REGULATORY AMENDMENT 17

PAGE 32: Motion to request presentations for the December 2013 meeting from South Atlantic Council staff, MARMAP, NOAA Law Enforcement, and the Southeast Fisheries Science Center on which of the needs identified in Amendment 14 have been met and which are outstanding. Motion carried on Page 32.

PAGE 32: Motion to direct staff and the IPT to work on a system management plan for the existing eight marine protected areas. Motion carried on Page 32.

PAGE 32: Motion to approve the following purpose and need for Regulatory Amendment 17:

**Purpose:** Develop options to reduce bycatch of speckled hind and Warsaw grouper by reconfiguration of Deepwater MPAs (Amendment 14) and/or addition of new MPAs that contain evidence of occurrence and/or spawning of speckled hind or Warsaw grouper. Develop and implement monitoring/evaluation/enforcement plans for any new marine protected areas.

**Need:** Protect speckled hind and Warsaw grouper and their deepwater habitat from fishing and monitor and assess the effectiveness of MPAs, as outlined in a system management plan, in meeting the stated goals. Motion carried on Page 33.

PAGE 33: Motion to direct staff to structure the actions and alternatives with one action for each state and alternatives, including no action for each state. Motion carried on Page 34.

PAGE 34: Motion to state that the MPAs that are being considered in Regulatory Amendment 17 are Type 2 MPAs. Motion carried on Page 34.

PAGE 34: Motion to direct staff to prepare a draft Regulatory Amendment 17 Document for review at the December 2013 meeting; approve for scoping, assuming an environmental impact assessment is necessary at the December 2013 meeting; conduct in-person scoping meetings in January, 2014; review scoping meetings at the March, 2014 meeting to provide guidance for more complete analyses; review analyses and approve for public hearings at the June 2014 meeting; conduct public hearings in August 2014; review comments at the September 2014 meeting to approve actions; and final review to approve for secretarial review at the December 2014 meeting. Motion carried on Page 34.

PAGE 34: Motion to request a presentation from the Science Center and Office of Law Enforcement on the Oculina Experimental Closed Area at the December 2013 meeting. Motion carried on Page 34.

PAGE 35: Motion from the committee to approve the timing and tasks as presented below:

Prepare Regulatory Amendment 14 for submission to the Secretary of Commerce.

In November 2013, the Snapper Grouper AP will review the recommended ABCs for “ORCSs” species in Amendment 29 and provide their input for the council’s consideration.

For Amendment 22, convene the IPT and state representatives, as appropriate, to discuss details of the possible recreational tag program such as administration, cost, etc.

Revise the options paper for Amendment 22 for the December 2013 meeting.

Develop Regulatory Amendment 16 for council review and approval for scoping at the December 2013 meeting.

Request that Nick Farmer and Roger Pugliese participate in the data workshop at the December meeting to meet one-on-one with council members to demonstrate the tools available for MPA site selection.

Inform the MPA presenters for December that the presentations are to be done on a site-by-site basis (e.g. sampling level, mapping, abundance of species, changes in MARMAP CPUE, etc.) and that presentations are to be included in the 2nd briefing book at the latest.

MPA scoping sessions are to be in-person scoping during the January 2014 hearings/scoping meetings. Motion carried on Page 35.

## **MACKEREL COMMITTEE MOTIONS**

### **AMENDMENT 20A**

PAGE 44: Motion to approve the IPT wording for Alternative 4 under Action 1. Motion carried on Page 44.

PAGE 45: Motion under Action 1 to select Alternative 4, Option B as a South Atlantic preferred. Motion carried on Page 45.

PAGE 46: Motion to select Alternative 2, Option B as a preferred. Motion carried on Page 46.

PAGE 46: Motion to deselect Alternative 3, Option B as a South Atlantic preferred. Motion carried on Page 46.

PAGE 51: Motion for the purposes of tournament-caught king mackerel and Spanish mackerel, those landings will be counted against the commercial ACL. NOAA will report back in three years as to the level of tournament-caught king mackerel and Spanish mackerel for a determination of reallocation of quota. Motion carried on Page 51.

PAGE 51: Motion under Action 2 to select Alternative 1 as a South Atlantic preferred. Motion carried on Page 51.

PAGE 54: Motion to remove the selected language “that is not part of the tournament” from the alternative. Motion carried on Page 54.

PAGE 54: Motion that the council approve Joint CMP Amendment 20A for formal secretary review and deem the codified text as necessary and appropriate; give staff editorial license to make any necessary editorial changes to the document and codified text; and give the council chair authority to approve the revisions and redeem the codified text. Motion carried on Page 56.

### **AMENDMENT 20B**

PAGE 56: Under Action 1, motion to accept the language change in Alternative 2. Motion carried on Page 56.

PAGE 56: Motion under Action 1 to select Alternative 2, Option C as a South Atlantic preferred. Motion carried on Page 56.

PAGE 56: Motion to deselect Alternative 3, Option C as a South Atlantic preferred. Motion carried on Page 56.

PAGE 56: Motion to accept the IPT suggested wording for Alternative 1. Motion carried on Page 56.

PAGE 56: Under Action 2, motion to approve language change from fishing season to fishing year. Motion carried on Page 56.

PAGE 56: Motion to select 2A as the preferred. Motion carried on Page 56.

PAGE 56: Motion under Action 2 to select Alternative 3B as preferred. Motion carried on Page 56.

PAGE 56: Under Action 3, motion to move Alternative 3 to the considered but rejected appendix. Motion carried on Page 56.

PAGE 56: Under Action 4.1, motion to select Alternative 3B as the preferred. Motion carried on Page 56.

PAGE 57: Motion to select Alternative 4 as the preferred. Motion carried on Page 57.

PAGE 57: Under Action 4.2, motion to select Alternative 3, Option B as the preferred. Motion carried on Page 57.

PAGE 57: Motion to select Alternative 4 as the preferred. Motion carried on Page 57.

PAGE 59: Motion to approve the Joint Coastal Migratory Pelagic Amendment 20B for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text; and give the council chair authority to approve the revisions and redeem the codified text. Motion carried on Page 60.

#### FRAMEWORK ACTIONS FOR 2013

PAGE 60: Under Action 1, motion to select Alternative 2 as the preferred. Motion carried on Page 61.

PAGE 61: Motion to approve the Commercial Coastal Migratory Pelagic Framework Action 2013 for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text; and give the council chair authority to approve the revisions and redeem the codified text. Motion carried on Page 62.

PAGE 62: Motion to direct staff to develop an options paper for separating permits for king and Spanish mackerel into separate jurisdictions. Motion carried on Page 62.

PAGE 62: Motion to adopt the timing and task items as presented:

Prepare Joint Coastal Migratory Pelagic 28 for submission to the Secretary of Commerce.  
Prepare Joint Coastal Migratory Pelagic Amendment 20B for submission to the Secretary of Commerce.

Prepare the South Atlantic Coastal Migratory Pelagic Framework Action 2013 for submission to the Secretary of Commerce.

Develop options for Joint Coastal Migratory Pelagic Amendment 24 to review sector allocations for Atlantic Migratory Group Spanish Mackerel for the December meeting.

Develop options paper for an amendment to separate the commercial king mackerel and Spanish mackerel permits in the South Atlantic and Gulf permits for the December meeting. Motion carried on Page 62.

#### **DATA COLLECTION COMMITTEE MOTIONS**

PAGE 63: Motion to approve the Joint Gulf and South Atlantic Council Generic Dealer Amendment for formal review; to deem the codified text as necessary and appropriate and give the council chair authority to approve editorial changes to the amendment and redeem the codified text as necessary. Motion carried on Page 64.

PAGE 65: Motion to appoint John Carmichael and Mike Errigo as the South Atlantic Fishery Management Council representative on the subcommittee working on the technical aspects of separating charterboats from the MRIP sampling program. Motion carried on Page 65.

PAGE 65: Motion to approve the task and timing as presented, which are to notify the Gulf and South Atlantic Council approve Generic Dealer Amendment for formal review at their September 2013 council meeting. Request that the Science Center provide updates at each council meeting on progress of the Commercial Electronic Logbook Pilot Study; and direct staff to defer work on the amendment until the pilot is completed. Next is to direct staff to work with Gulf council staff and NMFS staff on a generic amendment addressing charter reporting. Motion carried on Page 65.

#### **ECOSYSTEM-BASED MANAGEMENT COMMITTEE MOTIONS**

PAGE 66: Motion to accept the IPT wording for Subalternative 2B under Action 1. Motion carried on Page 66.

PAGE 66: Motion to accept the IPT's recommendations for rewording Preferred Alternative 4 and Alternative 2 under Action 3. Motion carried on Page 66.

PAGE 66: Motion to approve Coral Amendment 8 for formal secretarial review and give staff/ chairman editorial license to make any necessary changes. Motion carried on Page 67.



PAGE 67: Motion to approve the codified text for Coral Amendment 8 as necessary and appropriate, and to give the staff/chairman editorial license to make any necessary changes to the codified text; and the chairman authority to deem the codified text necessary and appropriate. Motion carried on Page 68.

PAGE 68: Motion that the council write a letter to the appropriate agencies to address freshwater flow from Lake Okeechobee to the Indian River Lagoon. Motion carried on Page 68.

PAGE 68: Motion to adopt a timing and task items that the council staff will revise Coral Amendment 8 according to council guidelines and submit a final version for secretarial review; that the council staff will write a letter to the appropriate agencies to address freshwater flow from Lake Okeechobee to the Indian River Lagoon based on council guidance. Motion carried on Page 68.

### **DOLPHIN WAHOO COMMITTEE MOTIONS**

PAGE 69: Motion to accept the IPT's recommended language changes for Action 2. Motion carried on Page 69.

PAGE 69: Motion to select Subalternatives 2C and 3C as the preferred subalternatives for Action 2.

PAGE 69: Substitute motion to select Alternative 2, Subalternative 2C; and Alternative 3, Subalternative 3C as the preferred alternative and subalternatives for Action 2. Motion carried as the main motion on Page 69.

PAGE 69: Motion to accept the IPT's recommended language for Action 4. Motion carried on Page 69.

PAGE 69: Motion to select Alternative 1 as the preferred alternative for Action Number 4. Motion carried on Page 69.

PAGE 71: Motion that the council accept modified changes from NOAA General Counsel to Action 3, Preferred Alternatives 2 and 3. Motion carried on Page 71.

PAGE 72: Motion to approve the Dolphin Wahoo Amendment 5 for formal secretarial review and deem the codified text as necessary and appropriate; give the staff editorial license to make any changes necessary to the document and codified text; and to give council chair authority to approve the revisions and redeem the codified text. Motion carried on Page 73.

PAGE 73: Motion to direct council staff to begin a new dolphin wahoo amendment to allow for bringing dolphin and wahoo fillets back from the Bahamas into the U.S. EEZ. The action and alternatives are as shown in the issue paper. This amendment will be brought to the council at our December, 2013 meeting. Motion carried on Page 73.

PAGE 73: Motion to adopt the draft timing and task motion as presented: October 2013, finalize Amendment 5 and send the amendment to the secretary for formal review. From

September through December 2013 develop Dolphin Wahoo Amendment 7 with one action to address bringing dolphin and wahoo fillets from the Bahamas into the U.S. EEZ. In December 2013, at the council meeting hold a public hearing for Dolphin and Wahoo Amendment 7 and approve it for submission to the Secretary of Commerce for final review. Motion carried on Page 74.

#### **ADVISORY PANEL SELECTION COMMITTEE MOTIONS**

PAGE 76: Motion to accept the language as modified to the Administrative Handbook regarding term limits for advisory panel members. Motion carried on Page 76.

PAGE 76: Motion to approve the reappointment of Ed Holder and Tom Ogle to the King and Spanish Mackerel Advisory Panel. Motion carried on Page 76.

#### **EXECUTIVE FINANCE COMMITTEE MOTION**

PAGE 79: Motion to direct staff to schedule a meeting of the South Florida and Goliath Grouper Committees early in 2014 at an in-person meeting in South Florida to discuss how to move forward with Goliath grouper and items identified at the South Florida Scoping Workshops. Motion carried on Page 79.

#### **EXEMPTED FISHING PERMIT**

PAGE 93: Motion to recommend to the Regional Administrator approval of the Gulf and South Atlantic Fisheries Foundation request for an exempted fishing permit. Motion carried on Page 93.

# South Atlantic Fishery Management Council

## 2013 - 2014 Council Membership

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**TRACEY WOODRUFF**  
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**RADM JAKE KORN**  
**BARB ZOODSMA**  
**JESSICA POWELL**  
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# South Atlantic Fishery Management Council

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# 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.

## South Atlantic Fishery Management Council Meeting: Full Council Session Thursday, September 19, 2013

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	EMAIL ADDRESS	P.O. BOX/STREET CITY, STATE & ZIP
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South Atlantic Fishery Management Council  
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North Charleston, SC 29405  
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# 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.

## South Atlantic Fishery Management Council Meeting:

### Full Council Session

Friday, September 20, 2013

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South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201

North Charleston, SC 29405

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# FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue: CORAL AMEND 8 / CODIFIED TEXT

	AMEND YES <sup>CD</sup>	AMEND NO <sup>CD</sup>	ABSTAIN
HARTIG	X	X	
DUVAL	X	X	
BECKWITH	X	X	
BELL	X	X	
CONKLIN	X	X	
COX	X	X	
CRABTREE	X	X	
CUPKA	X	X	
HAYMANS	X	X	
JOLLEY	X	X	
MCCAWLEY	X	X	
PHILLIPS	X	X	

## FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue:

S/G Reg AM 14 Codified Text

	YES	NO	ABSTAIN
HARTIG	X		
DUVAL	X		
BECKWITH	X		
BELL	X		
CONKLIN	X		
COX	X		
CRABTREE	X		
CUPKA	X		
HAYMANS	X		
JOLLEY	X		
MCCAWLEY	X		
PHILLIPS	X		



## FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue:

S/G Reg Am 14 & CODIFIED TEXT

	YES	NO	ABSTAIN
HARTIG	X		
DUVAL	X		
BECKWITH	X		
BELL	X		
CONKLIN	X		
COX	X		
CRABTREE	X		
CUPKA	X		
HAYMANS	X		
JOLLEY	X		
MCCAWLEY	X		
PHILLIPS	X		

## FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue: MACIKEREL AM 20A AND CODIFIED TEXT

	YES	NO	ABSTAIN
HARTIG	X		
DUVAL	X		
BECKWITH	X		
BELL	<del>X</del>	X	
CONKLIN	X		
COX	X		
CRABTREE		X	
CUPKA	X		
HAYMANS	X		
JOLLEY	X		
MCCAWLEY	X		
PHILLIPS	X		

## FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue: MACKEREL AMEND 20B & CODIFIED

	YES	NO	ABSTAIN
HARTIG	X		
DUVAL	X		
BECKWITH	X		
BELL	X		
CONKLIN	X		
COX	X		
CRABTREE	X		
CUPKA	X		
HAYMANS	X		
JOLLEY	X		
MCCAWLEY	X		
PHILLIPS	X		

## FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue: MACKEREL FRAMEWORK & CODIFIED TX

	YES	NO	ABSTAIN
HARTIG	X		
DUVAL	X		
BECKWITH	X		
BELL	X		
CONKLIN	X		
COX	X		
CRABTREE	X		
CUPKA	X		
HAYMANS	X		
JOLLEY	X		
MCCAWLEY	X		
PHILLIPS	X		

# FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue: JOINT DEALER AMEND SA/GULF

	YES	NO	ABSTAIN
HARTIG	X		
DUVAL	X		
BECKWITH	X		
BELL	X		
CONKLIN	X		
COX	X		
CRABTREE	X		
CUPKA	X		
HAYMANS	X		
JOLLEY	X		
MCCAWLEY	X		
PHILLIPS	X		

# FULL COUNCIL - ROLL CALL VOTE

Date: September 2013

Meeting Location: Charleston, SC

Issue: DOLPHIN/WAHOO AMEND 5 & CODIFIED TX

	YES	NO	ABSTAIN
HARTIG	X		
DUVAL	X		
BECKWITH	X		
BELL	X		
CONKLIN	X		
COX	X		
CRABTREE	X		
CUPKA	X		
HAYMANS	X		
JOLLEY	X		
MCCAWLEY	X		
PHILLIPS	X		

# September 2013 SAFMC Meeting Public Comments

I am Chris McCaffity, a commercial fisherman and advocate for the responsible harvest of American seafood. I would like to thank the council for listening to our public comments opposing Vessel Monitoring Systems based on economic, ethical, and Constitutional grounds. Please also consider the many comments supporting alternative solutions to prevent poaching by marking Marine Protected Areas with video camera equipped data buoys or platforms.

The Congressional hard deadlines have been met using "fatally flawed data" which has led to many unintended consequences including the destruction of businesses, death of a fisherman, and countless fish being discarded during the multiple extended closures that plague our fishery. I respectfully ask the council to suspend action on ALL amendments not related to fixing problems created in the rush to meet some Magnuson-Stevens Act mandates. Please do not pass any laws that would take away people's permits. Please do not pass any laws closing more areas. Please do not pass any laws that add to the MILLION+ pounds of dead Regulatory Discards being deducted from our quotas every year. Please focus on MANAGING quotas with split seasons, aligned openings, and appropriate possession limits to avoid the unnecessary closures that waste our resources, compromise our safety at sea, and severely cut our income.

It is important for the council to understand that a multi-species fishery must be managed so everything is legal at the same time as we target fish with higher limits while still keeping most of what is landed with lower limits. This would allow consumers to access the 27,218 pounds of Gag Grouper and 35,000 pounds of Vermilion Snapper along with many more tons of seafood quotas that are annually allocated to dead discards as fishery managers plan for long closures due to mismanaged quotas. We could also reduce dead discards by removing size limits on most bottom fish while requiring the use of recompression gear like SeaQualizer when releasing illegal fish. This gear has proven to turn 90% discard mortality rates of deepwater species around to 90% survival rates. The key to getting fishermen to use this gear is limiting how many fish must be released. The required use of recompression gear for releasing Warsaw Grouper and Speckled Hind would negate the need to create new Marine Protected Areas on traditional fishing grounds. Small areas of new artificial reef habitat could also be used to help protect those species. A tagging program could collect much-needed data so scientist could do stock assessments rather than assuming a worst-case scenario based on the lack of data.

I would like to close by asking the SAFMC to support allowing commercial fishermen to pick who represents us on the council and have final approval of any new regulations impacting our fishery with a 2/3 majority vote of participating permit holders. Please also allow us to offer our own solutions for managing quotas in ways that follow all MSA mandates. Thank you for considering my comments and requests. [freefish7@hotmail.com](mailto:freefish7@hotmail.com)

## SAFMC Regulatory Amendment 14 Public Comments

I am Chris McCaffity, a commercial fisherman who has been offering simple solutions that would almost eliminate the MILLION+ pounds of dead regulatory discards currently being deducted from our quotas every year. This waste has gone on for years as the council drags its collective feet on solving the problem while rushing unnecessary amendments. This waste helps EDF advance their catch share agenda as they lobby to stack the council deck with supporters of their scheme to privative our public resources. Fishermen should have final approval of who represents us on the council and any new regulations with a 2/3 majority vote of participating permit holders in the affected fishery. Here is how most fishermen want our fishery managed.

A multi-species fishery needs to be managed so everything is legal at the same time as we target fish with higher limits. Since May 1 is the end of a four month closure for shallow-water grouper, that should be the opening date for bottom fish. Most fish like those in RA 14 should have their annual quotas split into two seasons. Most possession limits should start at 1,000 pounds until 75% of a quota is landed, then step down to 100 or 200 pounds so the quota is filled without a long closure. Fish with lower quotas should have lower limits. Red Snapper could have a 1 fish per person by-catch allowance during the shallow-water grouper season instead of allocating half a MILLION pounds of the quota to dead discards every year. A reduced possession limit should not be high enough for fishermen to target that species while allowing us to keep most of those caught accidentally. Reverting back to science-based size limits would also greatly reduce regulatory discards. These common-sense solutions would allow consumers to access 90% of the seafood currently being wasted.

The Congressional hard deadlines have been met. Now we need to start MANAGING all quotas to avoid extended closures and excessive regulatory discards. If some want to do that through catch shares, then let's have the debate and allow permit holders to decide how we want our quotas managed with a 2/3 majority vote of participating permit holders. The mismanagement of our fishery has gone on for far too long. It seems almost as if the mismanagement has been intentional at times in an attempt to advance agendas like catch shares, sector separation, fleet consolidation, and area closures. Whatever the reason is for this mismanagement, we need to fix the problems NOW.

I will gladly explain this Fishery Management Plan in greater detail to anyone interested and my invitation that has been extended for years to debate any supporter of catch shares still stands. The fact that NOBODY will defend or explain catch shares in a debate is very telling about just how bad a scheme it really is.

Thank you for considering my comments. Please email me if you have any questions or would like to schedule a debate. [freefish7@hotmail.com](mailto:freefish7@hotmail.com)



## Coastal Migratory Pelagics Amendments 19 and 20 and Framework Comments

I am Chris McCaffity, a snapper/grouper fisherman who occasionally sells a bag limit of King Mackerel. I am deeply disappointed to learn that some permit holders are asking the council to take other people's permits because they are not using them enough. It should be viewed as a good thing that not many permit holders are actively competing for a piece of the fishery that is currently in a down cycle. The very idea of this scheme to take away permits is causing people to target King Mackerel when they might not otherwise. Stopping other commercial fishermen from selling a bag limit is also going to increase effort as we must buy a permit to sell our catch and try to catch more King Mackerel to pay for it. I understand not allowing tournaments to sell King Mackerel or any other fish. Those tournaments are for charity. Tournament fish should be donated to soup kitchens and food pantries rather than competing with commercial fishermen.

I OPPOSE banning the bag limit sale of Spanish and King Mackerel by commercial fishermen working in other fisheries.

I SUPPORT banning the sale of tournament fish. Let the charities that feed people benefit from that seafood rather than selling it to give the money to some other charity.

I OPPOSE the elimination of inactive permits. This kind of action was wrong in other fisheries and it is wrong for this one. Eliminating competition through the strong arm of our federal government is never right.

I SUPPORT allowing fishermen to decide with a 2/3 majority vote of participating permit holders what the trip limits, transit provisions, and transfers at sea should be.

Thank you for considering my comments. Please send any questions or comments to.  
[freefish7@hotmail.com](mailto:freefish7@hotmail.com)

# Coral Amendment 8 Public Comments

I am Chris McCaffity, a commercial fisherman who supports conservation of some special places where things like deep sea corals thrive. I do not support the kind of massive habitat grabs that seek to close any areas these corals or whatever the council is trying to protect might live. Any closed areas should be in small key locations that have the most positive impact. Marine Protected Areas (MPAs) that are intended to protect habitat should be offset with equal areas of new artificial reef habitat where we can harvest the seafood that lives in those areas. Any MPAs that are intended to protect some kinds of fish should be around artificial reef habitat that is constructed to support the species being protected (big fish like big structure) and placed on sandy bottom in the areas and depths those fish live. The argument against using artificial reefs to enhance our fisheries has been that fish congregate around the reefs and make them easier to catch. That logic dictates that artificial reefs would make it easier to protect fish if some were MPAs.

MPAs should be small enough they can be marked and monitored with a data buoy.

I OPPOSE all actions in Coral Amendment 8 unless the council agrees to create equal areas of new artificial reef habitat.

I SUPPORT marking and monitoring existing closed areas before rushing to close more places.

Thank you for considering my comments. Please send any questions or comments to Chris at. [freefish7@hotmail.com](mailto:freefish7@hotmail.com)

# Dolphin Wahoo Amendment 5 Public Comments

I am Chris McCaffity, a commercial fisherman, seafood consumer, and fisheries advocate who wants what is best for all user groups of our public resources.

The recreational and commercial sector allocations for Dolphin and Wahoo need to be adjusted so consumers have more access to this delicious seafood. The council is considering reducing the percentage of Wahoo consumers can eat to less than 4% of the total quota even though recreational fishermen only landed a little over half of their quota last year. The increase in recreational quota could leave up to one MILLION pounds of Wahoo uncaught each year while commercial fishermen came within 30 pounds of an early closure last year. The quotas for Dolphin and Wahoo should be split more like 90% recreational and 10% commercial.

I know size limits are not part of this amendment and would like to thank the council for that. Dolphin and Wahoo would have very low survival rates after being held firm enough to take a measurement. Fishermen would also stand a good chance of being hurt by a toothy Wahoo.

Thank you for considering my comments. Please send any questions or comments to.

[freefish7@hotmail.com](mailto:freefish7@hotmail.com)

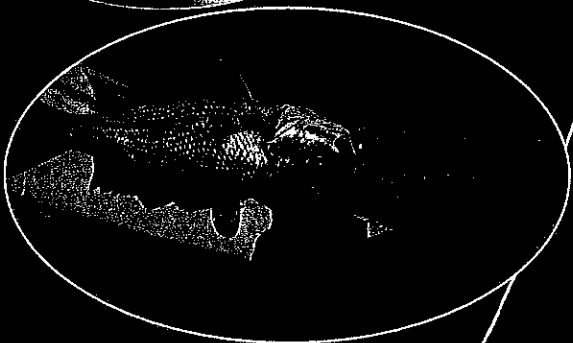
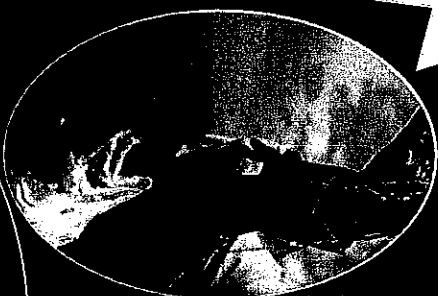


The SeaQualizer is an innovative release tool designed to help fish recover from the effects of barotrauma. Barotrauma results from bringing a fish up from depth too quickly preventing it from releasing air from its air bladder quick enough as pressure on it is decreased. This causes the air bladder to expand beyond its normal size. Physical effects of barotrauma include: floating at the surface, stomachs protruding out of the fish's mouth, bulging eyes, flared gills and inflated body cavities.



First runner up  
winner of the  
2011 WWF  
International  
Smart Gear  
Competition

The SeaQualizer is a pressure activated release tool that attaches to a fishing rod or retrieval line and releases the barotrauma stricken fish at a predetermined depth (50, 100, 150ft) set on the SeaQualizer. By bringing the fish back down to depth, pressure will recompress the enlarged swim bladder causing the fish to become neutrally buoyant allowing it to swim regularly as well as eliminating all other physical effects seen at the surface.



**SeaQualizer, LLC.**

375 Ridgewood Rd. Key Biscayne, FL 33149

[www.TheSeaQualizer.com](http://www.TheSeaQualizer.com)

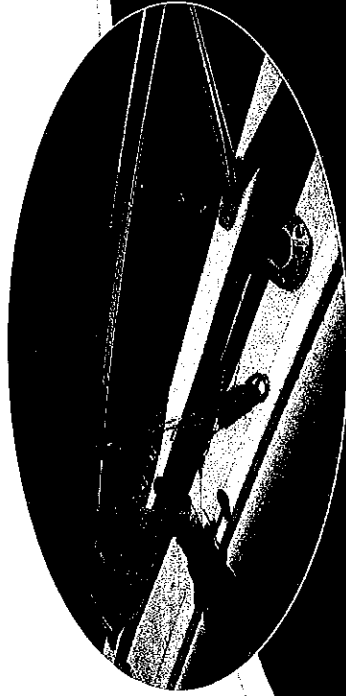
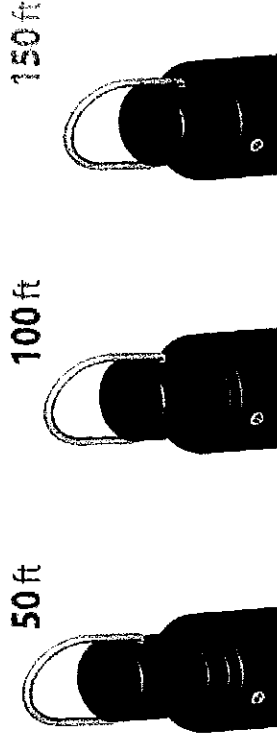
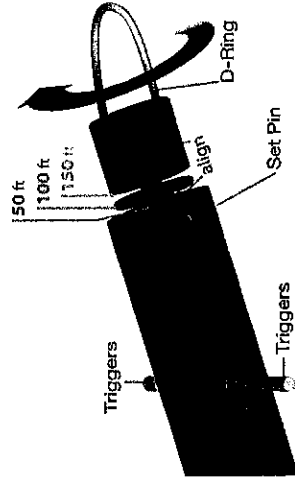
[info@theseaqualizer.com](mailto:info@theseaqualizer.com)

Allison: 786.258.1163 Jeffrey: 305.798.5606

**The SeaQualizer**

A promising future for  
bottom fishing...

The SeaQualizer has three predetermined release depths that it will release a fish at: 50, 100, & 150ft. It is recommended that fish be released from 1/3 to 1/2 of depth of capture.



## Freshwater SeaQualizer...

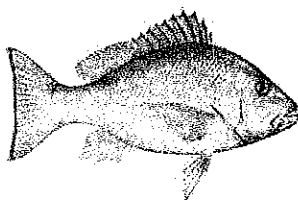
Always be prepared to release fish within 3 minutes of capture when bottom fishing. When you arrive to your fishing spot set your SeaQualizer for your desired depth of release according to the depth you are fishing at. Once you bring a fish to the surface that you plan to release, open the jaws of your already set SeaQualizer by pulling the triggers on the side of the device. Place open jaws over fish's lower lip and close the jaws of the tool onto the lip of that fish. Place the fish over the side of the boat and begin to lower the fish slowly back to the set release depth. Once the device has released the fish the user will feel the free falling rig speed up due to the resistance of the fish being freed from the device.

The freshwater SeaQualizer is designed specifically for the freshwater market, where barotrauma can occur in as little as 20ft. When freshwater fish are brought to the surface rapidly they suffer the same effects as saltwater fish. While freshwater fish don't always exhibit all of the signs of trauma that saltwater fish do when released, they are unable to return to their desired depth because of an expanded air bladder. The freshwater SeaQualizer has a single release depth of 15ft, which will allow fish to return to depth up to 50ft. For fish caught deeper in freshwater it is recommended that the original saltwater model be used.

SeaQualizer also produces a model with larger jaws for large bottom dwellers such as Goliath Grouper and Warsaw Grouper.

# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

A CONSULTING COMPANY



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South Atlantic Fishery Management Council (SAFMC) Voting Members

Date: Wednesday September 18, 2013

Re: Marine Protected Area (MPA) Expert Work Group (EWG) issues

To: SAFMC Voting Members,

Directed Sustainable Fisheries (DSF), on behalf of the 2013 MPA EWG Minority Report fishing interests whose signatures represent the majority of fishermen in attendance to both of the MPA EWG meeting held first during May 2012, and second during February 2013 submits this written comment to the SAFMC.

We contest some of the wording in the Snapper Grouper (SG) Regulatory Amendment 17 (RA-17) Decision Document (DD) found in the "Type 1 versus Type 2" section on page 2. The sentence we are displeased with in particular is quoted as: *"The Expert Workgroup has recommend Type 1 while the committee/Council made the decision during the June 2012 meeting that these MPAs were going to be Type 2 MPAs, which allow for pelagic trolling (no fishing for, possession, or retention of snapper grouper species allowed)."*

We insist the RA-17 DD Type 1 quote above does not accurately reflect the desire of the majority of the expert fishermen in attendance to either meeting, and we only support the Type 2 deep water MPA as they currently exist, as did the SG Committee and the Council. When we first began this MPA EWG exercise the immediate goal was to potentially reorient the eight existing Type 2 deep water MPAs implemented with the SG Amendment 14 during early 2009 to have them better situated to protect snapper grouper stocks in those regions. In the two half-day meetings during 2012, this goal was not accomplished.

We also recognize SG Amendment 14 did not properly establish the need to monitor and research the eight deep water MPAs correctly since 2009, nor did the available literature fully reflect the current biomass facts about speckled hind and warsaw groupers in our opinion that is used to justify draconian measures such as new deep water MPAs.

As a result of the 2012 shortcomings another MPA EWG meeting was requested by fishing interests, plus suggested in the last paragraph of the 2012 report. A second MPA EWG meeting was scheduled across three days during February 2013 to continue the work from 2012. Unfortunately some members of the scientific sector of the MPA EWG dominated the meeting with an increased effort to create 3 to 4 times as many more new deep water MPAs as exists currently from North Carolina south to the Florida Keys as a dominant theme. We, the majority of the fishermen on the MPA EWG did not and would not support most new MPA sites as reflected in our 2013 MPA EWG minority report's reasoning.

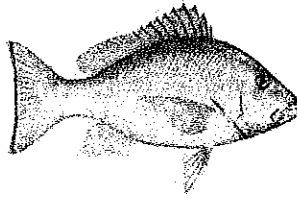
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PAGE 1

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We do not support the Type 1 MPAs that are being supported by some scientists and preservationist advocates. We support reorientation of the existing deep water MPAs and support further research and monitoring. Please support this logical common sense choice and schedule up to date stock assessments for speckled hind and warsaw groupers as soon as feasible. These two groupers will not be extirpated from the SAFMC region, or its complete range both in the United States and elsewhere. These two grouper species are benefiting from the SAFMC no-take rules in place since early 2011 and the SAFMC no-sale regulation in place since the 1990's.

Thank you for your consideration of our thoughts and please continue to support the Type 2 reorientation. Type 1 MPAs, nor a large number of new Type 2 MPAs are not desired by the SAFMC fishing communities at this time, and should not be pursued by management.

***Rusty***

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Retired 100-ton United States Coast Guard (USCG) Licensed Sea Captain  
Sixth Generation Waterman from North Central Florida East Coast  
Seafood Coalition (SFC) member  
National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) Advisory Panel (AP) commercial member 2013-2015  
NMFS HMS SouthEast Data, Assessment and Review (SEDAR) Pool member 2013-2015  
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) AP Florida (FL) commercial & for-hire recreational member and former Chair of CS AP  
South Atlantic Fishery Management Council (SAFMC) Expert Marine Protected Area (MPA) participant  
SAFMC SEDAR Pool member 2012-2014  
Former SAFMC Marine Protected Area (MPA) AP FL commercial member  
Current American Elasmobranch Society (AES) member  
Participant, observer and/or contributor to US coastal shark stock assessments during 1992, 1996, 1998, 2001, 2002, 2005, 2006, 2007, 2011, 2012 and 2013  
Participant, observer and/or contributor SouthEast Data, Assessment and Review (SEDAR) 11 (Large Coastal Sharks), 13 (Small Coastal Sharks), 16 (King Mackerel), 19 (Red Grouper/Black Grouper), 21 (Large Coastal Sharks/Small Coastal Shark), 24 (Red Snapper), 25 (Black Sea Bass/Golden Tilefish), 28 (Spanish Mackerel/Cobia), 29 (Gulf Blacktip Shark), 32 (Gray Triggerfish/Blueline Tilefish), 34 (Atlantic Sharpnose Shark/Bonnethead Shark), and SEDAR 36 (Snowy Grouper)

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**PAGE 2**

Subj: **DSF revised king mackerel 2 for 1 permit Alternative 4 with Action 2 from CMP**  
Date: 9/9/2013 6:46:05 P.M. Eastern Daylight Time  
From: [DSF2009@aol.com](mailto:DSF2009@aol.com)  
To: [robert.mahood@safmc.net](mailto:robert.mahood@safmc.net), [palmettobooks@bellsouth.net](mailto:palmettobooks@bellsouth.net), [mackattackben@att.net](mailto:mackattackben@att.net)  
CC: [Jessica.McCawley@MyFWC.com](mailto:Jessica.McCawley@MyFWC.com), [jolleyjw@yahoo.com](mailto:jolleyjw@yahoo.com), [michelle.duval@ncdenr.gov](mailto:michelle.duval@ncdenr.gov),  
[AnnaBarriosBeckwith@gmail.com](mailto:AnnaBarriosBeckwith@gmail.com), [bellm@dnr.sc.gov](mailto:bellm@dnr.sc.gov), [doughaymans@gmail.com](mailto:doughaymans@gmail.com),  
[ga\\_capt@yahoo.com](mailto:ga_capt@yahoo.com), [roy.crabtree@noaa.gov](mailto:roy.crabtree@noaa.gov), [dayboat1965@gmail.com](mailto:dayboat1965@gmail.com), [conklincc@gmail.com](mailto:conklincc@gmail.com),  
[anna@pamlicoguide.com](mailto:anna@pamlicoguide.com), [DSF2009@aol.com](mailto:DSF2009@aol.com)

DSF revised king mackerel 2 for 1 permit Alternative 4 with Action 2 from CMP FMP Amendment 19. Please see attachment for DSF comment changes.

Thank you for your attention to this issue and we look forward to the future solution.

*Rusty ;-)*

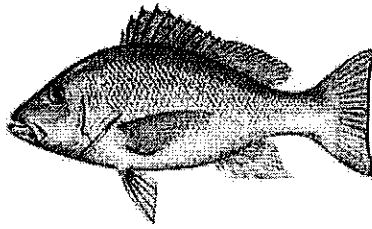
Russell H. Hudson, President  
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Daytona Beach, Florida 32120-9351

(386) 239-0948 Telephone



# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

A FISHERIES CONSULTING COMPANY



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South Atlantic Fishery Management Council (SAFMC) Voting Membership

Date: Monday September 09, 2013

To: SAFMC Voting Membership,

On Sunday August 18, 2013, Directed Sustainable Fisheries, Inc. (DSF) submitted a written comment about the Coastal Migratory Pelagics (CMP) Fishery Management Plan (FMP) Amendment 19 concerning Action 2, Alternatives 1 and 4. DSF would like to submit additional information about new entrants into the king mackerel fishery. According to recent federal information the owners of the king mackerel limited access permits from Texas to Massachusetts total approximately 1400 entities.

King mackerel commercial industry participants mostly from the SAFMC region wanted DSF to support the two for one permit reduction effort. The DSF recognized several issues about the SAFMC effort to prefer Alternative 4 for Action 2 that was detailed in the original comment pasted below.

After the comment period ended, king mackerel business entities expressed concern to DSF about not endorsing the two for one permit alternative. As a result of this dialogue, DSF requests the SAFMC voting membership to continue to prefer the two for one permit Action 2 Alternative 4. DSF supports the choice, and encourages the SAFMC to continue forward with the two for one permit requirement.

Thank you for your consideration of the DSF position change to the original Preferred Alternative 4 for Action 2.

Rusty Hudson, President  
DSF, Inc.

## **2.2 Action 2 – Elimination of Inactive Commercial King Mackerel Permits**

~~South Atlantic Council Preferred~~ **Alternative 4:** Allow two-for-one permit reduction in the king mackerel commercial fishery similar to the system for Snapper Grouper Unlimited Permits.

~~DSF cannot support[s] the SAFMC Preferred Alternative 4 to the CMP FMP Amendment 19 Action 2 to establish a two-for-one permit reduction in the SAFMC region similar to the system used for Snapper Grouper Unlimited Permits. The reason is that there is not enough analyses presented for the single CMP permit issued by the National Marine Fisheries Service (NMFS) involving the current 1389 limited access permits King Mackerel permits from Texas to New~~

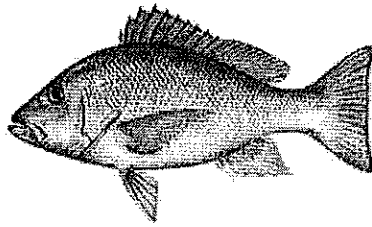
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PAGE 1

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~~England. The Snapper Grouper unlimited permit reduction began with over 2000 open access permits that have since been reduced to under 600 unlimited permits currently.~~

~~To this date there is no sunset threshold established to freeze the Snapper Grouper unlimited permit reduction level at. The same issue will occur with the current limited access CMP King Mackerel permits. Until a method is developed to accurately separate the limited access permits in this huge area from Texas to New England, based on historical participation and stakeholder inputs, as to criteria, to properly analyze the landing streams by permit landings history, temporally and spatially, this current Alternative 4 is not well thought out to date.~~

## ***Rusty***

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Directed Sustainable Fisheries, Inc. (DSF, Inc.)  
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Daytona Beach, Florida 32120-9351

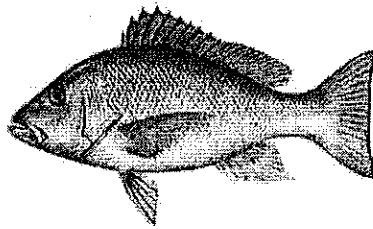
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Saltwater Fisheries Consultant, Shark Specialist  
Deep-Sea Fisherman and Shrimp Boat Captain  
Recreational, For-Hire & Commercial Fishing Life Experience, 1959-2013  
Retired 100-ton United States Coast Guard (USCG) Licensed Sea Captain  
Fifth Generation Waterman from Central Florida East Coast  
Seafood Coalition (SFC) member  
American Elasmobranch Society (AES) member 2004-2013  
Atlantic Coastal Cooperative Statistics Program (ACCSP) Advisory Committee member from Florida  
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) Florida (FL) Advisory Panel (AP) commercial & for-hire recreational member [former Chair of CS AP]  
National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) AP commercial member 2013-2015  
NMFS HMS SouthEast Data, Assessment and Review (SEDAR) AP Pool member 2013-2015  
South Atlantic Fishery Management Council (SAFMC) SEDAR AP Pool member  
SAFMC Marine Protected Area (MPA) Expert Working Group participant  
Former SAFMC MPA AP FL commercial member  
Former NMFS Atlantic Large Whale Take Reduction Team FL participant (ALWTRT)  
Former NMFS Bottlenose Dolphin Take Reduction Team FL participant (BDTRT)  
Participant, observer and/or contributor to US coastal shark stock assessments during 1992, 1996, 1998, 2001, 2002, 2005, 2006, 2007, 2011, 2012 and 2013  
Participant, observer and/or contributor SouthEast Data, Assessment and Review (SEDAR) 11 (Large Coastal Sharks), 13 (Small Coastal Sharks), 16 (King Mackerel), 19 (Red Grouper/Black Grouper), 21 (Large Coastal Sharks/Small Coastal Shark), 24 (Red Snapper), 25 (Black Sea Bass/Golden Tilefish), 28 (Spanish Mackerel/Cobia), 29 (Gulf Blacktip Shark), 32 (Gray Triggerfish/Blueline Tilefish), 34 (Atlantic Sharpnose Shark/Bonnethead Shark), and SEDAR 36 (Snowy Grouper)

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# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

A FISHERIES CONSULTING COMPANY



Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Coastal Migratory Pelagics Amendment 19 Proposed Three Actions and DSF Preferred Alternatives  
MackAm19Comments@safmc.net

Mr. Mahood,

The Directed Sustainable Fisheries, Inc. (DSF) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on Coastal Migratory Pelagics (CMP) fishery management plan (FMP) Amendment 19. DSF preferred alternatives are presented, and comments from DSF are in "red" with each of the three actions.

## **Action 1 – Sale of King and Spanish Mackerel**

**Alternative 3:** Prohibit sale of king and Spanish mackerel caught under the bag limit. For a person to sell king or Spanish mackerel in or from the exclusive economic zone (EEZ) of the Gulf of Mexico or Atlantic, those fish must have been harvested on a commercial trip aboard a vessel with a commercial vessel permit/endorsement. A king mackerel permit is required to sell king mackerel and a Spanish mackerel permit is required to sell Spanish mackerel.

*South Atlantic Preferred/Gulf Preferred Option b.* The Gulf Council's jurisdiction  
(Gulf AP Preferred)

DSF supports the Alternative 3, Preferred Option b, for CMP FMP Amendment 19 Action 1.

**Alternative 4:** Prohibit sale of king and Spanish mackerel caught under the bag limit with the exception of state-permitted tournaments. For a person to sell king or Spanish mackerel in or from the EEZ of the Gulf of Mexico or Atlantic, those fish must have been harvested on a commercial trip aboard a vessel with a commercial vessel permit/endorsement. A king mackerel permit is required to sell king mackerel and a Spanish mackerel permit is required to sell Spanish mackerel. King or Spanish mackerel caught during a tournament may be donated to a dealer in

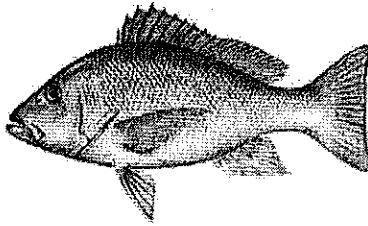
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PAGE 1

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exchange for a charitable donation if the tournament organizers have a permit from a state to conduct that tournament, and transfer and reporting requirements are followed.

*South Atlantic Preferred/Gulf Preferred Option a.* The South Atlantic Council's jurisdiction

DSF supports the Alternative 4, Preferred Option a, for CMP FMP Amendment 19 Action 1.

## **Action 2 – Elimination of Inactive Commercial King Mackerel Permits**

**Gulf Council Preferred Alternative 1:** No Action – Do not eliminate any commercial king mackerel permits. (SA Mackerel AP Preferred) (Gulf AP Preferred)

DSF supports Preferred Alternative 1 (No Action) for CMP FMP Amendment 19 Action 2 to not eliminate any of the current 1389 King Mackerel limited access permits from Texas to New England. Until a method is developed to accurately separate the limited access permits in this huge area, based on historical participation and stakeholder inputs as to criteria to properly analyze the landing streams by permit landings history, temporally and spatially, No Action is the best choice for all the Councils involved in this joint CMP FMP.

*South Atlantic Council Preferred Alternative 4:* Allow two-for-one permit reduction in the king mackerel commercial fishery similar to the system for Snapper Grouper Unlimited Permits.

DSF cannot support the SAFMC Preferred Alternative 4 to the CMP FMP Amendment 19 Action 2 to establish a two-for-one permit reduction in the SAFMC region similar to the system used for Snapper Grouper Unlimited Permits. The reason is that there is not enough analyses presented for the single CMP permit issued by the National Marine Fisheries Service (NMFS) involving the current 1389 King Mackerel limited access permits from Texas to New England. The Snapper Grouper unlimited permit reduction began with over 2000 open access permits that have since been reduced to under 600 unlimited permits currently.

To this date, there is no sunset threshold established to freeze the Snapper Grouper unlimited permit reduction level at. The same issue will occur with the current limited access CMP King Mackerel permits. Until a method is developed to accurately separate the limited access permits in this huge area from Texas to New England, based on historical participation and

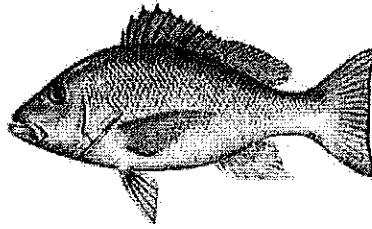
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PAGE 2

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stakeholder inputs, as to criteria, to properly analyze the landing streams by permit landings history, temporally and spatially, this current Alternative 4 is not well thought out to date.

## **Action 3 – Modify or Eliminate Income Requirements for Gulf and South Atlantic Commercial Coastal Migratory Pelagic Permits**

*South Atlantic Preferred/ Gulf Preferred Alternative 2:* Eliminate income requirements for commercial king and Spanish mackerel permits. (SA Mackerel AP Preferred) (Gulf AP Preferred)

**DSF supports the Preferred Alternative 2 for CMP Amendment 19 Action 3.**

### ***Rusty***

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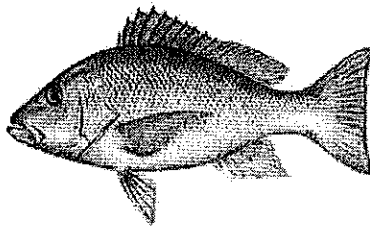
Saltwater Fisheries Consultant, Shark Specialist  
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American Elasmobranch Society (AES) member 2004-2013  
Atlantic Coastal Cooperative Statistics Program (ACCSP) Advisory Committee member from Florida  
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) Florida (FL) Advisory Panel (AP) commercial & for-hire recreational member [former Chair of CS AP]

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National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) AP commercial member 2013-2015

NMFS HMS SouthEast Data, Assessment and Review (SEDAR) AP Pool member 2013-2015

South Atlantic Fishery Management Council (SAFMC) SEDAR AP Pool member

SAFMC Marine Protected Area (MPA) Expert Working Group participant

Former SAFMC MPA AP FL commercial member

Former NMFS Atlantic Large Whale Take Reduction Team FL participant (ALWTRT)

Former NMFS Bottlenose Dolphin Take Reduction Team FL participant (BDTRT)

Participant, observer and/or contributor to US coastal shark stock assessments during 1992, 1996, 1998, 2001, 2002, 2005, 2006, 2007, 2011, 2012 and 2013

Participant, observer and/or contributor SouthEast Data, Assessment and Review (SEDAR) 11 (Large Coastal Sharks), 13 (Small Coastal Sharks), 16 (King Mackerel), 19 (Red Grouper/Black Grouper), 21 (Large Coastal Sharks/Small Coastal Shark), 24 (Red Snapper), 25 (Black Sea Bass/Golden Tilefish), 28 (Spanish Mackerel/Cobia), 29 (Gulf Blacktip Shark), 32 (Gray Triggerfish/Blueline Tilefish), 34 (Atlantic Sharpnose Shark/Bonnethead Shark), and SEDAR 36 (Snowy Grouper)

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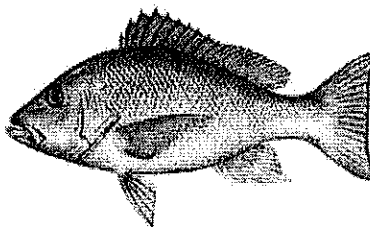
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PAGE 4

# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

A FISHERIES CONSULTING COMPANY



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Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Coastal Migratory Pelagics Amendment 20 Proposed Six Actions and DSF Preferred Alternatives  
MackAm20Comments@safmc.net

Mr. Mahood,

The Directed Sustainable Fisheries, Inc. (DSF) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on Coastal Migratory Pelagics (CMP) fishery management plan (FMP) Amendment 20. DSF preferred alternatives are presented, and comments from DSF are in "red" with each of the six actions.

## **Action 1 - Modify the Commercial Hook-and-Line Trip Limits for Gulf Migratory Group King Mackerel**

**Alternative 1:** No Action – Retain the existing commercial hook-and-line trip limits. (Gulf Mackerel AP Preferred)

a. **Gulf Preferred** Western Zone at 3,000 lbs.

DSF supports Preferred Alternative 1a for CMP FMP Amendment 20 Action 1.

**Alternative 3:** Set the commercial hook-and-line trip limit at 3,000 lbs. with no reduction. (SA Mackerel AP Preferred)

DSF supports Preferred Alternative 3 for CMP FMP Amendment 20 Action 1.

**South Atlantic Preferred Option a:** For the Western zone

DSF supports SAFMC Preferred Alternative 3, Option a for CMP FMP Amendment 20 Action 1.

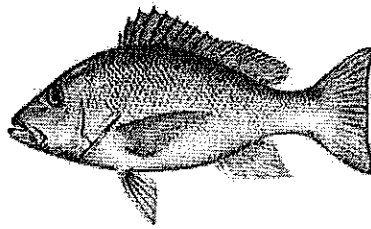
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**South Atlantic Preferred/Gulf Preferred Option c:** For the Eastern Zone Southern Subzone

**DSF supports Preferred Option c for CMP FMP Amendment 20 Action 1.**

**Alternative 4:** Set the commercial hook-and-line trip limit at 1,250 lbs. with no reduction.

**South Atlantic Preferred/Gulf Preferred Option b:** For the Eastern Zone Northern Subzone

**DSF supports Preferred Alternative 4, Option b for CMP FMP Amendment 20 Action 1.**

*The Gulf Council removed Option a under Alternatives 2-4 but the South Atlantic Council has not reviewed and approved these changes.*

## **Action 2 - Change the Fishing Season for Gulf Migratory Group King Mackerel for the Eastern and Western Zone**

**Alternative 1:** No Action - the fishing season remains July 1 – June 30. (Gulf Mackerel AP Preferred for Western Zone and Eastern Zone Southern Subzone)

**South Atlantic Preferred Alternative 2:** Change the fishing season for Gulf migratory group king mackerel to September 1 – August 31.

**DSF supports SAFMC Preferred Alternative 2 for CMP FMP Amendment 20 Action 2.**

**Gulf Preferred Option a:** For the Western Zone

**Alternative 3:** Change the fishing season for Gulf migratory group king mackerel to October 1 – September 30.

**Gulf Preferred Option b:** For the Eastern Zone (Gulf AP Preferred for Eastern Zone Northern Subzone only)

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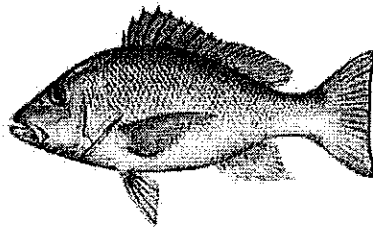
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## **Action 3 – Establish a Transit Provision for Travel through Areas that are Closed to King Mackerel Fishing**

**South Atlantic Preferred/Gulf Preferred Alternative 4:** Establish a provision allowing transit through areas closed to king mackerel fishing for vessels possessing king mackerel that were legally harvested in the EEZ off areas open to king mackerel fishing. (SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred, but only for vessels with VMS)

DSF supports Preferred Alternative 4 for CMP FMP Amendment 20 Action 3.

## **Action 4 Establish Regional Annual Catch Limits (ACLs) for Atlantic Migratory Group King Mackerel and Spanish Mackerel**

### **Action 4.1 – Establish Regional Annual Catch Limits (ACLs) for Atlantic Migratory Group King Mackerel**

**Alternative 1:** No Action - retain one commercial ACL for the Atlantic migratory group king mackerel.

DSF supports Alternative 1 (No Action) for CMP FMP Amendment 20 Action 4.1 as a Preferred Alternative.

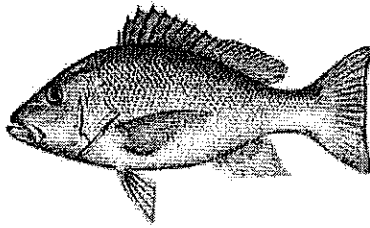
### **Action 4.2 – Establish Regional Annual Catch Limits (ACLs) for Atlantic Migratory Group Spanish Mackerel.**

**Alternative 1:** No Action - retain one commercial ACL for the Atlantic migratory group Spanish mackerel

DSF supports Alternative 1 (No Action) for CMP FMP Amendment 20 Action 4.2 as a Preferred Alternative.

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## **Action 5 - Modify the Framework Procedure.**

**South Atlantic Preferred/Gulf Preferred Alternative 2:** Modify the framework procedure to include changes to acceptable biological catches (ABCs), ABC/ACL control rules and, accountability measures (AMs) under the standard documentation process for open framework actions. Accountability measures that could be changed would include: **(SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred)**

### **Inseason AMs**

- Closures and closure procedures
- Trip limit reductions or increases
- Designation of an IFQ program as the AM for species in the IFQ program
- Implementation of gear restrictions

### **Postseason AMs**

- Adjustment of season length
- Implementation of a closed season
- Adjustment or implementation of bag, trip, or possession limit
- Reduction of the ACL to account for the previous year overage
- Revoking a scheduled increase in the ACL if the ACL was exceeded in the previous year
- Implementation of gear restrictions
- Reporting and monitoring requirements

**DSF supports Preferred Alternative 2 for CMP FMP Amendment 20 Action 5.**

**South Atlantic Preferred/Gulf Preferred Alternative 4:** Modify the framework procedure to include designation of responsibility to each Council for setting regulations for the migratory groups of each species. **(SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred)**

**DSF supports Preferred Alternative 4 for CMP FMP Amendment 20 Action 5.**

**This pertains to:** Responsibilities of Each Council:

1. Recommendations with respect to the Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the South Atlantic Council, and those for the Gulf migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the Gulf Council, with the following exceptions:

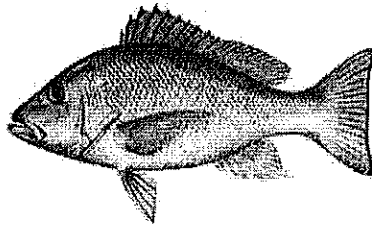
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a. The South Atlantic Council will have responsibility to set vessel trip limits, closed seasons or areas, or gear restrictions for 1) the Eastern Zone - East Coast Subzone for Gulf migratory group king mackerel and 2) the east coast of Florida including the Atlantic side of the Florida Keys for Gulf migratory group cobia.

2. For stocks where a stock assessment indicates a different boundary between the Gulf and Atlantic migratory groups than the management boundary, a portion of the ACL for one migratory group may be apportioned to the appropriate zone, but management measures for that zone will be the responsibility of the Council within whose management area that zone is located.

3. Both councils must concur on recommendations that affect both migratory groups.

**South Atlantic Preferred/Gulf Preferred Alternative 5.** Make editorial changes to the framework procedure to reflect changes to the names of the Council advisory committees and panels. (SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred)

**DSF supports Preferred Alternative 5 for CMP FMP Amendment 20 Action 5.**

## **Action 6. Modify the Gulf and Atlantic Migratory Group Cobia Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs).**

**South Atlantic Preferred/Gulf Preferred Alternative 3:** The ACL for each jurisdictional area would be determined as follows:

**DSF supports the SAFMC Preferred/Gulf Preferred Alternative 3 for CMP FMP Amendment 20 Action 6.**

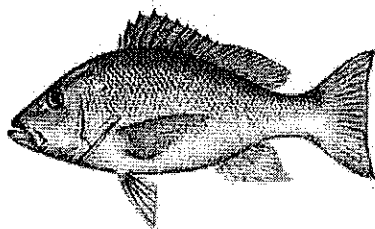
The Gulf migratory group cobia ABC (as determined by the SSCs) would be divided into a Gulf Zone ACL and a Florida East Coast Zone ACL (Florida/Georgia border to the Gulf and South Atlantic Council jurisdictional boundary) based on the options below.

**South Atlantic Preferred/Gulf Preferred Option d:** Use 1998-2012 (15 years) landings to establish the percentage split for the Gulf ABC. (SA Mackerel AP Preferred)

The Atlantic migratory group ACL would be equal to the ABC for the Atlantic migratory group cobia (as determined by the SSCs).

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Management measures set by the South Atlantic Council for the Atlantic migratory group would also apply to the Gulf migratory group Florida East Coast Zone.

The ACLs and ACTs would be as follows:

Gulf Migratory Group		Atlantic Migratory Group
(see Table 2.6.3 for values for each option)		
Gulf Zone	FL East Coast Zone	
ACL = x% ABC	ACL = x% ABC Commercial ACL = 8% ACL Recreational ACL = 92% ACL	ACL = ABC = OY Commercial ACL = 8% ACL Recreational ACL = 92% ACL
Stock ACT = 90%ACL	Recreational ACT = ACL [(1-PSE) or 0.5, whichever is greater]	Recreational ACT = ACL [(1-PSE) or 0.5, whichever is greater]

***Rusty***

Russell Howard Hudson, President  
Directed Sustainable Fisheries, Inc. (DSF, Inc.)  
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Daytona Beach, Florida 32120-9351

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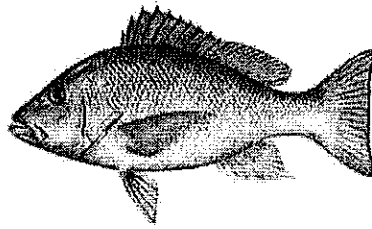
Saltwater Fisheries Consultant, Shark Specialist  
Deep-Sea Fisherman and Shrimp Boat Captain  
Recreational, For-Hire & Commercial Fishing Life Experience, 1959-2013  
Retired 100-ton United States Coast Guard (USCG) Licensed Sea Captain  
Fifth Generation Waterman from Central Florida East Coast  
Seafood Coalition (SFC) member  
American Elasmobranch Society (AES) member 2004-2013  
Atlantic Coastal Cooperative Statistics Program (ACCSP) Advisory Committee member from Florida  
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) Florida (FL) Advisory Panel (AP) commercial & for-hire recreational member [former Chair of CS AP]

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# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

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National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) AP commercial member 2013-2015

NMFS HMS SouthEast Data, Assessment and Review (SEDAR) AP Pool member 2013-2015

South Atlantic Fishery Management Council (SAFMC) SEDAR AP Pool member

SAFMC Marine Protected Area (MPA) Expert Working Group participant

Former SAFMC MPA AP FL commercial member

Former NMFS Atlantic Large Whale Take Reduction Team FL participant (ALWTRT)

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Participant, observer and/or contributor to US coastal shark stock assessments during 1992, 1996, 1998, 2001, 2002, 2005, 2006, 2007, 2011, 2012 and 2013

Participant, observer and/or contributor SouthEast Data, Assessment and Review (SEDAR) 11 (Large Coastal Sharks), 13 (Small Coastal Sharks), 16 (King Mackerel), 19 (Red Grouper/Black Grouper), 21 (Large Coastal Sharks/Small Coastal Shark), 24 (Red Snapper), 25 (Black Sea Bass/Golden Tilefish), 28 (Spanish Mackerel/Cobia), 29 (Gulf Blacktip Shark), 32 (Gray Triggerfish/Blueline Tilefish), 34 (Atlantic Sharpnose Shark/Bonnethead Shark), and SEDAR 36 (Snowy Grouper)

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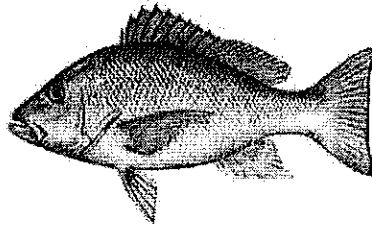
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# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

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Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Coastal Migratory Pelagics Fishery Management Plan Framework Amendment Proposed  
Actions and DSF Preferred Alternatives      [SAtlCMPFWComments@safmc.net](mailto:SAtlCMPFWComments@safmc.net)

Mr. Mahood,

Directed Sustainable Fisheries, Inc., (DSF) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on Coastal Migratory Pelagics (CMP) fishery management plan (FMP) Framework Amendment. DSF preferred alternatives are presented from DSF in "red" for each of the two actions.

## **Proposed Actions**

### **Action 1. Modify restrictions on transfer-at-sea and gillnet allowances for Atlantic migratory group Spanish mackerel.**

**DSF Preferred Alternative 2.** Alternative 2 applies only to commercial harvest of Atlantic migratory group Spanish mackerel with gillnet. This alternative recognizes that the current biomass levels of Spanish mackerel may result in catches of Spanish mackerel in excess of the commercial trip limit by vessels using gillnets. Specifically, even with very short sets, these gillnets may exceed the daily trip limit. As such, the regulations would be modified to allow for the transfer of Spanish mackerel at sea. Any amount of Spanish mackerel less than the commercial trip limit could be transferred between two vessels given the following conditions:

- a) Transfer is allowed if directed harvesting gear used to harvest the Spanish mackerel being transferred is allowable net gear. Spanish mackerel harvested with other than directed allowable net harvesting gear shall not be transferred.
- b) Transfer shall only take place in the EEZ between vessels with valid Spanish mackerel commercial permits.
- c) The receiving vessel may possess no more than three gillnets on board after the transfer is complete.

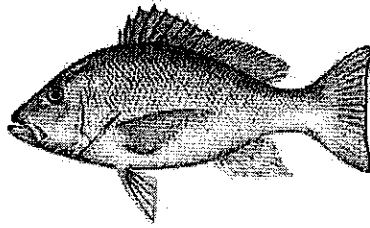
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# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

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- 
- d) All fish exceeding the applicable daily vessel limit shall remain entangled in the meshes of the net until transfer. The quantity of fish transferred to any single vessel shall not exceed the applicable daily trip limit.
- e) Call-in is required for both vessels engaged in the transfer.

The following describes how transfer at sea may occur: After catching the Spanish mackerel in the gillnet, the donor vessel would cut the net into two sections. The captain would transfer the portion of the net to the receiving vessel. The receiving vessel would accept the portion of the net and retrieve that portion on the vessel. Call-in by both vessels should be made prior to the net being cut.

## **Action 2. Modify the king mackerel commercial trip limit in the East Coast Florida Subzone.**

**DSF Preferred Alternative 4.** In the Florida East Coast Subzone, king mackerel in or from the EEZ may be possessed on board at any time or landed in a day from a vessel with a commercial permit for king mackerel as follows:

- (A) From November 1 through the end of February--not to exceed 50 fish.
- (B) Beginning on March 1 and continuing through March 31--
- (1) If 70 percent or more of the [Gulf group] Florida east coast subzone quota has been taken--not to exceed 50 fish.
- (2) If less than 70 percent of the [Gulf group] Florida east coast subzone quota has been taken --not to exceed 75 fish.

***Rusty***

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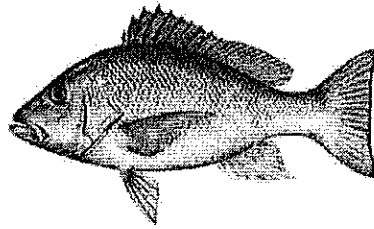
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# ***DIRECTED SUSTAINABLE FISHERIES, INC.***

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Recreational, For-Hire & Commercial Fishing Life Experience, 1959-2013  
Retired 100-ton United States Coast Guard (USCG) Licensed Sea Captain  
Fifth Generation Waterman from Central Florida East Coast  
Seafood Coalition (SFC) member  
American Elasmobranch Society (AES) member 2004-2013  
Atlantic Coastal Cooperative Statistics Program (ACCSP) Advisory Committee member from Florida  
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) Florida (FL) Advisory Panel (AP) commercial & for-hire recreational member [former Chair of CS AP]  
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NMFS HMS SouthEast Data, Assessment and Review (SEDAR) AP Pool member 2013-2015  
South Atlantic Fishery Management Council (SAFMC) SEDAR AP Pool member  
SAFMC Marine Protected Area (MPA) Expert Working Group participant  
Former SAFMC MPA AP FL commercial member  
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Participant, observer and/or contributor to US coastal shark stock assessments during 1992, 1996, 1998, 2001, 2002, 2005, 2006, 2007, 2011, 2012 and 2013  
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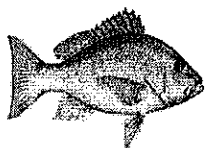
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# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Snapper Grouper Regulatory Amendment 14 Proposed Seven Actions and SFA ECFS  
Preferred Alternatives [SRegAm14Comments@safmc.net](mailto:SRegAm14Comments@safmc.net)

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on Snapper Grouper (SG) fishery management plan (FMP) Regulatory Amendment 14 (RA-14). SFA ECFS preferred alternatives are presented, and comments from SFA ECFS are in "red" under each of the seven actions.

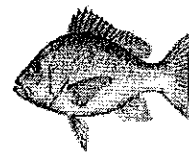
### **Action 1. Modify the commercial *and recreational* fishing years for greater amberjack**

**Preferred Alternative 2.** Modify the commercial *and recreational* fishing years for greater amberjack to begin on January 1 and end on December 31.

SFA ECFS supports Preferred Alternative 2 for RA-14 Action 1.

**SNAPPER GROUPE AP RECOMMENDATION:** The AP recommended Alternative 1 (No Action) as a preferred. AP members stated that they felt a year or two should go by to see the effects of current management on the greater amberjack stock. They were concerned that if the fishing year were to change, there could be some fishing pressure during the spawning season in May. AP members did acknowledge that a positive outcome of changing the start of the fishing year to January 1 would be the certainty of being able to catch amberjack early in the year when not many other snapper grouper species are allowed to be harvested.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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### **Action 2. Modify the fishing year for the black sea bass recreational sector**

**Preferred Alternative 3.** Modify the recreational fishing year for black sea bass to begin on April 1 and end on March 31.

SFA ECFS supports Preferred Alternative 3 for RA-14 Action 2.

**SNAPPER GROUPERS AP RECOMMENDATION:** The AP recommended a start date of April 1 for the recreational black sea bass fishing year (Alternative 3). The rationale behind their recommendation is to make the start date coincide with the opening of recreational fishing for vermilion snapper and thus minimize the amount of discards.

### **Action 3. Modify the recreational accountability measure for black sea bass**

**Alternative 1. (No Action).** If the recreational sector black sea bass ACL is met or is projected to be met, independent of stock status, prohibit the harvest and retention of black sea bass. If the recreational sector black sea bass ACL is exceeded, independent of stock status, the Regional Administrator shall publish a notice to reduce the recreational sector ACL in the following season by the amount of the overage. ACL paybacks are not required when new projections are adopted that incorporate ACL overages and the ACLs are adjusted in accordance with those projections.

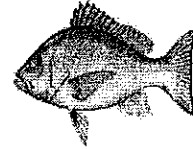
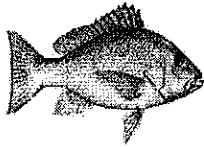
SFA ECFS supports Alternative 1 (No Action) for the RA-14 Action 3.

### **Action 4. Modify the fishing year for the black sea bass commercial sector**

**Alternative 3.** Modify the commercial fishing year for black sea bass to begin on January 1 and end on December 31. *Black sea bass pots are prohibited from November 1 through April 30.* From May 1 to October 31, the trip limit would be 1,000 lbs gw for pots. From May 1 to December 31, the trip limit would be 1,000 lbs gw weight for the hook-and-line sector and from January 1 to April 30, the hook and line sector would be restricted to a trip limit of: **Sub-alternative 3c.** 300 lbs gw

SFA ECFS supports Alternative 3, Sub-alternative 3c, for the RA-14 Action 4 as the Preferred.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

**SNAPPER GROUPE AP RECOMMENDATION:** One AP member recommended keeping the June 1 start date of the commercial fishing year because black sea bass harvest in the Mid-Atlantic is normally closed by then and that creates an exceptionally strong market. The same individual expressed that if commercial harvest for black sea bass were to begin in the Mid-Atlantic and the South Atlantic at the same time, it would be a disaster. The AP engaged in a lengthy discussion on the benefits of a January 1 start date with a bycatch allowance for the hook-and line sector until harvest with pots was open. The main benefit of this approach would be to allow commercial harvest of black sea bass and vermilion snapper at the same time. Also, the trip limit would help commercial fishermen during March and April, when other snapper grouper species are closed. A January 1 fishing year start date would also provide additional data from winter months for stock assessment efforts. The AP ultimately recommended Alternative 3 but with a 100-pound trip limit instead of the 50-pound trip originally proposed. In addition, some AP members stated their desire for the Council to consider separating the commercial ACL between the pot and hook-and-line sectors. The intent would be to avoid market flooding and extend the season.

### Action 5. Modify the commercial fishing seasons for vermilion snapper

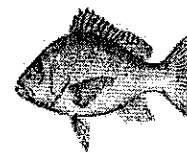
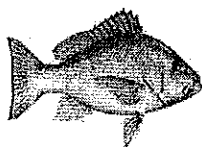
**Preferred Alternative 1 (No Action).** The commercial fishing year for vermilion snapper is split into two seasons of equal duration, each with its own ACL. The first season begins on January 1 and ends on June 30 (6 months). The second season begins on July 1 and ends on December 31 (6 months). The commercial ACL is split equally between the two seasons *with a commercial trip limit for of 1,000 lbs gw (1,110 lbs ww). When 75% of the commercial vermilion snapper ACL has been met or is projected to be met, the commercial trip limit is reduced to 500 lbs gw (555 lbs ww).*

**SFA ECFS supports Preferred Alternative 1 (No Action) for RA-14 Action 5.**

ABC/ACLs and commercial split season ACLs using the current fishing season for 2013-2016 based on the recent SEDAR assessment and the South Atlantic Council/SSC approved ABC control rule.

Year	ABC ww	Total ACL ww	Comm ACL ww	Comm ACL Jan-June ww	Comm ACL July-Dec ww
2013	1,372,000	1,372,000	932,960	466,480	466,480
2014	1,312,000	1,312,000	892,160	446,080	446,080
2015	1,289,000	1,289,000	876,520	438,260	438,260
2016	1,269,000	1,269,000	862,920	431,460	431,460

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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### **Action 6. Modify the trip limit for the commercial sector for gag**

**Preferred Alternative 2.** Reduce the trip limit when 75% of the gag commercial ACL is landed.

**Preferred Sub-alternative 2c.** Reduce the trip limit to 300 lbs gw

SFA ECFS supports the Preferred Alternative 2, Preferred Sub-alternative 2c, for the RA-14 Action 6.

**SNAPPER GROUPE AP RECOMMENDATION:** The Snapper Grouper AP recommended that the commercial trip limit for gag be reduced to 300 pounds once 75% of the ACL is met or projected to be met (Sub-alternative 2c). The alternative was initially included under this action based on a recommendation from the AP. The intent of their recommendation was to allow for a longer season and minimize the amount of discards when fishermen target other shallow water grouper species.

### **Action 7. Modify the recreational accountability measure for vermillion snapper**

**Preferred Alternative 4.** If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL, the AA will file a notification to close the recreational fishery for the remainder of the fishing year. Payback of a recreational overage would only take place if vermillion snapper are overfished and the Total ACL is exceeded *due to an overage in the recreational ACL. The amount of the overage would be deducted from the following year's recreational ACL.*

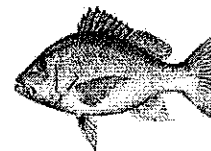
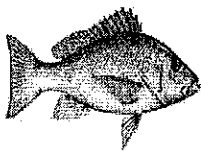
NOTE: Italicized text denotes suggested changes that have not yet been approved by the Council.

SFA ECFS supports Preferred Alternative 4 for the RA-14 Action 7.

**SNAPPER GROUPE AP RECOMMENDATION:** The AP recommended Alternative 4 as the preferred. The AP reasoned that Alternative 4 would provide ample protection for the stock at this time, given the fluctuating numbers, but yet will not cause undue harm. That is, Alternative 4 meets the intent of Alternative 3 and provides a safety net with the payback provision.

Jimmy Hull, Chairman, SFA ECFS  
jgh/rhh

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Coral Fishery Management Plan Amendment 8

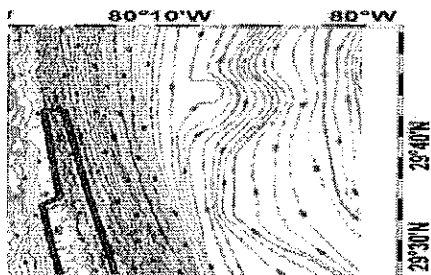
CoralAm8Comments@safmc.net

Mr. Mahood,

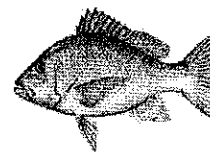
The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on Coral fishery management plan (FMP) Amendment 8. SFA ECFS preferred alternatives are presented, and comments from SFA ECFS are in "red" under each of the four actions.

First, we suggest that Coral Amendment 8 should be delayed by at least 3 months before it is moved on to the Secretary of Commerce for approval. Some portions of the socio-economic impact analysis has only been available since after the June 2013 SAFMC meeting. For months, we have asked to see this socio-economic analysis as it affects several user groups within our organization, and now we have a small time period to review and comment on the amendment. The information from recent public presentations by the SAFMC on Coral Amendment 8 underestimates the impact to the snapper-grouper and rock shrimp fleet. We feel the economic impact will be much more significant than estimates presented by the SAFMC.

We have serious concerns about the physical analysis used for new restrictions to areas with no anchoring, etc. We are concerned with over-reach with the SAFMC's preferred Oculina Bank Habitat Area of Particular Concern (HAPC), especially with the potential inclusion of low relief hard bottom from 29 degrees 33 minutes North to 29 degrees 43 minutes North. This approximate 6-mile long finger pointing north is unnecessary and should be eliminated from further Oculina Bank HAPC consideration. Also, the 70 meter (230 feet) contour should be closely followed, instead of incorporating inshore "hard bottom features" where fishermen historically anchored and rock shrimpers avoided dragging over to minimize gear damage.



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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### Proposed Actions in Coral Amendment 8

#### Action 1. Expand Boundaries of the Oculina Bank HAPC

**Preferred Sub-Alternative 2b.** Deepwater Shrimp AP recommendation for northern extension. The Deepwater Shrimp AP recommendation is to adjust the southern portion of the eastern boundary line of the proposed Oculina Bank HAPC northern extension identified in Alternative 2a. The adjustments are to move the boundary west to further reduce fishing tracks impacted. The revised polygon would reduce the rock shrimp VMS points (2-4 knots) for the available time series (2003-2013) to 4.2% from 5.5% in Alternative 2a. The replacement of two coordinates would further modify the western boundary and result in a slight reduction (0.09%) in the number of rock shrimp VMS points (2003-2013) (2-4 knots) (**Figures S-3 and S-4**). Sub-alternative 2b = 267 square miles.

**IPT<sup>1</sup> recommendation for language revisions to Preferred Sub-Alternative 2b:**  
*Modify the Oculina Bank HAPC to move the northern boundary to 29° 43.5'N. The western boundary would follow close to the 70 meter contour while annexing hard bottom features with two coordinates replaced in the southern portion of the boundary to reduce rock shrimp fishing tracks impacted. The eastern boundary line of the proposed Oculina Bank HAPC northern extension identified in Alternative 2a would be shifted west to further reduce rock shrimp fishing tracks impacted. The alternative is represented in the simplified polygons **Figures S-3 and S-4**. Sub-alternative 2b = 267 square miles*

SFA ECFS is willing to support part, but not all, of the Preferred Sub-Alternative 2b action. The 70 meters of depth (rounded up to 230 feet of depth, so that SAFMC fishermen can understand the actual depth) seaward to 100 meters (rounded down to 328 feet of depth), north to 29 degrees 33 minutes North is acceptable. We do not support the northern boundary of 29 degrees 43.5 minutes North.

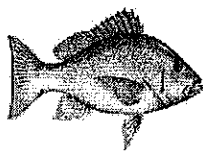
Also, we are against annexing "hard bottom features" inshore of the 70 meters of depth for the western boundary, thus causing more enforcement confusion as to depth because of the coordinate points referenced in the Appendix M to the Coral Amendment 8, and more reduction of anchoring in areas with no Oculina Coral features. Likewise, the area north of 29 degrees 33 minutes North does not contain any Oculina, but instead appears to be low relief hard bottom.

SFA ECFS has concern with the socio-economic analysis used for Coral Amendment 8 public hearing version environmental assessment due to the tardiness of the

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<sup>1</sup> **Note:** The Interdisciplinary Plan Team (IPT) is comprised of a team of analysts that develops the Biological, Economic, Social and Administrative analyses for the document.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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SAFMC Staff presentation of the impacts for review. We take exception to Table 4-6 on page 106 (PDF page 119 of 167 pages)<sup>2</sup>, detailing the commercial Snapper Grouper (SG) collective economic loss with both Preferred Sub-Alternative 2b and Alternative 3 combined total of nearly \$56,000.00 (\$42,941.00 [2b] & \$12,672.00 [3]) annually. Did the SAFMC analysis use all of the existing 678 commercial SG permits<sup>3</sup> as a measurement input, or did the SAFMC only use the vessel logbooks home ported nearest the Coral Amendment 8 proposed expansions of the Oculina Bank HAPC areas from Fort Pierce north to St. Augustine, Florida, or did the SAFMC only use the logbooks of the vessels that indicated they fished in that area with landings as a metric of socio-economic impact in this analysis? We disagree with the minimal impact description to the commercial SG fleet used in the public hearing presentation on slide # 10.<sup>4</sup>

**Preferred Alternative 3.** Modify the western boundary of the Oculina Bank HAPC from 28° 4.5'N to the north boundary of the current Oculina HAPC (28° 30'N). The east boundary would coincide with the current western boundary of the Oculina HAPC (80° W). The west boundary could either use the 60 meter contour line, or the 80° 03'W longitude (**Figures S-6 and S-7**). Alternative 3 = 76 square miles.

The Coral Amendment 8 rule making should have made the modifications between the existing satellite areas in the Oculina Bank HAPC for this Alternative 3 into a separate action. With that said, we support the smallest area involved to reduce the estimated \$12,672 dollars of annual impact upon stakeholders. The SAFMC Scientific and Statistical Committee (SSC) offered to assist in reviewing analyses such as the socio-economic impacts to the fishing sectors by email or other means,<sup>5</sup> but to date we have not seen that review by the SSC.

### Action 2. Implement a Transit Provision through the Oculina Bank HAPC

**Preferred Alternative 3.** Allow for transit through the Oculina Bank HAPC with possession of rock shrimp on board. When transiting through the HAPC, vessels must maintain a minimum speed of not less than 5 knots, determined by a ping rate acceptable by law enforcement (i.e. 5 minutes), with gear appropriately stowed (stowed is defined as doors and nets out of water).

SFA ECFS generally agrees with the Preferred Alternative 3. However, during serious wind events where winds blowing against the Gulf Stream current in those depths

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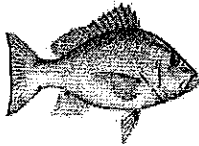
<sup>2</sup> <http://www.safmc.net/LinkClick.aspx?fileticket=gsz9%2bX2ckV4%3d&tabid=737>

<sup>3</sup> [http://sero.nmfs.noaa.gov/operations\\_management\\_information\\_services/constituency\\_services\\_branch/permit\\_s/permit\\_apps/index.html](http://sero.nmfs.noaa.gov/operations_management_information_services/constituency_services_branch/permit_s/permit_apps/index.html)

<sup>4</sup> <http://www.safmc.net/LinkClick.aspx?fileticket=i%2fF9uB3ANkQ%3d&tabid=737>

<sup>5</sup> <http://www.safmc.net/LinkClick.aspx?fileticket=Av68JRAaHq8%3d&tabid=737> PDF page 15 of 32 pages

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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making steady speeds, such as 5 knots or more, problematic for navigation of a shrimping vessel. NMFS needs to consider severe weather conditions as a mitigating factor in the areas of concern involving transiting shrimping vessels, so as to reduce the potential of unnecessary enforcement action.

### Action 3. Expand Boundaries of the Stetson-Miami Terrace CHAPC

**Preferred Alternative 4.** The recommendation is a back-up preferred Alternative for the proposed extension of the Stetson-Miami Terrace CHAPC. The back-up recommendation includes Alternative 2 as proposed with inclusion of a new Shrimp Fishery Access Area for drift haulback as represented in **Figure S-10**. With the inclusion of a new Shrimp Fishery Access Area in Alternative 2, royal red shrimp fishing, or VMS points (2-4 knots) (2003-2013) would be further reduced to 0.1% from 0.7% for Alternative 2 alone (**Figure S-10**). Alternative 4 = 490 square miles.

IPT recommendation for language revisions to **Preferred Alternative 4**:

***Preferred Alternative 4.** Modify the southern southeast boundary of the Stetson-Miami Terrace CHAPC western extension in a manner that releases the flatbottom region to the extent possible while maintaining protection of coral habitat. Allow for a Shrimp Fishery Access Area to be used as a gear haul back/drift zone as shown in **Figure S-10**. Alternative 4 = 490 square miles.*

SFA ECFS agrees to Preferred Alternative 4 and the language revision recommendation of the IPT.

### Action 4. Expand Boundaries of the Cape Lookout CHAPC

**Preferred Alternative 2.** Extend the northern boundary to encompass the area identified by the following coordinates (**Figure S-12**) (Alternative 2 = 10 square miles): Latitude Longitude

34°24.6166' 75°45.1833'

34°23.4833' 75°43.9667'

34°27.9' 75°42.75'

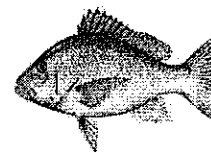
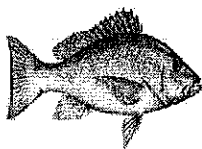
34°27.0' 75°41.5'

SFA ECFS agrees with Preferred Alternative 2 to expand the boundaries of the Cape Lookout CHAPC to protect Coral ecosystems.

Jimmy Hull, Chairman, SFA ECFS  
jgh/rhh/pjb



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Joint Generic Dealer Amendment Proposed Action For Public Hearing Comment  
JointDealerAmendPHComments@safmc.net

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on the Joint Generic Dealer Amendment. SFA ECFS preferred alternatives are presented, and comments from SFA ECFS are in "red" under each of the three actions.

### **Proposed Actions in the Joint Generic Dealer Amendment**

#### **Action 1. What dealer permits would be required and for which species?**

**Preferred Alternative 2:** Establish one federal dealer permit for the Gulf of Mexico and South Atlantic regions.

**Preferred Option 2b.** Require a single dealer permit to purchase the following federally-managed species or species complexes, except South Atlantic coral, South Atlantic *Sargassum*, and Gulf of Mexico coral and coral reefs, and penaeid shrimp species.

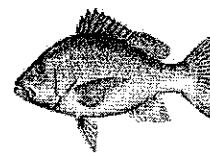
- Atlantic Dolphin-Wahoo
- South Atlantic Golden Crab
- South Atlantic Rock Shrimp
- South Atlantic Snapper Grouper (including wreckfish)
- Gulf of Mexico Reef Fish
- *Gulf of Mexico and South Atlantic Coastal Migratory Pelagics*
- *Gulf of Mexico and South Atlantic Spiny Lobster*
- *Gulf of Mexico Red Drum*

*(Note: Italics designate additional new species that currently require dealer permits.)*

**[Note: It is the Councils' intent that the generic dealer permit requirements apply to any dealer purchasing South Atlantic Council managed species and to all federally permitted**

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# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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vessels that sell South Atlantic Council managed species. This would require that permitted vessels can only sell to permitted dealers in those fisheries where a dealer permit exists. This will also apply to for-hire vessels with a for-hire Coastal Migratory Pelagics Permit and to vessels with a federal spiny lobster tailing or spiny lobster permit.]

SFA ECFS supports Preferred Alternative 2, Preferred Option 2b and Preferred Alternative 3 wording for the Joint Generic Dealer Amendment Action 1.

### Action 2. How frequently and by what method would dealers be required to report?

**Preferred Alternative 3:** Require forms be submitted *electronically* (via computer or internet).

**Preferred Option 3b. Weekly.** Forms from trips landing between Sunday and Saturday must be submitted to the SRD by 11:59 P.M. local time on the following Tuesday.

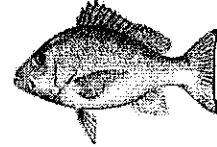
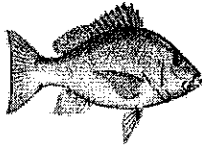
[Note: The South Atlantic Council clarified that allowing dealers to report ahead of time if they are closed meets the intent of the weekly reporting in the preferred alternative. The current program design will allow dealers to report up to 90 days ahead of time and this was satisfactory to the Council. The Council also wanted to allow flexibility for NMFS to modify this allowance and so did not specify a time limit.]

**Preferred Alternative 5:** During catastrophic conditions only, the ACL monitoring program provides for use of paper-based components for basic required functions as a backup. The Regional Administrator (RA) will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed effected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the Federal Register, NOAA weather radio, fishery bulletins, and other appropriate means and will authorize the affected participants' use of paper-based components for the duration of the catastrophic conditions. The paper forms will be available from NOAA Fisheries. The RA has the authority to waive or modify reporting time requirements.

[Note: Any selected Preferred Alternative will include "Dealers reporting purchases of king mackerel landed by the gillnet sector for the Gulf West Coast Florida Southern Sub Zone must submit forms daily by 6:00 A.M."]

SFA ECFS supports Preferred Alternative 3, Preferred Option 3b and Preferred Alternative 5 wording for the Joint Generic Dealer Amendment Action 2.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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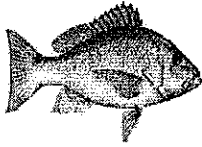
**Action 3.** Are there requirements for maintaining a dealer permit?

**Preferred Alternative 2:** "No purchase forms" must be submitted at the same frequency, via the same process, and for the same species as specified for "purchased forms" in Actions 1 and 2. A dealer would only be authorized to receive commercially-harvested species if the dealer's previous reports have been submitted by the dealer and received by NMFS in a timely manner. Any delinquent reports would need to be submitted by the dealer and received by NMFS before a dealer could receive commercially harvested species from a federally-permitted U.S. vessel.

**SFA ECFS supports Preferred Alternative 2 wording for the Joint Generic Dealer Amendment Action 3.**

Jimmy Hull, Chairman  
SFA ECFS  
jgh/rhh

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Dolphin Wahoo Fishery Management Plan Amendment 5 Proposed Four Actions and the  
SFA ECFS Preferred Alternatives [DWAmend5Comments@safmc.net](mailto:DWAmend5Comments@safmc.net)

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on Dolphin-Wahoo (DW) fishery management plan (FMP) Amendment 5. SFA ECFS preferred alternatives are presented, and comments from SFA ECFS are in "red" under each of the four actions.

### ***SAFMC Actions***

#### **Action 1. Revise acceptable biological catches (ABCs), annual catch limits (ACLs). And annual catch targets (ACTs) for dolphin and wahoo.**

**Preferred Alternative 2.** Revise the acceptable biological catches, annual catch limits, and annual catch targets for dolphin and wahoo with landings from Marine Recreational Information Program, commercial accumulated landings system, and NMFS headboat survey.

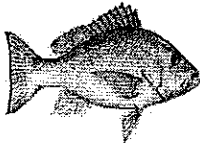
**SFA ECFS supports Preferred Alternative 2 for Action 1.**

#### **Action 2. Revise the accountability measures (AMs) for dolphin and wahoo.**

**Alternative 1 (No Action).** (1) Commercial sector. If commercial landings as estimated by the Science and Research Director (SRD), reach or are projected to reach the commercial ACL, the Regional Administrator shall publish a notice to close the commercial sector for the remainder of the fishing year.

(2) Recreational sector. If recreational landings, as estimated by the SRD, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings and, if necessary, the RA shall publish a notice to reduce the length of the following recreational fishing season by the amount necessary to ensure

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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recreational landings do not exceed the recreational ACL in the following fishing year. However, the length of the recreational season will also not be reduced during the following fishing year if the RA determines, using the best scientific information available, that a reduction in the length of the following fishing season is unnecessary.

**SFA ECFS supports Alternative 1 (No Action) for Action 2 as a Preferred Alternative.**

### **Action 3. Revise the framework procedure in the Dolphin Wahoo FMP.**

**Preferred Alternative 2.** Include the following in the Dolphin Wahoo FMP framework: Update the framework procedure to revise the specification of Total Allowable Catch (TAC) for the Dolphin Wahoo FMP in terms that incorporate ACLs, ACTs, and AMs. Such modifications would be based upon new scientific information indicating such modifications are prudent. Changes to the ACLs, ACTs and AMs will be made using the following procedure once the new ACLs, ACTs and AMs are established by the Council. The framework language will reflect SEDAR and SSC roles in setting MSY, OY, and ABC. The framework will also allow for modifications of the acceptable biological catch (ABC) Control Rule for dolphin and wahoo.

**SFA ECFS supports Preferred Alternative 2 for Action 3.**

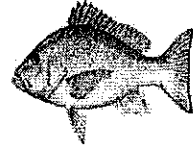
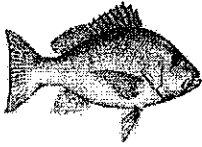
**Preferred Alternative 3.** Institute an abbreviated process for revising ABCs, ACLs and ACTs according to the existing ABC Control Rule as outlined below:

**SFA ECFS supports Preferred Alternative 3 for Action 3.**

**10.** Adjustments to ABCs, ACLs, and ACTs according to the existing ABC Control Rule(s) and formulas for specifying ACLs and ACTs that have been approved by the Council and that were implemented in a fishery management plan amendment to the FMP. This abbreviated process is authorized as follows:

- a.** Following the Scientific and Statistical Committee's (SSC's) review of the stock assessment, the Council will determine if changes are needed to ABC, ACL, and/or ACT and will so advise the RA.
- b.** The Council will first hold a public hearing during the Council meeting during which they will review the stock assessment and the SSC's recommendations. In addition, the public will be advised prior to the meeting that the Council is considering potential changes to the ABC, ACL, and/or ACT and the Council will provide the public the opportunity to comment on the potential changes prior to and during the Council meeting.
- c.** If the Council then determines that modifications to the ABC, ACL, and/or ACT are necessary and appropriate, they will notify the RA of their recommendations in a letter with the Council's

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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analysis of the relevant biological, economic, and social information necessary to support the Council's action.

d. The RA will review the Council's recommendations and supporting information. If the RA concurs that the Council's recommendations are consistent with the objectives of the FMP, the Magnuson-Stevens Fishery Conservation and Management Act, and all other applicable law, the RA is authorized to implement the Council's proposed action through publication of appropriate notification in the Federal Register, providing appropriate time for additional public comment as necessary.

e. If the Council chooses to deviate from the ABC control rule(s) and formulas for specifying ACLs and ACTs that the Council previously approved and that were implemented in a fishery management plan amendment to the FMP, this abbreviated process would not apply, and either the framework procedure would apply with the preparation of a regulatory amendment or a fishery management plan amendment would be prepared. Additionally, the Council may choose to prepare a regulatory amendment or a fishery management plan amendment even if they do not deviate from the previously approved ABC control rule(s) and formulas for specifying ACLs and ACTs.

11. If NMFS decides not to publish the proposed rule for the recommended management measures, or to otherwise hold the measures in abeyance, then the RA must notify the South Atlantic Council of its intended action and the reasons for NMFS concern along with suggested changes to the proposed management measures that would alleviate the concerns. Such notice shall specify: 1) The applicable law with which the amendment is inconsistent; 2) the nature of such inconsistencies; and 3) recommendation concerning the action that could be taken by the South Atlantic Council to conform the amendment to the requirements of applicable law.

### **Action 4. Establish a commercial trip limit for dolphin in the exclusive economic zone (EEZ) in the South Atlantic Council's area of jurisdiction.**

**Alternative 1.** No action. There is no commercial trip limit for dolphin for commercial dolphin wahoo permit holders.

**SFA ECFS supports Alternative 1 (No Action) for Action 4 as a Preferred Alternative.**

Jimmy Hull, Chairman  
SFA ECFS  
jgh/rhh



**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

**PUBLIC COMMENT ATTENDANCE RECORD**

**Council Meeting - Public Comment**

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

Mike Lata

TELEPHONE NUMBER (& AREA CODE)

843-437-6608

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

302 Magnolia Charleston, SC

EMAIL ADDRESS

MikeLata@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Fig Restaurant + The Ordinary

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

☐

Coastal Migratory Pelagics (Mackerel) Amendment 19

☐

Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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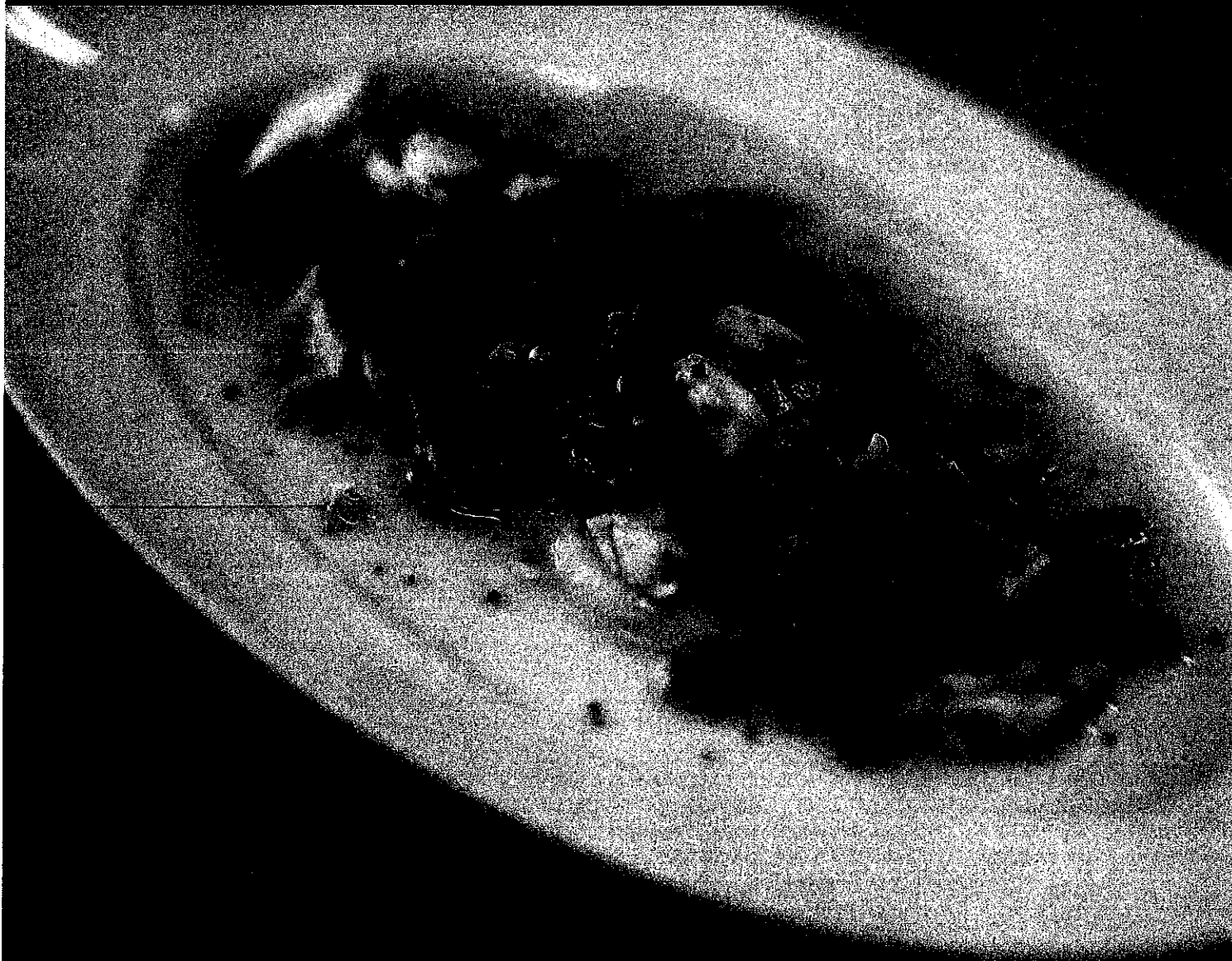
Coral Amendment 8

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Other

Charleston Area Hospitality Association

# FISHERIES MANAGEMENT







## OVERVIEW

Visitors travel to a variety of destinations in the United States for a unique, culinary experience which is largely dependent upon locally harvested seafood. Local chefs have become true supporters of the "buy local" initiative and know that through this there is the opportunity to provide their customers, locals and visitors, with a better quality and a better tasting product.

If we don't provide the much needed support for the commercial fishing industry around the United States, we are in danger of losing the freshest and finest seafood that could be offered, and the demise of the commercial fishing industry.

## INDUSTRY INFORMATION

Fishermen in South Carolina and the wider South Atlantic coast are now fishing under historically low fishing quotas during seasons that can only be described as "derby" seasons (all fisherman race out to catch as much fish as they can before the quota closes regardless of weather and other safety conditions) based on stock assessments that more often than not are based on very little data.

Most of the species that chefs rely on for their menus are caught in federal waters and are managed by one of the regional fishery management councils based on guidance and science provided by the particular regional office of the NOAA National Marine Fisheries Service.

By law, as prescribed in the Magnuson-Stevens Fishery Conservation and Management Act (MSA), when one of these assessments identifies a fishery as undergoing overfishing drastic measures must be taken immediately to end that overfishing often resulting in closed fisheries (red snapper) or huge quota reductions (vermillion snapper and black sea bass) with little time for businesses to plan or adjust.





# CHEF MARC COLLINS

Circa 1886

**Q:** How important is the local food movement to Charleston?

**A:** It's probably cornerstone to what Charleston is these days. Everything we do here is about local and sustainable foods.

**Q:** How do you interact with suppliers on a day-to-day basis?

**A:** We are always in contact with local suppliers through email or just talking on the phone with anyone that is out there cultivating things that are local, just trying to get them in our back door so to speak.

**Q:** How important is the relationship with local suppliers?

**A:** Our relationships with local suppliers are very important; it helps us design our menus and create menu items in which we can use their foods. That relationship needs to be pretty tight knit, so we understand what they are doing, and they understand what we are doing. They can prepare for foods we might want versus just planning things and hoping that they can just sell to us. They are trying to gear it towards more of what we need.

**Q:** What is the alternative?

**A:** Fish as it stands now is very expensive. I have seen prices increase over the past couple of years. If we could see some changes to alleviate some of the pressures on fishermen to help them get their product to us, we would be grateful. It's very beneficial to us, otherwise we have to look to different areas to get those things and more costs are involved that we have to pass along to our customers. We like the regional sustainability of those products that we are getting off of the coast here. The more in tune we are with the seafood and with the environment from which we are getting it, the more we can make better choices to help satisfy the needs of our guests.

**Q:** Why is it important to reassess the data for the Magnuson-Stevens Act?

**A:** I think that in today's technologically advanced world, we lag behind in collecting data that I think is paramount. Some of the areas within our infrastructure are woefully outdated, and the Magnuson-Stevens Act is one of those that need to be addressed. I think the tools are there, but it is just a matter of getting tools into the right hands, so I think that just needs to be assessed.

# CHEF FRANK McMAHON

Hank's Seafood Restaurant

**Q:** How important is the local food movement to Charleston?

**A:** It's crucial. The continued sustainability and availability of the species that are indigenous is crucial to the food scene here.

**Q:** How do you interact with suppliers on a day-to-day basis?

**A:** Daily. We are always in constant contact with what's available and what you can get with the purveyors.

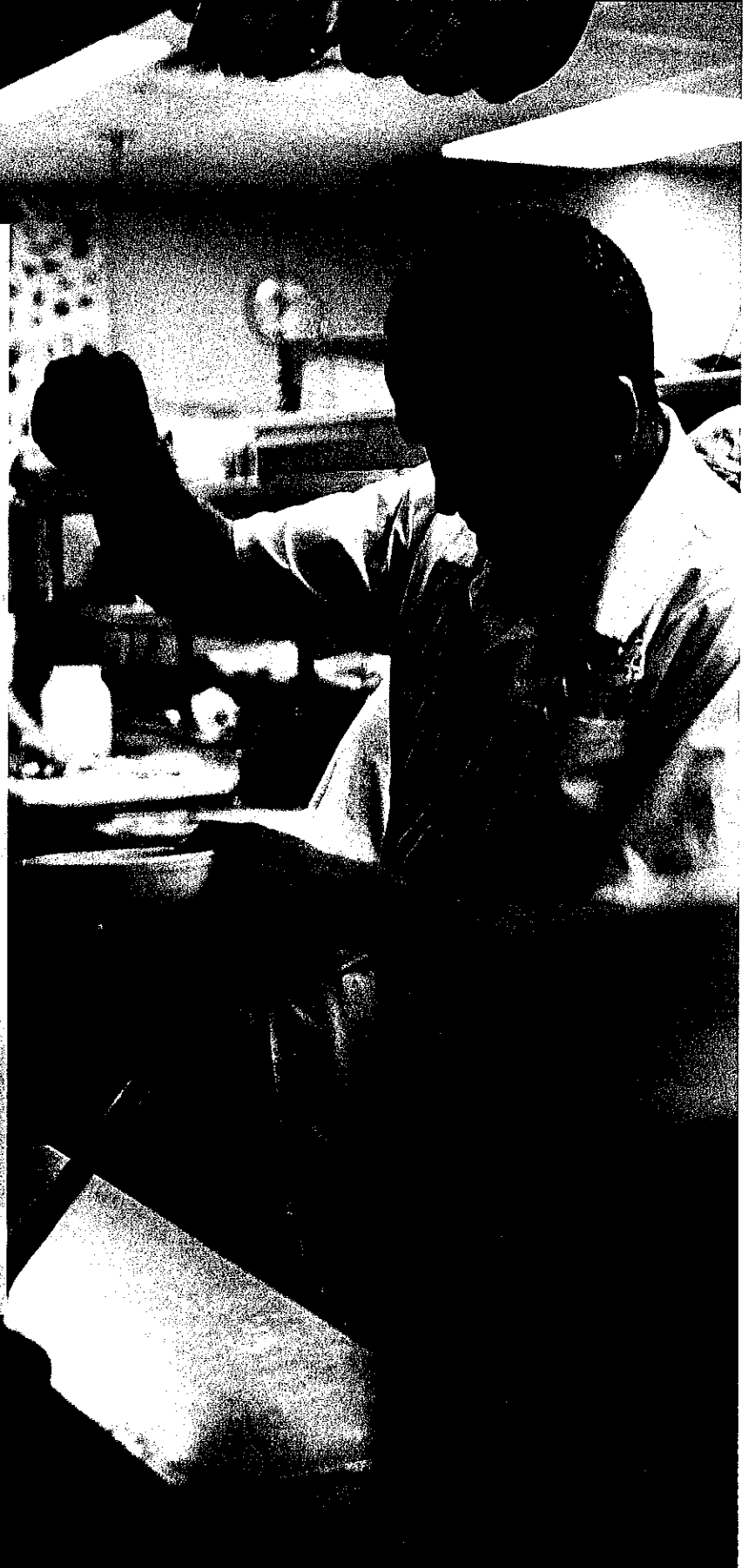
**Q:** How important is the relationship with local suppliers?

**A:** It's a symbiotic relationship; we depend on each other. We've got to get them to cultivate the seafood and bring it in, and it's our job to present this and sell it.

**Q:** Why is it important to reassess the data for the Magnuson-Stevens Act?

**A:** Everyone wants to see the species have the opportunity to get replenished; everyone wants to make sure that we don't deplete the species to the point where we can't have them anymore. We also want good product to sell. We can work it out, but let's have real data, that is solid, before we make these decisions.

If we need to shut down a fish for a period of time, then let's do it. Let's just not close the blanket on everything, just like that.





# CHEF DAVID PELL

Coast Bar & Grill

**Q:** How important is the local food movement to Charleston?

**A:** If you aren't serving local food, you are out, because customers want it. We advertise Charleston local seafood and Charleston's freshest seafood. If we don't have that, we would absolutely lose customers and business for sure.

**Q:** How do you interact with suppliers on a day-to-day basis?

**A:** Phone calls, text messages, sometimes they swing by, but generally over the phone. The purveyors that I use – we probably have 30 or 40 total – the farmers and the fishermen, it's day-to-day or at least once a week with them depending on how much we get from them.

**Q:** How important is the relationship with local suppliers?

**A:** It's definitely more personal, and there is more communication about the product. The quality stays higher for the local food, and it is fresher. Fresh is common sense.

**Q:** What is the alternative?

**A:** It is definitely important for me to support the state, the economy, and the livelihood of these folks. It's a mutual relationship; it's good for everybody. We're supporting the farmers, the fishermen, etc., and they, in return, are supplying us with high quality product that means more business for us and ideally generates on itself and gets better and better over time.

With the larger distributors, they don't know as much about the product. They are going to ship the product whether it is good or not, and the quality is not as consistent.

**Q:** Why is it important to reassess the data for the Magnuson-Stevens Act?

**A:** There is a balance out there that needs to be maintained and protected. I think we are all in agreement that we don't just want to go out there and fish. We want to be able to eat seafood in 20 years. If it's not controlled properly, it's going to happen, that's inevitable.

# CHEF DREW HEDLUND

Fleet Landing

**Q:** How important is the local food movement to Charleston?

**A:** I definitely think it is endemic to what we do here and part of the culture that we live in. It's definitely been a boom. Our cuisine is something to be marveled at.

**Q:** How important is the relationship with local suppliers?

**A:** One of our motifs here is that we try to gain and grasp as much locally sourced seafood as we can for several reasons. One is for the fisherman because it is the right thing to do; it's a fresh product; it's a local product. It's really a no brainer.

I know that our guests, locals and tourists alike identify with the fact that we are buying this local fresh product that is available that it isn't elsewhere. It's a regular basis for us; it's something that happens every week...almost everyday. It makes it very easy for you to shine with these products.

**Q:** Why is it important to reassess the data for the Magnuson-Stevens Act?

**A:** Just the transparency of data, the way, more importantly, that that data is collected and shared is just integrally important for all. The government is not making it super easy for fishermen to make an honest living in my opinion.

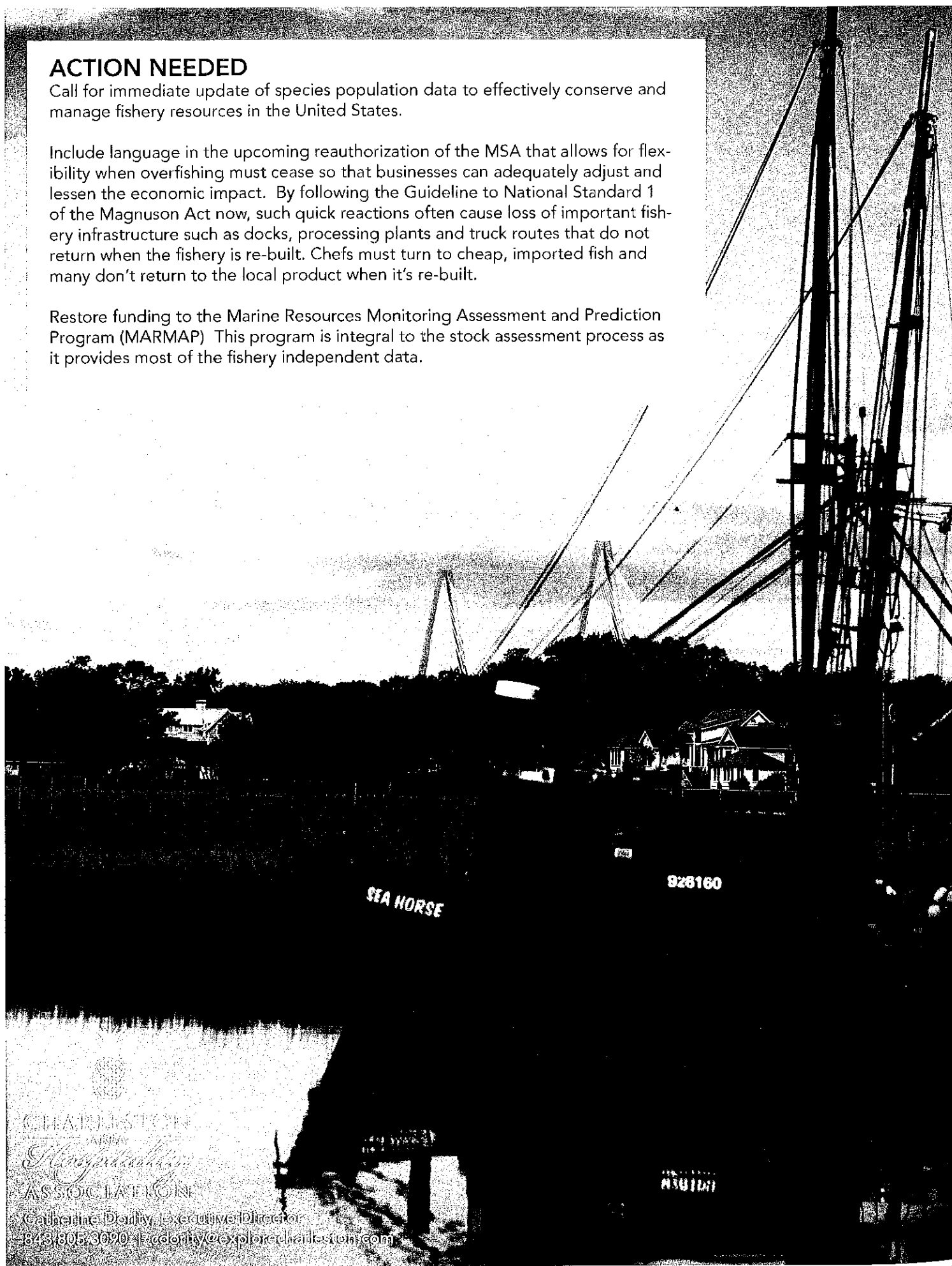


## ACTION NEEDED

Call for immediate update of species population data to effectively conserve and manage fishery resources in the United States.

Include language in the upcoming reauthorization of the MSA that allows for flexibility when overfishing must cease so that businesses can adequately adjust and lessen the economic impact. By following the Guideline to National Standard 1 of the Magnuson Act now, such quick reactions often cause loss of important fishery infrastructure such as docks, processing plants and truck routes that do not return when the fishery is re-built. Chefs must turn to cheap, imported fish and many don't return to the local product when it's re-built.

Restore funding to the Marine Resources Monitoring Assessment and Prediction Program (MARMAP) This program is integral to the stock assessment process as it provides most of the fishery independent data.



CHARLESTON  
AREA  
*Explorers*  
ASSOCIATION

Catherine Dornay, Executive Director  
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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

Chris Papera

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Charter Captain ATLANTIC Bluewater Fly Fishing

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

MATT RUBY

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other





SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

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Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH

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STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other

yes



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SPA East Coast Fisheries Section

CHECK IF YOU WISH

TO MAKE A  
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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

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Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

South Carolina Sea Food Alliance

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



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4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

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Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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NORTH CHARLESTON, SOUTH CAROLINA 29405

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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

AP member

CHECK IF YOU WISH  
TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



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NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH  
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STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



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4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

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Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



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4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

FL Keys Commercial Fishermen's Assn

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



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4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

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Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

The Pew Charitable Trusts

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Kenyon SEA Food

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
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## PUBLIC COMMENT ATTENDANCE RECORD

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Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

JASON WARD

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH  
TO MAKE A  
STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other

Not sure if he wants to speak

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SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Coastal Angler Magazine

CHECK IF YOU WISH  
TO MAKE A  
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☐

Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other

NO



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Georgetown Landing Marina

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

☐

Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

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EMAIL ADDRESS

scmarinaassn@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SCMA

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

☐

Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

☐

Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

☐

Coral Amendment 8

☐

Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

Kerry Marhefka

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1047 Wharf Indigo

EMAIL ADDRESS

mt.p

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH

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STATEMENT

NO

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



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4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

PUBLIC COMMENT ATTENDANCE RECORD

Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

Errest Branham

TELEPHONE NUMBER (& AREA CODE)

(803) 697-4367

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

971 SCOTLAND DRIVE

EMAIL ADDRESS

errest.branham@ATT.NET

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH

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STATEMENT

NO

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

☐

Coral Amendment 8

☐

Other





SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

☐

Coral Amendment 8

☐

Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER (& AREA CODE)

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

Catherine Dority

TELEPHONE NUMBER (& AREA CODE)

843-805-3090

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

423 King St. Charleston SC 29403

EMAIL ADDRESS

cdority@explorecharleston.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Charleston Area Hospitality Association

CHECK IF YOU WISH

TO MAKE A  
STATEMENT

☐

Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

### Council Meeting - Public Comment

Snapper Grouper Regulatory Amendment 14, Dolphin Wahoo Amendment 5, Coral Amendment 8,  
Coastal Migratory Pelagics Amendments 19, 20 and Framework

LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

Legare Smith

TELEPHONE NUMBER (& AREA CODE)

843-345-6779

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

1470 Goble Ave

EMAIL ADDRESS

oceanlegare@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

private boat captains, charter captains, RFA

CHECK IF YOU WISH

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STATEMENT

☐

Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

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Snapper Grouper Reg Amendment 14

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Dolphin Wahoo Amendment 5

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Coral Amendment 8

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Other



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NORTH CHARLESTON, SOUTH CAROLINA 29405

## PUBLIC COMMENT ATTENDANCE RECORD

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LOCATION OF MEETING (CITY & STATE)

Charleston, SC

DATE OF MEETING

September 19, 2013

YOUR NAME (PLEASE PRINT)

Jonathan B. Harpe

TELEPHONE NUMBER (& AREA CODE)

864-356-5830

MAILING ADDRESS (PLEASE INCLUDE STREET OR BOX NO., CITY, STATE, & ZIP CODE)

683 Ellis St. Charleston SC 29464

EMAIL ADDRESS

Jonathan.Harpe@gmail.com

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CHECK IF YOU WISH

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STATEMENT

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Coastal Migratory Pelagics (Mackerel) Amendment 19

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Coastal Migratory Pelagics (Mackerel) Amendment 20

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Coastal Migratory Pelagics (Mackerel) Framework

☐

Snapper Grouper Reg Amendment 14

☐

Dolphin Wahoo Amendment 5

☐

Coral Amendment 8

☐

Other

69	MacLauchlin, Bill	<a href="mailto:billmac@charter.net">billmac@charter.net</a>	242 min
62	Laban, Elisabeth	<a href="mailto:labane@dnr.sc.gov">labane@dnr.sc.gov</a>	389 min
58	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	503 min
54	conklin, chris	<a href="mailto:conklincc@gmail.com">conklincc@gmail.com</a>	73 min
53	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	359 min
39	Bresnen, Anthony	<a href="mailto:anthony.bresnen@myfwc.com...">anthony.bresnen@myfwc.com...</a>	509 min
39	michie, kate	<a href="mailto:kate.michie@noaa.gov">kate.michie@noaa.gov</a>	395 min
39	Knowlton, Kathy	<a href="mailto:kathy.knowlton@gadnr.org">kathy.knowlton@gadnr.org</a>	186 min
37	raine, karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	388 min
36	burton, michael	<a href="mailto:michael.burton@noaa.gov">michael.burton@noaa.gov</a>	183 min
35	Stump, Ken	<a href="mailto:maggiewdc@gmail.com">maggiewdc@gmail.com</a>	447 min
33	malinowski, rich	<a href="mailto:rich.malinowski@noaa.gov">rich.malinowski@noaa.gov</a>	136 min
33	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	435 min
33	Lee, Jennifer	<a href="mailto:jennifer.lee@noaa.gov">jennifer.lee@noaa.gov</a>	460 min
31	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	497 min
30	Ballenger, Joseph	<a href="mailto:ballengerj@dnr.sc.gov">ballengerj@dnr.sc.gov</a>	462 min
29	sandorf, scott	<a href="mailto:scott.sandorf@noaa.gov">scott.sandorf@noaa.gov</a>	480 min
29	Herndon, Andrew	<a href="mailto:andrew.herndon@noaa.gov">andrew.herndon@noaa.gov</a>	114 min
28	E, A	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	404 min
28	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	410 min
28	froeschke, j	<a href="mailto:john.froeschke@gulfcounci...">john.froeschke@gulfcounci...</a>	408 min
25	FARMER, NICK	<a href="mailto:nick.farmer@noaa.gov">nick.farmer@noaa.gov</a>	225 min
24	pugliese, roger	<a href="mailto:roger.pugliese@safmc.net">roger.pugliese@safmc.net</a>	77 min
24	Pate, Michelle	<a href="mailto:pates@dnr.sc.gov">pates@dnr.sc.gov</a>	120 min
24	Brame, Adam	<a href="mailto:adam.brame@noaa.gov">adam.brame@noaa.gov</a>	72 min
23	Bademan, Martha	<a href="mailto:martha.bademan@myfwc.com">martha.bademan@myfwc.com</a>	99 min
22	Sedberry, George	<a href="mailto:george.sedberry@noaa.gov">george.sedberry@noaa.gov</a>	59 min
22	Recks, Melissa	<a href="mailto:melissa.recks@myfwc.com">melissa.recks@myfwc.com</a>	62 min

22	Defilippi, Julie	<a href="mailto:julie.defilippi@accsp.org...">julie.defilippi@accsp.org...</a>	44 min
22	Sempsrott, Michell...	<a href="mailto:michelle.sempsrott@myfwc....">michelle.sempsrott@myfwc....</a>	95 min

57	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	240 min
54	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	313 min
49	holland, jack	<a href="mailto:jack.holland@ncdenr.gov">jack.holland@ncdenr.gov</a>	143 min
46	Stump, Ken	<a href="mailto:magpiewdc@gmail.com">magpiewdc@gmail.com</a>	45 min
44	Bademan, Martha	<a href="mailto:martha.bademan@myfwc.com">martha.bademan@myfwc.com</a>	290 min
42	jenkins, wallace	<a href="mailto:jenkinsw@dnr.sc.gov">jenkinsw@dnr.sc.gov</a>	107 min
40	Laban, elisabeth	<a href="mailto:labane@dnr.sc.gov">labane@dnr.sc.gov</a>	294 min
40	Gerhart, Susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	217 min
37	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	339 min
36	Gore, Karla	<a href="mailto:karlagore@gmail.com">karlagore@gmail.com</a>	152 min
35	malinowski, rich	<a href="mailto:rich.malinowski@noaa.gov">rich.malinowski@noaa.gov</a>	284 min
35	Michie, Kate	<a href="mailto:kate.michie@noaa.gov">kate.michie@noaa.gov</a>	160 min
35	sedberry, george	<a href="mailto:george.sedberry@noaa.gov">george.sedberry@noaa.gov</a>	292 min
34	E, A	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	318 min
33	Bresnen, Anthony	<a href="mailto:anthony.bresnen@myfwc.com...">anthony.bresnen@myfwc.com...</a>	291 min
32	sandorf, scott	<a href="mailto:scott.sandorf@noaa.gov">scott.sandorf@noaa.gov</a>	256 min
30	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	333 min
29	Tsao, Fan	<a href="mailto:fan.tsao@noaa.gov">fan.tsao@noaa.gov</a>	159 min
28	FARMER, NICK	<a href="mailto:nick.farmer@noaa.gov">nick.farmer@noaa.gov</a>	282 min
27	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	257 min
27	Herndon, Andrew	<a href="mailto:andrew.herndon@noaa.gov">andrew.herndon@noaa.gov</a>	212 min
26	Durkee, Drew	<a href="mailto:durkeeam@gmail.com">durkeeam@gmail.com</a>	136 min
25	Package-Ward, Chri...	<a href="mailto:christina.package-ward@no...">christina.package-ward@no...</a>	181 min
24	rindone, ryan	<a href="mailto:ryan.rindone@gulfcouncil...">ryan.rindone@gulfcouncil...</a>	115 min
23	Sempsrott, Michell...	<a href="mailto:michelle.sempsrott@myfwc....">michelle.sempsrott@myfwc....</a>	126 min
20	Lee, Jennifer	<a href="mailto:jennifer.lee@noaa.gov">jennifer.lee@noaa.gov</a>	0 min