

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **FULL COUNCIL SESSION**

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

**SEPTEMBER 17-18, 2015**

### **SUMMARY MINUTES**

#### **Council Members:**

Dr. Michelle Duval, Chair  
Mel Bell  
Dr. Roy Crabtree  
Jessica McCawley  
Chris Conklin  
Doug Haymans  
Dr. Wilson Laney  
LTJG Tara Pray

Charlie Phillips, Vice-Chair  
Jack Cox  
Anna Beckwith  
Ben Hartig  
Chester Brewer  
Mark Brown  
Zack Bowen

#### **Council Staff:**

Bob Mahood  
Mike Collins  
Dr. Kari MacLauchlin  
Kim Iverson  
Julie O'Dell  
Roger Pugliese

Gregg Waugh  
John Carmichael  
Chip Collier  
Dr. Mike Errigo  
Dr. Brian Chevront  
Amber Von Harten

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

Monica Smit-Brunello  
Dr. Bonnie Ponwith  
Tony DiLernia  
Dr. George Sedberry  
Officer Jonathan Weaver  
Special Agent Kejonen

Erika Burgess  
Roy Williams  
Dr. Jack McGovern  
Sean Meehan  
Bill Kelly

Additional Observers Attached

The Council Session of the South Atlantic Fishery Management Council convened in the Ballroom of The Beach House Hilton Head Island, Hilton Head Island, South Carolina, September 17, 2015, and was called to order at 2:30 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: We will move into the full council session; and the first item of business is approval of the agenda. Roy.

DR. CRABTREE: Before you vote, I need to swear you in and some others in. Otherwise, you will have to be a non-voting chairman.

MR. HARTIG: The council session is back in order; and the first item of business we're going to do is adopt the agenda. Are there any changes to the agenda? Seeing none; the agenda is approved. That brings us to the minutes. Are there any changes, deletions or corrections to the minutes? Seeing none; the minutes are approved. That brings us to elections of Chair and Vice-Chair.

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

MS. BECKWITH: It would be my absolute pleasure to nominate Michelle Duval.

MR. HARTIG: Seconded all the way around.

MR. MAHOOD: Are there any other nominations for the position as Chairman of the South Atlantic Council? Hearing no other nominations; Dr. Michelle Duval is the new Council Chairman. (Applause)

DR. DUVAL: I thank you all for that vote of confidence in me. Ben leaves some pretty big shoes to fill. It has been great for me to work with Ben. It has been a partnership; and he has really helped prepare me for this. I can't believe that in four years on the council I'm in this position. It is really an honor so I hope to do right by all of you guys. Thank you. (Applause)

(Whereupon, Dr. Michelle Duval assumed the Chair.)

DR. DUVAL: As my first act, are there any nominations for the position of Vice-Chair? Zack.

MR. BOWEN: I would like to nominate Mr. Charlie Phillips for Vice-Chair.

DR. DUVAL: There is a nomination for Charlie; is there a second to that motion? Second by many people around the room. I don't suppose there is any objection to that motion whatsoever, so, Charlie, congratulations. It will be great to have you at my side. (Applause)

MR. BOWEN: And just to note that is the first motion I've ever made where I didn't have an objection. (Laughter)

MR. PHILLIPS: I appreciate your vote of confidence; and, of course, Bob has been urging me and reminding me that it is Georgia's turn. Of course, I had to call Michelle to see if she could put up with me. I'm going to be under some excellent tutorage over here.

MR. HARTIG: I'd like to say it has been an honor to serve as your Chairman. Coming up from a fisherman to an AP to being on the council and become the chairman as a fisherman, it is a great honor to have been able to serve you. Michelle has helped me tremendously. When they first asked me do you think you can do the Chair; at the time I didn't have a good striker and fishing wasn't as great as it has gotten lately.

I said, "Yes, I'll just put all my energy into being Chair and make that work." But, really, within a year of my chairmanship, I started to get back on the water a lot more. Michelle has taken a lot of pressure off of me in that regard, and I appreciate that. If anything suffered in my last term, the fishing didn't, so I appreciate the honor.

DR. DUVAL: It is now my honor to present our esteemed immediate past chairman with an award: "Proudly presented by the South Atlantic Fishery Management Council to Ben Hartig for his distinguished service and outstanding leadership as council chairman from September 2012 to September 2015." You might be able to add this to the collection that you already have; so congratulations. (Applause)

While we're in the spirit of giving awards out, we now have another award to present to the Law Enforcement Officer of the Year. It gives me great pleasure to call Officer Jonathan Weaver of the North Carolina Marine Patrol up to the front. The award reads: "South Atlantic Fishery Management Council 2014 Law Enforcement Officer of the Year proudly presented to Jonathan Weaver for his distinguished service and outstanding achievements in the fisheries' law enforcement."

I'm very proud to be able to do this as one of my first acts as chairman. Officer Weaver, thank you very much for your service. (Applause) The next item of business is actually the Snapper Grouper Committee Report. Mike Collins e-mailed this around to everybody earlier today, so you should have the draft committee report.

The way we're going to do this is we will introduce the motions that have already been made on behalf of the committee. We have some placeholders for the additional business, but we will just operate as a Committee of the Whole. Once we get to where we left off in Snapper Grouper Amendment 36, I'll turn things over to Gregg to pick it up and lead us through it.

The Snapper Grouper Committee met on September 15<sup>th</sup> and 16<sup>th</sup> in Hilton Head Island. We went through our usual items of the status of landings for our quota-managed species and then the status of amendments for secretarial review. Then we received a report from our SSC Chair, Dr. Luiz Barbieri, regarding the SSC's webinar pertaining to blueline tilefish and the resultant ABC recommendation that came out of that.

Mr. DiLernia, our Mid-Atlantic Council Liaison, also informed us that the Mid-Atlantic is in the process of adding blueline to their existing Golden Tilefish Fishery Management Plan. Once we received those updates, we moved into our regulatory framework amendment, which does not have a number right now but this is the document that would implement a new blueline tilefish ABC.

The motions from that amendment are – we had one motion, which failed. **The next motion was to approve the range of alternatives under Action 1 for detailed analyses; 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 include the range of alternatives for Action 2, commercial trip limit, for detailed analysis; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to move Options 5, 6 and 7 of Action 3, bag limit analysis, to the considered but rejected appendix; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to add an alternative to explore one per person per day during May through August; and on behalf of the committee I so move. Any discussion? Any objection? Roy.**

DR. CRABTREE: I'm not objecting; but before we move from blueline, it seems likely to me that we are heading into a situation where our SSC has taken one approach to setting an ABC and the Mid-Atlantic SSC may quite likely head down a different path. It may be that it will be very difficult to reconcile these two ABCs.

I've had discussions yesterday with headquarter's folks and also with John Bullard at GARFO. I know Bonnie has had similar discussions with the Northeast Fisheries Science Center. I'm trying to get some guidance to the two councils as quickly as I can as to what the agency thinks we need to do. We're going to need, it seems to me, to bring some consistency to how we're going to deal with these.

I'm going to try to do that as quickly as I can. I would ask in the meantime that we have an SSC meeting coming up in October and that you as a placeholder on your agenda put discussion of blueline tilefish; so that if need be that we need to revisit the ABC or the rationale, those kinds of things, you can do that.

I would also suggest that you give considerable latitude to staff and to the chairman to make changes to the Blueline Framework Amendment so that we can deal with whatever comes and still be prepared to take final action at the December meeting.

MR. DiLERNIA: Dr. Crabtree, do you know if that determination from Silver Spring will occur before the Mid-Atlantic Council's October Council Meeting?

DR. CRABTREE: When in October is it?

MR. DiLERNIA: October 6, 7, 8, I believe.

DR. CRABTREE: Well, I think that's something we certainly need to try and do. When is our SSC meeting in October; are the dates set?

DR. DUVAL: It is October 20<sup>th</sup> through the 22<sup>nd</sup>.

DR. CRABTREE: So it seems to me from a timing perspective, we would need to get this done prior to your Mid-Atlantic Council Meeting; so hopefully we will.

MR. DiLERNIA: Well, thank you, because then we could receive advice from Regional Administrator John Bullard.

DR. DUVAL: We still have a motion on the floor to vote on. Is there any other discussion? **Is there any objection to this motion? Seeing none; that motion stands approved.** Roy, would it be helpful to have – well, maybe this is a question for staff. Do we need a motion from the council to include a placeholder for blue line tilefish on the SSC October Agenda? I see John is shaking his head no in the background.

MR. WAUGH: We can just do it.

DR. DUVAL: Okay, and with the understanding that significant editorial license be given to staff and the chairman to modify this framework document as necessary based on the determinations by the agency.

MR. WAUGH: Yes; that's enough guidance. You all discussed that quite a bit at the committee level and we talked about needing that; so I think we're in good shape.

DR. DUVAL: Great! **The next motion by the committee was to add an action to change the start date of the commercial fishing year for yellowtail snapper; and on behalf of the committee I so move. Is there any discussion of this motion? Any objection to this motion? Seeing none; that motion stands approved.** I'll just note that we did give guidance to staff to look at a range of start dates during the summer months.

**The next motion was to direct staff to prepare Snapper Grouper Regulatory Amendment X, approve for public hearing, and adopt the timing as shown; and on behalf of the committee I so move: Review draft actions/alternatives and select preferred alternatives, September 2015; approve for public hearings, September 2015; hearings held via webinar in November 2015 and hearing at the December 2015 meeting; final approval and send for formal review, December 2015; regulations effective as soon as possible in 2016 (April 1st or May 1st target). Is there any discussion? Any objection? Seeing none; that motion stands approved.**

Next we received an update on the Access Point Angler Intercept Survey by Dr. Ponwith and the timing for implementing that. We then discussed briefly an options paper for Amendment 38, related to expanding the fishery management unit for the snapper grouper fishery into the Mid-Atlantic Region specifically for blue line fish.

We elected to take no action on that at this time given the actions of the Mid-Atlantic Council. The next item on the agenda was Regulatory Amendment 16, the black sea bass pot closure. Under there we made the following motions. **The first motion was to accept the revised purpose and**

**need for Regulatory Amendment 16; 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 accept the language changes 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 select Alternative 11 as the preferred for Action 1; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

And so now we had direction to staff to develop some rewording of the alternatives under Action 2 and bring that to full council for consideration; and I think Monica and Brian were working on some of that language regarding modify or not. I don't know if you are prepared for that. Brian.

DR. CHEUVRONT: Gregg, it is on the drop-box under Snapper Grouper and then Reg. 16. There is a folder and there is a new file under there where we got the latest and greatest version, which is even slightly different from the one that you just had sent to you. It is all cleaned up. I think basically what this is we took care of the issues that Monica had raised about the verb that we – remember, we used to have “modify” in there and changed that to “enhance”, but we also made reference to the different regulations that influence gear marking for black sea bass pots.

The ones that are in 622.189 are the ones that are under the Snapper Grouper FMP. As Monica has suggested, we need to pull those out; and at the very bottom of all the alternatives or somewhere in there we're going to stick in the discussion of what those actually are now. Other than that, what you're seeing is – for example, you look under Alternative 2, the new language is “in addition to the requirements in 50 CFR 622.189, “enhance” is where we used to have just “modify”.

You will see now that Alternative 2, Subalternative 2A and Alternative 3 have been deselected as preferred alternatives according to the motion that you had. There were some minor wording changes that had been suggested by NEPA about exactly the timing of when these things would take place.

That was in the original document as suggested language changes, but that has been included now in the wording. What you've got now is the cleaned-up version of all of that, which you might want to be using now. Now, under Preferred Alternative 4, you'll notice towards the end of it the timing is different.

It is not based on November 1 through April 30 like the other alternatives were because these marking requirements line up with what is currently in the Atlantic Large Whale Take Reduction Plan for the different areas that are outlined by that plan. Three different areas cover the waters of the South Atlantic EEZ.

The pot-marking requirements would have to fall under those requirements and match up. Basically, what we're doing is we're saying if you're fishing traps in any of those areas, you've got to follow the marking requirements of the Atlantic Large Whale Take Reduction Plan; and

anytime you're having to do that, you need to add the additional color that is being required by this alternative at the same time.

MS. SMIT-BRUNELLO: And just one other thing to add to what Brian said; the reference to 622.189, that is what you require fishermen to do to these pots. That just refers to state mechanisms, construction requirements, mesh sizes and configuration, those sorts of things, so it is nothing new. It is what these guys do already; so we just thought it was important to include what the fishery management plan includes now for these folks.

DR. CRABTREE: So we're requiring some changes to the gear; I guess they've got to mark their ropes and possibly some other things. Are there any thoughts of how much time fishermen need to get all this done? Let's say this rule became effective on August 30<sup>th</sup>. When do these marking requirements then – normally we have things become effective 30 days after the final rule publishes; but does that give them time to get all of this done so they can put their traps back out?

DR. CHEUVRONT: I think what is happening is that the only thing that is being required now is to add the additional color to the buoy line; so you're not having to change out any buoy lines nor are they having to change out the weak links.

If this goes into effect say on August 30<sup>th</sup> of next year, the amendment goes into effect, then I would say by the beginning of the line-marking time period, which I believe starts – is the earliest in November; do you know, Jack? So they've got plenty of time to comply with that.

DR. CRABTREE: All right, so what if this became effective on Halloween, October 31<sup>st</sup>, because it somehow got delayed; so it becomes effective right before the right whale season? Does that give them time – I mean they're going to have to buy whatever tape they mark it with. I'm trying to get some notion of they need at least this much time to buy the tape and mark their ropes; or is this simply not something that is a concern?

MR. COX: No; it is a concern; it just doesn't take very long to do it. I think 30 days is plenty of time.

DR. CRABTREE: That's good enough; thanks.

DR. DUVAL: But I would note, just as Brian noted, the language that is at the bottom of Preferred Alternative 4 states that the additional gear-marking requirements are required on federal waters November 15<sup>th</sup> through April 15<sup>th</sup> in the southeast restricted area north, which covers from like Florida through South Carolina, I think; and then September 1 through May 31 for the offshore trap pot area and the southern nearshore trap pot waters area; so that covers – so there is a September 1 date for gear marking in a couple of the other areas. That's all I'm saying.

DR. CRABTREE: Yes; and they'll have a least 30 days because that would be how long the rule would become effective; so as long as 30 days is long enough for them, then I don't think we have to worry that much about it.

DR. CHEUVRONT: And that's almost one day per pot to get them ready; so whether you're going to paint them – and some of the fishermen say they use that surveyor's tape; and they actually weave it in on the vessel as it needs to be done. They don't even really hardly stop their operation. It takes them just a few minutes to weave in the new tape and to keep on going.

DR. DUVAL: All right, has everyone had a chance to look through this revised language that Brian and Monica prepared? Then we would need a motion from the committee to add the – not add but to accept the proposed changes to Action 2 and its alternatives. Mel.

**MR. BELL: Madam Chair, I'd move that we accept the changes to Action 2 and the alternatives.**

DR. DUVAL: There is a motion by Mel; second by Anna. Is there any further discussion on this motion? Monica.

MS. SMIT-BRUNELLO: I think it might be helpful for the record and the folks that are writing the discussion if there was a little bit more discussion on the record and probably from Jack, I guess, as to why these two alternatives were deselected and why that's appropriate.

MR. COX: The reason they were deselected is being that we're going out to deeper water now from where we were to start with. They were going to need the extra strength to where we were before. We had talked about dropping down to 1,200 pounds. That's why we deselected Subalternative 2B. Really, the only thing that we needed to do was to continue to – we wanted to make sure that we knew the gear markings were identifying where we were and that we were identifying our traps, the black sea bass pot traps.

We deselected the other one just because we were going to have to stay in deeper water and we needed that extra strength. We had talking about going from the 600 pound weak link to the 400. We don't need the 400. We need to keep it at 600 because that's adequate being that we're so far back out. When you pull up on a black sea bass pot and you're in more current than you previously were, you're going to need that strength to pull on it. It is just tougher conditions out in the deeper water.

DR. CRABTREE: Yes; and I think with the preferred alternative we've selected now, the traps are largely out of the areas where the right whales are going to be as well; so the chance of an interaction is much less under this alternative than some of the other ones we had considered.

DR. DUVAL: I'll just remind folks we still have – the motion to deselect those subalternatives has not yet been made on behalf of the committee. This discussion is helpful in that regard, but we haven't actually made that motion; so it is just occurring a little ahead of time.

I guess the only other thing I might add to that discussion is that I think under the Large Whale Take Reduction Plan North Carolina is actually not part of the southeast; so the rules are a little bit different for the northern chunk versus the southern chunk of the country. I think that's another reason why the states of South Carolina, Georgia and Georgia have slightly different breaking strengths and weak line requirements as well.



**We have a motion on the floor to accept the changes to Action 2 and the alternatives. Is there any objection to this motion? Seeing none; that motion stands approved. The next motion is to deselect Alternative 2, Subalternative 2A and Alternative 3 as preferred alternative of Action 2; 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 the Southeast Reef Fish Survey. Gregg.

MR. WAUGH: One question; you approved the wording that was projected; and it had a new preferred alternative. Maybe we need to make that as a motion.

DR. DUVAL: We had already selected Alternative 4 as preferred previously back in June. The next item on the agenda was the Southeast Reef Fish Survey presentation from Dr. Marcel Reichert, which is something that he does annually. He gives us information on the CPUEs for the fishery-independent sampling.

The next item on our agenda was Amendment 37, which is hogfish, and we made the following motions. **The first was to accept the IPT's suggested edits to the purpose and need statements; 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 accept the IPT's and Florida Fish and Wildlife Commission Law Enforcement suggested edits to Action 1 and Preferred Subalternative 2C; 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 accept the IPT's suggested edits for Action 2; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stand approved.**

**The next motion was to select Alternative 2, Subalternatives 2A and 2B, as preferred alternatives under Action 2; 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 accept the IPT's suggested edits to Action 3; 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 4, Subalternatives 4A and 4B, as preferred for Action 3; 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 accept the IPT's suggested changes to 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 adopt a risk tolerance scalar of 0.7 for hogfish based on preferred in Amendment 29 for species with moderately high 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 request that the SSC reevaluate the application of the ORCS methodology to the new hogfish stock from Georgia through North Carolina; 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 recommend that the council send a letter to the MRIP Program requesting reevaluation of hogfish catch estimates for 2015; 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 accept the IPT's suggested edits and recommendations for Action 5; 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 move Alternative 2 of Action 5 to the considered but rejected appendix based on rebuilding in over ten years; 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 4 of Action 5 as the preferred for rebuilding and instruct staff to substitute ABC values based on the new projections as soon as they become available; 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 accept the IPT's suggested edits to Action 6; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to specify ACLs for 2017 to 2025 and beyond until modified; 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, Subalternative 2A, under Action 6 as the preferred alternative and instruct staff to substitute ACL values based on the new projections as soon as they become available; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to accept the IPT's suggested edits to 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 select Alternative 2, Subalternative 2B, under Action 7 as preferred for the Georgia through North Carolina stock; 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 3B, as the preferred 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 accept the IPT's suggested edits to Action 8; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to move Subalternatives 2A, 2B and 2C to the considered but rejected appendix and select Subalternative 2H as the preferred; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to modify Subalternative 2I as follows: increase the minimum size limit to 15 inches in Year 1; 18 inches in Year 2; and 20 inches in Year 3; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to Subalternatives 3A, 3F, 3G and 3H to the considered but rejected appendix; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to select Alternative 3, Subalternative 3C, 15 inches fork length, as the preferred for the Florida Keys/East Florida Stock under Action 8; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to modify Subalternative 3I as follows: increase the minimum size limit from 12 to 14 inches in Year 1 and to 16 inches in Year 3; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to accept the IPT's suggested edits to Action 9; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to move Subalternative 2D to the considered but rejected appendix and add an alternative for a 100-pound trip limit under Action 9; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to move Subalternatives 3D and 3E under Action 9 to the considered but rejected appendix; and that motion failed. The next motion was to accept the IPT's suggested edits to Action 10 and add Alternatives 4 and 5 as modified; 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 move Subalternatives 2A, 2B and 2C under Action 10 to the considered but rejected appendix; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to move Subalternatives 3A and 3B under Action 10 to the considered but rejected appendix; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to accept the IPT's suggested edits to Action 11; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.** At this point I think the committee had directed staff and the Florida folks were interested in adding another alternative to Action 11 for accountability measures. Jessica.

MS. McCAWLEY: The wording never got e-mailed to us.

DR. DUVAL: Well, maybe that's something that we can do – we will see this document again in December before approving it for public hearings; so perhaps that can simply be added in December.

MS. McCAWLEY: Could somebody please send me what we were working on yesterday.

DR. DUVAL: All right, next we got into Amendment 36, which is spawning SMZs, and the committee made the following motions. **The first motion was to adjust the language to show that includes artificial habitat and natural bottom; 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 modified wording of Action 3 and alternatives as shown and select Alternative 5 as preferred; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.** We missed a motion here I thought for Action 2, which was modification of the framework.

MS. SMIT-BRUNELLO: Michelle, I think it is in your report right above the first green highlighted thing.

DR. DUVAL: Maybe I'm working from a different report.

MS. SMIT-BRUNELLO: On Page 13.

DR. DUVAL: Okay, I was expecting it earlier in the report. **The motion reads approve the new wording of Action 2, modify the new wording of Action 2, modify the framework procedure to allow modifications of and/or additional spawning special management zones to be added and/or modified through framework action; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

At this point we're going to go ahead and move into a Committee of the Whole; and I'm going to give Gregg a chance to sort of catch up with where we left off. For the benefits who are a little bit confused, a motion to approve the new wording of Action 2 was erroneously left out of the original draft report; so I asked Myra to add that back in. She did; she just added it in after the motion under Action 3, which was where we approved the modified wording and selected Alternative 5. Gregg, we stopped the committee's discussion right after Action 3.

MR. WAUGH: Okay, we start with Action 4. This is dealing with the spawning SMZs off South Carolina. There have been several suggested modifications similar to what we did with North Carolina and we've got just some edits correcting some grammatical and capitalization issues and changing 51 and 53 Area to sites; and correcting the size of those two areas. It is 2.99 square miles for Areas 51 and 53. What we did before was deal first with the wording for the action and alternatives and then deal with a preferred.

DR. DUVAL: I would entertain a motion from the committee to accept the IPT's modifications for the wording. Mel.

MR. BELL: I move to accept the recommended wording changes to Action 4 and also go ahead and establish Alternative 2, Subalternative 2B, Alternative 3 and Alternative 4 as preferred alternatives. We'll just do it in one motion.

DR. DUVAL: There is a motion by Mel; second by Jack. **The motion reads accept the recommending wording changes to Action 4 and the alternatives and make Alternatives 2, 2B, 3 and 4 as preferreds.** Discussion?

MR. BELL: So what that would be would be the four-mile box around the Devil's Hole or Georgetown Hole and Area 51 and Area 53, three sites.

MR. CONKLIN: I had some questions about the wording. The Subalternative 2E and 2; the wording is establish a spawning SMZ in the Devil's Hole/Georgetown Hole Area. Well, Alternative 2E, it is not very close to the Georgetown Hole. I mean in respect; it is not even really in the same area; so I didn't know if we needed to change that. If you're speaking in respect to the entire ocean, it is pretty close. I have a question about that.

DR. DUVAL: So were you just maybe suggesting that the South Carolina south would be a different – should be its own alternative just based on location?

MR. CONKLIN: Yes, ma'am.

MR. WAUGH: Perhaps something just to keep in mind, right now it is finished the PPI Review. We're just waiting to put in your actions from here and hoping quite desperately that we're just inserting preferreds. Any reorganization of the document right now could delay us getting the DEIS filed.

For something like that, if it is okay with Chris, we'd add some wording clarifying why this was under here. The idea for including it under here was because it was suggested by the AP as an

alternative to Devil's Hole; but we can make clear where it is and clarify that without creating a new alternative. Were to create a new alternative, then we'd have to go through the whole document and make changes and that could delay filing the DEIS.

DR. DUVAL: Chris, will that be okay with you?

MR. CONKLIN: That is fine with me; I just wanted to make sure we weren't getting ourselves in the wrong spot.

DR. DUVAL: Other discussion on this motion? Mel.

MR. BELL: Just to explain my rationale, I guess. We've got three sites there. Of course, two of them are the artificial reefs. We've heard a good of support for the concept of utilizing the artificial reefs. The artificial reefs are a way to build some spawning capacity into the system. It is a matter of scale. Where we're really limited in artificial reefs, if you look at both Area 51 and 53, they represent three square miles each.

But when you look at the amount of material we actually have on the bottom there, it is only 0.05 percent of the bottom and that box actually has hard substrate in there for fish on it basically. The advantage of a larger natural bottom is that you've got significantly more habitat, significant valuable habitat to have a lot more potential for building spawning capacity.

What we bring to the table here is a little bit different maybe than any of the states will in that we have the ability to look at both the artificial reefs as well as a naturally established reef area that have the potential and of comparable size in terms of the boxes themselves. Four is not 15, it is not 13; but it is not 1, so it is somewhat of a compromise. It is somewhat similar to what North Carolina is bringing to the table as far as the preferred is five square miles, I believe. That is some of the logic.

MR. CONKLIN: From my side of the business and we know the majority of the public and citizens in our state don't support that site at all. We're doing this essentially because this is a good thing to do. It is just maybe not the most popular spot. I couldn't support that. I had another one I was going to offer up, which was the eight square mile offshore.

It is the South Carolina south, which was Alternative 2E. I was also going to offer up Alternative 3 and 4, which will give you a total of 13.98 square miles closed additionally off our coast. There has been well-documented snowy grouper and yellowedge grouper spawning from MARMAP over years in this area. It is big enough to enforce and we're not going to catch a lot of flak for it; so I would strongly urge you to consider that, Mel. If anybody else has anything to add, our state doesn't want that area. I know it is near and dear to you, but I'm just speaking on behalf of our constituents.

MR. BELL: It is not near and to me anymore than – but what it does represent in terms of an area with potential to what we hope it will do in a box that is four square miles and not eight square miles; so it is actually less habitat. But in terms of its demonstrated through MARMAP data and

other data sources, it has already an established record of data in terms of doing what we want it to do related to Warsaw and other species.

Of all of the areas that we've looked at, it has the most unique bathymetry and physical conditions there that would lend itself to being probably the best chance of success. Again, we'll be out there going through the monitoring and it will work and we'll be impressed with it; and if we're not, it has the sunset clause in there as well.

So it is not that it is – compared to the other area, the eight square mile area, a larger area, it has I think more going for it in terms of its physical makeup as well as its demonstrated data related to – since we already have in hand.

DR. CRABTREE: Chris, were you offering a substitute motion or were you just making a comment? It wasn't clear to me.

MR. CONKLIN: I forgot to say I was trying to make a substitute motion; yes.

DR. DUVAL: That's fine. That was not clear to me when you were just making your comments that it was a substitute motion.

MR. CONKLIN: Well, in that case I'd like to offer up a substitute motion to Mel's motion. I move in Action 4 we select – in Alternative 2 we select Subalternative 2E, Alternative 3 and Alternative 4 as the preferred areas off of South Carolina.

DR. DUVAL: There is a substitute motion by Chris. Is there a second to that substitute; Mark. **The substitute motion reads move to select Alternative 2, Subalternative 2E, Alternative 3 and Alternative 4 in Action 4 as preferred spawning SMZs off South Carolina.** Discussion. We had some other folks. Mark.

MR. BROWN: We were at a meeting where Wayne Mershon brought this up; and he was pointing it out on some charts and stuff and showed that there was some significant bottom in this area that would support and do basically similar to what we were looking at with the Devil's Hole. I just don't think that there was a lot of comment or a lot of emphasis was put on that; but it is an area which would double actually the size of what Mel was offering up as far as area of natural bottom.

MR. CONKLIN: I feel like this is a pretty good tradeoff. There is a lot of documented spawning going on in this area. It is already full of natural hard bottom. It is going to help us get out of where we're backed into.

MR. COX: I don't know your area as good as I do ours. I know that we put up in North Carolina a five square mile area that's pretty significant and a very important place. It is not so much the size but making sure that this is in a place that is going to do the right thing. We made a big contribution here to conserving and doing the right thing; so don't do it just because of the pressure that you feel but make sure this is the place that you feel like it needs to be to do what it needs to do.

MR. HARTIG: I had a question for Gregg. Gregg, after we saw this area put out by Mershon; has there been any extra work done in that to see if it is comparable to Devil's Hole?

MR. WAUGH: There has been no additional field work done; but what we did do is compile – and this is in your decision document as Table 2.4.1.3. We've got this for each of the areas to show the species in those proposed areas that we have documented evidence of spawning. You can see in this table the alternatives for Devil's Hole have a much different species' composition that we have documentation for spawning.

You've got Warsaw grouper in 2A, 2B, 2C; and in 2D you've got Warsaw grouper also. What you've got in 2E is snowy grouper and yellowedge. If you look into the amendment, it has got tables and figures that show the bottom topography and you're dealing with two quite different areas. The terrain differences in Devil's Hole is much greater than you have in Alternative 2E.

MR. HARTIG: I appreciate that. If I could, the thing that sold me about Georgetown Hole, the topography was one; but then when you follow up with the species' composition and the number of species that are spawning and then to find Warsaw grouper spawning there, I think that's what really sold me on Georgetown Hole and then also the historic contribution.

Your dad and the pictures that you guys provided to us showed us that at one time it was an incredibly important spot for Warsaw groupers. That is what really sold me on Georgetown Hole was the work that was done documenting Warsaw spawning. I've caught a number of Warsaws, but I've never caught one in spawning condition where I fished. Now, maybe I don't fish the right time of the year to see that; but to be able – and I'm going to say this in kind of a – you're kind of disadvantaged in some way because there was a lot of work done in your area prior to us making the decision where we didn't have this in each one of the other areas before.

But having said that, it is still critically important when we find this kind of information for these species and we have an area that looks like for a whole suite of species that we're going to be able to get some anticipated benefits in the future. I think I'm sold on Devil's Hole.

MR. CONKLIN: Well, to that point, a lot of these species that were caught in spawning state were found by Dr. Heyman on Georgetown Hole. I'd have a lot more confidence and just as much in this area if we would actually go out there and find out what is going on. Like I said yesterday, this is pretty big thing for me to even give up the eight square miles without a system management plan in place prior to know what is going on.

In our area in South Carolina this is a prime hotspot. A lot of recreational guys use it probably more than commercial, I'd say; but we have two large MPAs right down the line from Georgetown Hole, one on each side that we're having to work around right now. I said on the record yesterday the northern South Carolina MPA; I've caught several speckled hinds in there before it became an MPA.

Like I said, if we were monitoring those areas, we might find some spawning speckled hind in there. Also, we just sank this structure, Mel did, the Edisto Deep MPA. That's a prime example



and a good thing to take the public's outcry and make a science project out of it and monitor it from start to finish and see what happens.

There has been a lot of stuff through the visioning process and all that has come up with saying let's put a structure out in the areas and see what is going on. That's a prime time to put our system management plan that we're going to have into play. I would assume we could probably get some funding for it as well if we were focusing on artificial reefs maybe through some of the groups that put up all the money to put that structure together and get it out there.

DR. CRABTREE: Well, I'm looking in the amendment, but I'm struggling to find much basis to know which of these would be better than the other. Maybe you can help us, Gregg, but I understand someone suggested this and someone said that and someone had pictures. I'm looking for something more analytical in here that compares all these areas to make a decision; and I'm having a hard time finding that.

MR. WAUGH: Well, this table is one piece of evidence; and this is in the amendment as well.

DR. CRABTREE: Table 2.4.1.3?

MR. WAUGH: Correct; that shows which species have been documented to spawn in each of these areas.

DR. CRABTREE: Okay, but is that like one person found one fish with a hydrated oocyte once in X – I mean, I see the table, but it is hard for me to know is that just one or are they regularly, are they there repeatedly year after year? I'm having a hard time telling what it means.

MR. WAUGH: I don't have the specific number. Some of these samples were just recently worked up by MARMAP. Some of this data comes from MARMAP; some of it comes from the work that Dr. Will Heyman has done the last two years. His final reports are included as an appendix to the amendment. We can go in there and try and pull out some of that information to answer your question. Also, Chapter 2 shows some of the bottom topography that you can use to compare the two.

MR. BELL: I was going to say what draws me to it – and I know it is the significance of – if you look at the bottom topography, if you look at it, it is a very unique area in terms of its physical layout. You can even step back and just look at that depth contour along the whole coast and that place sticks out.

It has always been a very unique place in terms of the bathymetry, the currents, the fish. It became the Georgetown Hole because it had something going for it; and that goes way, way back. If you could have gone back there in the fifties or sixties or even seventies, I'm sure you would see a lot of these big fish coming off there. It is unique in that characteristic.

My rationale also was trying to keep it down to a relatively small box of four square miles to minimize impact. The other thing about the – when you get right down to sort of the key area on

there, the currents can be rather challenging in there just for bottom fishing already is my understanding. There is a lot of pelagic fishing that goes on out there.

From an enforceability standpoint, even though it is a relatively small box – and, of course, for enforcement bigger boxes are better; but it is a high traffic area in terms of a lot of folks that would be participating in the surface fishing for a Type 2 MPA or SMZ kind of situation where you allow pelagic fishing. You have a lot of eyes and ears out there all the time.

The other area I don't know how often that's really fished or how popular that is out there. But it is so unique; it is unique enough that it has a name; and that's what I think sets it apart, particularly the bathymetry and the current situation and all there as well as it does have direct links in terms of data that we've looked at through MARMAP of Warsaw and Warsaw being a key species that we're trying to provide protection for.

MR. CONKLIN: Jack's point about if that's a valuable area out there, the South Carolina south I think it is called, 2E, it is valuable. A lot of guys snowy grouper fish out there. There is a lot of gear strung out, bottom longline out there for yellowedge and snowies. We've got quite a bit of effort coming out of McClellanville, Rockville, Little River.

Honestly, there was one fisherman at one of the public hearings; he is a bottom longliner and he – Danny Juel is probably one of the best and he supported this alternate area versus the Georgetown Hole. He said that area in the Georgetown Hole, especially the back side, where he is allowed to set gear there on the deeper side would really affect his tilefishing ability because of the mud. A lot of that area in the four square mile I believe is mud offshore there.

MR. BROWN: Gregg, is there a place in the document that shows the bathymetry of Subalternative 2E? Does it actually show somewhere where it is in comparison to the Devil's Hole?

DR. DUVAL: It is in the DEIS version, which is Attachment –

DR. LANEY: Page S-15.

DR. DUVAL: Yes, it is in the summary, which is at the front, and I'm just trying to find the attachment number for you – 8D. There is a folder in your briefing book called Attachment 8D and within that are two PDFs. Wilson is saying PDF Page 36. Chris.

MR. CONKLIN: I still wonder without having a monitoring place in place for the MPAs we already have – in South Carolina we've got about 170 square miles already of closed bottom. Up and down the coast we've got 700 miles of MPAs, another 24,000 something square miles of C-HAPCs, and we just added, what, 843 more square miles into those areas as well for added protection for deepwater species and corals.

With that said, I'm really stretching it to offer this area; but I think what we have is sufficient and we're faced with a lot adversity enough off our coast to where it just doesn't need to happen. It is

not a critical part of the rebuilding plan. We're doing it because it is a good thing to do; but we don't have to do it.

MR. BELL: For observation, the Snapper Grouper AP, of course, not unanimously, but had support for an area in the Hole of 3.1 square miles, which I don't know how they came up with 3.1, but it fairly close to 4. There was some support for that; of course, not unanimously.

MR. CONKLIN: If I can remember, the Snapper Grouper AP, a lot of those guys that were supporting the area up off of South Carolina were Keys fishermen and stuff, people that have some of these SMZs all the way through their line of islands there, and they don't fish up in our area. A lot of support came from them. The South Carolina representatives, as far as I can remember, did not support the Georgetown Hole.

DR. CRABTREE: Can you explain what this figure that is on the screen shows? I can't read the axis or anything.

MR. PUGLIESE: Yes; let me jump in. We've got our profiles across the alternatives. For example, when we're looking at 2B, you're looking at – meters is the depth so you're looking at dropping from 40 meters down to 180. That is in comparison to 2E where you have a profile that is going like from 180 meters to 220 meters.

In those areas, just to touch on your questions about some of the species' composition, the 2E area is primarily information from over a number of years of MARMAP sampling in there; but in that time the only species that had any spawning-type condition fish were either yellowedge or snowy grouper where in the other alternative you had a combination of both in more recent work that Will has done that did give you the spawning fish in that broader range of species in addition to, while limited, an additional point from MARMAP surveys.

DR. CRABTREE: So in 2B that was the original motion, the Devil's Hole, how many Warsaw grouper have actually been observed in there or documented in there and how many have been documented in spawning condition?

MR. WAUGH: We don't have those specific numbers; but the work that Will has done in the past two years; it is the first time that there has been any documented spawning of Warsaw grouper in the area.

DR. CRABTREE: But you don't know if it was one fish, 100 fish?

MR. WAUGH: No; it wasn't a hundred.

DR. CRABTREE: I wouldn't think so, but that would be worth figuring out and putting it in here. I'm struggling for having much of a rational basis to choose one over the other and we need to be careful and make sure we have some basis and analysis as to why we chose this as opposed to this. We don't want to make arbitrary decisions; and that's what I'm struggling with.

MR. BELL: I think what does stand out about the area is the differences in the bathymetry. What we've noticed working with artificial structures, high relief – for whatever reason relief seems to be an attractive feature for fish; and that is where the Hole is just so unique in how it sticks out of that depth contour and you've got that drop-off. My recommendation is based on what I would consider the highest probability of success. I'm not saying that the other work couldn't work. I'm just saying based on what we know right now, I think you'll get the highest probability of success for the smallest amount of area.

MR. CONKLIN: Well, the good thing about Dr. Heyman's work is it is there and it is not going away. It is information we're going to have forever and we can always continue to build on that. Another thing is I wanted to point out that the Gulf of Mexico fishes speckled hind and Warsaw grouper, which is the same bloodline as what we have here, same genetic makeup, the same stock from South America up through our region.

I'm just saying recreationally they're allowed to keep four Warsaw groupers and one speckled hind per vessel. In the commercial fishery speckled hind and Warsaw grouper are grouped in with the shallow water grouper in the IFQ Program, and they're allowed to catch 525,000 pounds of those species of fish. I'm just having trouble trying to figure out why we're taking all these stringent measures to protect these fish when the rest of America is catching them.

MR. WAUGH: To address Dr. Crabtree's question, also you can look at Figure S-N – and this is in the DEIS – and it shows this elbow that's sticking out. There is a lot of evidence in the literature that where you have these protrusions, out where you've got this bottom topography sticking out into the current system, those areas are very important for lots of different species.

This is what has been found in the Riley's Hump area where you have this projection also. There are a number of different species that use that area. There is evidence in the Caribbean as well. If you compare this jut of bottom combined with the high topography and compare it with this area here, you do have a shelf there; but you can see that the relief is not that different, not that great. There is quite a bit of longlining in that area. If you're running bottom longline in that area; that is telling you that bottom doesn't have a tremendous amount of relief. Those are just some additional factors that you can use to differentiate between those two alternatives.

DR. DUVAL: Roy, do you know how many pounds of speckled hind and Warsaw are caught in the Gulf?

DR. CRABTREE: Not off the top of my head; but we could find out.

DR DUVAL: They're part of the shallow water IFQ; Shallow Water Grouper IFQ. That 525,000 pounds, Chris, was the total IFQ for the complex, correct?

DR. CRABTREE: Well, I think the deepwater complex, which is made up of predominantly yellowedge grouper with a little bit of snowy, but we can get those numbers.

MR. BOWEN: This may have been said and I missed it; but the fish over in the Gulf, is that the same stock that genetically is the fish that supposedly are over here? Has that been found out?

DR. DUVAL: I can't speak to the genetics of it; but the Fisheries Service I believe when these two species were petitioned for listing; I think in that petition denial it was noted that they were one stock of fish, I believe. Roy.

DR. CRABTREE: I'm not aware of any data to suggest one way or another.

MR. BOWEN: Maybe that would be somewhere to start, if we could have, in the future, some analysis about that.

MR. COX: We had take on our Warsaws and speckled hind for a while and they just got in trouble on the east coast. I don't know why you would compare the species the same or what is going on in the rest of the region. We've got a situation here with those species in our region; so why would we even be looking at what is going on in the Gulf? I'm just curious why we're having that conversation.

MR. BROWN: Gregg, can we offer another alternative or subalternative based on what was originally desired by the Snapper Grouper AP and then it was shifted. What came out of Will's presentation was a 3.1 square mile area; and we still have the information on that and it is still in the Devil's Hole area. We know where that is at, but it was never – I think we voted against it for some reason back in June, maybe.

MR. WAUGH: The AP's recommendation was included in the decision document in June for that 3.1 square mile area; and the committee and council did not add that to the document in June. You can certainly come back to that; but I think once you have a substitute motion we have to act on that substitute motion before you do another motion. Joe is nodding his head yes.

DR. DUVAL: There has been a lot of discussion around this. Are there anymore final comments or do folks think they might be ready to vote? Charlie.

MR. PHILLIPS: Mark – and I may be reading between the lines; but if this substitute motion was to fail; am I hearing that the 3.1 may be something that you would look at?

MR. BROWN: Well, the reason I brought it up is that was what was recommended by the Snapper Grouper AP. That was what their original proposal was and then it kind of evolved into four square miles. I would like to vote on Chris' motion first; and if that doesn't, then make the next motion.

DR. DUVAL: Are there any other comments around the table? Chris.

MR. CONKLIN: I really don't have a problem with SMZs; but I do have a problem with closing more bottom, especially when we don't have enforcement tools in place to check on these areas we have. We can close the area down all day long and it looks good on our briefing book, computer, website, everything. Meanwhile they're still getting fished.

The MPAs we have right now, people are sitting on them right now and they're fishing. The coast guard doesn't have the money to go out and do cruises through these areas. They're worried about drugs and immigrants for the most part. No offense, but the truth is in the dollars. DNR and state

agencies; they're not making huge patrols in these way-far-off areas. We can close something down all day long; but until we have a way to enforce it, I don't feel comfortable closing any of these spots, honestly.

DR. DUVAL: All right, are folks ready to vote? We've had a lot of discussion and I'm not sure there is much more that could be said in terms of what is or isn't in a particular area or evidence. I think we've looked at probably everything there is at or least looked in the documents that we have here before us.

**I'm going to ask for a show of hands of those who are in favor of the substitute motion; any opposed to the substitute motion. Seven opposed to the substitute motion; so the substitute fails.** This means we're left with the main motion, which was to accept the recommended wording changes to Action 4 and the alternatives and make Alternatives 2, 2B, 3 and 4 as preferreds. Mark.

MR. BROWN: Can I offer a substitute motion?

DR. DUVAL: Yes, you may.

MR. BROWN: I would like to add a Subalternative 2E to Alternative 2 of –

DR. DUVAL: Might that be Subalternative 2F, because there already is a 2E?

MR. BROWN: Excuse me, I meant 2F to include the 3.1 square mile area of the Devil's Hole that was recommended by the Snapper Grouper AP in the spring of 2015.

DR. DUVAL: There is a motion by Mark; second by Chris; a substitute motion to add new Subalternative 2F for a 3.1 square mile area around Devil's Hole as per the Snapper Grouper Advisory Panel spring April 2015 recommendation. Chris.

MR. CONKLIN: Gregg, did you say if we added anything else to this, it is going to drag it out and take a lot of time?

MR. WAUGH: Yes; any changes like this you would make now would require some reworking of the document and could result in us not getting the DEIS filed in time for the comment period to end by December; so it may throw it over another meeting.

DR. CRABTREE: Just to respond to the question about the Gulf landings, thanks to the miracle of G-mail chat, I'm told that in 2014 there were 75,000 pounds of Warsaw grouper landed and 72,000 pounds of speckled hind in the Gulf.

MR. CONKLIN: I just wanted to discuss some of the public comments we got from a lot of people from South Carolina. A lot of the comments we got were we're not in favor of this at all; but if you do have to do something, please do the smallest area possible if you're not going to take into consideration the South Carolina south 2E. It doesn't look like that's going to happen; so I just would like everybody to entertain the one square mile area at the Devil's Hole, Mark.

MR. BELL: A question about the motion; so the way that is worded right now, it is simply creating an additional subalternative, but it is not really replacing what the original motion did, which was bring in the other two. That's not really a substitute. All that does is recreates the 3.1 square mile box.

MR. BROWN: Could I revise my motion and add in the Alternative 3 and Alternative 4, also?

DR. DUVAL: If it is okay with the seconder of the motion, which I believe was Chris. Mark wants to perfect his motion to basically accept the recommended wording changes to Action 4; add the new Subalternative 2F for the 3.1 square mile area around Devil's Hole and select Alternatives 3 and 4 as preferreds in addition to the new subalternative. Are you, as the seconder of the motion, okay with that modification?

MR. CONKLIN: I am, Madam Chair.

MR. BELL: Just a question; the 3.1 square mile box has coordinates somewhere; does it sit basically inside the four mile box, because that is important to this is where it is actually sitting in relation to the bathymetry.

MR. BROWN: Yes; it does, it sits in the exact same spot. I think it just takes in a little bit more of the deeper water, the deeper side where there is a lot more relief and everything; and then the corner of it catches the upper edge there.

MR. HARTIG: Gregg, do we know if this alternative captures the spawning Warsaw from Will Heyman's work, whichever one it is?

MR. WAUGH: It is in the same general area. I believe that the rationale that was used to suggest the 15 point, whatever it is, square mile area was to pull in some additional habitat and to include the area where they found these spawning Warsaw grouper. That's my recollection.

MR. HARTIG: Gregg, I thought the bigger area was more to pull in the yellowedge grouper in that satellite area. That's just how I remember it. I could be wrong, but I thought it was to incorporate that yellowedge area where they had gravid yellowedge groupers.

MR. BROWN: I believe you're right because the bigger box that was down there off of the Hole was where the documentation of the spawning was taking place. This came out of Will's documents so that was why that was recommended. It was presented to the Snapper Grouper AP and they were in favor of this and then came the expansion. I know I'm nickel and diming this a little bit, but it is in that same general area.

DR. DUVAL: Roger, did you have something on that?

MR. PUGLIESE: Yes; I think those core samples of Warsaw were in that central section; so the alternative does fall pretty much inside the four mile. The four mile was what we had brought forward to them and they came up with the 3.1 as an additional alternative. It is right in that same

type of an area. They just had tweaked it around in the alternative and that was the one that was provided forward; but it does include those Warsaw samples that Will had collected.

DR. CRABTREE: And I'm looking in Will Heyman's paper right now, Roger, and I'm not sure; but as best I can tell we're talking about two Warsaw grouper. That is in a table labeled Table 3, Georgetown Hole with Mark Marhefka. Is that what we're talking about in the Will Heyman study is just two fish?

MR. WAUGH: That very well could be. That's two trips in probably two months of sampling over two years versus what has taken place before that work. It is a small amount of effort to have returned two spawning Warsaw grouper.

MR. BROWN: Well, there was some pretty significant effort. They did work at it pretty hard for the trips that they made, that they went into that area. I wouldn't call it a small amount of work. You look back in history of what was produced out of there by MARMAP and everything, it was pretty limited amounts of any evidence of Warsaw spawning or any speckled hind spawning in that area. There is just not a lot of evidence of it to back this up, but there is significant bathymetry there that would support this type of happenings.

MR. BELL: And again that's what I'm focusing on is capturing that very unique and very significant bathymetry that happens to correlate with whatever it is to spawning Warsaw right now. I just feel that gives you the highest probability of success in a reasonably small area; and anything outside that your chances for success I think are way down.

MR. BROWN: And to that; that's I wanted to offer back up what the Snapper Grouper AP recommended. I just feel like that was unanimous amongst all of them; that they said we'll go with that. It is within the same boundaries, the same area and it takes in the same type bathymetry.

MR. HARTIG: As long as this area incorporates the spawning Warsaws from Will. I don't remember in the MPA Workgroup seeing any definitive evidence of Warsaw anywhere in the South Atlantic where we had any spawning condition that was documented from the scientific studies.

We had some observations about Warsaw Hole in the Keys where the anecdotal information was that there were a lot of Warsaws caught there and they thought that they were spawning. I'm telling you, Roy, I have caught a lot of Warsaws in my career. I have never seen one in spawning condition; and that's something that I look for. I look for hydrated eggs in every fish I catch, that I have to gut. This to me is significant that we've found spawning animals in this particular area where the topography goes to all the studies that corroborate the evidence that these are special places in the ocean.

DR. DUVAL: Okay, we're on our second substitute motion; and we've had a lot of really good discussion. I know this is an extremely difficult conversation and it is a very controversial topic; so that's why I want to make sure everybody has had the opportunity to make the comments and provide their input. I'm going to ask folks if there is any other comments on this particular substitute motion and then I think we'd like to take a vote. Mark.



MR. BROWN: I just have one quick question. Does this document also include the extension that is going to include the artificial reef?

DR. DUVAL: That's a separate action. You're talking about the artificial reef that kind of slid, right, Mark? I just want to make sure if that's the one you're talking about. Okay, are there any other comments on the substitute motion?

**The motion reads accept the recommended wording changes to Action 4 and the alternatives; add new Subalternative 2F for a 3.1 square mile area around Devil's Hole as approved by the Snapper Grouper AP; and select Alternative 2, 2F, 3 and 4 as preferreds.** Is everyone prepared to vote? Jack.

MR. COX: I have one quick question. So the substitute motion is going to delay the amendment; is that correct?

DR. DUVAL: Yes; because there is going to need to be information that has to be added to the amendment to pull back in this alternative and pull information in on that.

MR. HARTIG: To that point; yes, it will delay the amendment, but is there anything time-certain in this amendment that has to be done? That is the way I look at it. Yes, it will delay it, but –

DR. DUVAL: I'm going to let Dr. Crabtree address this.

DR. CRABTREE: Well, I was going to agree with Ben. Whether you vote this up in December or you vote this up at the March meeting, I don't think is going to make much difference to the future of Warsaw grouper or any of these species. I think you're better off to get it right and make sure you're comfortable with the decisions you make and you have the analysis you need to make those decisions. I wouldn't get too wrapped up on whether it delays it a meeting or not, because I don't think that fundamentally changes the value of what you're doing.

DR. DUVAL: Okay, is everyone prepared to vote? I would like to see a show of hands, please, of those in favor of the substitute motion. I count nine in favor. **Can I please see a show of hands of those opposed; one opposed. Any abstentions? The substitute motion passes and it now becomes the main motion.**

**We just need to vote again on this as the main motion. Again, could I please see a show of hands of those in favor of what is now the main motion? I count nine in favor. Those opposed; abstentions, two abstentions. The motion passed with two abstentions.** Let's go ahead and take a ten-minute break. I'm going to go ahead and reconvene. We are through Action 4 and we're moving on to Action 5. Gregg.

MR. WAUGH: These are the zones off of Georgia. We've got some suggested modifications to the wording similar to the previous new A such that it would read "Establish A Spawning Special Management Zone Off Georgia"; correcting some of the grammar and capitalization; just editorial changes.

MR. BOWEN: Madam Chair, I would make the motion that we accept the recommended IPT changes; and in that motion I would also like to list our preferred as Alternative 1, no action.

DR. DUVAL: There is a motion by Zack; seconded by Chris.

MR. BOWEN: And I'll be glad to offer some rationale if needed.

**DR. DUVAL: The motion reads accept the recommended wording changes and select Alternative 1 as the preferred for Action 5.**

MR. BOWEN: Like I said, I'll be glad to offer some rationale if needed. Well, as Dr. Crabtree spoke of earlier, we don't want to make any arbitrary decisions. Just below this area that was proposed, we have in the EEZ a 137 square mile MPA – this is on the same type of bottom that this SMZ is proposed – roughly 40 miles just to the south of this. We have no evidence of spawning Warsaw or speckled hind in this proposed SMZ; and I just can't support closing that area off my state with no evidence and the MPA already in place that is roughly 40 miles to south that covers 137 square miles.

MR. PHILLIPS: I will add that if I remember the species that were noted inside of those MPAs off of St. Simons, neither Warsaw nor speckled hind were seen or documented.

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

MR. WAUGH: Moving on to Florida next; we've got similar suggested wording changes, correcting some grammar and some capitalization and so forth.

DR. DUVAL: Is there a desire on the part of the committee to accept the recommended wording changes at least? Jessica.

MS. McCAWLEY: Yes; but before I do that, it looks like we've got still some strange capitalization in this action for Warsaw Hole if you look at Alternative 2. The words "Warsaw Hole" in the decision document appears to be in all caps. It is marked on the one I see on the screen.

MR. WAUGH: Yes, that's the old wording.

**MS. McCAWLEY: Okay, I move that we accept the IPT's wording for Action 6.**

**DR. DUVAL: A motion by Jessica; second by Chester. I don't suppose we need any discussion about that. Is there any opposition to that motion? Seeing none; that motion stands approved.** Is there a desire on the part of the committee to select a preferred alternative under Action 6? Chester.

MR. BREWER: We had discussions about the placement of the box and the placement was going to be moved I think to better encompass the Warsaw Hole, all three of the boxes, and has that occurred?

MR. WAUGH: Yes; it has. The boxes that are now drawn are all centered around the Warsaw Hole.

MR. HARTIG: I would move under Alternative 2 for Warsaw Hole Subalternative 2B, the one square mile area.

DR. DUVAL: There is a motion by Ben; seconded by Jessica. **The motion is to select Alternative 2, Subalternative 2B, for Action 6.** Discussion? Roy.

DR. CRABTREE: I just don't think I can support that. It is just too small. I don't see how it is enforceable; and I just don't see something that small is going to give us the most benefit. It may be a fine area to close; but I just think talking about one square mile just doesn't seem realistic to me.

MS. McCAWLEY: Yes; I kind of actually agree with Roy here. I think that this is a place that's definitely worthy of being closed, especially after seeing the data from the Nancy Foster cruise that we saw at the last meeting. The information that we had from the past, yes, it was compelling, but to me the data from the Nancy Foster cruise was more compelling.

I would feel I think more comfortable with the green box, which is Subalternative 2A, which is the two square mile area, instead of 2B, the one that I seconded, which was the one square mile area. I guess it also depends on – I think that the Hole is actually the red part here if you're looking at the figure in the DEIS, but it looks like there is some other features to Warsaw Hole that kind of extend out even beyond the biggest box, which is Subalternative 2C. That's part of the reason I would choose Subalternative 2A, the two square mile, because it is encompassing a little bit more of the extra pieces of that feature.

MR. BREWER: Yes; I tend to agree with Jessica; because if you look at, it is not just – you've got this square and then you've got this square. You actually elongate it. In other words, the addition is to either side of the one mile box. That looks like to me that might better accomplish what we're trying to do here. There is some outlying feature there and it takes in more of that outlying feature.

MS. McCAWLEY: I hate to ask this again; but I'm also wondering if that green box, if we need to actually shift that box more to the left because to me it looks like more of that feature is right along the edge, the western age of that box; and I'm wondering if that box needs to be shifted over to the west even more.

MR. HARTIG: The problem is I have looked at some data from Vincent Bonura; and he showed me all of his plotter locations from where they fish amberjack on that location. If you shift it there, you will take in essentially all of his locations. Eighty percent of his locations fall outside of that one square mile box, so he loses 20 percent now. This is not just Vincent.

There are a number of other people that fish. If you shift much more to the west, you're going to take in all of the jack fishery that occurs there. The other thing is that we don't have a lot of these sites of areas up and down our coast. We have some intermittent spots that jump out of the sand and places that have high relief where amberjacks aggregate to spawn.

We have a spawning closure – although it is only one month for amberjack, but it works because a number of these amberjacks go into state waters where areas are closed for three months. That combination works for amberjacks, and I don't think I'm too concerned about the spawning of amberjacks.

Warsaws are really specific in their habitat preferences, so much so that as I've said a couple times before, it is hundreds of yards where I've caught the numbers of Warsaws I've caught and not miles. When you start closing miles, you start closing off a spot, it is going to take that entire spot out of production.

More than a mile – they could live with a mile, but the problem is – and I understand the concerns about that it is not big enough; but we've got to think outside the box. We've talked before about how these things are going to be monitored. To me, that MPA Watch that I was exposed to at the citizen science thing where you have people that when they're in these areas, they go in and make reconnaissance of what is going on the area, what fishing is going on, whether it is trolling or bottom fishing or anything – not in the terms that they're going to be enforcement agents but just that we know what is going on. For me, I think the one square mile based on how we think we're going to enforce these things in the future has some potential.

MS. McCAWLEY: Just to ask you more questions about the fishermen's data that you looked at; so based on what you looked at, are you thinking that Subalternative 2A as it is situated right now, which is the middle size box, you think that is still going to be too much for these particular fishermen even as it is situated right now?

MR. HARTIG: Well, I'd have to review it, but I will tell you that just on the outside of that one square box going west is where most of their locations are occurring, going to the west from that box. I think that's what you said you wanted to try and encompass. There is a ridge there that you thought would be important to encompass. That could be a problem for them.

MR. BOWEN: I would you all to think about the guys that are fishing there. They have changed their methods of how they're fishing. These guys, for the most part, they don't even want to catch these Warsaws as a bycatch because there is no monetary benefit. They know they're in trouble so they don't even want to mess with them to begin with; so they've changed their methods of how they fish. They don't even drop to the bottom anymore to catch these jacks.

They fish for them up in the water column so they don't encompass Warsaw as a bycatch. You didn't jump in my Georgia SMZ: I'm not going to jump in your Florida SMZ. I think you know your backyard a hell of a lot better than I do; but I would just ask you to consider that in your thought-making process.

MR. HARTIG: Yes; that's a good observation; and that's an observation that we've tried to do in general in the area where I fish; and it does work on most days; not every day. The problem is that when the current starts running really hard, the animals are situated closer to the bottom and you're more likely to catch a Warsaw when you have to go all the way to the bottom.

You cannot catch jacks every day up in the water column. They do move. Whenever the current is three knots or more, they move down towards the bottom to try and get out of that current. That's when you have a problem with interacting with Warsaws. There was some talk about taking the jack fishery and removing them from snapper grouper because you could still fish for jacks. I will tell you that probably 99 percent of my Warsaw catches come in the jack fishery. Before I started jack fishing, I think I had one Warsaw caught.

I had caught one Warsaw in my entire fishing career; and that is fishing in deep water for vermilion or red porgy, things of that nature. When you started using big live baits in those high-relief type areas where you had the Warsaws, you saw interaction. A lot of these Warsaws are impacted by the jack fishery.

What I will say, having gone forward, is there is a way that we could document that. Now, we could have these fishermen use descender devices to be able to fish in Warsaw Hole in particular as a regulatory action. We don't have it in there now, but you could have these people who interact with Warsaws actually use descender devices and tag each animal so we could get some data back in the future to find out what kind of mortality we're having when these are interacted with.

The other thing I will answer to about gear changes is you're absolutely right. We used 400 pound test in the beginning of the jack fishery and the biggest circle hooks you can buy. Now I'm down to 150 or 125 on the tail end of my rig to catch amberjacks.

You're not going to catch a Warsaw unless you get extremely lucky much over about 50 pounds on that type of gear. The larger animals will be protected to a much greater degree based just on the gear changes that have occurred. You're right about one thing; our interactions are less now than they were before at least for the biggest animals.

MR. BOWEN: To this point, since we've made some changes in the alternatives for Action 4, I believe, is there a possibility that you as the Florida group could maybe make some changes in the alternatives that may include mandatory descending devices so that we possibly could get around a closure? Just a thought.

MS. McCAWLEY: I think I'd like to talk about descending devices more as part of the visioning workshop in October. I think that's a really cool idea. I look forward to exploring how to fit that into various fisheries and how possibly when assessments, et cetera, are done; that it is almost as if we're getting back because the release mortality would be decreasing. I can get on board with that. I think that might be a little much here in this amendment based on everything else we've talked about with the amendment.

MR. COX: Ben, in this area you're talking about at Warsaw Hole; how deep is it?

MR. HARTIG: I'm not sure how deep the deepest part is. I know the feature that has a tremendous edge on it is square in the middle of it. In my history of catching Warsaws and probably yours as well, those areas of high relief are where those animals have always congregated where I've caught them specifically and very tight to that type of area. Roger would know.

MR. COX: I was just going to say the Warsaws that we catch are in about 250 feet of water and, man, I'll tell you, they belly up and they float. They just don't do right. I want to have faith in the descending device, but at right this minute in that deep water I just don't think it does that effective of a job.

MR. BREWER: Ben, I'm sorry, but I'm in favor of 2A and that is because I presume – and maybe that's a mistake – that the current here is running from west to east. The stream would be hooking that way. For that reason you could be setting up perhaps just outside of the one mile box and your bait is going to be getting into the area that we're talking about protecting. For that reason I support 2A because that gives you a half mile for baits drifting back with the current. As I look at it, it is about a quarter mile.

MR. HARTIG: Yes; although that may be right, you could possibly fish the very edge of the Warsaw Hole at a one square mile area. The Hole itself is in this middle of the square mile; so you would be significantly farther away. You aren't going to draw Warsaws from that distance to the outside edge. They're not going to leave where they want to be that far, anyway, at least in my fishing history.

I mean I can fish and one boat is catching Warsaws and one boat is not; and I'm right next to them on the spots that I've caught them. That is just the way it is in my fishing history. Now, maybe somewhere else down the line that's not the case; but in this particular instance I'm convinced that those animals are going to be on that extremely steep escarpment there, right in the middle of the Warsaw Hole.

DR. DUVAL: Any other comments? I think we've kind of brought everything to bear that we can on this particular alternative; so I'll just read the motion again. It is to select Alternative 2, Subalternative 2B, as the preferred, and this is for Action 6. Is everyone ready to vote? **Okay, let's go ahead and see a show of hands of those in favor of the motion, seven in favor. Those opposed, three opposed. The motion carries.**

The next action is an item that came from public hearing comments, which was to consider adding a new action to establish a buffer zone around each spawning SMZ. I'll let Gregg run through this and then you can decide if this is something you want to do.

MR. WAUGH: Right; we really got a lot of comments at the hearings and in the written comments to explore establishing a buffer around these sites; not to limit fishing activity but to address the impacts from oil and gas exploration and siting wind farms. We felt we got so many comments it would be good to get some specific direction from the committee and council on how to deal with this.

One alternative would be to add an action to this alternative; and we're not even sure we have the authority to do this directly. We probably don't. Another option would be to direct staff to have the buffer issue addressed by the Habitat AP when they review the Habitat Policy Statements in November and bring a recommendation back to the council in December; and another to direct staff to address the buffer issue in the update to the Fishery Ecosystem Plan. Roger needs to add something.

MR. PUGLIESE: Just quickly, I think it may look a lot more than what it really is. I think really potentially in a way to respond to this type of public comment is to have the EFH-HAPC footprint larger than the SMZ so you try to keep some of the direct bottom-impacting activities – at least more emphasize that there needs to be some distance even beyond the fishing-regulated SMZ area. As Gregg said, it was just trying to respond to some of the concern and getting things literally right up to some of these areas.

We are mandated to create where we can the actual spatial representations. Right now the SMZs are designated as EFH-HAPCs so this is just maybe a thought process of trying to address this concern and just individuals' concern about the impacts of these areas from non-fishing activities.

DR. DUVAL: I have a question. The EFH-HAPC designation; that carries with it no bottom anchoring, correct?

MR. PUGLIESE: Not necessarily. It is intended to – we identify that; it gets provided into especially the EFH consultation process. HAPC areas have a higher review so that when it is going through any permitting activities, those are embraced greater. The only places we have the direct regulatory ones are in the actual managed areas.

What we have done is to respond and have coincided the managed areas as EFH-HAPCs also to include that. They are right now in the managed areas because what we have done is co-designated – the C-HAPCs are also now co-designated as EFH-HAPCs; and so, yes, they do address that because the regulation though is in the Coral Amendment and not necessarily actually tied to the EFH designation. The way our council has been dealing with that is it is using that, backfilling the other conservation efforts under the regulations, but it really is to try to address in a great degree many of the non-fishing activities.

MS. SMIT-BRUNELLO: Roger, I have a question for you. Did I hear you correctly that all SMZs are EFH under snapper grouper?

MR. PUGLIESE: Yes; they're not only EFH but they're also designated as EFH-HAPCs.

MS. SMIT-BRUNELLO: Okay, do you remember which amendment we did that in? If you don't, I'll look it up; that's okay.

MR. PUGLIESE: Yes; I think it actually was the original EFH Amendment. As that moved forward, the HAPCs were added in. Those were the only spatial-regulated areas I think that were immediately included. We added in the C-HAPCs and the Deepwater Marine Protected Areas in the CE-BA Amendments.

MS. SMIT-BRUNELLO: Okay, and then on Alternative 3, I don't see how the council has the authority to prohibit these kinds of activities and aren't related to fishing; drilling, wind farms, sonic testing, those kinds of things. It is the Magnuson Fishery Conservation and Management Act. I think that you have some comment capability under the EFH guideline/regulations sort of things, but I'd have to look at that to see what your comment authority is for these kinds of activities.

MR. CONKLIN: I was just going to ask a question about the anchoring, but it has been answered.

MR. BREWER: I see that one of the options here is to have the Habitat AP take a look at this and then get back to us. That really seems like a really good way to go; but the way it is worded it says in December. I don't think we'd pick a preferred alternative here. I think we say, okay, let's do that. With that, I'd like to, quote, pick Option 2 and direct staff to have this issue addressed by the Habitat AP along with the issue of what ability do we have to actually pass regulations or amendments with regard to these areas.

DR. DUVAL: Is that a motion, Chester?

MR. BREWER: That was a motion.

**DR. DUVAL: Okay, a motion by Chester to select Option 2, which is to direct staff to have the buffer issue addressed by the Habitat AP when they review the Habitat Policy Statements in November and bring a recommendation back to the council in December. Second by Jessica.** I still had some folks who wanted to comment. Mark.

MR. BROWN: Roger, I've got a question for you. Are they able to keep the seismic testing out of the sanctuaries and the MPAs in the Gulf of Mexico?

MR. PUGLIESE: Actually, I think they're probably seismic tested in most areas in the Gulf of Mexico at least from the presentations we had to the council at the last meeting. I know in the MPAs, because they had talked about specifically doing survey work right over the grouper closure areas and saying that they had not seen impacts for whatever. I think there is a lot more focus on – at least we're trying to do it with our response and the more recent council response on all the different areas and protected areas; and we're still having to see what types of success NOAA Fisheries in their consultation process may have.

MR. BOWEN: Monica, you touched on a while ago this Alternative 3. You said it wasn't in our jurisdiction to do this, correct, or to offer this?

MS. SMIT-BRUNELLO: Well, yes, I don't believe you can prohibit these kinds of activities.

MR. BOWEN: So would this, quote-unquote, buffer zone just be more wider, bigger areas that we wouldn't be able to fish in?



DR. DUVAL: No; the comments from the public were creating an additional buffer zone around any SMZs that might be established that would not impact fishing activities but may impact potentially the ability of other types of exploratory, extractive activities occurring in those areas. It may give the council the ability to comment on any activities that might take place in those buffer areas, but, no, it would not be additional area where no fishing activity could occur. I think my concern is just that it would be taken the wrong way by the public – I’m sorry, Zack, I didn’t mean to cut you off.

MR. BOWEN: I totally agree; I’m prepared to make a substitute motion of Alternative 1, no action.

**DR. DUVAL: We have a substitute motion from Zack for Alternative 1. There is no alternative really; your motion would just be to not consider a buffer zone.**

**MR. BOWEN: Correct.**

DR. DUVAL: No alternative; so there is a motion by Zack to not consider a buffer zone; seconded by Chris. Jessica.

MS. McCAWLEY: I think I can get on board with the substitute motion. I have a lot of concerns about this. I definitely do not think it should be in this amendment. I believe this is the wrong place for this. I’m fine if the Habitat AP wants to consider this either at their November meeting or a future meeting and talk about it more and bring some information back to us. I don’t think that we’re anywhere close to being ready for taking some type of action around these boxes that we’re just choosing preferreds on today.

DR. DUVAL: I agree. Mel.

MR. BELL: I’m definitely not an attorney; but I don’t think we have the authority to even deal with Option 1 given we work within Magnuson. I was going to earlier on just suggest that we get rid of Option 1. Option 2 basically allows you just to explore ways of trying to bring some hopefully added focus or protection of these areas; but I don’t think we have any authority at all to do that. We can establish buffers and have with SMZs related to fishing activities, but all this other stuff; that is out of our area.

DR. DUVAL: Yes; exactly. Wilson, you get to have the last word and then we’re voting.

DR. LANEY: Well, it is just a question. Someone made the point that this might not sit well with the public, but I thought I heard earlier that this originated with the public during a public comment period.

DR. DUVAL: I think it would resonate well with one sector of the public but not necessarily another. I’ll just go ahead and express my personal opinion that I agree with Jessica. I don’t think this amendment is the appropriate place for that; and I don’t think we’re anywhere near doing anything with it. Certainly, the Habitat Committee can discuss something if that’s eventually

where we end up; but I think we should go ahead and vote on this substitute motion unless anyone has a burning desire to make a comment. Roy.

DR. CRABTREE: If we vote this motion down, then we're back to Chester's motion, which was to ask the Habitat AP?

DR. DUVAL: Yes, sir. All right, can I please see a show of hands of those in favor of the substitute motion. Okay, let's just review this again. The substitute motion is to take no action on the buffer zone issue. If that motion passes, it then becomes the main motion and you vote on it one more time. If it fails, then we are back to the Chester's original motion to let the Habitat AP discuss it.

So let's go ahead and try to vote again. **Everyone in favor of the substitute motion to take no action on the buffer zone issue, please raise your hand, eight in favor; those opposed, two opposed. The motion passes with eight in favor and two opposed. The substitute motion is now the main motion. Raise your hands one more time if you're in favor of the main motion, ten in favor; anyone opposed; any abstentions. The motion passes with one abstention.**

MR. WAUGH: That takes us to Action 7, which is moving the existing Charleston Deep Artificial Reef. We've got some suggested modifications to the wording shown there. It doesn't change the intent.

DR. DUVAL: We've selected a preferred here previously so the action we're looking for from the committee would be to just accept the IPT's modified wording. Mel.

MR. BELL: Madam Chair, I move to accept the IPT's modified wording for Action 7.

DR. DUVAL: Motion by Mel; second by Charlie. Is there any discussion on this motion?

MR. WAUGH: Just one thing to clarify; we're not offering these as IPT because they're not formal IPT recommendations. They've come from several different reviewers during the process; so if we could keep more generic and not tag it as IPT.

MR. BELL: Forget I said "IPT" then.

DR. DUVAL: **The motion is to accept the modified wording of Action 7 and the alternatives. Any other discussion? Roy.**

**DR. CRABTREE: I think the rationale for this one is pretty solid.**

**DR. DUVAL: Any objection? Seeing none; that motion stands approved.**

MR. WAUGH: That takes us to Action 8, which is to establish transit and anchoring provision; and again we've got some changes to the wording; clarifying the no action. You remember the discussions on trawl doors; so this deals with transit. We're suggesting changing that wording to say "trawl doors and nets must be out of the water, but the doors are not required to be on deck or secured on deck or below deck". We don't have a preferred for these yet.

DR. CRABTREE: One comment, Gregg. I think in the “prohibit anchoring”, we want to make sure we all understand that is anchoring by fishing vessels. That’s our authority. As to the transit, I don’t see why in the world, particularly like Warsaw Hole is one square mile; that is not a burden to ask fishermen to run around that. Frankly, I’m not sure any of these things are big enough that we need to have a transit provision because it does not seem to be that onerous to have people go around them. It is a lot different than the Oculina where we were talking about a huge area.

MR. COX: Roy, to your point, remember ours is about the biggest one. We’re five square miles; that is a pretty big area to go around.

MR. PHILLIPS: I would be inclined to keep the transits the same as what is like on the other MPAs, like the one off of Fernandina, which is a big one.

MR. CONKLIN: If we didn’t have the transit provision in there; would that eliminate trolling and pelagic fishing then or would it just be you can’t drive through it if you have a snapper or a grouper on the boat or a sinker?

DR. DUVAL: Good question. Jack.

MR. COX: Chris, in the line of work we do, our guys have got their anchors out there and dragging it behind them. I see what you’re saying.

MR. CONKLIN: Sometimes our guys will throw their anchor out and not pull it in for eight or ten days until they get back to the jetties.

MR. HARTIG: To that point, I don’t know what the definition of anchoring is; but if you’re underway, you’re not anchored in my –

MR. CONKLIN: Exactly right.

MR. HARTIG: Yes; so I don’t think that would be a problem.

DR. DUVAL: Well, let’s go ahead and maybe see – I’d like to at least get a motion to clean up this language. Roy has made his point about the areas that have currently been selected as preferreds being so small; but there is also consistency with our managed areas. What is your desire? Gregg.

MR. WAUGH: Could I just mention one additional item that I forgot to mention. We’re considering a new Option 3, to modify the wording of Action 8 and alternatives as show and add subalternatives to Alternative 3. Subalternative 3A would prohibit anchoring by fishing vessels in all spawning SMZs. Subalternative 3B would prohibit anchoring by fishing vessels in all spawning SMZs except Area 51 and 53. Mel is going to add some rationale as to why that difference.

MR. BELL: We anchor out there to work out there. Now, the fishing vessel part; so are we fishing vessels or not?

DR. CRABTREE: You're a research vessel when you do that?

MR. BELL: Well, technically we're out there on a state research vessel; but keep in mind these sites are only 70 and 100 feet deep, so anchoring is beneficial there. Looking long term to the future of these areas, we're looking at them as investments that we've made in both contributing to spawning potential as well as to other future uses for perhaps diving or something. Not fishing; we don't take anything, but anchoring in 70 feet of water is something that – you're not going to anchor in 300 feet of water.

DR. CRABTREE: Well, if it is a dive vessel, you don't regulate dive vessels; so they could anchor out there. If you're out there in a research vessel, then you're exempt from the regulations and would be able to anchor as well.

MR. BELL: The original thinking, when I brought this up with Gregg, was it just said "vessels"; so nobody could anchor. If it is very specific to vessels that are fishing, then I was worried about being able to have dive vessels and research vessels anchored out there without having to get special permission.

DR. DUVAL: Okay, what do you want to do? Do you want to accept the modified wording with the additional alternatives as shows? Do you want to keep this transit provision in here? Can I please get a motion from the committee? Charlie.

MR. PHILLIPS: Do we need to clean up the wording first?

DR. DUVAL: Let's go ahead and clean up the wording first and then you can select some preferreds.

MR. PHILLIPS: Madam Chair, I make a motion that we accept the wording as presented in Action 8.

DR. DUVAL: Do you want to add those subalternatives?

MR. PHILLIPS: And we'll add the subalternatives.

DR. DUVAL: Is there a second to that motion? Seconded by Jack. The motion is to accept the modified wording of Action 8 and the alternatives as shown and add the two subalternatives under Alternative 3, maybe, just to be specific. Roy.

DR. CRABTREE: Do we need those subalternatives? I thought we addressed Mel's concerns that it wouldn't affect dive vessels and it wouldn't affect your research vessels.

MR. BELL: If you're telling me that for sure – and it is what is a dive vessel or what is a fishing vessel? It could just be a small vessel. It depends on what you're doing; but if you're telling me that a research vessel or someone participating in research or somebody that was diving only no take of anything can be legally anchor, then maybe it is not necessary.

DR. CRABTREE: If it is a government or university research vessel out there, then I think that part is clear. They're going to have a letter of acknowledgement and all the appropriate permits on board. Now, if it is some guy out there who is out there with rods and reels in his boat and says, "I'm a research vessel"; that is not going to be good enough. If you've got a dive boat out there that also has a whole bunch of rods and reels and spearfishing equipment on board, that's a different situation. We don't regulate dive vessels; we regulate fishing vessels. Research vessels are exempted from the regulations typically.

MR. BELL: Keep in mind that vessels that have divers also have things like spearguns and things sometimes; but it is a no take so I guess the way you determine if someone had done something wrong is if they're now in possession of something they shouldn't be in possession of.

MS. SMIT-BRUNELLO: Well, I'm going to read you the definition of fishing vessel under the Magnuson Act because it is pretty broad: "Fishing vessel means any vessel, boat, ship or other craft which is used for, equipped to be used for or other type which is normally used for fishing or aiding or assisting one or more vessels at sea in the performance of any activity related to fishing, including but not limited to preparation, supply, storage, refrigeration, transportation or processing." It is pretty broad and maybe you want to have the options under three.

MR. BELL: I was just trying to be safe for the future; and we're thinking of the whole future of this site and how we might use it; and fishing is not on our list of uses but diving would be, perhaps.

DR. DUVAL: I think if there is evidence of fish on a dive boat, then you can safely conclude that vessel was fishing; and so it is subject to our regulations; but that is just me. I really don't want us to spiral down into an hour-long conversation about what constitutes a fishing vessel. It sounds to me like from the definition that Monica has read that we probably don't need those subalternatives; that we're probably going to be okay. Roy has pointed out that any research vessel is going to have a letter of authorization to be in a prohibited area; so I think we can probably remove those two subalternatives then. Jack.

MR. COX: I was just going to say real quick that most of these places are so deep you don't have to worry about anybody diving or dive boats on them, anyway.

MR. BELL: Well, not those two. That was the reason that was in there, just for those two sites. If we're confident that is okay, I'm fine with it coming out of there. I wasn't trying to complicate things. I was just trying to make sure we looked out to future possibilities. I was just thinking vessels originally and not fishing vessels necessarily.

DR. DUVAL: Well, fishing vessels are what we have the opportunity to develop regulations for; so I think the clarification on fishing vessels is certainly appropriate. Jack and Charlie, do you want to modify that and remove those subalternatives?

MR. PHILLIPS: Yes, Madam Chair, I think in light of the conversation remove those subalternatives; and while we're at it, let's make Alternative 2 and Alternative 3 preferred under Action 8.

DR. DUVAL: **So the motion now reads accepts the modified wording of Action 8 and the alternatives as shown and make Alternatives 2 and 3 preferred.** Any other discussion? Roy.

DR. CRABTREE: Well, I can't support it. To me to allow transit through a one square mile area, it just doesn't make any sense. That is what it would do; and it seems like the one off South Carolina was, what, 3.1 miles.

MR. BELL: Three square miles.

DR. CRABTREE: So I just have a hard time seeing how transit is needed.

MS. McCAWLEY: Call the question.

DR. DUVAL: The question has been called; debate is over. I'll just read the motion again: accept the modified wording of Action 8 and the alternatives as shown and make Alternatives 2 and 3 preferred. **Those in favor please raise your hand, seven in favor; those opposed, 3 opposed. The motion carries.**

MR. WAUGH: That takes us to Action 9, which is establishes a sunset provision. We've just got a slight change to Alternative 1 to read that the spawning SMZs would not automatically expire through a sunset provision. There was some suggestion that we only have two alternatives here. We might want to consider adding a third alternative. If we were to do that, we would need to pick a time. Twelve years or fifteen years has been suggested.

DR. DUVAL: Does the committee want to add another alternative for a different time frame for sunset? Chris.

MR. CONKLIN: Madam Chair, this is kind of where we left the last meeting. We got cut a little bit short. It was a Friday morning. I don't think we got all the way through this and this is right where the last meeting ended. The options suggested here in yellow aren't the direction I was wanting to go; but I'd be willing to add or make a motion to add new alternatives to Action 9; Alternative 3, 4 and 5 with seven, five and three years respectively.

DR. DUVAL: There is a motion by Chris to add alternatives to Action 9. It would be Alternatives 3, 4 and 5 with sunset provisions of seven years, five years and three years respectively. Seconded by Zack. Discussion? Roy.

DR. CRABTREE: Well, I, generally speaking, think sunset provisions are bad ideas. It just results in a last-minute, mad rush to get something done before it expires. You can change these, eliminate or modify them at any time. I guess my preference would be not to have this action in here.

MR. BOWEN: Dr. Crabtree, I think that's our intent with this motion, to get something done.

MR. CONKLIN: I just wanted to speak a little more to the reasoning behind that; and that was some of the last discussions we had on the record at the last meeting was to try and hold the Service

or whatever to properly fund the research that is going on to kind of hold their feet to the fire. There has been a big push for the council to do this.

If we're going to make all these changes and affect a lot of people's livelihoods and all that, we certainly need to make sure there is an ongoing monitoring effort. A system management plan might be a great way to ensure a little bit of funding goes into that to make sure some of these areas are monitored. I also think ten years is just too long.

MR. COX: I just wanted to give Roy just a minute to kind of – I'm sure you've got more experience than a lot of us do with sunset clauses. What did you mean by you were saying you would take the whole action out? If you did that, how would you set up a parameter of we will start working in that area and then if there is nothing going on to not to continue working in it?

DR. CRABTREE: Well, I don't know because it is not clear to me what is it you would expect to see there that would cause you to want to keep the area. If you saw one Warsaw grouper there with eggs in it in a period of five years, would you then say it is working, we want it. That part is not clear to me.

But when you set up a sunset, you're setting yourself up that you have to take an action and go all through all these – the prioritization thing we went through yesterday. We're slammed with work and all this is doing is creating a situation where you're going to have to take an action just to prevent it from going away.

I don't see much sense in it because if you decide after watching this that it is not working, then you can decide to eliminate it; but you're setting up something that is going to happen automatically and you're going to have to take an action to keep it from happening. I don't think that makes a lot of sense. I understand the politics of it and I understand how maybe that makes this less objectionable to people; but I generally don't think it is a wise practice.

MR. CONKLIN: Is this going to pass and we can pass it with the intent that we're going to do something in the future like look at them and take them away if they're not working without having something like this in there, kind of like the lawsuit we just won but we intended to do this, anyway.

DR. DUVAL: So you're asking would –

MR. CONKLIN: I'm asking if we take the sunset provision out altogether; are we really going to come back and do that.

DR. DUVAL: Right; I understand what you're saying.

MR. CONKLIN: Is anything going to get done? Are any groups going to pump money into the system management plan to make sure that they're spawning and all this other stuff going on? My concerns are if it is closed, it is done, we don't have to learn about it anymore.

DR. DUVAL: I think what Roy was saying is if this amendment – I understand what you're saying, Chris. One of the things I was going to mention I think from Roy's perspective this

amendment would modify the framework process to allow us to add or remove a spawning SMZ through a regulatory framework, which is I'm assuming one of the reasons why he is opposing this in addition to the workload issue.

The only comment I would make is that I'm not sure a three-year alternative is feasible when you think about the cycle of how long it takes to develop an amendment and then get something in place. I mean you'd sort of need to turn around and actually – well, if there was a site that you wanted to keep in place after three years, you'd almost have to start working on something I guess a year or two out.

One of the things I wanted to draw folks' attention to was Appendix N, which is the SMP for spawning SMZs, and Objective E under Goal 1 states, "Evaluations conducted on the knowledge regarding spawning within each site at the end of three, six and nine years and reported to the council."

That was one of the things I wanted to bring up, because I don't think we had a very good discussion about evaluation. Roy alluded to this sort of criteria for what you would use for removing a spawning SMZ. If you have three consecutive years that demonstrate no spawning fish on an area; is that grounds for removal, that sort of thing. Jack.

MR. COX: I agree with everything you said. I think that you've got to have some parameter of time to get in there and start doing your citizen science; and that's exactly what we're doing. When you put a time on something like this, I think three years is definitely too short; because a lot of these fish, we want to see if they're coming back that used to be in these areas historically. But when you put – when you give yourself time, you know that you've got to get in there and start working, and I certainly want to see this thing that we're doing in North Carolina be everything we expect it to be.

MS. BECKWITH: And one other point of view I would add is if we're looking at a ten-year sunset, none of us will be sitting around this table in ten years – well, maybe. Yes, Jack will probably be still here; but none of the council members will be around this table. It does sort of force the next council to review what our intent was and to sort of bring that discussion back to light. It is another point of view.

MR. HARTIG: Yes; I agree that three years isn't long enough based on the RFP cycles and things if research needs to get done. It takes a while to get all that stuff done if there is going to be people applying to do research in these areas; so three years is too short. To me, you almost need to go to an MPA-by-MPA sunset because of the differences in the fish in each one.

Now, Devil's Hole has a number of species on it now that you can sample and actually fish are spawning there. If you go to Warsaw Hole, you might not catch a Warsaw at all. If you do it in that short amount of time, even five years for Warsaw Hole would be probably short. To me, I would look at Riley's Hump to guide any information you might glean from an MPA over time.

I'd look at Riley's – how long did it take for significant mutton snapper spawning aggregations to reconstitute on Riley's Hump that were measurable and observable. Is that five years; is it ten



years; is it fifteen years? I don't know the answer to that, but we can find that out. That would guide me more to what we need.

I'm looking at this more from not what you see but is the research on line to do it; that's how I'm looking at it. As long as the research is on line, I would reauthorize the MPA. I think it keeps the researchers' feet to the fire. It does what we did not do with MPAs and make sure we had a research plan that kept people's feet to the fire. I think three years is too short, but five years is long enough to at least see if you're going to have some research being done in those areas.

MR. BREWER: Real-world experience. I asked Mike to send around that video of the spawning snook; and anybody that hasn't seen it, take a look at it. It is pretty cool. That is around the Juneau Pier, which I know Ben is familiar with. That is a pier that went in about 20 years ago now. It took a while, but now you've got some significant – some people would say the largest spawning aggregation in the state of Florida right there at that pier, but it took a while; and it wasn't five years. It was more than that.

The bait were showing up there pretty quick, but with regard to spawning aggregations, no, it took a while. For that reason, I'm pretty sure three years is not long enough; but I might suggest that you might as alternatives to take a look at, say, five, ten, fifteen. Particularly with these long-lived species like Warsaw's and slow growth, it is going to take a while.

DR. DUVAL: All right, Zack, Chris and Mark; and then I think we've had plenty of discussion on this and you can choose whether or not you want to pass this motion or modify what is in there.

MR. BOWEN: Madam Chair, as the seconder of the motion, I think I will amend the motion. I'm pretty sure it is okay with the maker. Instead of having three, we'll go with the five, seven and nine as alternatives; five, seven and nine years.

DR. DUVAL: Why would you do nine when you've already got ten?

MR. BOWEN: Well, I thought we were considering taking ten away?

DR. DUVAL: That's not what the motion says.

MR. BOWEN: All right, we will go five and seven. Is that fine with you, Chris?

DR. DUVAL: The maker and seconder of the motion are modifying the alternatives to indicate five and seven years. Chris.

MR. CONKLIN: To Chester's point, the Juneau Pier is an artificially man-made place, a spot put out in the middle of sand, just like we just did off South Carolina, so hopefully we can get some really good spawning aggregations of all kinds of fish right on that. I could see a longer time period for an artificial reef for the monitoring; but for natural bottom that has been there since Earth began, I think a little bit shorter time will be fine.

MR. BROWN: And I agree with Ben and what he said about the five years is that it does hold their feet to the fire, the science, so let's go ahead and put something in place. If nothing is being done in that five years or if nothing is being resolved, then it can come to the end and we can make a decision.

DR. DUVAL: **The motion now reads add Alternatives 3 and 4 with seven years and five years. Everybody in favor of the motion, please raise your hand. I count 11 in favor. Any opposed. The motion passes unanimously.** Did we already approve the modified wording, Gregg? No, we didn't; so then we just need a motion to approve the modified wording for this action. Jessica.

**MS. McCAWLEY: I move that we approve the modified wording for Action 9.**

**DR. DUVAL: Motion by Jessica; second by Charlie. Any discussion? Any objection? Seeing none; that motion stands approved.** Now we need a preferred. Jessica.

MS. McCAWLEY: I move that on Action 9 we make Alternative 2 our preferred.

DR. DUVAL: Motion by Jessica; second by Jack to select Alternative 2 as the preferred. Alternative 2 would be a ten-year sunset implementation. Discussion? Mark.

MR. BROWN: Why not five?

MS. McCAWLEY: I believe that when we worked on the Oculina; I believe that was a ten-year plan, so I feel like there is a precedent for a ten-year look at these areas; so I'd like to go with the ten years; also, we're talking about long-lived species. I think that gives folks time to secure funding and do some research in the area. That's why I picked ten.

MR. CONKLIN: Ten years is about half of somebody's career; so that's a long time. Anyways, I wanted to ask Gregg some of those comments about the reasoning behind the ten years or give us some background on the Oculina and bring us back up to date on how that works. I know that some of the rock shrimpers were saying that they feel like they got duped on the Hump. I just want to hear about it.

MR. WAUGH: Well, we used ten years for Oculina in the hopes of doing the same thing, creating some incentive for the researchers to do the work. That, quite frankly, didn't happen within the ten years; so the council discussed it and reauthorized the ten years. At the end of this coral cycle, we will have that experimental closed area fully mapped; so I think the message has hit home. So you've got that precedent for ten years.

Ten years was also chosen because based on the work in Riley's Hump they saw that it took several years. You didn't see much happen for the first two to three years; and then as the pressure was off, you started to see something and it grew exponentially. That's the reason we developed that alternative for ten years.

MR. HARTIG: I'm not looking at the metric of five years, which I would prefer. The only metric I'm concerned about with five years is that is there research going to be done? Does somebody have a plan within five years to do research? I think that's not too far off to be able to do that and to put the public on record on a controversial thing like this that we're going to keep their feet to the fire.

If we don't have a research plan for SMZ X in five years, I'm not willing to reauthorize it. I probably won't be here, but I would not be willing to reauthorize if I was here. That's why I think the five years is good. If you want to look at the biological, Jessica, at ten years, if you think that's at least ten years it needs to do that, that's fine; but I think a metric for the research needs to be five years.

MR. BROWN: Well, could you add something into that motion to where if there is no research that's being done within five years – I mean it could stay like it is; but if nothing is being done within that five years, then something needs to be either revisited. Something has got to happen; we can't let happen what happened down there off Florida on the east coast. This has got to change.

DR. DUVAL: I'm wondering if we can just add some discussion in there that would address that.

MS. McCAWLEY: I like where you're going, Mark. I think, though, that I would feel more comfortable if we reworded the alternatives about what we mean here. I don't want it to just say ten years; but we really mean research or some type of plan after five. If we really mean after five we would have the ability to sunset it, then I think that we should reword these.

Is there a way that I could withdraw the motion and we could ask staff to clarify this when they bring the document back the next time that would specifically say we're looking for a certain amount of research or add some type of qualifier like what we're talking about to these alternatives. I think it would need to be research begun in the area or something like that. I think that's what Ben was saying.

MR. WAUGH: Another way to approach it would be to do that specificity in the system management plan. We could look at that in Appendix N. I think we've got alternatives in there now for reviewing it at three, five and seven years, nine years.

DR. DUVAL: It is three, six and nine years.

MR. WAUGH: So we would do reviews and you all would look at it at three, six and nine years; so you could make a change. We could put more discussion here as to what you want to see. I've been texting with Rick DeVictor about the level of change with adding this alternative; and he has checked with the economists. We're still waiting for him to discuss with Nick Farmer and see if we can get some of the percentages that we need.

According to Rick, our drop-dead date for submitting that DEIS is September 24<sup>th</sup> in order to have the comment period end. If we make less changes here, there is still a slight chance we could get

the DEIS review done. We could put those details that you want in the discussion and have more specificity in the system management plan in Appendix N.

MS. SMIT-BRUNELLO: I was going to suggest that you have discussion in the document about what it is you envision that will be done during this five, seven, nine years, ten years, whatever, so that you put some thought into what it is you want to see done. That will tell the public what to expect as well.

I guess you could go the route that Jessica was suggesting on putting it right into the alternatives or you could give the IPT license to come up with some discussion; and you could take a look at it next time. I, frankly, Gregg, think this is going to be a hard lift to get a DEIS given the changes that have been done before.

I don't think the DEIS will be published after this meeting; but I don't think that's a bad thing either because you want to get it right. I don't think you're on any certain track other than the track you put yourself on to the staff and telling them when you want to get this done; so you can change that. That's up to you; but there is no statutory deadlines involved here. As I mentioned yesterday, there is no litigation, there is no lawsuit, there is no court opinion that says you've got to do something by a certain date or you're got to do something. That's all up to you; so you're the driver in this.

DR. DUVAL: Okay, I have Mark and then Chris, then Jessica. We've got a motion on the floor and we're going to wrap this up and move on.

MR. BROWN: So could you add to this motion to where it says towards the end or something so that it meets requirements of the system management plan? You were talking about you add these requirements in there; so could we like tweak the motion to where it says something about meeting those requirements of that SMP?

MR. WAUGH: Yes, that would have to be I think a separate motion where you modify the wording of Alternatives 2, 3 and 4 to add a statement that the criteria laid out in the system management plan would need to be met by the end of that time period, something to that effect.

DR. PONWITH: It is not really clear to me what your intent is, whether you want to meet some biological criteria – and those require measuring – and if the zone fails to meet some biological criteria, then you reconsider whether you want that to persist. What it sounds to me like is you're saying we're going to create this zone and unless someone goes in and does science in the zone, we're going to kill the zone.

That doesn't seem like the right indicator of success. The science you do in the zone is an output. It is are you seeing that you are effectively protecting the animals or meeting the objectives you set up for that zone would be the outcome. I'm just a little confused about which of the two we're talking about.

MR. BROWN: I think that it is important to have something taking place. If we're going to set aside these areas and we're going to have a time frame that is set in place to do management, there

needs to be some sort – there has to be an effort put forward by science to tell us whether or not that this area is doing what it is supposed to be doing.

DR. DUVAL: Jessica, and then I'm going to make a suggestion.

MS. McCAWLEY: Okay, I have a number of points here. First of all, we said earlier in this long discussion on this amendment that we wanted to get it right. I'm not worried about trying to meet some self-imposed deadline.

I personally would like to see staff go back – I don't think just adding wording to the discussion is going to be enough. I personally would like to see something added to these alternatives about what clearly allows us to sunset these areas. That's what I think needs to be added here. Based on that, I would like to give staff the ability to go write that up and I'm withdrawing this motion.

DR. DUVAL: You have to have the concurrence of the committee. Is everybody okay with Jessica withdrawing this motion? The motion to select Alternative 2 as the preferred has been withdrawn. Gregg, do you want a motion to provide direction to staff or has the discussion here been enough?

MR. WAUGH: I think the discussion has been enough.

DR. DUVAL: It has been more than enough for me.

MR. WAUGH: We do have one last item that we need some clarification on; and this was pulled from the system management plan. We need some clarification and we asked during the hearings for some clarification but really never got any comments. The whole idea is you're going to look to document spawning within these sites; and so spawning of which species. Chip put together this draft list that I've got projected here; and we'd like some guidance on which species you want to look at.

DR. DUVAL: This is in Appendix N, which is the SMP for the spawning SMZs. Groupers; it is Goliath, Nassau, red grouper, red hind, speckled hind, snowy grouper, Warsaw grouper, black grouper, gag, scamp. The snappers: yellowtail snapper, cubera, dog, gray, lane, mutton, red, silk. Then you have golden and blueline tilefish. The one question I have is didn't Amendment 35 remove dog; not cubera, but it removed dog snapper, I'm pretty sure, right?

MR. WAUGH: Yes.

DR. DUVAL: So in terms of targeted species, what is your pleasure? Do you want to remove some of these? Do you want to keep the list as is? Ben.

MR. HARTIG: Well, I would remove lane snapper. That is a relatively shallow water species. It spawns in relatively shallow water as well.

DR. DUVAL: Okay, Gregg, can you take this as direction to staff?

MR. WAUGH: Yes, I'll just strike through the ones that you don't want; and that will be sufficient direction.

MR. BELL: Definitely not to complicate this, but we do have two shallow water sites that we've got under control. I'm not worried about demonstrating – you know, the deeper sites, which are the sites that we're really focused on mostly, that's your deeper species, but we are working in shallow water on the artificial reefs as well; but I'm not worried about that. We've got it under control. I don't know if you need to list that or not, but we do have a couple shallow sites technically.

MR. BROWN: Ben, how about the gray snapper?

MR. HARTIG: Well, yes, based on Warsaw Hole, they're probably not going to be spawning in Warsaw Hole. They spawn on the shelf edge there. It is too deep for where they spawn most of the time; and they spawn wherever they are.

DR. DUVAL: Any others? You've got Goliath, Nassau, red, red hind, speckled hind, snowy grouper, Warsaw grouper, black grouper, gag and scamp. I think silence is a sense; so the two that have been removed are gray snapper and lane snapper. Chip.

MR. COLLIER: Are there any species that are missing that should be added?

MR. CONKLIN: Yes; I'd like to add yellow-eyed snapper.

DR. DUVAL: That's silk snapper, I think.

MR. CONKLIN: Okay, when I buy silk snapper, it is imported and it's not the same.

DR. DUVAL: Anything else? Okay, I think we're done with that list. It looks like this amendment is going to probably slip a meeting for approval, Gregg?

MR. WAUGH: That's correct. I guess we'll bring it back to you at the December meeting to look at again to finalize and then it would go out to the DEIS review and hopefully then with final approval in March.

DR. DUVAL: Is everyone good with that? I know it is late; it is ten minutes six, but there are a few agenda items that we really need to knock out in the interest of time. Wilson.

DR. LANEY: Madam Chairman, I'm not on your committee, but just one last comment on 36; and that is that there was a good bit of public comment I think about the lack of work that has been done in these areas. I'd just like to point out that there has been a good bit of work done in these areas. It is reflected in the DEIS especially with all the mapping that has been done and with all the work that has been done to document the species present in those areas.

The other comment I'd like to make is it is easy for us to sit around and say, well, if something is not started by five years, then we want to sunset these things. I think Bonnie and I both know how

difficult it is to go out there, to write proposals, to get everything lined up to get the funding to do the work; and it is especially expensive in some of these areas that are further offshore.

You can't do it for five bucks. So, just to make that comment; and I think the council could go far maybe by making sure that people know what research is needed in these areas and try and make that highly publicized so you can get some of these folks from universities who are interested in doing this kind of research excited and enthusiastic about it and get them to apply when RFPs come out that are appropriate for providing funding for doing the work in these areas.

MR. HARTIG: Wilson, I think as all this shakes out, we're going to be doing the research. The fishermen are going to be doing the research in this. As we move forward with the researchers, certainly, but I think we're going to be doing it.

DR. LANEY: And I think that's great, Ben.

MR. HARTIG: The opportunity for that to happen is much quicker than normal.

DR. LANEY: Yes; and that's great, but it still costs money.

DR. DUVAL: I'm not taking any more comments on this, Jack, we are far over time. I think it is great that the fishermen are going to be involved in this research. That's fantastic! I'd like to just knock out a couple more agenda items, if that's okay with everybody. I'm sorry to be hard-nosed like that, but, you know.

The next couple of things that I wanted to address were the issues of the Joint South Florida Amendment and the Amendment 41 options paper, which deals with mutton snapper. Jessica.

MS. McCAWLEY: First let me say that when we were at the June meeting, one of the recommendations during the South Florida Document Discussion was you guys suggested that we go out and do some more workshops and figure out what the public thought about delegation.

FWC, as part of another exercise and not as part of the Joint South Florida Amendment process – as part of another exercise, we had 19 state-wide workshops during the month of July. We had a number of those workshops in South Florida and talked to folks about the South Florida Amendment, the different things that were on the table and gathered discussion on council items.

I would say based on that I have some ideas for the South Florida Amendment, but based on what I heard I would say that delegation for recreational and commercial fisheries in that South Florida Amendment in my mind is out. The other thing I'd like to suggest is I know that we have this amendment for mutton snapper that we've started on.

We've been hearing a lot of comments at various workshops that we've been having over the past two or three years, FWC workshops. We also heard them at the council scoping workshops for the South Florida Amendment about mutton. I would like to postpone the mutton maybe by one meeting.

I would still like for the council to go to scoping in the January/February time period; but in the meantime we're going to take some of these mutton alternatives that are in the document and the ones that we've been hearing about from the public – we're going to take that to our commission and see if we can get some input on it and see if we can get it moving at the state level. It will be kind of a simultaneously discussion going on.

We might want to do some additional FWC workshops at some additional locations depending on where those council workshops are in early 2016. FWC would, in theory, be just a little bit ahead of the council on the mutton items. We would be doing some of our own workshops and we would be getting commission direction on the same items that are in the council document. I don't think we need to take up mutton at this meeting; and I think we could postpone it until the next meeting.

DR. DUVAL: Would you also be looking at examining that mutton spawning season closure as well, the actual months that it covers, the time period?

MS. McCAWLEY: Yes; I think that would be something that we would be trying to get direction from our commission on, yes.

DR. DUVAL: If everyone is okay with that, then we won't be looking at the Amendment 41 options paper until December, after the FWC has had an opportunity to get some input. And then the other items in the Joint South Florida Amendment, Jessica has already mentioned just completely do away with delegation. Did you want to address other yellowtail snapper items and then the shallow water grouper stuff?

MS. McCAWLEY: I would, thank you, Madam Chair. On the yellowtail, the item that is in the document right now, there is a couple of actions in there that I think need to be pulled out and put in a separate joint amendment with the Gulf Council; and to me that is the item that is about combining the ACL for the Gulf and the South Atlantic and developing an accountability measure.

I think those two actions need to be pulled out, just the ones relative to yellowtail, and put in a separate joint amendment for the Gulf and the South Atlantic. Regarding the actions that are later in the document in that South Florida Amendment, which were a number of items relative to shallow water grouper and black grouper, I would just like to keep those in the document and just keep them on hold for right now and either pick them back up and consider them after the council talks about the visioning process.

The other thing that could happen is after the council sees the Goliath Grouper Stock Assessment, if the council wants to take some actions relative to Goliath grouper, then that could also be a time that the council could consider picking back up those actions on black grouper and shallow water grouper.

We had actually already mentioned that the circle hook item for the entire South Atlantic Region would be considered as part of the visioning; so I feel certain that one is already taken care of and that the Gulf has actually already pulled out the item for circle hooks relative to the commercial yellowtail fishery in the Gulf. They've actually already pulled that out and are taking action on



that separately at their meeting next week. They've already started to pull items out of this document as well.

DR. DUVAL: And so, clearly, I think we're going to be looking or at least discussing the shallow water grouper spawning season closure as a result of visioning. We had a lot of comments about that; so it might be that dovetails or overlaps with the Goliath assessment as well. Is everyone okay with those directions? The yellowtail action regarding the combined ACL would just be in a separate joint amendment with the Gulf, which would hopefully move that along a little more quickly.

We've already moved the circle hook issues to visioning and then the remaining shallow water grouper items which involve spawning season closures and size limits and bag limits; that we were going to try to make consistent with the Gulf; we can pick that back up when we deal with items from visioning. Then that's how we will proceed.

MR. WAUGH: Madam Chair, could we have a motion directing us to do that, please. I think this gets at the intent is to direct staff to work on a separate South Atlantic/Gulf Amendment to address Actions 2, which consolidates the yellowtail ABC and ACL; and 13, which addresses accountability measures for yellowtail, from the Joint South Florida Amendment and have the South Atlantic Council be administrative lead.

MS. McCRAWLEY: I would make that motion, Madam Chair.

**DR. DUVAL: Motion by Jessica; second by Mel. The motion reads direct staff to work on a separate South Atlantic/Gulf Amendment to address Actions 2, consolidate yellowtail ABC/ACL; and 13, accountability measures for yellowtail, from the Joint South Florida Amendment and have the South Atlantic be administrative lead. Is there any other discussion on this? Any objection? Seeing none; that motion stands approved.**

There are a couple additional items that I just wanted to make sure that we talked about a little bit more. One was Regulatory Amendment 23. There are three actions in there. The black sea bass bag limit was of interest to try to put that into the blue line framework. Obviously, this plays into our priorities as we discussed during Executive Finance, which is why I wanted to talk about the South Florida and the mutton snapper issues.

If those are being moved until December; so mutton snapper, the committee would just review and discuss the amendment in December. Would that potentially allow for inclusion of a black sea bass bag limit change in the Blue Line Regulatory Amendment?

MR. WAUGH: Yes; it would.

DR. DUVAL: Okay, then I think I would need a motion from the committee to move the black sea bass bag limit action from Regulatory Amendment 23 into the Blue Line Tilefish Framework. **Okay, the motion is move the black sea bass bag limit alternatives from Regulatory Amendment 23 to the framework addressing blue line tilefish and yellowtail snapper fishing year. Is there any other discussion on this motion? Jessica made the motion and Roy**

**seconded it. Any other discussion? Any objection? Seeing none; that motion stands approved.**

Chip, I hate to break it to you but we're going to deal with the Oculina Evaluation Team Report in December, if you're okay with that. I know that the approaches to monitor recreational harvest of rarely encountered species, which John Carmichael was going to tell us about, I feel like we've already discussed that in terms of the SSC is going to be looking at this at their October meeting and we'll get a report on that in December.

The last thing that I just think we need some closure on is – I just want to make sure the Red Snapper Amendment for the 2016 season – Dr. Crabtree said earlier that he did not feel like this was something that could be addressed until we have the results of the stock assessment in terms of taking an alternate approach. Monica spoke to the constraints that we're under in terms of Amendment 28. I just wanted to make sure that within committee that folks are okay with not pursuing any action on red snapper for 2016 until we get the results of the assessment back. Roy.

DR. CRABTREE: But I am talking to Monica and want her to work with Jack to figure out what we do with Amendment 28, whether we need to pull that procedure out or what we handle with it. I would like to avoid getting stuck in the position where we have to resort to an emergency rule or something like that. When we get the new assessment, we can do a framework to deal with it; but I don't know what that entails at the moment; so that's something we're going to have to look at and we can talk about it again at the next meeting.

DR. DUVAL: Okay, thank you. That was it; is there any other business to come before the Snapper Grouper Committee? If not, then I guess my suggestion would be that we recess for the evening and we can pick back up in the morning at 8:30. Do you all want to continue going through the committee reports or do you want to go back to Executive Finance? I'm hearing let's wrap up Executive Finance first so that we can talk about priorities given the decisions we've made here and then we'll finish with the rest of the committee reports. Jack.

MR. COX: Just under other business, I was just going to make a suggestion that we take 36 and let the SSC review it. That's all I was going to say earlier.

DR. DUVAL: I think the SSC is already scheduled to review it. That's on their agenda. All right, thank you, all, for your hard work. It was a long day. I'll see you tomorrow morning.

(Whereupon, the meeting was recessed at 6:05 o'clock p.m., September 17, 2015.)

The Council Session of the South Atlantic Fishery Management Council reconvened in the Ballroom of The Beach House Hilton Head Island, Hilton Head Island, South Carolina, September 18, 2015, and was called to order at 8:30 o'clock a.m. by Chairman Michelle Duval.

DR. DUVAL: I'd like to go ahead and call the council session to order. We're going to switch things around a little bit. Dr. Ponwith actually has an earlier flight that she needs to catch; so what we would do is go to her update first and then we would circle back around and have Gregg run through the priority list that we were discussing yesterday and in light of our conservations of

some of the ones that I'm sure we'll have upcoming in Dolphin Wahoo. Then we'll start going through the rest of the committee reports. Dr. Ponwith.

DR. PONWITH: Thank you very much, Madam Chair. If we go to the next slide, I want to give you an update on the stock assessment plus-up that we talked about. We were able to bring on a person for six months on a contract and it gave us the ability to handle one more update than was on our schedule.

We deliberated on that last spring and the result of those deliberations is that we were going to work on golden tile. We're pulling those data together and getting ready to embark on that update assessment even as we speak; and we anticipate again those assessment results will go to the SSC for peer review in the spring.

A new development on the U.S. Country Focal Point for a program, the Gulf of Mexico Large Marine Ecosystem Program; and one of the things that we've been trying for years, bordering on decade or decades, is to try and get Mexican landings' data into our Spanish and our king mackerel stock assessments.

They've been interested in discussing it but have not been overly willing to share those data or even attend the stock assessment. Through this program I've been able to work with the new administration; and not only are they discussing it, they have actually committed to doing this to the extent that we've included it in a proposal to the Global Environment Facility.

The proposal goes in November; and if we are successful, we should know by February. If we are successful, this becomes a funded activity that we as a partnership are on the hook for; so it is something at that point we can count on. The U.S. isn't an eligible of the funding, so we can't receive the money; but what that money does is buys the ability to get into the Mexican databases, help them work with those data to get them into the formats we would need to be able to incorporate them.

I will share with you the assessment scientists in Miami are giddy; and it takes a lot to make them giddy. This rounds out an awful lot of information that is currently unknown in this coastal migratory species; so this is an exciting development. As we approach that February time frame, I'll be in touch with you on whether or not we were successful in acquiring those funds.

Saltonstall/Kennedy, as you know the 2016 call for proposals is out right now. It closes in November. This is why sharpening your research priorities is so timely and so very important because even as we speak there are people wondering what can I do that will give me high relevance points in terms of having a very competitive proposal.

By having that material in their hands, by talking to people who you think might be applying, it is in their best interest to put forward not only a proposal that has scientific merit but one that is a complete slam-dunk with the priorities of this council. Just for a feedback loop, here are the projects from last year's call that were announced this summer as having been selected for funding.

The ones that were to be carried in the South Atlantic included a cooperative bottom longline survey to augment the Fishery-Independent Reef Data Collection for deepwater snapper grouper. We are in communication with them right now making sure that the work that they are lining up to do dovetails absolutely completely with MARMAP work and the new blueline tile, the new deepwater work that we're commencing even as we speak.

The second one is estimating discard mortality and the number of dead discarded dolphin fish in the U.S. Atlantic. The third one is an economic and social analysis of North Carolina commercial fisheries. If we go to the next page, there is an additional project that while it is not being carried out in the South Atlantic, it has implications for South Atlantic species.

It is assessing the differential and combined effects of capture depth versus thermal change on the condition of post-release mortality of reef fish, including red snapper. We will be wanting to watch that one very carefully. The blueline tile data – and I should call this sort of our deepwater longline work because, of course, we're going to get benefits not only for blueline tile but several other species of key interest to us.

The fishery-independent data collection via contracted commercial longline vessels – and this will be carrying biologists – this work will begin this fall. In fact, we just this week made some modifications to the permits we needed to cover some areas we were concerned were a gap in the coverage. Now that has been resolved, we're ready to commence that work immediately.

In addition to this, we will be collecting tissues on this survey to carry out some genetic work that is being funded by the Mid-Atlantic Council and the Southeast Fisheries Science Center. We will be collecting spatially referenced specimens on this cruise and use this to do a second genetic study.

Basically it is designed to augment the good work that MARMAP is doing right now by providing some broader spatial resolution to that. That will go a long way to helping us with the stock structure questions. Again for this work, I certainly want to thank my colleagues in the Beaufort Lab, the people in the Mid-Atlantic Council. The ASMFC helped with the vessel participation.

They helped organize our collaborators in the commercial industry. And then certainly our colleagues in SERO and general counsel who helped with the permits. These were many hands. Last but not least, the participants of that excellent workshop who helped design those protocols, because that's really where the rubber meets the road.

Management strategy evaluation is a tool that we are using now and making big investments in, and it is using simulation approaches to answer complex questions so that instead of doing trial and error at great, great expense, your trial and error can be through simulation using datasets. We have an academic scientist now at the Beaufort Lab start at the beginning of this month.

His academic year institution picked up six months of his six-month sabbatical for him. The Southeast Center was able to acquire resources to double that; so instead he is going to be there for a year working on a management strategy evaluation, looking at being able to sync the biological information we have on species to physical oceanography, even including fishing fleet

behavior, how does the fleet behave relative to bottom temperature, surface temperature, salinity changes, in conjunction with movements of these animals.

The model animal that we're using for this is red porgy because we've got fairly robust data for that species. If we go to the next slide; you've seen this one before. This is just an update that now that the data workshop has been held, we are incorporating findings from that workshop into new business practices across our partnership to be able to make those stock assessments more efficient and therefore more effective.

The next slide; we talked last spring about peer reviews. We're on a five-year or six-year cycle for peer reviews. This year we did a peer review on protected species' science throughout the Southeast Fisheries Science Center, focusing mainly on marine mammals and sea turtles. I do want to thank the council for sending Chip there. It was really valuable to have him there to see this underway and connect up better with our scientists in the process. That concludes my presentation. Any questions?

DR. DUVAL: Thanks for that, Bonnie. Are there questions for Bonnie about her presentation? Wilson.

DR. LANEY: Bonnie, on the blueline genetics work; this is in addition to the work that South Carolina is doing?

DR. PONWITH: That is correct; it is intended to augment the work that South Carolina is doing.

DR. LANEY: Okay, and are you also looking at the geographic distribution? I guess you will be since those will be geo-spatially referenced samples. It would be interesting to me to know whether the habitat type that is occupied by those bluelines is more or less continuous from north to south. It will be really interesting to see the genetics' results relative to the habitat distribution of those fish.

DR. PONWITH: Right; and that's really why we made the additional investment in this; and that is by having a biologist on the vessel we can collect those tissues and know exactly what type of habitat and what depth, what the area was, as opposed to collecting at a dock and knowing the generalities of the trip.

MR. HARTIG: Bonnie, that mackerel data coming from Mexico; that's really a critical part of the assessment. That's really, really good news because in some of the assessments, they almost weren't approved because that information was not being able to be included. If we can include that, that will show up in the assessment and at least give the reviewers something to sink their teeth in. Every time we've had an assessment, that information has been requested by the reviewers.

DR. DUVAL: I just had one question about the mackerel information. If that comes in and it is used for the next assessment; does that mean we're sort of in a transboundary resource division conversation after that?

DR. PONWITH: The way we put it into the proposal was artfully designed; and it was that the stock assessment would be conducted by sharing data. The stock assessment would be carried out using the most stringent protocols, which I'm just guessing here, but I think that's going to be SEDAR. That was agreed to.

When the assessment was done using these combined data, then the intent was the scientists would carry that information back to their own respective governance systems and feed that into their management systems as appropriate. It absolutely in no way binds us to co-management just because that's a completely different thing.

When we do see those data, it does give us an opportunity to evaluate is this forum the best way to manage that stock, what is the future of data-sharing for mackerel, and are there other ways to do those assessments and carry out that management. I don't know any of those answers, but right now we're protected from losing any sovereign rights as to how we manage that stock right now.

MR. WAUGH: Bonnie, do you know whether it is going to be king of Spanish? And then on the blueline sampling, if you encounter other species are they going to collect tissue from the other species as well?

DR. PONWITH: We are going to collect everything we can get our hands on. In fact, I'm wrong by heading this as blueline tile data collection because it is really a deep reef data collection for which blueline line is a centerpiece species. We put king and Spanish because we decided we had enough data and we were keenly interested in both of those stocks.

We put it to the Mexicans please go to your scientists in the Gulf and ask them which stock do you have the most reliable data for and we will do the easiest one first; and we've not heard back yet. I will continue to press them that we need an answer to that because I think it strengthens the proposal. Between now and November I'm hoping we have a definitive answer of which one is first. Honestly, if it goes well, I think it greases the skids for doing it for the second.

DR. LANEY: In follow-up to Gregg's question, I keep getting all these e-mails I guess from the coast guard folks about all the illegal Mexican harvest in the Gulf of Mexico; and I would presume that covers some mackerel as well; so is there any percentage to trying to keep track of the coast guard interdictions of those landings as well and plug that into the assessment also?

DR. PONWITH: The coast guard has been feeding us information about red snapper takes along the Texas border and the Western Gulf; and they've been wonderful giving us numbers of fish, pounds of fish. They bought special scales so when they catch these illegal vessels, they can actually give us biomass of take on that. We're aware of those numbers and we're in good communication with the coast guard. We have not received data on king mackerel; and I could guess that it is because it is less encountered in the illegal vessels that they're coming across, but I know that for sure.

DR. DUVAL: Any other questions for Bonnie? If they aren't any, then I was going to ask Gregg if he could roll to the excel spreadsheet that we were looking at yesterday that had the council

priorities now that we've sort of booted a few things from snapper grouper or at least reorganized and delayed them.

MR. WAUGH: This is basically the same sheet that you had. The one change I've made so far was to adjust Snapper Grouper Amendment 36; so you'll look at that again in December and approve the actions and then see the final document and all the DEIS comments at the March meeting; and we would submit that in March.

The one other change was we did decide to – well, for mutton snapper we adopted the revised schedule or we're proposing the revised schedule, and this is what was talked about where we would approve that for scoping at the December meeting and conduct scoping meetings in January and February and approve for public hearings either in March or June. That frees up staff time and we then could complete the blueline, yellowtail fishing year and black sea bass framework for December.

DR. DUVAL: And then is there also the possibility of a dolphin framework; what is your assessment of what could be completed for December at that point? In other words, I don't predict the future very well, but my sense is that there is going to be an action to consider some kind of trip limit or trigger associated with the trip limit during the Dolphin Wahoo Committee Report. In other words, if we can keep that as simple as possible to be one action; do you anticipate that we could see something with some analysis in December?

MR. WAUGH: Yes, because coming in we felt we could deal with the blueline tile and dolphin if we deferred Regulatory Amendment 23. Since we've delayed work on mutton and moved black sea bass from Regulatory Amendment 23 into this blueline framework, then we still feel we can do the dolphin framework as well.

DR. CRABTREE: There was also some talk in the Dolphin Wahoo Committee about trying to put in place some annual process where if the recreational catches remained very low, some portion of the quota could be temporarily moved into the commercial fishery, which I think would have to be a plan amendment. Is anything like that on the horizon, Gregg, or any thoughts on when we might could get to something like that?

MR. WAUGH: In 2016 we've got a Dolphin Amendment; and we need to talk about that a little bit. That has seven actions in it; so that's a major amendment. I think that is where that would come up. At the December meeting we will be talking about priorities for next year. I should have mentioned one other thing.

Red snapper; we had a question mark about that; but we're not moving forward with that framework. That gives us the time to finish the other two frameworks, the blueline tile and the dolphin. We should talk some about red snapper. We've got a red snapper amendment on the list for 2016; but there was some discussion yesterday about needing to perhaps remove the process that's in place now for determining when the season opens.

If you want that done to affect – we could take the assessment results and apply it to a newer process rather than folding it into the existing process. We would need to begin working on that

red snapper amendment to change that much sooner than the assessment; and based on our discussions, perhaps try to start work on it this year.

DR. DUVAL: I might ask Roy for a little input on that. Roy and Monica, you had spoken that you guys were going to try to brainstorm a little bit about how to deal with our existing process that's in place for red snapper and what it might take and how long it might take and what our options are for I guess removing, for lack of a better word, Amendment 28. Certainly, that is going to require work sooner rather than later. I don't know if you've had much of a chance to chat about that. I'm seeing heads shaking no.

DR. CRABTREE: No; I think that's something we'll have to talk about after the meeting. We'll talk to staff about it and try to figure something out, but we'll have to come back to that in December.

MR. PHILLIPS: I guess I'm a little bit – the question is we've got visioning that we're fixing to finish. We're probably going to get some amendments come out of that. We need to deal with red snapper. If we do something with trip limits on dolphin, that's a temporary fix; and before the ink got dry on that, we're going to start something more comprehensive.

I'm worried about workload. I guess that's basically it in a nutshell. I'm inclined to not load the wagon so much that when we start this other stuff that we know is coming – red snapper, we absolutely cannot put that on the back burner. The stuff in visioning; a lot of that has been on the back burner for years to wait on visioning to get through.

I'm not inclined to start something that is a patch when we're going to immediately start trying to fix it. We had three industry people here this week, which was awesome, but we need to talk to a lot of people, go to scoping and do this right. I'd rather do stuff right one time and then not have staff do double work. It is just kind of a general thought, but I don't want to get us bound up so that we can't do other work we need to do that we know is right around the corner.

DR. DUVAL: I agree, Charlie, and I think the concern is just that with dolphin that we not end up in a situation like we have this year; so we might be in the position of having to put a patch in place that will work for a couple of years. In terms of taking a more comprehensive approach to the dolphin fishery, I don't think that's something that would even just be finished in a year just considering the range of actions that were discussed in the committee meeting.

I don't think that's something we would need to rush to do. Clearly, there is going to need to be a lot of conversation based on just the diversity of participants in that fishery. I certainly wouldn't recommend trying to rush that type of amendment. I agree with you; a lot of those things from visioning have kind of been on the back burner for a little while. Anna.

MS. BECKWITH: You said exactly what I was going to say is I don't envision the new amendment for dolphin taking a broader look at something that is going to be in any way fast. While I understand what you're saying about the trip limits, it behooves us I think to avoid early closures during the two or three years that it is going to take us to actually accomplish the longer-term amendment. I understand where you're coming from; but I don't see this as a short-term



patch that we're proposing to put into place is a fix until we find that we need to do something else. It isn't a patch, per se; it is a fix that had some support from the industry itself.

DR. CRABTREE: Well, I don't think it is really so much of a fix; and we've got an issue with dolphin. We've got an optimum yield and we're not even coming remotely close to catching what we've said we should be catching, and we're shutting one sector down. Somehow we need to look at lowering our estimate of optimum yield or doing something there to bring things more in line because they're really out of sorts right now. I don't know that just a trip limit really addresses that part of the problem.

MR. BOWEN: Dr. Crabtree, I guess there are different ways to go about it; but lowering the optimum yield, I'm not sure that would be the right way to go about it, especially when the recreational side is so far from meeting their ACL.

DR. CRABTREE: Well, I'm not saying it is the right way to do it. I don't think we need to worry about how to do it here; but I think it is an issue that we need to take a look at and address somehow.

DR. DUVAL: I wanted to have this conversation before we got into the rest of the committee reports just so we could kind of see what we were working with in terms of slots for work. I'm hearing that there are slots to do something for dolphin; do this blueline framework that has a couple more actions in it; and think about a more comprehensive approach for dolphin starting in 2016.

I think probably the kicker is going to be how to deal with red snapper because it is not something we're really going to be able to put off; so saving some space for that I think is what we're hearing. Are there any other comments on this list of priorities that we're going to have to deal with? We'll have to approve this during the Executive Finance Committee Report. Jessica.

MS. McCAWLEY: I guess I'm still a little confused about where we ended up on the red snapper piece. Does it get a number in here or do we just know we need to start working on it? I'm just a little confused about the red snapper.

MR. WAUGH: It seems to me it is clear you told us not to proceed with a framework; so that is done. I think we'll have some discussions with the region and NOAA GC on what needs to be done in preparation for how we handle the outputs from the assessment. I think the best we can do is bring that back to you in December.

I think if the conclusion is that we have to do a plan amendment to modify that procedure, then we'll have discussions with the region. If we need to start working on that, we'll see what we can get done before December; but I think that's going to be probably the best that we can do right now.

DR. DUVAL: I'm not sure we're going to be able to actually make any decisions here until council staff and the regional office have had the opportunity to figure out what are the potential ways forward; and it really deals with modifying how we deal with an ABC recommendation.

MS. McCRAWLEY: I just wanted us to keep that in mind so we didn't overcommit ourselves so we didn't have a spot available for; that's all I was worried about.

DR. DUVAL: Right. Okay, are we done with the discussion of these priorities? Then I think we're going to jump back to committee reports; and the next one on the list is the Mackerel Committee. Chairman Hartig.

MR. HARTIG: The Mackerel Committee met on the 15<sup>th</sup>. We got our usual reports from NMFS staff on the status of commercial catches and recreational catches and additional amendments under review. We also got a Gulf Council Meeting Report where the staff briefed the committee on actions the Gulf Mackerel Committee took at their last meeting in August.

Under Amendment 26, King Mackerel ACLs and Stock Boundaries, the council staff reviewed the documents and the following motions were made. **Motion Number 1 was remove Alternative 6 under Action 2-2 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.**

**The next motion under Action 4-2 was to remove Alternative 2 and Options A, B and C; and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.** Next we have direction to staff to provide language for alternatives under Revised Action 4 at full council. Kari, do we have that now?

DR. MacLAUHLIN: Yes; and also it went out in the e-mail that had the Mackerel Committee Report. With Action 3 we had a suggestion from Doug and Mel about adding language that would specify that king mackerel caught on the shark gillnet trips in the EEZ offshore in South Carolina may not be retained or sold.

I sent that around to you guys, Mel and Doug, and then also you received the public comment about it. We just added the language in there instead of presenting it as a subalternative. This is some language that we thought we would just add to Alternative 2 and get your input on it; and then once you have it edited the way you like it, then you can have a motion to approve that language for Alternative 2.

MR. HAYMANS: I don't know that I was necessarily asking for them not to be retained. If they were retaining the recreational bag for personal consumption, that would be fine with me, but certainly not the sale.

DR. CRABTREE: I guess my question is why? I don't see any rationale for why we would treat these guys differently because they're fishing off Georgia or South Carolina than we do off Florida. They catch the fish; they're dead. What harm is there from having them sell them and why is that harm only if they sell them if they're caught off South Carolina or Georgia; but the harm doesn't exist if they're caught off Florida? I'm just not seeing what the real rationale is.

MR. HAYMANS: This is just reinforcing the law that is already on the books in Georgia regarding gillnet-caught fish; and that is why I was asking for it off of Georgia. They're not able to be landed there so why be able to catch them there?

DR. CRABTREE: Well, I think they could land them there if they're caught legally in federal waters and according to the rules.

MR. HAYMANS: Well, until the Georgia law is challenged; they can't be. Our current law states regardless of the jurisdiction they're caught in.

DR. CRABTREE: Well, aside from getting into the legalities, because I don't think Georgia can do that, so I don't see that as a rationale, frankly. I don't know; I don't see what the rationale – I mean, Florida doesn't allow gillnets in state waters either.

MS. McCAWLEY: Just to respond to that, we don't allow gillnets in state waters; but fisheries that use gillnets legally in federal waters, those fish can be landed in Florida. We do have transit provisions and stowage of gear things and otherwise; but, yes, I agree with what Roy is saying that if those fish are legally caught in federal waters, they can be landed in Florida.

MR. HAYMANS: I'm not disputing that by any means; I'm just telling you what our law says and the fact that this was a reiteration of that; but whatever the committee wants to do.

MR. HARTIG: All right, what do you want to do? Roy, did you have something more?

DR. CRABTREE: Yes, to me we either ought to allow this or not allow it; and I frankly don't see what harm there is from allowing it. I think they're catching these fish anyway; and it is a relatively small number. I don't see the harm from allowing them to sell them; but I think we ought to either consistently allow it or not allow it.

MS. McCAWLEY: Yes; I agree with Roy; I think we should allow it.

MR. HARTIG: All right, we know Doug's position; we've heard Roy and we've heard Jessica. I think we ought to allow it as well. So what do we do; this goes away? Michelle.

DR. DUVAL: Kari, I was just trying to look back through the decision document for the way that the current language is for that alternative. It just says for shark gillnet trips in the EEZ off Florida, no more than two king mackerel per crew member; and then for shark gillnet trips in the EEZ north of the Georgia/Florida Line; so it is just – the only thing that was changed in this was really you replaced “in the EEZ north of the Georgia/Florida Line” to “EEZ north of the South Carolina/North Carolina Line, correct?”

DR. MacLAUHLIN: Yes; all we did was change that to South Carolina/North Carolina Line in that first highlighted part and then we added that last sentence. Then here is what you had from the decision document for Alternative 2. I think if you don't want to change that, you need to just move on to the next action.

MR. HARTIG: I would say, Doug, that this fishery has functionally changed substantially. You all know that fishery is not occurring to the degree that it once did. I don't think there is anybody fishing there off Georgia anymore. The boats are much smaller. The volume of fish they can sell is much smaller. The whole fishery has changed. There are just so many fewer people in it.

There is only half a dozen people that actually even participate in the fishery anymore; and all it is really is a step-stone fishery to just allow you to tread water until you get the next fishery that you can actually make some money in. It is not as big or as big a problem as we used to see off Georgia in the past; I do know that. That brings us to Motion Number 3, Kari?

DR. MacLAUCHLIN: No; we have to go through Action 4. In the document that you received with your Mackerel Committee Report, Sue and I worked on kind of reorganizing these. What we did was – because you approved under Action 4-2 to remove the potential Florida East Coast Subzone allocation, what we did was make that its own action and rename it as just establishing a commercial split season for the Atlantic king mackerel in the southern zone.

We used the same language that you used for the gray trigger split season. Alternative 2 was what the AP recommended that would have followed what they do. Then we added an Alternative 3 and you could add Alternative 4; but we have the language in there where we have X percent to the period month to month, called Season 1; and X percent to the period month to month called Season 2.

We have some suggestions for some additional alternatives; 60 percent for March to October; 40 percent, November to February; 70 percent March to October; 30 percent, November to February. Then I provided some information; so I have this figure. What this shows are the king mackerel landings in the southern zone by month for several fishing years. I think it is twelve or fifteen. You can see there are some kind of outliers; but in general it goes a little lower here in September, October and November and then it picks back up.

What the AP had recommended is starting Season 2 in October; but you could start it in September or November. Their intention, when they recommended that split season, was to ensure that they would have some quota left no matter what happened during the year, at the beginning of the year in the summer; that they would always have a good proportion of the southern zone quota left to fish on in the fall because that is an important fishery; and it wouldn't close early. I also provided some tables of the total king mackerel commercial landings from the southern zone and the percentage of those.

You can see how Alternative 2, which is based on the AP's recommendation, how that would work for those – you know, possible for Alternative 3 where the first season would be March through October and the second season would be November through February. Then Table 2, which is the average maximum or minimum percentages based on Table 1; so you can see if you set a season March to September, the average is 62 to 65 percent.

You have a maximum of 72 to 78 and a minimum. And then the Season 2, the average is 34 to 37; and then our other examples of possible ways to split the season. And then I have the actual

poundage in there for how this would work for the Alternative 2 that you already have in there that was based on the AP recommendation under your different ACL scenarios.

And then just to have some other ones for you to consider, we put in a 70/30 so you could see what the poundages would be for Season 1 and Season 2; and a 50/50. What we would need you to do is if you would like to add some more alternatives to consider – you already have Alternative 2 where you've reworded this action so we'll just need you to edit, add alternatives if you would like and approve the language for this Revised Action 4. We would need to know if you want to add alternatives, what do you want the split to be, the percentages and then what do you want the periods to be for Season 1 and Season 2.

MR. HARTIG: Well, you have laid it out. How many different alternatives would you need to do what you're trying to do? You've got like five or six there based on the percentages versus the time of year?

DR. MacLAUHLIN: You could have several. We would prefer for you only to really have ones that you're interested in; and that also helps for when the public is evaluating how this will work. It will help keep them from having a lot of information to think about. We've put those suggestions in here. I have here at the bottom these are based on making Season 2 just the last four months instead of five months.

Based on the landings that you can see in Figure 1, possibly you could start it in November. Remember, it is written in here this is similar for triggerfish. If there is anything left over of the Season 1 quota, it will roll over; so it is possible they'll have more than 30 or 40 percent or however much – if there are not a lot of landings in the spring and the summer, just as long as they don't exceed the total southern zone quota. I think that folks maybe would be interested in that first one of 60/40 split with the second season being November through February.

MR. HARTIG: I would concur with that.

DR. MacLAUHLIN: And maybe a 50/50 with a five-month Season 2 starting in October, just because it will roll over. I don't know; does anyone else have –

MR. HARTIG: No; those two seem rational to me. I guess if you want to do these, you would need a motion to add the 60 percent March through October and 40 percent November through February and 50 percent March through October and 50 percent November through February; is that right?

DR. MacLAUHLIN: If you want to look at a 50/50, I think maybe it would be better to have a little bit closer to 50/50 of the year; so the second season would be October through February.

MS. McCAWLEY: Do you want a motion?

MR. HARTIG: Yes, please.

**MS. McCRAWLEY: Mr. Chairman, I move that we add the new alternatives to new Action 4.**

**MR. HARTIG: Just to be clear, those would be 60 percent March through October and 40 percent November through February; 50 percent March through September and 50 percent October through February. Okay, anymore discussion? We haven't had a second to it. Second by Mel.** Michelle, did you have anything?

DR. DUVAL: No, Mr. Chairman, I was just noting that there had not been a second to the motion.

MR. HARTIG: We've got a second. Is there anymore discussion? I think Kari laid it out pretty well in her examples. **Is there any objection to this motion? Seeing none; that motion is approved.** Bring me back to reality here, Kari; where are we now?

DR. MacLAUHLIN: We are on Page 5 of the additional document that you received with your Mackerel Report. What we are recommending – we will have to do a renumbering for the document, and that's okay. We have an Action 5 and that one we've kind of reworded it so we will need for you to approve the revised – you can do maybe Action 5 if you are okay with all these alternatives or do them separately. We have two sub-actions.

What we were talking about was that basically you're creating this area or designating this area for trip limits, not for a sub-quota or anything like that. It is just for management measures. We decided we should call it – to differentiate it from the Gulf subzone – the Florida East Coast Management Zone; and then you're going to use that to specify trip limits.

We tried all kinds of ways; and this was the simplest way to present this. Action 5-1 looks just like the Action 4-1 with the boundaries. We just are changing the name to Florida East Coast Management Zone; so the same boundaries. We have Alternative 2, a year-round boundary; Alternative 3, March 1<sup>st</sup> through September 30<sup>th</sup>; and Alternative 4, October 1<sup>st</sup> through February based on those recommendations that came from the AP.

We were talking about why the boundary is shifting around Volusia County; so I called one of our AP members to ask about the rationale for that. He explained it as – I said, you know, could we just set at either Flagler/Volusia Boundary or the Volusia/Brevard Boundary all year so it doesn't have to move?

He said when it comes to the trip limits, most of the year the king mackerel around Volusia, around Daytona, they're going to be offshore; and so you're probably going to have longer trips or multiday trips and you want to be sure that the fish fishing up around Daytona have that 3,500 pound trip limit.

But, in the winter those fish will come inshore; and when they're there, the participation and the effort around Daytona increases; and so they don't want for the years that the king mackerel are up around Daytona and they're closer inshore; that there is not to be a little more of a restrictive trip limit in place; and so they would prefer to keep – the 50 fish would apply with a possible step-up to 75. That's just for the winter. It really was to make sure that the dynamics of the stock

availability around Daytona and that area; that the trip limits kind of lined with it to keep a really good winter from people really hitting that stock hard if they were that were inshore that far north.

DR. DUVAL: Kari, just so I'm understanding kind of the reorganization of what was Action 4; so what you presented here and what we just discussed was Action 4 would only be establishing commercial split seasons in just the southern zone and then Action 5 would basically take Action 4-1, to establish the Florida East Coast Management Zone, and it looks like 4-2 for the trip limit and just remove those and put them in a new action by themselves?

DR. MacLAUCHLIN: Yes. With this new Action 5-1, you've already approved all of this language except for we're calling it a Florida East Coast Management Zone. You've already approved all these alternatives and options underneath so you don't need to approve the language. It can just be part of kind of a reorganization; but there is nothing new in here that you guys haven't already approved.

MS. BURGESS: Kari, great job in putting this together so quickly with all the new analysis for the split seasons. I appreciate all the work that you did. Now that the council has changed the split season timing a bit, may I suggest for Action 5-2, Alternatives 3 and 4, instead of specifying months, perhaps use Season 1 and Season 2; so that there is fewer analysis needed depending on which states they choose.

DR. MacLAUCHLIN: What I did for 3 and 4; I struck it out in the first one but removed – we would strike out the action ones and just split for Season 1 and Season 2.

MS. BURGESS: And the same for 5-2 as well, which is where you have the changes in trip limits, the step-ups and step-downs.

MR. HARTIG: In the document would it still be appropriate to leave those in parentheses after the season?

DR. MacLAUCHLIN: I think this is a great point. Because we're thinking about Season 1 and Season 2, it may be better just to leave it. Whatever you decides the seasons are will automatically apply for this one.

MR. HARTIG: All right, we can have that in discussion, then. We would need a motion to approve the language change in Action 5-1. Jessica.

**MS. McCAWLEY: I move that we approve the language changes to Action 5.**

**DR. DUVAL: I'm seconding the motion.**

**MR. HARTIG: I've got a motion and a second. Anymore discussion? Is there any objection to this motion? Seeing none; that motion is approved.** All right, Kari, where are we now?

DR. MacLAUCHLIN: Motion Number 3 in the Mackerel Report.

**MR. HARTIG: Motion Number 3 in the Mackerel Report was to approve the addition of Alternatives 4 and 5 under Action 7 as approved by the Gulf Council; and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.** Does that bring us to timing and task? Anna.

MS. BECKWITH: I was going to suggest that we approve or give direction to staff to send a letter to HMS in support of the trip limit and possible small bycatch allowance for a gillnet fishery for blacknose.

MR. HARTIG: I appreciate that, Anna, and you had told me before that you wanted to do that; and I think that's a great idea. Do you need a motion for that or just direction to staff or direction to the executive director? Michelle.

DR. DUVAL: Maybe include it as part of the timing and task.

MR. HARTIG: Okay. The timing and task motion would be to adopt the timing and task items as presented, which is prepare Draft Amendment 26 for review and approval for public hearings in December 2015; allow staff to reorganize the document and actions as necessary; and to draft a letter to HMS in support of a –

MS. BECKWITH: Of a trip limit and possible bycatch allowance for blacknose.

MR. HARTIG: – a trip limit and bycatch allowance for highly migratory sharks in the Spanish mackerel gillnet fishery. Monica.

MS. SMIT-BRUNELLO: I just had a question on the letter that you are going to send. In the report, Anna I guess brought up specific issues to I guess blacknose. I don't know exactly; are we talking about sharpnose, bonnethead and finetooth sharks? What you just said talks about HMS sharks; so are you going to be specific to certain kinds of sharks or are you talking about all sharks in the HMS fishery?

MS. BECKWITH: The concern is small coastal sharks. There is a linkage south of a certain line, latitude 34, and we have been closing the non-blacknose subsection of the small coastal sharks because the ACL is met on the blacknose. Our gillnet fishermen requested assistance in achieving a small bycatch allowance for the non-blacknose species, which include those species you mentioned once the ACL is reached for blacknose.

An additional suggestion that came up during the discussion was a possible trip limit for blacknose to sort of slow down the achievement of that ACL. Those would be I think the two primary things that the council would be in support of HMS considering in a future amendment.

MR. HARTIG: But Monica's question I think and what she was really getting at was it small coastal sharks, is it all HMS species, and it is specific to small coastal sharks. Thank you, Monica.

MS. SMIT-BRUNELLO: And that makes it more clear for the record and for me. Thank you.



MR. HARTIG: So we'll have to add that to the timing and task motion; just behind "HMS", "small coastals, SCS". Okay, that is going to work; I've read it; would someone like to make that motion?

**DR. DUVAL: I move we adopt the timing and task items as presented.**

**MR. HARTIG: Second by Anna. Is there any more discussion? Is there any objection? Seeing none; that motion is approved.** That brings us to the end of the Mackerel Committee; correct, Kari? Do I have to ask for other business? Is there any other business? All right, that ends my Mackerel Report. Thank you, Michelle.

DR. DUVAL: Thank you, Ben. Next up is the AP Selection Committee Report; Doug.

MR. HAYMANS: The Advisory Panel Selection Committee met September 15, 2015. The committee reviewed applications for open seats in the following AP: Golden Crab, Habitat Protection and Ecosystem-Based, King and Spanish Mackerel, Law Enforcement, Deepwater Shrimp, Snapper Grouper and SEDAR Pool AP.

The committee also discussed liaison seats on the King and Spanish Mackerel AP for the Mid-Atlantic Council and determined that the seats should remain on the AP. The committee approved the following motions as recommendations to the council:

**Motion 1: Reappoint Robert Palma, Brad Whipple, Numo Almeida, Theresa Coppa and Glenn Ulrich to the Golden Crab AP. On behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; the motion is approved.**

**Motion 2: Appoint David Webb and Wilbur Vitolis to the Habitat AP; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved.**

**Motion 3 is to add three additional seats on the Habitat AP and appoint Clarke Alexander, Laurent Cherubin and Brian Hooker; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved.**

**Motion 4 is remove a seat on the Coral AP; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved. Motion 5 is to reappoint Bill Hickman and Bill Kelly and appoint Deidra Jeffcoat to the Mackerel AP; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved.**

**Motion 6 is to approve Bruce Buckson to the Law Enforcement AP; and on behalf of the committee I so move. Is there any discussion? Objection? Seeing none; that motion is approved. Motion 7 is to reappoint Mike Merrifield, Nancy Jones, Richard Reid, Laurilee Thompson and Brent Zirlott to the Deepwater Shrimp AP. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Motion 8 is to appoint Frank Heilies to the Deepwater Shrimp AP; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion is approved. Motion 9 is to reappoint Marilyn Solorzano, Steve Wilson, Warren Gautier and appoint Jason Vogelsong to the Deepwater Shrimp AP; and on behalf of the committee I so move. Is there any discussion? Objection? Seeing none; that motion is approved.**

**Motion 10 is to appoint Rusty Hudson to the media seat on the Snapper Grouper AP; and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

**Motion 11 was to reappoint Red Munden, North Carolina and appoint Andy Piland, North Carolina; and appoint Scott Buff, North Carolina, to the Snapper Grouper AP; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved.**

**Motion 12 is appoint Lange Sykes, Florida, and reappoint Richard Stiglitz, Florida, to the Snapper Grouper AP; and on behalf of the committee I so move. Is there any discussion or objection? Seeing none; that motion is approved.**

**And, finally, Motion 13 is to appoint Dick Brame to the NGO seat on the Snapper Grouper AP; and on behalf of the committee I so move. Is there any discussion or objection? Seeing none; that motion is approved.** There were several items listed under the directions to staff that are printed there on the screen. I won't read through them. Madam Chairman, that concludes my report.

DR. DUVAL: Thank you, Doug. Next is the Visioning Workshop Report. I'll go ahead and run through that. Staff presented an overview of the public input sessions that we held in July and August and reviewed our overall input. We discussed the amount of participation in the meetings and the written comment received and the use of the comment stations versus the use of written comments.

We then discussed possibly of a survey of stakeholder perceptions on different issues in order to drill down further into why or why not stakeholders may support or not support use of certain types of management tools or approaches and to further collect ideas on other types of tools that they would support.

We also discussed using a stakeholder survey in 2016 in order to help us gauge stakeholder support for priority items and how to move forward with those. We then talked about some of the new ideas that came from the public input and we will discuss how to incorporate those into the Draft Vision Blueprint in October at our Visioning Workshop.

Then we discussed outreach on the Vision Blueprint, specifically port-style educational meetings to provide stakeholders with information on new management issues and topics of concern that could potentially be focused around a single idea or a specific management tool such as permit stacking, state-by-state quotas, things of that nature.

We did also have a little bit of discussion about there is potentially some confusion among stakeholders on how the Vision Blueprint would be used in the process for how short-term actions would be developed by the council. We talked about preparing some outreach materials on how the blueprint would be adopted by the council and then any short-term actions will go through our normal formal amendment process with the usual public input opportunities.

We also discussed the format and layout of the Draft Blueprint and that this is certainly likely to change and discussed condensing it into a format that is a little more concise and user-friendly. Then we embarked on some discussion regarding planning for our Council Member Visioning Workshop in October. I will just remind folks that in preparation for this staff is going to be sending a survey to council members; and it is going to be due at the end of next week, I believe, so there is a short turnaround on that. That concludes the Visioning Report. Next on the list is Habitat Protection and Ecosystem-Based Management. Wilson.

DR. LANEY: The committee met on September 14, 2015, and addressed the status report on the regional ecosystem coordination efforts facilitating the development of the South Atlantic Ecosystem Modeling Suite, timing and facilitation of the completion of Fishery Ecosystem Plan II, and coordination efforts to complete the EFH updates/review; and the report on discrepancies between the approved action on stowage of nets during transit through the Oculina Bank's C-HAPC and coordinates of the C-HAPC; and regulations published in the Final Rule for Coral Amendment 8. There is a motion which I would ask the co-chair, Mr. Haymans, to make since I'm not a voting member. That will complete our report as soon as dispense with that motion.

MR. HAYMANS: My apologies, Wilson, I forgot there was a motion in there. **Madam Chair, there was one motion from the committee; and that was to read for Coral Amendment 8, the intent was to have the doors and nets out of the water; and on behalf of the committee I so move. Is there any discussion? That was simply to clarify the council's intent as to what the transit provisions were. Is there any objection to the motion? Seeing none; that motion is approved.** Madam Chair, that does conclude our report.

DR. DUVAL: Next is Protected Resources Committee; and, Dr. Laney, back to you.

DR. LANEY: The Protected Resources Committee met September the 14<sup>th</sup>. The agenda was adopted and the minutes were approved. We heard a South Atlantic Protected Resources related update from Andy Herndon from the Southeast Regional Office. We received a report also from Andy on the Coastal Migratory Pelagics Fishery Biological Opinion.

The fishery was found not to cause jeopardy for any ESA-listed species and no new council actions were needed. We also received a report from Chip on the ESA/MSA Integration Agreement. We discussed whether to address Marine Mammal Protection Act involvement in that same document, and we left that up to the two staffs to decide whether or not to include the MMPA.

The two staffs are going to have a meeting to discuss that and make final recommendations to the integration agreement; and we'll see a more finalized version in December. I gave a brief update on American eel.

Bob Beal and I gave a brief update on the Atlantic States Marine Fisheries Commission's progress on the Benchmark Atlantic Sturgeon Stock Assessment. I didn't have anything new to report on red knot. There wasn't any other business. The committee didn't make any motions; but if one of my committee members would please do so, we do have a timing and task motion which a voting committee member needs to make. Dr. Duval.

**DR. DUVAL: I move that the committee recommend staff revise the integration agreement and work with SERO Protected Resources staff to further develop the document and present the document at the December council meeting. Ben seconded it.** Now you just ask if there is any discussion or any objection.

DR. LANEY: I think you have to do that or one of my voting committee members has to do that. I can't do that.

**DR. DUVAL: Is there any discussion on the motion? Any objection to the motion? Seeing none; that motion stands approved.**

DR. LANEY: Thank you, Madam Chairman; that completes the Protected Resources Committee Report.

DR. DUVAL: Next on the list is the SEDAR Committee Report. After the SEDAR Committee Report has been given, we're going to switch the order a little bit and jump into dolphin wahoo and then we will follow up with Executive Finance so that we can approve our priorities. The SEDAR Committee Report; Chairman Hartig.

MR. HARTIG: We met on the 15<sup>th</sup>. The committee received reports on SEDAR projects, the annual research plan and the Southeast Fisheries Science Center Headboat Data Evaluations. Several additions were made to the modified research plan address System Management Plan items. The committee directed that supporting details of these items be added to the prior detailed version of the research plan and that this version be retained as a supporting or source document for the research plan.

Chairman Hartig expressed interest to look at any evidence of strong year classes of golden tilefish that may result in some investigations in the upcoming stock assessment using market grades. Proposed stock assessment priorities were modified by removing spiny lobster in 2018 and mutton 2020; requesting a standard approach for blueline tilefish in 2016, to incorporate results of additional Southeast Fisheries Science Center survey efforts now underway and stock ID results expected to be available later this year.

The committee directed that the SSC review the justification for a standard assessment in October with participation by the Southeast Fisheries Science Center staff. **The motions that were made during our business; the first motion was to appoint Marcel Reichert as Chair, Carolyn Belcher as a reviewer and George Sedberry and Eric Johnson as an alternate for SEDAR 47. On behalf of the committee I so move. Is there any discussion on that motion? Is there any objection to that motion? Seeing none; that motion is approved.**

**The next motion was to approve the terms of reference for tilefish; 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 was to approve the Goliath Grouper Review Workshop Terms of Reference; 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 was to approve the additional spawning SMZ and MPA items to the Council Research Plan; 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 was to approve the council's Research Priorities Plan as modified; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion is approved.**

**The next motion was to approve the stock assessment priorities as modified; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion is approved.** The next motion needs to be made at this level, and that was the timing and task motion. **The motion was direct staff to modify the research plan and forward it to the agency.**

**DR, DUVAL: I make that motion.**

**MR. HARTIG: Motion by Michelle; second by Charlie. Discussion? Is there any objection? Seeing none; that motion is approved. That concludes my SEDAR Report, Madam Chairman.**

DR. DUVAL: Before we get into dolphin wahoo, because I think that will take a little while; but if there are folks who need to check out, I'm wondering if it might not be a good idea to take a 10- to 15-minute break. Why don't we go ahead and take a break and then we'll reconvene and get back into dolphin.

Just to remind everybody, we're going to start up again with the Dolphin Wahoo Committee. All right, we're going to go ahead and jump into the Dolphin and Wahoo Committee Report; Chairman Beckwith.

MS. BECKWITH: The Dolphin Wahoo Committee met on September 14<sup>th</sup> and received updates on the status of commercial and recreational landings for dolphin and wahoo species. The committee then discussed a report on recent landing trends and ACL tracking for dolphin. The commercial dolphin fishery met its ACL and was closed by the National Marine Fisheries Service on June 30<sup>th</sup>.

The report showed an increase of longline trips with high landings in 2014 and 2015. The remainder of the time in committee we spent discussing issues surrounding that recent commercial closure and some different ways that we might consider dealing with that in the future. There is really three things that I think we need to discuss in council.

One is the option for a regulatory amendment. One is potentially updating the control date for the commercial fishery in case we want to consider limited entry in the future. We do have a list of items that we will likely see again in December and then choose from that list what we would want to send to scoping in January. Those are the big items.

First let's talk about the potential regulatory amendment. I have a motion that has been suggested that we might take a look at; and it would direct staff to prepare a regulatory amendment that considers a step-down at 65, 70 or 75 percent of the commercial ACL to a trip limit of 1,000, 2,000 or 3,000 pounds. Is there some discussion from the committee if that is a direction that we would like to pursue? Zack.

MR. BOWEN: Madam Chair, who made that motion?

MS. BECKWITH: No one has made that motion. It is just a suggested motion. Is that a direction that the committee and the council would feel comfortable pursuing in this regulatory amendment? Ben.

MR. HARTIG: Well, I'm not a member of your committee, but I think –

MS. BECKWITH: This is full council.

MR. HARTIG: I very much appreciate this because I think as we went around, we heard this come up a number of times about this; and I think the industry actually was supportive of this as well, some kind of a step-down that would allow them to operate at some level before we get down to the step-down. I think this is a rational way to do it without having two different trip limits.

MR. PHILLIPS: Well, Madam Chair, I'm trying to figure out how we would implement this on his end because this is basically a two-month season. How is he going to know or have any idea when to set the dates when a lot of these guys, as we heard, were making 20- and 30-day trips? It looks good, it sounds good, but I don't think it is doable.

MS. BECKWITH: Jack, would you care to speak to that, please?

DR. McGOVERN: Well, we would get projections from the science center, and they typically give us a number of different projections based on the historical performance of the fishery. The science center usually gives us when they think is the most reasonable and then we would do the step-down based on that date. I guess Bonnie can probably speak to it better than me, but it might be that the first year might be harder to predict. As we get more data, it might be easier to predict.

DR. CRABTREE: And one problem I see is we heard about 20-plus-day trips by some of these vessels; and so if we step down during one of those trips, they're going to end up throwing fish over the side. Yet if we give them enough time to get in, it may be that we blow right past the step-down; so there are some issues here. How well we'd be able to work through those problems it is hard to say until we got there and actually did it.

MS. BECKWITH: And that would be one of the reasons for maybe choosing a step-down at a slightly lower percentage, like 70 percent or so, where if we did get an influx of last-minute trips coming in or late dealer reporting; that the ACL would sort of adjust and still have enough to cover the smaller hook-and-line fishery for the rest of the season. Ben had a comment.

MR. HARTIG: Well, I would just say we closed the fishery this year before all of them were caught; so I would say we have a pretty good idea about how we can do it. I don't think it is going to be that big a deal. We've kept the fishery within the allocation so far this year. If you're really concerned about – you just move the percentages lower if you're concerned about not being able to close it before you think it should be closed.

MR. BOWEN: One foreseeable problem that could arise if this was implemented, in my opinion, if those guys are out on 20-day trips or 25-day trips, if a trip limit was implemented during that at-sea – when they were at sea, there is a strong possibility that they would come back into port and be over the trip limit without even knowing.

MS. BECKWITH: Thank you; Charlie just made that point.

MR. BOWEN: Well, I just wanted to make it again.

DR. CRABTREE: Anna, we put this out over NOAA Weather Radio; so I think they would know. We had this happen this year. When we closed the fishery, there were boats still out that couldn't make it in time; so we reopened for a few days to give them time to come in. We just have to figure out how far in advance to we have to announce the trip limit step-down so the boats have time to come in.

MR. BOWEN: To that point, though, Dr. Crabtree –

MS. BECKWITH: I didn't acknowledge you; hold on. Michelle.

DR. DUVAL: That was just going to be my question for Roy was really can you give more advanced notice than – usually the Service tries to give five to seven days' notice before there is a closure or a step-down, say, with vermilion snapper; and just how much notice you could give? Could you give ten to fifteen days' notice to do something like this?

DR. CRABTREE: I think we'd have to talk to Terry and some of those folks as to how best do that with these distant vessels and figure something out. Of course, the more notice you give, then the more you have to assume in the projections to get there and the more error there can be in it. We'd have to work that out.

MS. BECKWITH: Right, and certainly I think the intent of the council is not to leave those guys sort of not being able to accomplish their trip but to have some sort of trigger where whatever flexibility the National Marine Fisheries can utilize to make sure that those guys are getting their trips in that they've already started on would be certainly the intent. Zack.

MR. BOWEN: Am I acknowledged now? Thank you. Dr. Ponwith, I think it was yesterday you made a point that in this fishery it is just hard to project; so I couldn't support this. Thank you for acknowledging me.

DR. PONWITH: Some of the points that have been raised are the tricky points. If the trips are long and the vessel is out, you don't know what it is going to land. There are ways to mitigate for that. It would require potentially a longer lead time for the projection; and, of course, the projection is always the most accurate at its closest to the terminal data, which would be the data that were landed that previous week. The farther you go out the more challenging that gets.

It is just a matter of building enough of a cushion for that uncertainty. It is almost like having a trigger-point ACT where you say, okay, if this is what we want to land on and we're not sure how close we're going to be to it, you back off from that and create a lower percentage trigger point so that when those boats come in there is enough room for those to be landed and added to the cumulative catch. The most challenging is, of course, the longer projections.

If we have a hundred percent reporting, then we don't have to estimate and that makes things better. The other thing that makes it difficult is if you do a split season. If you do a split season, the very first year you do that you don't have a history to tell you what the behavior in that second half is going to be like. If we can nail this the first time, you don't have to look at a split season.

MS. BECKWITH: Right; and I think the idea is that 70 percent of the ACL would cover most of the season, if not all of the season, that these landings would typically come in for. Then we did hear a bit of feedback from the industry about having sort of a 5 percent by weight of the total landings that they have.

Margo was able to send me a bit of information; and looking at sort of the total landings across the board during those seasons, considering sort of a 5 percent even at a 2,000 pound limit would cover most of that; so if we decided to want to add some additional flexibility for that step-down trip limit, 3,000 pounds would likely cover most of the scenarios for those folks to still comfortably be able to land the fish that they encounter. Jack.

MR. COX: Step-downs are very much supported in our fisheries and they work very well. The problem with the dolphin fishery is it is still an open-access fishery; and I think that is something that is going to have to be addressed because you don't know who your participants are.

MS. BECKWITH: I agree; and the list of items that we will likely send to scoping in January; that is on there. We will discuss what we want to send out to scoping in December for next year's amendment. Zack.

MR. BOWEN: The idea of a split season with this fishery, I just feel like the season is so short – not necessarily the season is so short but the timeframe that they catch them; so I'm not sure a split season in this instance would be the best for the fishermen or the fishery. If we get into projecting out when it is, let's say, at 60 percent or 50 percent and then it comes back and, well, we still have some ACL left to catch, let's open it back up.



Then we open it back up for a short amount of time, go on more projections, and then we come back and say, well, it is closing this date. Well, wait a minute, we're only at 89 percent of the ACL; we can open it back up. Then you cause confusion among the fishermen not again – again, they can't make a business plan. It is opened, closed; open, closed; open closed. There are a lot of things to consider.

MS. BECKWITH: Your concerns are noted. Charlie.

MR. PHILLIPS: And Bonnie kind of nailed part of my problem with this is when you're trying to get far out enough so that you can try to hit the number, then you have to have a bigger buffer. What easily could happen is what they've been catching, they're not able to catch it or the trip limit drops down so low that while fish are still there they've got to be throwing them back.

They can't even bring them in because you've got a projection and you put a buffer in. I heard industry yesterday, if I'm not badly mistaken, saying if there was a trip limit, they were looking at something more in the 15,000 pound range, but that would be probably a yearly trip limit, something that they knew what it was.

They really didn't think there was going to be a problem with the increased TAC. The water got warm early this year; they caught fish early this year. Of course, nobody wants these smaller trips later in the year not to happen. We need them for restaurants. The fishermen need them. These two, three, four, five hundred trips, whatever they happen to be; they're important.

I'm afraid we're going to run the risk of throwing a lot of fish back or not landing a lot of fish, trying to save these. We've got the increased TAC that I think I heard them say that they thought it was going to take care of the issue and work on the longer-term program. With these trip limits and the way this is set up and the way the fishery is prosecuted, I just can't support it. Thank you.

MS. BECKWITH: Sure; and I think one of the pieces of information that we're sort of struggling without is the makeup of what our fishery really looks like; because we have this percentage of HMS pelagic longliners that probably might be majority of our fishery, but we don't know. We also have pelagic longliners that don't have the HMS permits that are likely not taking these really long trips. I think when you guys are thinking about the fishermen that are out there for 21-plus days; it was pretty clear that was not the majority of the folks prosecuting this fishery. I don't know that will be as much of an issue as the concerns that are raised; but they are noted. Chester.

MR. BREWER: I just want to point to everybody that this fishery closed in June of this year; and there are significant adverse economic impacts that are still occurring because of that. If you go back and look at the data and the information that was put together by staff, you will see that before last year your average trip for the hook-and-line guys was between 70 and 90 pounds.

Your average longline trip last year was about 800 pounds; and before that it ran between four and six hundred pounds. Even this year the average longline trip was right at 2,000 pounds. To me what you have to take a look at is what can we do now so that we don't face the situation of a fishery closing down right at half a year.

It is a fishery that our restaurants and local seafood markets really depend upon. To me what Anna is proposing or what has been proposed is a very reasonable short-term fix, Band-Aid, patch, whatever words you want to use for that situation. I agree that we need to go back. We need to look at – number one, we need to know who is prosecuting this fishery.

We've got an open-access apparently longline fishery that was developing and now apparently has developed. They are not subject to the same rules that the folks that got up here and talked to you, Jimmy and Terry. They don't have to use circle hooks. They don't have anywhere near the amount of regulations that what are known as – what we're now calling the HMS longliners. We need to get a handle on that problem. I don't know who landed what.

I asked for that information to get the actual trip tickets. I never got to see those. We saw averages instead. It is my suspicion that the HMS guys didn't cause this problem. It is my suspicion that it is a growing fishery that is what now some people are calling "council boats". I think this is a very reasonable way to, in the short term, take care of the problem.

DR. CRABTREE: Well, let's remember we're not making a final decision right now. This is just to have staff put the analyses and things together and bring it back to us in December. I'll probably support this motion for now, whether I'll support when we get to the end of the day or not, but I do think it is enough of a problem that we ought to take a look at it.

MR. BELL: I kind of agree with both Chester and Roy. I had my people look at dolphin landings and look at gear type and all; and we are seeing an increased reliance upon surface longlining. HMS is mixed in with those landings, but I think we're seeing more and more interest from just folks that aren't HMS. It is creeping up, so I think it would be good to take some precautionary action because I do not want to see the fishery close down. That's not good when that happens.

MR. BROWN: I was just wanted to say I want us also be careful not to hurt this fishery, too, because they are achieving National Standard 1. It is not overfished or overfishing is not occurring. Let's make sure that whenever we do make any type of regulations; that we don't hurt this fishery and put a lot of these guys out of business.

MS. BECKWITH: I agree with you, Mark. In that scoping list we have some options to ensure that is taken into account, some potential future shares, so we'll definitely be talking about that.

MS. McCAWLEY: What is the timing on this? We would see a version in December and then we think it could be finalized, what, at the spring meeting? We could finally this in December even though that is the first time we saw it?

MS. BECKWITH: Yes; we will be doing a webinar scoping or – go ahead, Brian.

DR. CHEUVRONT: No; it would be a webinar public hearing.

MS. BECKWITH: Right, a webinar public hearing and then we would see the version in December, likely pick out preferreds in committee, do a public hearing maybe within the council meeting and then take final action at council.

MS. McCAWLEY: So then if we were to start the larger process that everybody is talking about that would have the kitchen sink of items in there; then is the timing on that more like the end of 2016 or are we talking about early 2017 by the time that we could get that completed?

MS. BECKWITH: My guess would be early 2017.

MR. WAUGH: Just one thing to point out is the reason that you should feel a little more comfortable giving us direction here and finalizing in December is that Brian has updated the analyses of trip limits that you considered in the previous amendment. We don't have that trigger provision there; but as far as impacts, you can see that from that updated table. You do have some analyses before you at this meeting.

MR. BOWEN: Chester, you made some points a while ago that average landings – and I don't have the figures in front of me. I'm recalling from memory what you stated; but one year was 70 to 90 pounds or something.

MR. BREWER: That is for hook and line and that has remained fairly constant throughout.

MR. BOWEN: I would be curious to see if those landings are from fellows or from fishermen that are strictly commercial or are dual-permitted for the for-hire sector and just catching those as a bycatch that really don't depend 100 percent on that 70-to-90 pound landings for their living.

I have a suspicion that they're dually permitted and probably charterboat guys or recreational guys and catch a few fish and bring them back and probably sell them to the restaurants, which in my opinion in turn hurts the guys that are solely commercial fishing.

MS. BECKWITH: Brian is ready to answer that question, Zack.

DR. CHEUVRONT: I forget which amendment it was. I think it may have been in the Comprehensive ACL Amendment that you prohibited catch from charter and headboats from being sold.

MR. BOWEN: But this is an open-access permit. They can have a charter/headboat dolphin wahoo permit and also have a commercial dolphin wahoo permit and sell the fish and still be legal.

DR. CHEUVRONT: Not if it is a charter/headboat trip, they cannot sell it whether or not they have a permit. Even if they have the commercial permit, they cannot sell it if it is a charter/headboat trip.

MR. BOWEN: But if I'm dually permitted and me and you and Chris go out fishing and we catch 70 pounds of dolphin, I can legally come back and sell them if I have a commercial permit, as long as I'm not for-hire.

DR. CHEUVRONT: But if you're taking paying customers on your vessel, you cannot sell those fish.

MR. BOWEN: I agree; but if I'm not taking paying customers and I still go out fun-fishing and I have that commercial permit, then I can legally come back and sell them.

DR. CHEUVRONT: You can do that for any fishery that you have a commercial permit for.

MR. BOWEN: I agree; thanks.

DR. DUVAL: Madam Chair, I understand what Chester was saying about trying to understand the composition of where the harvest is coming from, which set of permitted folks, whether it is HMS folks that also have a dolphin wahoo permit or just folks who have a dolphin wahoo permit. I mean I would like to see that as well; and I know just from the work that Mike Errigo did for Regulatory Amendment 16, just looking at endorsement holders over time and trying to match those landings with permits; that is definitely – it is a task that takes longer than just a few weeks that staff had between June and this meeting, I think. It would be good if we could have that at some point. I don't know; maybe operator cards are a way to try to drill down into that. We'll see.

MS. BECKWITH: I think we're getting close to being able to vote on this. The last point I would make is while this may not be a perfect fix, it certainly is – Mel made some really elegant points yesterday about the damage to the commercial industry as whole when it closes for long periods of time. While this may not be perfect, it is a step in a proper direction until we have some time.

MR. CONKLIN: I believe there are new safety requirements coming through. The Coast Guard is going to mandate that any federally permitted vessel has to have a new inspection sticker. That will make a lot of these guys that are participating in this fishery required to have the life raft, Big Boy life jackets, the offshore flares.

The majority of the guys I know that are participating in this fishery that aren't dually permitted snapper grouper or recreational fishermen; so just keep in mind that I don't foresee a lot of those guys, because they don't depend on this, renewing their permit once they have to spend all this extra money on safety gear. I don't how long before it is going to be enforced heavily, but I've had several guys calling me wanting to know about how much money it is going to cost and what the requirement is going to be. I could see some of the effort going away on the hook-and-line side of this fishery, which might give a little bit more fish back.

DR. CHEUVRONT: I just wanted to remind you, Madam Chair, that nobody has actually made the motion yet.

MS. BECKWITH: Yes; there is that. Ben, would you like to make this motion?

**MR. HARTIG: I would move that we direct staff to prepare a regulatory amendment that considers a step-down at 65 percent, 70 percent and 75 percent of the commercial ACL to a trip limit of 1,000, 2,000 and 3,000 pounds wet weight.**

MS. BECKWITH: Do I have a second; Chester. Charlie and then Zack.

MR. PHILLIPS: Well, I guess as a point of clarification; is this to be added to the previous trip limits that they had talked about before? This is going to be the only option in this amendment?

MS. BECKWITH: Yes. Zack.

MR. BOWEN: To Chris' point, I am recalling from memory but I will say those Coast Guard Regulations go in February of 2016 – is it October of 2016 or this year? That life raft alone, inflatable – we won't be able to use the life rafts that we're currently using – that life raft alone is somewhere between three and five thousand dollars. It is a pretty expensive new upgrade on safety equipment.

MS. BECKWITH: Okay, is there anyone else that would like to make any comments? Michelle.

DR. DUVAL: The way I see this structured is we'll see options that have a step-down at 65 percent and then an analysis of what that would look like under a 3,000, 2,000 or 1,000 trip limit; similarly for how that quota would play under a 70 percent trigger at three, two or one thousand pound trip limits; and then a suboption for a 75 percent trigger with step-downs to – I guess I'm just trying to clarify for folks that this looks like it would a couple of different sets of subalternatives for both a step-down and the trip limit.

DR. CHEUVRONT: Michelle, we talked about that; and we understand that is exactly what you're asking for, basically nine different combinations. What we are asking you to do is instead of you putting very specific language in it, is to allow the IPT to work together to come up with the combination in the way that is appropriate that will satisfy NEPA and all the other requirements to look at this. I think we understand the intent of what you're looking for. You do want those nine different combinations; and we're hoping that you'll just let staff put that together in a way that we know is going to fly once it gets ready for review after you vote on it in December.

MR. CONKLIN: If we're going to move forward with something like that; I wanted to bring up some – I had a conversation with Jim Budi the other evening after the meeting; and he was saying some of the average landings, when they're not targeting them and it is not hot and heavy – and I believe he said some stuff at public comments as well – where it is more like around 3,000, 4,000 pounds. These options in here don't really satisfy the need of the HMS longline guys. I would like to add a couple alternatives of some higher trip limits to avoid having to throw fish over the side or cut a trip short. What do you think?

MS. BECKWITH: Well, we are trying to keep it simple for the staff to not have a ton of analysis. If you feel like you want to add one option, I would then take one away so we don't have more than – so if you want to add a 4,000 pound option, I would maybe suggest taking away the 1,000 if that's not one that we realistically think that we might implement. Just a suggestion; any thoughts on that? Jessica.

MS. McCRAWLEY: I thought we were trying to keep this within the range of the already analyzed trip limits from a previous document; and didn't that go between 1,000 and 5,000?

DR. CHEUVRONT: It went up to 10,000. You had one, two, three, four, five and ten thousand pound trip limits.

MS. McCAWLEY: Thanks for the clarification.

DR. CRABTREE: That stuff is going to have to be reanalyzed and updated to bring in all the more recent data, anyway.

MR. WAUGH: I think, too, you need to be sure what your intent is here. Once you hit whatever the cutoff is – 70 percent, say; is it your intent to still accommodate high trips by longline vessels or is it to try and stretch that remaining 30 percent out for the remainder of the fishing year to ensure that your hook-and-line sector can participate for the remainder of the year? You don't want to go too high to where you're going to end up filling the remainder of the quota shortly after you hit your trigger.

MS. BECKWITH: Right; and I think Gregg just – what my personal intent would be; that would be it. Then we did also hear some public comments from the industry where when you were talking about what is currently being discarded in the non-directed fishery, some of the things that they threw out were 500 pounds on a ten-day trip, a thousand pounds on a ten-day trip.

We are trying to accommodate within – once we hit that 70 percent, what they would be able to bring in as a non-directed and allow that last 30 percent to be directed on by the hook and line, stretch out the season and still accommodate the incidental catch for the pelagic longliners. Did I have somebody else that wanted to talk on this side? Okay, Chris.

MR. CONKLIN: My intent was – and I thought I stated it – was to avoid having to waste fish. We're doing it right now. They catching dolphin and they're throwing them back in the water. Some of the comments that I heard were a little bit higher. I know how things go when we come up with a range of alternatives between one, two and three; we're not going to pick the three to accommodate the longliners.

Are they really going to stop fishing when they get to that or are they going to have to keep on fishing to make a trip? I know there are some ethics that come in there, but I don't see their break-even coming in on a choke – where they're going to have to cut a trip short if they catch a few dolphin at the beginning of it. It doesn't make sense.

MS. BECKWITH: We also heard from the industry that they do sort of change gears and there is a difference of when they sort of switch gears and they're looking for the opportunity and taking the advantage of the opportunity of those dolphin being in the area where they are and the difference of the actual incidental catch. There is a directed and non-directed aspect of it. I think for the non-directed aspect, the information that I understood was that a 3,000 pound trip limit would very likely comfortably sort of cover that. Ben.

MR. HARTIG: We had ESPN; it was great. You had exactly what I was going to say.

MR. CONKLIN: I would like to entertain the idea of like a 2,000 to 5,000 pounds; so would I need to make a substitute motion for that? We have some analysis and range of alternatives already done. I know we're going to have update it.

DR. DUVAL: I think, Chris, with the permission of the motion maker and the seconder, if they would accept as a friendly amendment to the motion; to do that. Otherwise, you can make a motion to amend.

MS. BECKWITH: My personal feeling is this current range I think achieves what my personal intent is, but it would be up to Ben.

MR. HARTIG: It wouldn't be friendly.

MR. CONKLIN: You all can do what you want. The problem with this fishery is allocation and we can address that later; so let's move on.

DR. DUVAL: Chris, you always have the option to make a motion to amend, which would just be to amend the trip-limit alternatives to include X and Y.

MR. CONKLIN: Did you say a substitute motion?

MR. WAUGH: A motion to amend.

MR. CONKLIN: I would like to amend it to add one option of 4,000 pounds with the maker and the seconder's permission; how is that?

DR. DUVAL: You don't have to request their permission. If you make a motion to amend; you just need a second to your motion to amend this.

**MR. CONKLIN: Okay, so I would like to make a motion to amend the motion to add an alternative of 4,000 pounds. Do you want me to take away the thousand? We're good, okay.**

MS. BECKWITH: Do we have a second? Okay, Jack seconds that motion. If this motion carries, then the 4,000 would be included in the original suite of alternatives. If it fails, then we go back to the original motion; is that right?

DR. CHEUVRONT: That's correct.

**MS. BECKWITH: All right, so let's vote. How many folks would like to see 4,000 be included in the range of alternatives? Okay, how many people don't want to see it? The motion passes eight to two, so 4,000 pounds will be included in the original suite of alternatives.**

Are folks comfortable now with that original motion that includes 1,000, 2000, 3,000 and 4,000 pounds? Do we want to see anything eliminated from that range; everybody good? Great; let's vote. **The motion that we will be voting is a motion to direct staff to prepare a regulatory amendment that considers a step-down at 65, 70 or 75 percent of the commercial ACL to a**

**trip limit of 1,000, 2,000, 3,000 and 4,000 pounds wet weight. Is there any opposition to this motion? Okay, two opposed; the motion passes. Were there any abstentions, by the way? One abstention, the motion passes with two dissensions and one abstention.**

Okay, let's move on. Now let's take a quick discussion on control dates for the commercial industry. If we are going to consider potential limited entry through scoping beginning in 2016, there is some interest in updating our control date.

I had originally suggested 2013; but quite frankly I went and looked at the number of permits, and the number of permits, while we don't have enough information to kind of see who is using what gear type or what the makeup of those permits really are, the number of permits does not vary very much between 2013 when the effort – prior to the effort shifting towards longline catches versus now. Probably the easiest way forward would be to refresh the control date to the date of this year's closure, which would be June 30, 2015. Is there any discussion on that? Any interest to update the control date for consideration of limited entry? Zack.

MR. BOWEN: Only if we're going to follow through with it. We've set control dates on other species and done a thing with it. If we want to sit here and really hash this out and consider it, then, yes, we can talk about it; but for us just to sit here and set a control date like we've done in the past with the other fisheries and just let it go by the wayside, I would rather adjourn and go home.

DR. DUVAL: I assume that if we set a new control date here that this would be incorporated into any draft options paper for consideration of that broader, more holistic suite of potential management options for the fishery, correct? I have not been around for discussion of different control dates and how the council has done that in the past or protocol for doing so.

I don't think it is going to be productive to get into a huge discussion of changing a control date here. I guess my question maybe to Roy and Monica is if we make a motion here today to establish a new control date as Anna has suggested and then as we get into discussing future options for management of this fishery; do we have the opportunity to change that again to something more appropriate?

MS. SMIT-BRUNELLO: Yes, you do. A control date really just is something that gives the public notice that you are thinking about perhaps in the future taking some action to restrict people's ability to get into the fishery. Because it is open access now, and so you put a control date out there and it lets the public know that if they get in after that date, they may not be guaranteed participation in the fishery.

It is just kind of as a flare that goes up in a way to let people know; but if you consider down the road limited access or whatever, you have freedom to change any eligibility criteria on which you decide who gets in in the future. That includes that control date. What happens is if the council passes a motion to have this control date, they send a letter to the Fisheries Service and the Fisheries Service then would publish in the Federal Register the new control date.



MR. HARTIG: Zack, Monica explained it just right. It puts industry on notice. Basically it is a notice. We don't have to use it when we do any limited access considerations. I think the utility of it; it puts the industry on notice that we're thinking of considering this from this day forward.

MS. McCAWLEY: I guess one of my questions is would we not want to back up the control date to before that HMS Amendment was passed, to an amendment that we've been talking about. It seems like maybe the control date is too late if our concerns are relative to the passage of this amendment that has caused people to change their behavior.

MS. BECKWITH: And I thought about that and that was my original direction; but on the flip side, I sort of recognized that we have this increase in ACL that is coming in that could accommodate more effort in the commercial fishery.

That is sort of the gray area that I'm not sure since we have to make quite the argument that there likely is a resource concern as to why we would be backing up because the resource can't take it or the ACL – but since the ACL is sort of being achieved and it is still within our definition of optimum yield, I'm sort of struggling to make an argument as to why we would back it up even with a shift in effort. But that was my original direction. Michelle.

DR. DUVAL: Jessica, just given what Monica has just explained; I have more comfort that should we want to reconsider that control date, we have the ability to do so. From my perspective, consideration of limited entry is absolutely what we need to do in the broader picture of things. I would like to see a control date. It doesn't matter to me if we set one here today or if we do it at the next council meeting.

MR. PHILLIPS: Well, maybe what we want to do is let staff give us a range of options of control dates and then we can do it in December.

MS. BECKWITH: I don't think that is necessary. I think we can come up with one right now, right here, and save staff the mental effort on that one. Bob.

MR. MAHOOD: Monica, I missed what you said, but we used to get direction that if you weren't trying to get rid of people out of a particular fishery where a lot of brand new entrants had jumped in; that the strongest way to do your control date was upon publication in the Federal Register, the date upon publication in the Federal Register.

If you recall, Ben, we used to do pretty much like that; put people on notice. I would assume you'd want to make that decision now and then we would go through the process of submitting a control date to the Federal Register, which I believe is a letter to the Regional Administrator, if I'm not mistaken. Then it would be published in the Federal Register and that would be the control date.

MS. BECKWITH: Any other comments on that? I guess I would need a motion to either set the control date specific to the date that the fishery closed or upon publication in the Federal Register, as Bob suggested. Anybody's preference? Zack.

**MR. BOWEN: Madam Chair, I would like to make a motion to do what Mr. Mahood just recommended; and that would be to make the control date when it publishes in the Federal Register for the dolphin wahoo commercial permit.**

**MR. HARTIG: Second.**

MS. BECKWITH: Okay, that's fine; and what would be the timing on that, Bob? How fast could we get that done?

MR. MAHOOD: We can do it right away. Probably the result would be the same as if you did it at the closing of the season this year, because it will certainly be in place before the next season would open.

MS. BECKWITH: My concern is that since we have an open access permit; that there may be a run on permits right now because it is open access. My preference would actually be to set it at the date of the closure. I would not support this motion. The date of the closure would be my preference because I do see the possibility of a run on open access permits because there is nothing stopping anyone from filling out that paperwork and sending it today. That would be my suggestion.

MR. MAHOOD: I think, Madam Chairman, if that's your concern, certainly that would be a good idea. Am I getting this clear where couldn't somebody go to the Greater Atlantic Region – can they get a dolphin permit up there?

MS. SMIT-BRUNELLO: No, I think they're all issued out of the Southeast Regional Office.

MR. MAHOOD: Okay; but if your intent is to not let anybody jump in now, then I think probably your idea is better.

MS. BECKWITH: Zack, would you like to amend your motion?

MR BOWEN: No, ma'am.

**MS. McCAWLEY: I would like to make a substitute motion that the control date be the date the fishery closed.**

**MS. BECKWITH: And Doug seconds that.** If we vote this up, then this becomes the main motion. Okay, the motion reads substitute motion to set the control date for the dolphin wahoo commercial permit as of June 30, 2015. All those in favor of this motion please raise your hand.

DR. DUVAL: Can we have a discussion?

MS. BECKWITH: Sorry, discussion, yes, go ahead.

DR. DUVAL: Monica, I just want to make sure that it is cool to do this; to set a control date that is prior to today's date.

MS. SMIT-BRUNELLO: I think it is fine. I mean it is not that far back. It is within the last several months. You have good rationale for doing it; so I think that's fine. If you do limit access in the future, one of the things you're going to have to consider under the Magnuson Act is the present participation in the fishery when you limit the access. There is a control date. You can use that control date or not use it, but you'll also look at who is in the fishery now. I think you're going to cover most of the interests that I've heard around the table.

MR. DiLERNIA: Let me get it straight; if someone bought a boat after the closure of the fishery anticipating to go into that fishery next year when it reopens; they would be behind the control date at this point?

MS. SMIT-BRUNELLO: Yes, if the control date was June 30<sup>th</sup>. I have seen control dates come out of the – I still call it the Northeast Region, but GARFO that reached fairly far back a couple of years and they've been litigated and it has been okay; but I think you have to have strong rationale as to why you choose a certain date.

But the council by publishing – if they go with this control date, they're not married to it. It is kind of, yes, we have this out here; but when we go and look in the future to limit participation, we're going to have to see whether we want to stick with that date as one of the eligibility criteria or not stick with that date.

MR. MAHOOD: I agree with Monica. Basically you're putting people on notice that after this date they may not be able to enter the fishery; but you also have the option that you may look at several other factors and allow people into the fishery. Once you determine how many permits are there, who is fishing, how the division between the users are, you may say, okay, we will let a certain number of folks in after that. It is only putting people on notice when you publish this.

MR. HAYMANS: I was just going to follow up on Monica and Bob. In the last five years we've done that very thing with the black sea bass pot fishery. We've had a control date. We heard the plea of the fishermen who got in after the control date, the level of fishing they were at, and we allowed those fishermen in. We've set the precedent to do that.

MS. BECKWITH: Okay, any further discussion?

MR. BOWEN: We've also done that with snapper grouper permits. We've set control dates in the past and they've gone by the wayside.

MS. BECKWITH: Part of the process. All right, any further discussion? **All those in favor of this motion please raise your hand – this is the substitute motion – seven with me; all those opposed. The motion passes seven to six in opposition. Okay, so now this becomes the main motion so we need to vote one more time. Now that it is the main motion, it would read to set a control date for the dolphin wahoo commercial permit as of June 30, 2015. All those in favor of this as the main motion please raise your hands. That's seven in favor. All those opposed, five opposed. The motion passes. Go ahead, Zack.**

MR. BOWEN: Madam Chair, on that other vote, not that it is going to matter, but you said seven to six.

MS. BECKWITH: Seven to five; I voted.

MR. BOWEN: Yes; but the first one you said seven to six.

MS. BECKWITH: Seven to five. Okay, that's that. The only other thing I had on my list was again think about the list of things that we might consider for scoping in December. The list will likely come back to us and we'll be able to think about it a bit and then we can decide what we want to send to scoping for January once we have that discussion again in December. Is there any other business to come before the Dolphin Wahoo Committee? Okay, seeing none, that concludes my report. Thank you very much.

DR. DUVAL: Thank you, Anna. We're going to roll back into the Executive Finance Committee Report; Chairman Hartig.

MR. HARTIG: The Executive Finance Committee met on the 17<sup>th</sup>. The first order of business was the status of the 2015 budget; and it looks like we're going to have a carryover into the next year so we're in good shape. The next item of business was discussing the webinar format used in recent public input sessions. There was extensive discussion in support of that, so it looks like we're going to continue that process. Under council follow-up and priorities; we need to approve those priorities. Gregg, what do we need to do?

MR. WAUGH: We need to do a motion to approve the priorities as modified.

MR. HARTIG: So I would need a motion to approve the priorities as modified. Michelle.

**DR. DUVAL: Mr. Chairman, I move that we approve the council priorities as modified.**

**MR. HARTIG: Motion by Michelle; second by Mel. Further discussion? Is there any objection? Seeing none; that motion is approved.** I believe that concludes my report unless you need a timing and task. I guess we don't. Okay, that concludes my report.

DR. DUVAL: Next up is data collection; Mel.

MR. BELL: The Data Collection Committee met September 17<sup>th</sup>. There were a series of presentations. We met in closed session first to cover the Citizen Science Workshop appointments. There is a list of names that we'll see later in a motion. Then we went into open session. We had a presentation on the National Observer Program. Jane DiCosimo, the National Observer Program Coordinator, gave that presentation.

There were some discussion and questions related to observer programs and no motions were made. We had a presentation by Chip Collier, council staff, on CE-BA 3, where we are with that right now. There was discussion again about bycatch and how that factors in there. The next presentation was Dr. Jack McGovern from NMFS staff updated the committee on work-related

bycatch reporting in the southeast. Dr. Crabtree noted the council would need to include all FMPs as – he specified the bycatch reporting requirements and we move forward with that.

The next presentation was an update on the commercial logbook pilot study. Dr. Ponwith made that presentation. The report on data portions will be available for the December meeting; so we'll be hearing about that in December. The next presentation was status of the implementation plan for commercial logbook electronic reporting.

Gregg Waugh updated the committee on the current status. Mike Cahall indicated they're testing the data feed in the northeast now; and that portion should be completed within a week or two. A detailed report will be presented to council in December; so we'll be hearing more about that. Then we got into the Joint South Atlantic and Gulf Generic Charterboat Reporting Amendment; and that's where we spent the majority of our time.

The committee discussed the decision document and approved the motions below. The first motion is actually associated with the appointments; and I won't read all those. The first motion is related to that.

**The motion to approve the Citizen Science Workshop appointees as listed; Doug Mumford/Chris Wilson, North Carolina DMF, recreational program; Stephanie McInerny/Alan Bianchi, North Carolina DMF, commercial data; Bob Lorenz/Andy Piland, North Carolina fishermen, recreational; TBD North Carolina Sea Grant staff; Chris McCaffity, North Carolina fisherman, commercial; Tom Burgess/Kenny Fex, North Carolina fishermen, commercial; Jeff Buckel, North Carolina, SSC/NCSU researcher;**

**Marcel Reichert, South Carolina SSC/DNR. CoC researcher; Amy Dukes, South Carolina DNR, recreational program; Mark Marhefka/Clifford Scott, South Carolina fishermen, CR experience; TBD South Carolina Sea Grant Staff; Courtland Babbick, South Carolina fisherman, recreational; David Herter/Jason Dubois, South Carolina fishermen; Matt Conrad/Englis Glover, South Carolina fishermen, recreational;**

**Carolyn Belcher, Georgia, SSC/DNR, researcher; Kathy Knowlton, Georgia DNR; Lindsey Parker, Georgia, UGA Capt. GA Bulldog; Brian French, Georgia Sea Grant Staff; Dave Snyder/Deidra Jeffcoat, Georgia fishermen, recreational; Charlie Phillips, Georgia fisherman, commercial;**

**Beverly Sauls, Florida FWC, recreational research; Russ Brodie, Florida FWC; Robert Johnson, Florida fisherman, recreational; Shelly Kreuger, Florida Sea Grant Staff; Jimmy Hull/Jim Freeman, Florida fishermen, commercial; Tom Twiford/Dave Webb, Florida fishermen; Ira Laks, Florida fisherman, recreational; Steve Cadrin, UMass, CR/Citizen Science experience; Luiz Barbieri, Florida, SSC Chair. At Large: Rusty Hudson, DSF Inc., commercial; Dick Brame, CCA, commercial; Will Heymans, researcher. Council Observers: Chris Conklin, Charlie Phillips, Zack Bowen, Jack Cox.**

**On behalf of the committee I so move. Any discussion of that motion? Any opposition to the motion? Seeing none, the motion carried. Okay, now we're back to the Joint Charter Boat Amendment.**

**The first motion related to that is to develop a separate Charter Vessel/Headboat Reporting Amendment for the South Atlantic Council's area of jurisdiction. On behalf of the committee I so move. Any discussion of the motion? Any opposition to the motion? Seeing none; that motion passes.**

**The next motion – and we got into the details of the wiring of the whole document here – approve the needs statement removing “in the Gulf of Mexico”; and on behalf of the committee I so move. Any discussion of that? Any opposition to the motion? Seeing none; that motion passes.**

**Motion Number 4 was to approve the revised wording for the purpose and strike the wording “in the Gulf of Mexico”. On behalf of the committee I so move. Any discussion of that? Any opposition to the motion? Seeing none; that motion passes.**

**The next motion was to move Alternative 4 to the considered by rejected appendix. Any discussion of that motion? Any opposition? Seeing none; that motion passes. Motion 6, approve the revised language for Action 1 and the alternatives. On behalf of the committee I so move. Any discussion? Any objection? That motion passes.**

**Motion 7 was to move Alternative 4 to the considered but rejected appendix. On behalf of the committee I so move. Any discussion? Any objection? That motion passes. Motion 8 was to accept the modified language for Action 2 and the alternatives. On behalf of the committee I so move. Any discussion of that motion? Any objection to the motion? Seeing none; that motion passes.**

**Motion 9, move Alternatives 2 and 3 to the considered but rejected appendix. Any discussion of that motion? Any objection? That motion passes. Motion 10 was to modify the language of Alternative 4 to read: “Require federally permitted charter vessels to report location manually by latitude/longitude in degrees and minutes or by clicking on a headboat grid. On behalf of the committee I so move. Any discussion of that motion? Any objection to the motion? Seeing none; that motion passes.**

**Motion 11, accept the modified language for Action 3 and the alternatives. On behalf of the committee I so move. Any discussion? Any objection? That motion passes. Then we have a timing and task draft motion, which I'll need some help with from someone. I can read that: approve the tasks and timing as presented: one, direct staff to continue working with ACCSP, Mike Cahall, on developing a commercial logbook electronic data entry form for voluntary use by commercial fishermen; two, direct staff to work with the Interdisciplinary Planning Team to revise the South Atlantic For-Hire Amendment, to complete all necessary analyses and to bring the document back at the December meeting for approval for public hearing. Will someone care to make that motion? Jessica.**

**MS. McCRAWLEY: So moved.**

**MR. BELL: Michelle seconds. Any discussion of the motion? Any objection to the motion? Seeing none; that motion passes.** Madam Chair, that concludes my report. Doug.

MR. HAYMANS: My apologies for having to think through this; but on Motion 1 – again, this is one of those places where I got caught not being here. On the Citizen Science Workshop appointees; is that going to be the finalized list; is that what I'm hearing? I really had a person in mind, but I didn't get to put it in.

MR. BELL: Yes; and we realized that you weren't here and there were some other potential gaps; so I wouldn't consider that the final version. This is just what they're going to start working on and contacting folks or whatever; so you might get with John related to filling in some of those gaps. We knew you'd probably need to do that. Madam Chair, that concludes my report. Zack, did you have something?

MR. BOWEN: Yes, sir, I think you and I and Madam Chair discussed – and I'm not sure if this is where it needs to be brought up; but the concerns I had about the reporting and what the parameters were for reporting requirements for the charterboat/headboats. If this is not the time, I can wait; but if it is the time, I'll be glad to bring up my concerns now.

DR. DUVAL: I think it is appropriate, Zack. Your concern was about the definition of headboat versus charterboat, I think, right?

MR. BOWEN: Yes, Ma'am; the Coast Guard's definition of charterboat versus the Southeast Fisheries Science Center's definition of charter/headboat. I'd just like some clarification. I spoke with Ken Brennan in the past; and his definition is whether or not they are required to report is whether or not they're charging by the head, by the person.

I find out just a few days ago that Mark doesn't charge by the person, but yet he is required to report. There are other boats that are federally permitted that carry more than six people but don't charge by the head that are not reporting. With this new charterboat amendment coming up, I'd like some clarification on who is reporting and who is not or why not.

MS. BECKWITH: We had a very similar conversation about just this at the Gulf Council meeting in August because it is a concern over there as well in the joint amendment. Bonnie can correct me if I'm wrong; but the definition that they're using over there is a headboat is currently required to report through the headboat survey and everyone else falls under charterboat. That's how they're moving forward with it.

MR. BOWEN: Okay, so what is the Gulf's definition of headboat versus the Coast Guard's definition of headboat versus the Southeast Fisheries Science Center's definition of headboat?

MR. BELL: Let's let Bonnie weigh in on that. What this is about is the definition and how we're deciding who reports in which system or a new system.

DR. PONWITH: I think coming up with wording so that you don't have segment slip through the cracks is going to be really important. For the current headboat survey participants, it is almost like a control date. The definition is probably not as precise as is used for the coast guard definition for a permitting process.

It is to manage the size of participation in that fishery, because we've got a very small staff; and what we couldn't do was expand this to include charterboats or vessels that were partway in between because it could potentially have grown that participation to a level that couldn't be sustained with the size of the staff that we've got.

I think what we need to do is be mindful that we word the inclusion in this new electronic reporting such that it is vessels who meet the definition of charter or are currently not included in the current headboat survey, to be included in the new one; and that is unless you write the amendment so it is all for-hire vessels and your intent is for the current headboats to be included in whatever requirements are in the amendment, in which case the distinction for the purposes of reporting no longer matters.

I think rather than getting tripped up on how does the coast guard define this; it is to say if it is going to be uniform for all for-hire; that is the best way to word it. If you want to leave the headboat program the way it is, then you should word it as for-hire vessels who are currently not engaged on the headboat reporting.

MR. BELL: So I think the real issue is in terms of what we're doing now, how are we officially defining it? I'm not worried about how the coast guard defines it. Theirs is based on licensing. If you're a six-pack, you have a CLI or inspected vessel for carrying passengers for hire or whatever. For South Carolina, when we license these vessels, we base it on six or fewer and then six to forty-nine and then forty-nine or greater. We have three categories; but anything that's not a conventional six-pack we consider a headboat.

When we're communicating with Ken Brennan a lot, I mean we're dealing with that population of folks, which is why Mark is technically a headboat for terms of reporting. The danger I guess is that you could have some – there is a difference between perhaps how a conventional smaller six-pack vessel might operate and a larger vessel might operate. You kind of treat them like two different operations; so it really just gets back to I guess what Ken is using in terms of the official definition of what comes into his database.

DR. PONWITH: And that's where it gets messy and it is because the original database, the original inclusion was based on they pay by the head. Then there was a challenge because there are charterboats who, for some portion of their trips, accept by-the-head payment. Then it became a question do we include them in the headboat fishery or do we keep them as charter; so that's the gray area. I think this is something that we're going to have to talk about so that the wording of this amendment doesn't unintentionally leave some segment of the for-hire fleet out. That's going to be the most important issue.

MR. BELL: Yes, moving forward, I agree with that. Mark.



MR. BROWN: This gets even more confusing, Bonnie. I agree with Zack; I understand what he is saying. I have an inspected vessel and an uninspected vessel, six passengers or less. An inspected vessel can carry more depending on what they determine the vessel was licensed to carry. There is a separation within the Coast Guard's regulations as far as determining a six-passenger vessel or a vessel that can carry more than six.

I was always determined under state law, which as Mel described that there was three different categories, determining whether you were six-pack or a headboat. Also I participated in a SEDAR and the SEDAR had – it was the red snapper, the first one last year, and they had the listing of headboat-landed red snapper in the South Carolina, and they were all mine and I was listed as the headboat in the SEDAR. But then we got into a conversation about whether or not I was a headboat or not; so it was finally determined that I was, but it is a messy thing. I don't know how you're going to resolve that, but I am licensed to carry up to 20 passengers; but we don't do individuals. We just do a bulk rate for the entire group.

MR. BOWEN: Yes; I have future about this upcoming amendment that we're working on; but my concern right now is what is going on right now with the reporting or lack of reporting. Again, let me reiterate I know specific boats that are inspected by the coast guard that are carrying more than six people that are not reporting. I want to know why not?

DR. PONWITH: So what I will say is this. It matters less what the definition is than the fact that any for-hire vessel is covered either under, A, the Headboat Survey; or, B, the MRIP Charter Survey. That is the thing that really matters; that we don't have a situation where you've one population and two populations and some people who slip through the cracks.

I will go back and talk with Ken, the director of our headboat survey, and I'll go back and talk to the MRIP folks and investigate whether we have complete assurance that the entire for-hire fleet falls into either A or B. At this stage I care less about which pot they land in than they landed in one of those two populations. Then we can sort out what the correct definitions should be. I think the most important thing is they're being accounted for in one or the other of those two programs. When we come back to the next meeting, I'll have an analysis of that.

MR. BELL: Okay, Zack, I appreciate your bringing it up. I think we need to know that; and, Bonnie, if you could follow up, I think that's we can do right now is look at all the details here and we'll come back and hear about it in December. There is nothing we can do about it right this second. Is that good?

MR. BOWEN: Yes, sir; thank you for the time and the discussion.

MR. BELL: Thank you for remembering. That concludes my report, plus. We're going to move to the Law Enforcement Committee Report. The Law Enforcement Committee met September 17<sup>th</sup>. At the June 2015 meeting basically some questions come up regarding the operator permits; and we promised that we would do a briefing on that.

We had Special Agent James Kejonen from NOAA OLE who gave just some brief comments; and then we had some questions regarding that. There was a lot of back and forth there. He indicated

the operator cards are an effective enforcement tool from their perspective. They could be used to help establish the violator had knowledge of regulations and could help and hold the operators accountable.

The committee engaged in the discussion. Some of the key points were operator cards are not required in the Gulf. Operator cards are only required in dolphin and wahoo and rock shrimp fisheries for us. Operator cards are forms of identification. In the Greater Atlantic Area, they're required for all federally managed fisheries and there is no cost. In the Southeast Region it is a fifty dollar cost.

The committee would like to know more about details on how the data for the two regions are cross-referenced, if at all; how the databases are linked; is the information publicly available and how is the information being used. That might require some additional briefings later on. We determined the fees, of course, go to the treasury.

Not all for-hire captains are aware of the requirement to have an operator card in the South Atlantic. NOAA GC will provide additional information regarding the number of cases that have been made, which actually I guess we did. The Law Enforcement Committee will provide written suggestions to SERO for how make the information gathered through the use of operator cards more useful.

As I promised Jack, I would kind of get with him and we'll figure out what the questions are and what the things are that – and we'll figure out how to reach back to the committee and others and kind of pool all that. The concept was we would develop a set of things that we could have issues with or might be problematic or whatever. There are some things that perhaps the southeast region can take care of and some things might require somebody else. Jack.

MR. COX: I was talking to our coast guard representative, Tara, and she said she would work with us on that.

MR. BELL: Great; so we'll move forward with that and come back with you later on it. Okay, under other business the Law Enforcement Committee discussed VMS ping rates required in the rock shrimp fishery. Let me jump real quickly here – if Special Agent Kejonen wouldn't mind find a mike, we've got some really hot-off-the-press information regarding what we were talking about yesterday, which is pertinent here.

SPECIAL AGENT KEJONEN: I apologize because the information that I gave you yesterday was not actually the information that is correct. It appears there was some miscommunication between Headquarters and the Southeast Region. It appears that the Boatracs VMS issue has been worked out.

OLE Headquarters has been working with Boatracs personnel; and Boatracs has agreed to provide a five-minute ping rate all the time for their units without charging the fishermen for the additional ping rates. Now, they won't provide the data every five minutes to us through V-Tracks System. What they'll do is when they're outside of the boundary, they'll just get an hourly ping rate.

The fishermen won't be charged for it, but the unit will still be pinging every five minutes. When they hit the boundary of the Oculina Bank, then that V-Track would pick up that five-minute ping rate and they'd be in compliance with the law. Actually they're in better shape than any of the other guys.

MR. BELL: Any questions now regarding that? That is a little different from what is in your report, so we modify that as appropriate.

SPECIAL AGENT KEJONEN: And so really the only cost to the fishermen would be the guys that don't have the Boatracs Units now; that would be a \$150 to \$250 cost to modify their antennas to have it hard-coded. But then there is some concern that after you take that antenna off a boat that has been sitting there for seven years in a marine environment; that you might run into more problems and actually have to replace the entire thing. Of course, they would have to absorb that cost themselves, but that would be in consideration for not having to travel around the area.

MR. BELL: So based on that, things are better than they had appeared. Any questions? Thank you for that update; that's good news. There were no motions from the committee. Madam Chair, that concludes the report for the Law Enforcement Committee.

DR. DUVAL: Thank you, Mel. The next one; we'll move on to the Personnel Committee; Jessica.

MS. McCAWLEY: The Personnel Committee met on September 15<sup>th</sup>. The first thing that we did was review the minutes and approve the minutes. Then we considered a staff retirement health insurance proposal. Bob provided us some background on the proposal for a staff retirement health insurance plan and the actions taken relative to that plan at the previous meeting in June.

At the June meeting the council had approved a benefit for council staff retirees to cover a percentage of the cost of their Medicare B and Supplements F and D, which would provide for a staff retirement health insurance plan with a retirement of ten years of continuous council service to be eligible.

The committee considered the various options, including a new option for 85 percent coverage. The committee also considered an option for 75 percent and 100 percent of that coverage. **The committee made a motion to select the 85 percent option; so on behalf of the committee I make the motion that we select the 85 percent option for the state health insurance proposal. Is there any discussion of this option? Any opposition to this option? Seeing none; that motion stands approved.**

The committee also received an update on the executive director's search. The committee talked about the actions that have been taken to date in the search for the new executive director. Five applicants were selected to be interviewed by the Search Committee; and that interviews will occur on October 7<sup>th</sup> and 8<sup>th</sup>. After these initial interviews, a subset will be chosen to attend the December 2015 Council Meeting to be interviewed by the full council. Madam Chair, that concludes my report.

DR. DUVAL: Thank you, Jessica. Now we will move into the agency and liaison reports. From the regional office, I presume Dr. McGovern is going to stand in for Dr. Crabtree. I know we have several exempted fishing permit requests.

DR. McGOVERN: The first thing I'm going to talk about is in the southeast region we have a number of vacancies in Sustainable Fisheries that still haven't been filled yet. My old position is still vacant. Kate Michie, who was the Plan Coordinator, her position hasn't been filled yet. Then in other branches we have a vacancy like Anita Clemens, one of our regulation writers left.

We're working on trying to get those positions filled. We're a little short staffed and so we'll work closely with Gregg and his staff to make sure that all the council priorities are met and we get everything done on time. As you know, the science center now is providing landings each week; and we get the landings pretty much on Friday every week. Then we update our website by the following Monday.

We do have two closures coming up in the South Atlantic. Vermilion snapper and snowy grouper are going to close at 12:01 a.m. on Tuesday of next week. Then a Notice of Availability for the Dolphin Wahoo, Fillet; and Snapper Grouper Amendment 33 Fillet Amendment published today. The comment period for the NOA is November 16<sup>th</sup>.

Bob asked that we provide kind of a summary of our strategic plan; and I have a few talking points here. The Strategic Plan that we have been working on in the southeast region is part of a national effort for strategic plans. All the regional offices and program offices are working on strategic plans. Our strategic plan focuses operational and programmatic strategies to address key strategies; and it has five goals.

The goals are to improve SERO's organizational effectiveness by better aligning SERO budget, people and information management, management resources with regional priorities and core mandates to promote economically vibrant fisheries and communities by better integrating SERO protected resources, habitat, fishery and aquaculture programs; to maximize the benefits of conservation and management initiatives; improve management of NOAA trust resources by acquiring or applying the best available science; leverage limited resources in support of organizational priorities by enhancing partnerships and communication; and maximizing the benefits of consultation resources by focusing ESA and EFH engagement on projects with the greatest conservation impacts.

The comment period on the strategic plan ended on July 11<sup>th</sup>. We got a number of comments from folks and we incorporated that into the strategic plan. We expect to post the final plan on our website around October 1<sup>st</sup>. This plan is a living document and we will modify it and update each year as needed. That concludes my report, Madam Chair.

DR. DUVAL: Are there any questions for Jack? Okay, if not, then it looks like we have a few EFP requests to consider.

DR. McGOVERN: We have two EFP requests; and both of them are under Tab 13. One application was submitted jointly by the Monroe County Fishermen's Association and the Gulf

and South Atlantic Foundation. This is a proposed project that hasn't been funded. It would examine various trap designs to capture lionfish and develop a marketing strategy for I guess selling lionfish.

The objectives of the proposal is to develop and field test lionfish trapping devices, for lionfish capture and harvest, to develop a protocol for using the devices to slow lionfish invasion in the southeast, to assess the geographical distribution and population densities of lionfish, identify lionfish spawning aggregations, establish a pilot lionfish tagging program, and provide comprehensive education, outreach and awareness on the lionfish issue.

They would use four types of gear to catch lionfish. They had five originally and they dropped chevron traps. They would use a standard wooden lobster trap, a wire basket spiny lobster trap, a rectangular wire trap and a sea bass pot. They would have 20 of these designed and constructed for each sampling region.

There are three sampling regions; the Gulf of Mexico, Florida Keys and the South Atlantic. In the South Atlantic they would have participating members who would be Jimmy Hull, Tom Swatzel, Wayne Mershon and Bill Kelly. They would place observers on the vessels. That is a summary of that EFP.

DR. DUVAL: Are there questions for Jack? Doug.

MR. HAYMANS: Jack, I had several questions as I read through it; but a new one is you said that it is Monroe County or is it the Florida Keys Commercial Fishermen's Association?

DR. McGOVERN: Monroe County Fishermen's Association.

MR. HAYMANS: So that's different than the proposal they submitted in –

MR. KELLY: The Monroe County Commercial Fishermen's Association and the Florida Keys Commercial Fishermen's Association are the same organization.

MR. HAYMANS: I normally don't read through these real thoroughly; but lionfish has just blown up lately. I read through this particular proposal and I had several questions on it. We've got similar results for the University of Miami and North Carolina, correct, both looking at different types of traps?

DR. DUVAL: We do have one out there for North Carolina. It is a diving association in North Carolina; and they're working in conjunction with Dr. James Morris at the NOAA Beaufort Lab to look at several different designs. One is like a crab pot Christmas tree. I think one is a modification of the Florida spiny lobster trap. There is one other that I can't remember off the top of my head.

DR. McGOVERN: I think those are attracting devices, though. They're not capturing the lionfish; isn't that right?

DR. DUVAL: The Crab Pot Christmas Tree is definitely an attracting device. There is no trapping mechanism available.

MR. HAYMANS: The one in Miami is using wire traps, right, standard wire trap?

DR. McGOVERN: Are you talking about the other EFP in here?

MR. HAYMANS: Yes.

DR. McGOVERN: That is not to capture lionfish. That is for capturing snowy grouper. That is the focus of the second EFP.

MR. HAYMANS: Well, as I continue through the list, one of the other things is we're looking at putting trawls out, as many as 20 traps in the South Atlantic throughout the entire year. I don't know much about how far out and what depth these are in, but we're keeping areas closed for right whales. I don't know that I necessarily agree with putting traps back out in the South Atlantic during those times.

Then the other thing that really struck me was the funding of it; and that is there is no budget proposal in the proposal. It talks about place about selling the fish in order to capitalize the project; and that is really iffy to me to not have funding and that you've got to sell the fish in order to capitalize it. Those are some of the concerns I have on it.

DR. DUVAL: Any other thoughts or concerns? The way I read it was that the lionfish proposal would comply with all the Atlantic Large Whale Take Reduction Plan rules. At least that's what I see.

MR. HAYMANS: What page is that?

DR. DUVAL: Well, if you look at Attachment 2A, which is sort of a summary of the project. When you look at number three, frequency of deployment and recovery, it says, "In all cases deployment and recovery will comply with rules and regulations set forth in the Atlantic Large Whale Take Reduction Plan and any other state/federal regulations protecting marine mammals, fishes or benthic habitat." Monica.

MS. SMIT-BRUNELLO: And I believe the Fisheries Service will determine if they have to do a consultation on this and what kind of consultation it should be.

MR. BELL: I was just going to say up our way where they would be finding these animals would be probably farther out than where the whales would be an issue, quite honestly. For us, we don't really see them in closure than a hundred feet of water; and they're much more prolific way beyond that.

DR. DUVAL: Doug, you were also concerned about the sale of the fish?

MR. HAYMANS: Well, there is no budget proposal. There is no budget listed in here to tell us how they're going to pay for the several hundred traps from Texas to wherever the northern extension is. Somewhere in there, there is a line that talks about the sale of the lionfish would help capitalize the project. To me that threw up a red flag as to how was the project actually funded? I can find that, I guess.

DR. DUVAL: I think Jack indicated that this is a proposal to be submitted. Perhaps we could have Mr. Bill Kelly just come to the microphone really quick and explain that this is a proposal to be submitted?

MR. KELLY: Thank you, Madam Chair and members of the council. This is Deepwater Testing Program. We've already shown rather dramatically in the Florida Keys that we can target and catch lionfish. Gary Nichols, as I mentioned during public comment, captured 49 pounds of lionfish in 2009 as bycatch in his spiny lobster traps. In 2013 that bycatch of lionfish had increased more than 10,000 pounds.

As he moved his traps deeper, he encountered even more lionfish. The past two years, as he harvested his targeted species of lobster closer to shore, he still managed to harvest in excess of 7,000 pounds of lionfish as bycatch each of the past two years. We know that we can catch them. The thing is to go out and do it effectively and minimize bycatch.

That's why there is different trap designs. The issue is that you can catch lionfish with any traps; but what we want to do is find one that is effective in different areas and minimizes bycatch. There is a very detailed pro forma on cost and expenses. I don't know what version you may have received here.

The issue that Mr. Haymans is addressing as sale of lionfish; it is a very marketable commodity. Part of the request here and the proposal is to develop and create consumer awareness. These individuals that are testing, who are all experienced trap fishermen in their respective areas, they're going to be compensated, so the sale of the product itself, so there is not overcompensation, will go into help fund the program. Now, where is the funding coming from? We have a number of private organizations and foundations that are interested in funding this program.

Some of the initial stumbling blocks that we ran into immediately was, for example, deploying 100 traps total. It was five different designs of 20 each. In the Florida Keys, because of threatened corals down there – now, the question was raised do we need a biological opinion to address the deployment of those 100 traps in the Florida Keys by one of the most experienced trap fishermen in the business.

I mean, we're already deploying close to a million stone crab traps down there; almost half a million spiny lobster traps; and now we're going to consider a biological opinion to deploy another hundred traps to catch one of the most aggressive invasive species that we're going to see in our lifetime. Those were just some of the challenges.

What happened at the Gulf Council meeting – I don't know if Roy Williams is still here – what they did is Dr. Branstetter suggest to the council and Dr. Crabtree was this. We have some

roadblocks here that are not insurmountable. What we would like to get from the council is a reaffirmation that this program has merit and we want to move forward with it.

I think that in essence is what we were hoping to see from the council today; does the program have merit. Can I answer questions for you; and if you're satisfied with that, would you reaffirm the fact that we should move forward in a large-scale testing effort to determine if there is an effective means to capture lionfish with minimal bycatch.

MR. HARTIG: Question, Bill. When you guys talked about selling fish; was it specific to lionfish that you wanted to sell out of this project?

MR. KELLY: Yes; absolutely specific to lionfish.

DR. DUVAL: Any other questions? I think what we would be looking for from the council is just whether or not you would like to make a recommendation to Fisheries Service that this exempted fishing permit be approved. I need a motion to do that. Ben.

MR. HARTIG: I would make that motion, Madam Chairman.

DR. DUVAL: **Motion by Ben; second by Charlie. The motion reads recommend to NMFS that the lionfish EFP request be approved. Any further discussion on this? Any objection to this motion? Seeing none; that motion stands approved.** I believe we have one more in snowy grouper, right, Jack?

DR. McGOVERN: Correct, Madam Chair. This second EFP is from a graduate student and a major professor at the University of Miami. Her name is Chiara Pacini. Her major professor is David Die. She wants an EFP to collect juvenile snowy grouper in the Florida Keys on a commercial lobster vessel during the lobster season. Gary Nichols would be the captain.

She wants to age the juvenile snowy grouper and examine their growth rates. Each year approximately 15 trips would be made. A maximum of 200 snowy groupers are expected to be collected through the year. If they have snowy groupers, they would collect information on the trap number, location, depth, length measurement, and date that they're collected. David Die and Chiara Pacini would be present during the deployment and extraction of the lobster traps. They expect that 200 lobster traps would be deployed during each trip.

They would be wire lobster traps, weighted down with concrete slabs. They would be out for two weeks placed at a depth of around 62 to 187 feet. She also wants to deploy blue crab and pinfish traps in state and federal waters at a similar depth range and then use galvanic time release for the buoys to avoid detection and tampering with that. They would have a total of ten in state and ten in federal blue crab and pinfish traps set out. They would check these every seven days or so. That's a summary of that second EFP.

DR. DUVAL: Any questions for Jack about this? Is there a desire on the part of the council to recommend approval or not of this exempted fishing permit? I guess I'm looking towards the Florida folks just given that this would be occurring in Florida waters.



MR. HARTIG: Are you looking for a motion to approve this EFP?

DR. DUVAL: Yes; a recommendation to Service to either approve or deny the EFP.

MR. HARTIG: I make a motion that we recommend to the National Marine Fisheries Service that we approve this EFP.

DR. DUVAL: Motion by Ben; second by Chester. The motion reads recommend to NMFS that the Snowy Grouper EFP request be approved. Ben.

MR. HARTIG: I would just add that I am familiar with the bycatch. It does occur occasionally in lobster pots; and this would be a great way to be able to look at snowy groupers at a much smaller size than we've ever looked at them before. That would be great.

DR. DUVAL.: Is there any other discussion? Wilson.

DR. LANEY: Jack, do know if they're going to look at diet as well?

DR. McGOVERN: I didn't see anything in the proposal about diet. It was just growth rates of juveniles.

DR. LANEY: Well, I would just suggest that the council might want to add in its recommendation to NMFS that if they're going to sacrifice those fish, which I presume they are to pull otoliths from them; that they should go ahead and take the gut contents as well, because it sure would be interesting to know what those little snowies are eating.

DR. DUVAL: Ben, Gregg is typing up a little modification to your motion. Would you and Chester be okay with adding a recommendation for looking at gut contents?

MR. HARTIG: Absolutely!

DR. DUVAL: So the motion reads recommend to NMFS that the snowy grouper EFP request be approved and recommend that they also look at gut contents. Any other discussion on this motion?

MR. CONKLIN: Are they going to document the bycatch as well in the traps? I saw where they're just going to ensure proper healthy release. It would be kind of nice to know what else they're catching.

DR. McGOVERN: I didn't see that in the proposal either. They were mainly just focused on snowies; but that would be something else you recommend that they would add.

**DR. DUVAL: If the motioner and seconder are okay with this, the motion would read recommend to NMFS that the Snowy Grouper EFP request be approved and recommend that they also look at gut contents and collect bycatch data on observed trips. I'm seeing**

**everybody nodding in agreement. Anything else you want to tack onto this? Any other discussion? Is there any objection this motion? Seeing none; that motion stands approved.**

The next thing is the rest of the agency and liaison reports; but there is one quick thing with regard to snapper grouper that I just would like to clean up and take care of. This in regards to Amendment 36, the transit and anchoring provisions. I think based on some conversation between Monica and Mel regarding the subalternatives that we had previously considered under Action 8, I think it is; that it might be a good idea to actually put those back in.

That had to do with allowing anchoring by fishing vessels in these areas. Mel's staff have had to get multiple letters of authorization; so we might be able to simply provide direction to staff to add those two subalternatives back in and then I think select a couple as preferred. The other item was under Action 9, I believe, which was the sunset provision, to add subalternatives to allow South Carolina DNR to maintain Areas 51 and 53 as closed in perpetuity, the agency's intent with those two things. Mel, if you just want to speak to that briefly.

MR. BELL: You did an outstanding job of explaining it all. Basically these two sites are different from the other sites that we're looking at in terms of they are designed, permitted, funded or put out by the DNR for a specific purpose. The last issue related to sunset. We intend, as the permittee of those sites, to keep them for the purpose they were designed in perpetuity.

We don't have any desire to see them sunsetted. Erica caught this yesterday. We would to perhaps insert some subalternatives in Action 9 to accommodate – and what we'd be doing here is just would be direction to staff to develop some wording for subalternatives to ensure the Area 51 and 53 have the option of being excluded from sunset. That was the one thing.

And then the thing about anchoring; we took that out, but the reason I was focused on that was that even in our existing SMZ artificial reefs we have had to obtain letters of authorization from NMFS to go on our own SMZs and use gear types for research and stuff. That's why I was afraid about if we didn't exclude them from the anchoring part, we would find ourselves needing to go to the Service and perhaps request letters of authorization to anchor for future research and monitoring and partnering with other folks. That is why I had that in there. We took it out and I would prefer – and again it would be I guess direction to staff to reinsert the language. This would come back to us in December. That is the rationale there; so does that make sense to everybody?

DR. DUVAL: And, Gregg, is direction to staff okay; you don't need a motion; we're good with this?

MR. WAUGH: Since this is coming back to you, I think you've given us pretty clear direction, and I think we're in good shape.

DR. DUVAL: The next couple of items are simply are our agency and liaison reports; and then we'll go to upcoming meetings and other business. We've heard from Bonnie who has departed; we've heard from Jack; and so I will go to Lieutenant Pray.

LTJG PRAY: I didn't really know I had to put anything together but nothing significant to report. I think there was really good discussion on the operator permits. I'm definitely going to provide feedback to Mr. Cox on that. I'll come prepared the next time.

DR. DUVAL: Don't worry; at this point in the meeting we're all happy with just little bullets. Thank you very much and welcome to your first council meeting. Jessica.

MS. McCAWLEY: I'm just going to highlight a couple things. First, we have a new commissioner. Commissioner Dick Corbett has resigned from the commission and he has been replaced by Robert Spottswood. Robert Spottswood is a native of Key West. He was born and raised there. He is our new addition to the commission.

We also have a new chair and vice-chair. Our new chairman is Commissioner Brian Yablonski and our vice-chair is Liesa Priddy. Also as I mentioned earlier in one of the committees, maybe in snapper grouper, we did a series of workshops around the state in July. We did 19 workshops. Yes, it was quite a daunting task.

We haven't done anything like that since I've been with the agency. Basically it would be similar to the council's scoping workshops where we went out and just said, "Hey, do you have anything that you want to tell us? What do you think we should be working on?" We preceded those workshops with a survey that was open during the month of June.

We had a number of responses not just for Florida but from every state and other countries to that survey. We took that out to the various workshops. We got a lot of input from that. When I was talking to Ben earlier, he was asking that I provide a written summary of those workshops to the council.

We heard a lot of discussion about council issues at those workshops, so it wasn't just about state fisheries. It was about anything that people wanted to talk to us about marine fisheries management related. When that is formalized, then I will provide that to the council as well. That's all I would like to highlight.

DR. DUVAL: Any questions for Jessica? Moving on, Roy.

MR. WILLIAMS: Thank you for acknowledging me, Madam Chairman. At the last Gulf Council meeting, we approved, after years of debate, Reef Fish Amendment 28, which reallocated red snapper from a majority commercial fishery to a majority recreational fishery. The reallocation was based upon the recalibration from the MRIP Survey.

We only moved about 2 percent I think from the commercial to the recreational. The recreational fishery now has a little over 51 percent and the commercial fishery a little less than 49 percent. Despite it being a relatively small amount, it was a controversial and contentious issue. We worked on it – in the two years I've been on the council we have worked on it continuously during that time period; and I'm glad to report it is finally settled.

Also, in the two years I've been on the council we have been working on regional management of red snapper, trying to come up with a way where the states would be allowed to manage their own recreational fishery. There is a lot of dissatisfaction with the way the federal council manages it, so we have looked for ways to allow them to do that.

It has been tough even to do that, however, I think mainly because the states have some difficulty agreeing on what share each state would get. Under the preferred alternative now, it is what they call conservation equivalency where each state would be given an allocation and they would submit a plan to a panel that would determine whether they met their goal of staying within their allocation.

An associated controversial aspect of that is whether the states would be allowed to manage the for-hire fleet as well. I think most if not all of the states want the ability to manage the for-hire fleet. There is a lot of objection among the for-hire fleet in that many of them want to be managed by the federal government.

We are also working on a limited entry program for both the red snapper charter and headboat fleets under Reef Fish Amendments 41 and 42. When we did sector separation a year ago, there was a three-year sunset in that the sector separation will end after three years unless replaced by something else.

There is a desire among many people – I would say the majority of the for-hire fleet to have their own management plan. Amendments 41 for the charter fleet and 42 for the headboat fleet would do that. Just in reference, Anna said that the Gulf has defined a headboat as any headboat that is in that Beaufort Survey is a headboat.

That is true for Amendment 42. In that case any boat that has been reporting to Beaufort for whatever, 30 years or however long that headboat survey is going on, would be considered a headboat; but I don't believe that definition goes beyond this amendment. Another thing we're working on; ten years ago the council – when I was on the council years ago, we put a moratorium on shrimp licenses; and it expires sometime next year, late fall of 2016.

When we started, there were 1,933 vessel permits issued; we're down to 1,470. We have to decide whether we want to continue it or not. Surprisingly, there is a good deal of controversy associated with it. Especially in the central Gulf there are a lot of boats that would like to let it expire and they be allowed to get back into the fishery. They can't now. The licenses are transferrable; you can go out and buy one if you want, but I guess many of them just don't want to buy them for whatever reason. I think that's enough.

DR. DUVAL: Well, my head is spinning. Questions? Chester.

MR. BREWER: Roy, my understanding is that Amendments 41 and 42 where I guess limited entry is going to be discussed for the headboats and charterboats; but aren't they also developing an IFQ Plan within those two amendments?

MR. WILLIAMS: That's correct; I think the industries themselves would prefer to have sort of an ITQ Program or an individual quota that may or not be transferable. That's correct, they are. It is not a foregone conclusion that is what it would be; but it is heading in that direction, for sure.

MS. SMIT-BRUNELLO: It is not a question, just a comment. As you can imagine, some of the things that Roy talked about has sprung litigation. At the next meeting I can give you an update on that. Mara Levy from our office is working with the Department of Justice on those cases. We've had a couple of them filed and we expect some more on some future actions that are coming out of the Gulf Council.

DR. DUVAL: That would be good know so that we are prepared. Thank you very much, Roy; that was great. Doug.

MR. HAYMANS: First of all, my appreciation to both you and Ben and the rest of the council for allowing my absence the last couple of days. As everybody knows, juggling schedules sometimes is tough in conflicting schedules. I also wanted to reiterate Jessica's comments about the fishing public don't always keep state and federal issues separate.

I appreciate very much the council's moving forward with black sea bass and the issues with SMZs with regard to how they affect Georgia fishermen primarily because we're in the midst of raising the minimum size limit for spotted seatrout in Georgia, which is the number one sought after fish in Georgia and are encountering a fair amount of resistance to that.

Any additional restrictions that occur, they view it all the same. We're also looking to increase fishing license fees in Georgia come January; and so all of that is just piling up on top of fishermen, so I appreciate that. I guess the only thing from a council perspective is the shrimp season thus far has been going quite well and the price has held fairly steady at above six bucks a pound. I haven't had a report – Charlie is shaking his head that it has come down and that is on pretty small shrimp; isn't it, Charlie?

MR. PHILLIPS: I bought 26/30's for five dollars from a dock the other day; and he had tacked fifty cents on top of that for the processor price; so the prices have dropped in the last month; but they were dropping a lot, yes.

MR. HAYMANS: And that's almost about the time we start seeing black gill; and I haven't gotten a report yet on where black gill is for the fishery. I guess the last thing I would say is if you're in the Georgia coastal area two weeks from now, we have a little party called "Coastfest". It is every year, the first Saturday in October, and 9,000 of our closest friends show up at the office. If you happen to be passing by, we'd love to have you.

DR. DUVAL: Any questions for Doug? Zack.

MR. BOWEN: Just to add to it; I think we sank another artificial reef last month.

MR. HAYMANS: That is correct. We have an ongoing reef program. We deploy material on a frequent basis; and the most recent deployment was the SAV – I think it was a barge load of PTCs, poultry transport cages.

MR. BOWEN: That is correct.

MR. HAYMANS: Chicken coops. We have a partnership with several companies that keeps us supplied in materials. Georgia Power and the Georgia Transmission Corporation keeps us in a supply of concrete telephone poles. Field Dale Farms in particular keeps us supplied with poultry transport cages; and an entire barge load is an impressive sight when it goes down. Thank you for that reminder.

DR. LANEY: A quick follow-up to Doug; so how long do those PTCs last on an artificial reef?

MR. HAYMANS: I guess we've put them down about six years ago, seven years, the first ones we've put down, and they're look like – other than the growth that's on them, they're still standing strong. We put down 144 black liner subway cars eight years ago and half of them are flattened at this point; but the poultry transport cages look great. There is a lot of crevices for fish to get in and pull your bait and hook and everything else into; but they're great habitat.

MR. CONKLIN: Do juvenile red snapper get in there; the chicken-sized ones? (Laughter)

DR. DUVAL: It is good to see someone is still thinking clearly at this time. I'll just give a brief update from North Carolina. Just during this week, both houses of the legislature passed a budget, and I just got a tweet on my e-mail that the governor has signed a budget. It, unfortunately, removes a provision that would have allowed us to implement a state for-hire logbook program; so that has been eliminated.

There are a number of different studies and I think that we've been directed to do I think something like six; so we'll actually see which of those get done. One of them is actually in regards to should the agency decide to implement a voluntary logbook program, which we already have something on our website that people can go and voluntarily record catch; so I'm not really sure we're going to do that.

The other big thing that I think has come out of the budget is continued reorganization of the Department of Environment and Natural Resources. We're going to be moving to a Department of Environmental Quality and some more agency restructuring with the attractions moving into a Department of Cultural and Natural Resources. Our position within that transfer is, of course, up in the air right now; so we're not really sure where we're going to go.

I think the other thing coming out of the budget is that the legislature reversed its decision from last year to allow for the state to enter in a Joint Enforcement Agreement with the NOAA Office of Law Enforcement; and that has changed from a "may" to a "shall not", which is really unfortunate. I will actually leave it at that and turn things over to our Mid-Atlantic Council Liaison, Mr. DiLernia. Thank you for having been here this week. It has been great to have you here.

MR. DiLERNIA: Well, I have to say that it has been a pleasure to be here and thank you very much. Everyone has been so nice and friendly. I've said it once before and I'll say it again we're like family. I feel like you're my southern cousins down here. Really, everyone has been very friendly and helpful and thank you very much.

Also, I'd like to take just a moment to thank Executive Director Mahood for helping me so much. I've known him for I guess, Bob, about 25 years or so we've had a friendship. This is going to be the last time that I'll be at a council meeting where you will be the executive director, and I just want to thank you for your leadership, your friendship, your helpfulness. You're a real pro. I'm sure they will but I know I will miss you; and, sir, I just want to thank you very much before I give my report. (Applause) We've talked turkey hunting and deer hunting for years and years and years. Bob, I'm going to miss you.

We had a four-day council meeting in Manhattan, August 10, 11, 12, 13, three and a half, not four. God bless you doing five here. Our first day was our Ecosystem and Ocean Planning Committee. We took input from our advisory panel. We reviewed our Draft Habitat Policy some more. We still don't have a final document, but we will continue working on that.

The second day our executive committee discussed possible framework actions to our risk policy and our harvest control rules. We had an election and Chairman Robins was re-elected as the chairman. Dr. Lee Anderson was re-elected as vice-chairman. The state director from the state of Maryland, Mike Luisi, was elected – we've created a position of a second vice-chair; and Mike Luisi from Maryland was elected to be the second vice-chair.

We had a presentation on the Industry Observer Amendment. We also initiated action on the blueline tilefish. As I had described earlier in our meeting, we'd like to eventually develop an amendment for all the deepwater species. We believe the deepwater complex will become more and more of an issue in the Mid-Atlantic Region; so we plan to eventually develop – there was discussion about developing an FMP for the deepwater complex.

In the meantime we've decided to add blueline tilefish to Golden Tilefish Plan; and we hope to have all that work done within the next year. We had a presentation on electronic for-hire vessel trip reporting. We then convene often with the Atlantic States Marine Fisheries Commission on species that are managed in both state and federal waters.

The August meeting is typically devoted to bluefish; and so we reviewed our bluefish specifications for 2016. As I had described earlier in this meeting, we established recreational measures for bluefish, which currently is 15 fish per person per trip. We then projected the take of recreationally caught bluefish for 2016.

Let me remind you that the bluefish plan is designed to be primarily a recreational plan. The division between the two sectors is 83 percent recreational/17 percent commercial. We have a provision in our plan that allows for the transfer of unused – if we anticipate that the recreational harvest will not be taken, we have a provision that on an annual basis we can transfer some of that unused recreational quota to the commercial sector, up to 10 million pounds.

For 15 years we've been transferring approximately 10 million pounds. This year we only transferred 6.5 million pounds because the stock assessment anticipated a smaller stock of bluefish; and we didn't think that we would be able to transfer the full amount. Again, let me emphasize that's done on an annual basis after we review what we anticipate the recreational sector will take.

We transferred about 6.5 million pounds. We also reviewed our summer flounder specifications for 2016; and a retrospective analysis indicated that the stock was smaller than what we had originally anticipated. Originally we were looking at a reduction of the 2016 quota of 45 percent, I believe it was going to be, which would had a significant impact on both the commercial and recreational fisheries.

In preparation for the meeting and in conferring with headquarters and utilizing the National Standard 1 Guidelines, we were able to determine that a phase of approximately 28 or 29 percent, I'm not sure offhand, over a three-year period would achieve the effect of the immediate 45 percent reduction. I have to tell you there was quite a contentious discussion regarding that phase in.

There were members of both the commercial and the recreational community that wanted us to eliminate our buffer. We have a buffer between our ABC and our ACL; and they wanted us to totally eliminate our buffer and to have only a 20 percent reduction; so the 28 or 29 percent reduction. It was a contentious issue. The discussion was long.

Eventually, though, the council voted to continue to keep a portion of that buffer in place and to go with the 28 or 29 percent reduction Black sea bass specifications; we continue to review our black sea bass specifications. We don't have a good stock assessment or a stock assessment that has been acceptable by our SSC; and so there has been quite a contentious discussion regarding what the black sea bass quota should be on an annual basis.

We've hired a contractor to do some additional work; and we anticipate that we'll get a report from that contractor regarding an assessment or an update on the assessment at the October meeting, which will be in time for us to set our quota in December. We'll set our recreational measures for black sea bass, scup and summer flounder at our December meeting.

We reviewed our scup specifications. We were confident that stock assessment was good. I don't have the values offhand, but there was very little, if any, reduction in the scup quota. That's about all I have to report, Madam Chairman. Again, folks, thank you very, very much. I will not be with you at your next meeting, which is in December. Our meetings are coinciding at the same time and I will have to attend the Mid-Atlantic Council meeting; but I look forward to joining you in future meetings. Thank.

DR. DUVAL: Thank you very, much Tony. Are there any questions for Tony about anything going on in the Mid-Atlantic? If not, we'll move on to Mel.

MR. BELL: I hope you all enjoyed your stay in beautiful Hilton Head. I apologize for not putting on a social event; but it got logistically a little challenging down here and prices for facilities were



a little steep as well. Whenever we end up back in Charleston, it works out a lot better; so we'll do that again.

Just a couple of things of interest to the council here – you heard Marcel's presentation related to MARMAP/ SEAMAP work; and that is all, of course, through the DNR; courtesy of MARMAP and SEAMAP funding but a lot of work going on there that is pertinent to us. Also, we've mentioned the genetics' work that our staff, Dr. Tonya Harding, is working on; and, of course, that's pertinent to the blueline tilefish.

We're really fortunate to have that capability within our DNR. We've used Tonya to deal with a number of different fisheries; and one was cobia. If you recall in the last cobia stock assessment we recognized the specific distinct population segment of cobia, which actually is we're in the neighborhood for that DPS right now. We've already briefed the Mackerel AP and the council on our concerns about the condition of that DPS in terms of the numbers of animals that are contributing to the spawn and just a general downturn in the fishery.

The Friday before the meeting started here, our Marine Advisory Committee has basically tasked us with moving forward on some state legislation to adjust our state cobia-related laws. We're hoping to introduce that in December. What we're looking at doing is decreasing the annual bag limit to one per person per day, but implementing a time-area based no-take period of three weeks during the month of May in state waters only to try to take pressure off of that spawning aggregation.

We're hoping to get this in place – and also they've asked us to consider implementing a boat as limit as well. We're hoping to move forward on that in December and then as the legislature comes into session in January. We're hoping we can maybe get it in place before the 2016 cobia season. We'll just see how that goes.

That, of course, is state waters, but the DPS contributes, because there is some mixing and the fish don't just magically appear here. They transit through outside state waters. That is something of interest. Doug had mentioned shrimp. We had a really good spring roe crop of white shrimp; and we had a really good summer. We had some pretty high landings.

We had a really good brown shrimp season this year. The good news was shrimp landings were you; the bad news was shrimp landings were up. That is unfortunate for the shrimpers because they had so much product that the prices weren't necessarily what they wanted them to be. What we're seeing right now in our inshore monitoring is just – honestly, I haven't been working with shrimp that long, but the guys that have say this is like record highs in terms of the numbers of shrimp we're seeing. That's good news for a good fall crop of white shrimp.

Of course, that's a good news/bad news scenario again as we've talked about. It is good that they can catch a lot of shrimp, but from a standpoint of the commercial fishery you can also have a lot of shrimp on the market. Black gill, we've seen some pretty significant black gill about the time we would expect to see it during the summer; but that is kind of petering now.

That's really about it. I could go on about our reef program for a while, but I won't. We've done quite a bit of work offshore. We will continue our efforts to continue to monitor Area 51 and 53, which is what we've been doing for – Area 51 is now 17 years old and Area 53 is I guess 12 years old; so these sites have been place and are quite productive. If you haven't seen the underwater video and pictures we have, I'll be glad to share that with anybody anytime. That's it, Madam Chair.

DR. DUVAL: Are there any questions for Mel? Wilson.

DR. LANEY: Actually one for Mel and yourself; are you seeing any Asian tiger prawns at all, Mel? Michelle, can you give us an update on the ones in North Carolina. I guess Trish tracks those.

DR. DUVAL: Yes, I would have to get up with Trish Murphy.

MR. BELL: Yes, we are. The shrimpers catch them in nearshore waters, but we also – in fact, just a week before last a gentleman had called and he had caught one in a cast net up in – I think he was in Murrells Inlet, actually. Yes, in terms of them being year-round, I don't think so, but where they are coming from is a big question mark. We're collecting samples.

Dr. Peter Kingsley-Smith is our invasive species' guy, in addition to other things. We're collecting samples for genetics' work to just look at who they might be related to or where they might be coming from. But, yes, we are indeed seeing them. Typically the shrimpers get them in any number and tend to keep them themselves, although we have actually seen them sold. They actually have landed some. They get a pretty good price for them. I've never had one yet, but I understand it is kind of like a cross between shrimp and a lobster, a small lobster or something; but we indeed have them.

DR. DUVAL: Last but certainly not least, Dr. Laney, and then we'll turn it over to Mr. Mahood for upcoming meetings and we have one item of other business.

DR. LANEY: Madam Chairman, I'll just do three quick items. One is that the Fish and Wildlife Service has a new Aquatic and Fisheries' Conservation and Strategic Plan; and I'll send the whole thing out to everybody. But just real quick; it has seven core goals: conserve aquatic species; conserve, restore and enhance aquatic habitats; manage aquatic invasive species; fulfill tribal trust and subsistence responsibilities; enhance recreational fishing and other public uses of aquatic resources; increase staff levels, technical capabilities and natural and fiscal assets to fully meet our mission – just a parenthetical note there is no big surprise to me they decided that we didn't have enough staff to address aquatic resources – educate and engage the public and our partners to advance our conservation initiatives. I'll send that out to everyone.

I'm working on the Cooperative Winter Tagging Cruise for 2016. We hope to be using the RV Savannah again. We have funding and it is rumored that BOEM would like to provide some additional funding to us to be able to put acoustic transmitters in more Atlantic sturgeon. I think that is going to work out; so hopefully we will be out there somewhat longer than we were this year.

The only other item I had was if you'll check out the Fish and Wildlife Service's Website, we have opened up some areas on additional national wildlife refuges, one of which is in the South Atlantic jurisdiction; and that is Merritt Island National Wildlife Refuge, to additional hunting and fishing opportunities; so just check that out. I think there were 21 total, but I think that was the only one in our area of interest. That's it, Madam Chairman.

I did have one other quick thing is that – and you would be interested in this especially, you and the North Carolina delegation – is Roger Rulifson in East Carolina and I are well overdue with our final Coastal Recreational Fishing License Grant Report; but the reason it has been held is because we've been doing a lot of data analyses.

We will soon be sending you that report. If anybody is interested, I've got the great GIS Map that our Alligator River National Life Refuge folks produced for us of all the 2013 through 2015 striped bass tag returns that we have gotten. That's really interesting. We've also got the mortality calculations done now; and we have the age breakout for all the striped bass. We also fully documented everything we caught in 2013 and 2015.

We're trying to move toward using the SEAMAP protocol to fully document everything so that we can characterize the community that is out there during the wintertime since we're the only ones stupid enough to be out there during the wintertime in that weather doing ecosystem characterization work. We understand a lot of people are interested in that; so we do have two years' worth of data; and we will have another year's worth of data in 2016. Thanks.

DR. DUVAL: Thanks, Wilson; that's definitely important work; and you didn't have to confess your sins on the record in terms of the late report. Bob, calendar.

MR. MAHOOD: Our next get-together as the council will be in October for the two-day visioning workshop, 14<sup>th</sup> and 15<sup>th</sup> of October. That should be an interesting meeting as we come to culmination, hopefully, of some of our visioning activities. After that, the month of November – there is quite a few public hearings scheduled for mid-part of November. Then we will get together the first full week in December, December 7<sup>th</sup> through the 11<sup>th</sup>, in Atlantic Beach, North Carolina.

DR. DUVAL: I'll just put folks on notice that we will have a social at the December meeting. It will be Tuesday evening starting at six o'clock. I will make sure to get Bob the information. It is very close by. That takes us to other business; and I know Ben had an item under other business.

MR. HARTIG: I've got one motion I'm going to make; and I'm going to make the motion right off because we've had some discussion about this at a number of meetings. We had significant discussion about it during the meeting. **The motion would be for staff to develop a procedure to evaluate outlier or unusual MRIP catch estimates before they are used in activating accountability measures; i.e., such as fishery closures.**

DR. DUVAL: Motion by Ben; second by Zack. The motion is up on the screen here that **staff to develop a procedure to evaluate outlier or unusual MRIP catch estimates before they are**

**used in activating accountability measures; i.e., such as fishery closures.** Did you want to have any additional discussion? Jack.

DR. McGOVERN: The only mention is that sometimes when we get numbers that look pretty wonky, we ask S&T to look into it. I know that Dave Van Voorhees has told me that they have a program that does this already and looks for outliers and they deal with it there. I just want to let you know that.

DR. DUVAL: I appreciate that, Jack. Zack.

MR. BOWEN: Dr. McGovern, is that procedure prior or post-closing other fisheries?

DR. McGOVERN: That procedure is done before they put the numbers on their website. We get the numbers from the science center after they've been put up by S&T.

MR. COX: Madam Chair, will you give me the timing on Amendment 23, when we're going to maybe get to the almaco trip limit?

DR. DUVAL: I think that's a Gregg question.

MR. WAUGH: That will be in the list of items that you all will prioritize at the December meeting; so you all will determine when that gets worked on at the December meeting.

DR. DUVAL: I know that's something that a lot folks would like to see go into place sooner rather than later given the burn rate from that commercial ACL. Ben.

MR. HARTIG: Just to Jack's comment, even though they do look at them, we've had a number of cases where the stock assessment has smoothed numbers that have been approved by – you know, that have come out of Van Voorhees' review; so certainly there is precedent to do this based on the numbers that have been changed post-releasing of these by the assessments.

DR. DUVAL: Any other discussion on this motion? **Is there any opposition to this motion? Seeing none; that motion stands approved.** Is there any other business? Ben.

MR. HARTIG: The last thing is I would be remiss – and I neglected to do this in my short chairman's speech – I have to thank Bob for his leadership through this whole process while I was chairman. I have to thank the council members themselves for making this such a great process. I look around the table now compared to some of the other councils; and this is probably the strongest council I've ever been associated with as far as knowledge, fishery experience and willing to participate in the process.

You are getting your feet under you now; and I really like seeing you participate at a higher level. It is really, really heartening to see because you have a lot of experience; and that hasn't always been the case in the past; and I appreciate that. The other thing is staff; the technical staff and the administrative staff, both, made my job so much easier with all the work they've done. Whenever I had a question, they were always quick; and I can always get in touch, almost always get in touch

with everybody at the touch of a phone dial. I really appreciate staff and all they've been able to do since my tenure as chairman. Thank you all very much.

DR. DUVAL: Thank you, Ben, and we've appreciated all of your efforts as well. Again, you leave big shoes to fill, just your knowledge of the fishery for so long, your knowledge of process and being sort of another walking history book in addition to like Google Gregg and Google Bob and Google Carmichael in terms of a lot of the changes that the council has had to work its way through. While you may have left the chairmanship, we are glad that you are still going to be around here. Is there any other business to come before the council? Seeing none; we stand adjourned.

(Whereupon, the meeting was adjourned at 12:35 o'clock p.m., September 18, 2015.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By:  
Graham Transcriptions, Inc.  
September 28, 2015

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

**Date: Friday September 18, 2015**

**COUNCIL SESSION**

**PLEASE SIGN IN -**

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

Name:	Mailing Address/E-mail: <i>(If your information is currently on file, please check the box.)</i>	How do you participate in South Atlantic fisheries? <i>(Check all that apply)</i>	
Bill Kelly	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Terri Beideman	<input checked="" type="checkbox"/> On File	Commercial <input checked="" type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Leda Dunbar	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Gt Frogan	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
David Bush	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
	<input type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>



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

**Date: Thursday, September 17, 2015**

**COUNCIL SESSION**

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Bill Kelly	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other Describe _____
Leda Dummie	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other Describe _____
Laura Crabtree	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other Describe _____
Lora Clarke	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other Describe _____
David Bush	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other Describe _____
James Kejonen	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other Describe _____

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



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

**Date: Thursday, September 17, 2015**

**COUNCIL SESSION**

**PLEASE SIGN IN -**

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

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

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

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