

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **FULL COUNCIL SESSION**

**Charleston Marriott Hotel  
Charleston, SC**

**September 18-19, 2014**

### **SUMMARY MINUTES**

#### **Council Members:**

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

Dr. Michelle Duval, Vice-Chair  
Jack Cox  
Anna Beckwith  
Charlie Phillips  
Lt. Morgan Fowler  
Mark Brown  
Zack Bowen

#### **Council Staff:**

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

Gregg Waugh  
John Carmichael  
Roger Pugliese  
Dr. Mike Errigo  
Myra Brouwer  
Amber Von Harten

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

Monica Smit-Brunello  
Dr. Bonnie Ponwith  
Pres Pate

Phil Steele  
Kevin Anson

Additional Observers Attached

The Full Council Session of the South Atlantic Fishery Management Council convened in the Topaz Room of the Charleston Marriott Hotel, September 18, 2014, and was called to order at 2:40 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: I'm going to call to order the South Atlantic Council Session. The first order of business is adoption of the agenda. Are there any additions to the agenda? Bob Mahood has one.

MR. MAHOOD: At the end of the agenda, under other business, we have an issue with spiny lobster. I believe there is a letter from the regional administrator. We can discuss that situation under other business, Mr. Chairman.

MR. HARTIG: All right, we have that addition to the agenda by Bob. Are there any other additions to the agenda? Jessica.

MS. McCAWLEY: Can we also talk about Biscayne National Park under other business as well?

MR. HARTIG: Yes, that's a good idea. I think I talked with Kevin a little earlier about that and we'll do that. Make sure you remind me of that. All right, any other additions? Is there any objection to approving the agenda? Seeing none, the agenda is approved. The next item of business is approval of the June 2014 minutes. Are there any changes, deletions or corrections to the minutes? Seeing none, the minutes are approved. Now is when we'll deviate from the schedule. I was thinking about doing committee reports, but let's go ahead and do agency and liaison reports instead and we'll see how far we get with those. I think Mel you're the first one.

MR. BELL: Recall at the beginning of this year we had an issue with a rather cold winter, so we actually used the authority under Amendment 9 to the Shrimp Plan to request closure of the EEZ for the shrimp fishery. Hopefully, that has paid off. We're seeing decent numbers of white shrimp now. They're kind of small, which may have more to do with rainfall and things like that.

Again, I just appreciate the fact that we were able to do that, and I have a fall crop of shrimp coming in instead of what could have happened if we didn't do that. That is something of interest and pertinent to the council. On the state level we enacted legislation this year to provide an aggregate bag limit on small sciaenids.

This is a state waters thing, so now we have an aggregate big limit of 50 per person per day, spot, croaker, whiting mixed together. That's something new that passed this year. I've already briefed you on the construction of the Charleston Deep Artificial Reef. We've discussed options for kind of dealing with that, so that's good news. Once again, at full council I will say that I really appreciate help from Stacey Harter and folks on the research vessel that went out there and did the multibeam and all of the work out there and the ROV work.

We're looking forward to hopefully being able to do that on a year-to-year basis or something to just take snapshots of how that reef is developing. I mentioned cobia this morning so I don't really need to go over that again. I'm not sure what we're going to be doing legislative-wise this coming season, but I'm sure it will be interesting, whatever it is. Since you caught me flat, I think that's it for right now.

MR. HARTIG: Pretty good job off the cuff. Any questions of Mel? I have one; Mel, in that ROV work they did, did they see anything yet on the wreck itself?

MR. BELL: What they found – and this is interesting, physics being what it is, we have sunk a lot of ships and vessels in relatively shallow water. We've never sunk one in water that deep before. If you compute the acceleration over that distance, when these things hit the water, they're going pretty fast; so there was a little bit of damage, if you will, to the barge.

I mean nothing major, but it's amazing how fast something will get going in 400 feet of water. They did see amberjack already, and this was several weeks after the materials had been deployed. There is amberjack down there. Again, it's really good multibeam work. It's a real good baseline to start from, and it will just be really fun to watch this grow over time.

MR. HARTIG: Absolutely; thank you. Doug.

MR. HAYMANS: I don't have a whole lot. I've already given you a little report on the mackerel tournaments and just to say thank you to the council for helping making sure that we at least allowed that exemption in the recent amendment. I think it's going to work out and maybe some tweaking later on.

I reported to you guys I guess at the last meeting some plan rulemaking that we were going to undertake regarding some of our federal fisheries. We've backed off of that a little bit mainly because the vehicle that we were going to use to take it, we've backed off of that vehicle. It will give us some additional time to think through how we want to do that.

Like Mel with the shrimp, we were looking forward to a good season this year. The summer looked pretty good, but the fall has kind of taken a nosedive and black gill is steadily on the increase. The only other thing I've got is Coast Fest. I've told you guys about it before. Some on staff attended last year; they can't come this year. The Coast Fest is the first Friday in October – the first Saturday in October. It's 9,000 people and it's a wonderful event for our coastline. If anybody happens to be in Coastal Georgia, come and see us.

MR. HARTIG: Thank you, Doug; any questions for Doug? Mel.

MR. BELL: Can I mention something I forgot, but it is tied to Doug a little bit. It is near and dear to his heart. Remember I've briefed you on an experimental jellyball fishery. That is not necessarily being welcomed with open arms in Beaufort County, anyway. It's one of the things I mentioned earlier about zoning.

I think Beaufort County is trying to kind of deal with that through zoning or something; but there have been issues brought up related to runoff or discharge of jellyball water and stuff. But, it is a perfectly legal fishery in federal waters. It is not managed; so in terms of what goes on in federal waters, it is still going to go on.

They will probably find some place to land and they're landing in Georgia. That is just something that hasn't really come up on anybody's radar necessarily from the federal perspective, but it's still a fishery of interest. There is still demand for the produce. Georgia still has a fishery. We may or may not have one, but there is interest in it; and that is tied to kind of in our jurisdiction, anyway. Thank you, Mr. Chairman.

MR. HAYMANS: It is our number one fishery in terms of volume of now.

MR. HARTIG: Ninety-eight percent water. Thank you for that. Michelle.

DR. DUVAL: I can't remember if I let you all know that we received our sturgeon incidental take permit. Thank you very much to our partners at NOAA for issuing that. As part of our turtle ITP, we just implemented a gill net permit effective September 1. We've been doing a lot of outreach to ensure that goes smoothly.

I think you already heard from Mike Cahall that we've been in conversation with the folks at ACCSP on a tool for for-hire logbook implementation, which is scheduled for January 1 of next year. We did receive permission from the legislature to enter into a Joint Enforcement Agreement, so we are evaluating our options on that.

DR. LANEY: Mr. Chairman, I don't have much either. I will let everybody know that we now have a new Assistant Regional Director for Fisheries. Allan Brown, who is currently the Program Manager for Warm Water Hatcheries and also the manager of Welaka National Fish Hatchery in Florida was selected for that position. I think Allan officially starts later this month. That's pretty much it. We've talked about Atlantic sturgeon and American eel in the Protected Resources, so everybody knows where those are.

Unless somebody has particular questions about the Fish and Wildlife Service, that is about it. I will mention I guess we do participate in the – since Doug mentioned the Georgia Festival; I'll mention that we have a festival in the fall in North Carolina called Wings Over Water, which focuses a lot on waterfowl in particular on all the National Wildlife Refuges in northeastern North Carolina. If you haven't been up there during the wintertime and seen all the tundra swans and snow geese at Mattamuskeet and Pocosin Lakes and other refuges, you might want to do that. It is a really fantastic sight and sound because they do make a lot of noise.

MR. HARTIG: Preston, have you got anything to tell us from the Mid-Atlantic?

MR. PATE: We're in the midst of trying to set specifications for summer flounder and black sea bass and scup right now, which is really one of the high points of our year given the controversy that surrounds those three species; but we have some good data to work on this year with good

landings. Hopefully, it will all go well. One thing I will admit, Mr. Chairman, is how much benefit we receive from the strategic planning effort that we completed last year; and I think you'll do the same.

I didn't fully realize the benefits that program would have to our long-term success until it was completed. We keep referring back to the strategic plan at every chance that we get; and it provides great support for many things that we're trying to do. With the quality of work that has gone into yours, I'm sure you'll experience the same thing. I hope you have some good luck at the next council meeting in October and get that approved. I believe you'll benefit from it quite a bit.

MR. HARTIG: Well, we were lucky enough to have the blueprint from the Mid-Atlantic that really was critical to moving us forward in a much faster way. You all went through it in great detail and we learned an awful lot from you.

MR. PATE: Well, not having that blueprint ourselves, that was a lot of work. There were some struggles along the way, but we've prevailed. I'm glad we could offer you whatever assistance we were able to, but again I think Michelle has done a great job in leading that effort. I wish you luck with it.

MR. HARTIG: Any questions for Pres? Lt. Fowler.

LT. FOWLER: I'm sure we all know that we're coming up on a new fiscal year. For District 7, the South Atlantic will be waiting until we get our operational planning directives from the Atlanta Area, who breaks down our hours' allocations for cutters, small boats, aircraft; and they divvy it up between all the sectors on the east coast, all the districts on the east coast.

Then we will take our piece and divide it up between living marine resources hours and drug and alien migrant interdiction hours. Last year we reduced LMR hours a lot; and this year it's going to be looking at being even less; just so you all are aware of that. We won't really have that set until probably November. So far as enforcement, we haven't had any real big cases lately, just the same things as normal, vessels missing BRDs and turtle mitigation gear and safety equipment and that sort of thing; so nothing really new.

MR. PATE: Mr. Chairman, can I go back a minute? Many of you know that one of the many roles that I play is the Chairman of the Operations Team for the Marine Recreational Enforcement Program. I'd like to say that I appreciate all the support that this council gives that effort and the fact that I have not heard, that I could remember, a single disparaging remark made about the MREP Program at this meeting, which is unlike the Mid-Atlantic that has vocal critics of that program with no apparent reason.

We are making some tremendous progress in collecting not only more data but collecting better data and have the level of understanding and support I think from the councils is important to that task. Any questions that you have about that program that you think I might be able to answer; and if I can't, I can get the answer, please talk to me about it. Thank you.

MR. HARTIG: I appreciate it. Any questions about the MRIP Program for Preston? All right, let's move on to Jessica.

MS. McCAWLEY: I have a few things. We have a new commissioner on our commission. His name is Richard Hanas. He is from Oviedo, Florida. He is the senior vice-president for Corporate Administration and Governmental Affairs with Duda and Sons. He recently joined our commission. Also at our last commission meeting, which was last week, our commissioners took up the item of Goliath Grouper; so they received a review and discussion. We mostly went over the types of things that the South Florida has been talking about.

They got a presentation from Kai Lorenzen about his extensive stakeholder survey that he did. The commission ultimately decided that they would take to take any further action until September of next year, after the stock assessment is completed, which we think will be spring of 2015, and after the council has time to deliberate what they might do with Goliath management.

Also, I know that Doug mentioned the Mackerel Tournament Permit; so we will be taking up the Mackerel Tournament Permit for Florida at our November commission meeting. Also, Doug mentioned or someone mentioned that we are the host for the Southeastern Association of Fish and Wildlife Agencies Meeting in Destin October 18 through 22. That's about all I have unless anybody has any questions.

MR. HARTIG: Any questions for Jessica? Bonnie.

DR. PONWITH: Our Chair asked me to give you a progress report on some of the things that we have been engaged in to implement recommendations from the 2013 Programmatic Review on data collections to support stock assessments of Magnuson-Stevens Act managed stocks. If we could just take a peek at that – it's under the council session and it's called Attachment 3.

This is cribbed from the peer review that we held this year, which was on the actual stock assessments themselves. We gave this presentation as a follow-up to what happened in the first round. If you'll bear with me, I wanted to put the materials in front of you as they were presented to the peer review group.

It does include some progress that is made across our jurisdiction, so it does include some work in the Gulf and in the Caribbean and in addition to this region. I would like to acknowledge the people that put this together. That was Dr. Desfosse and Dr. Turner from the Center. Again, what we're going to do is talk a little bit about the suite of data collection areas where we've made progress.

You'll see in each of these following slides bullets that are in blue and then some actions that we've been involved with that are in red. For example, we were asked to evaluate electronic technology as a way to make our work a little more efficient and more timely. On that front we have implemented electronic dealer reports; and those regulations, as you know, went into effect in August.

We have electronic reporting on the headboats; and we're also using electronic reporting for effort monitoring in the Gulf of Mexico. We've implemented bycatch monitoring using electronic devices for smalltooth sawfish. We're evaluating some designs on the use of electronic logbooks as we've already spoken, for HMS and for southeast commercial vessels.

Of course, we do have our technical team that's looking at the feasibility of electronic reporting in the charterboat fishery. The flow of biological data has been an issue; and we're putting in proposals to go to a bar-coding system similar to the one that Florida uses in their sampling. We're quite interested in that.

We're also looking at ways to enhance both the commercial TIP sampling and the headboat program by automating those data collections. Web access to fishery-dependent data; that work is underway. We're developing a mortal to make those data more readily accessible. On the next page, under characterizing the bias of logbook discard information, we have been doing some comparisons, but these have been starting out with Gulf stocks.

Of course, then in addition we're participating in a Shrimp Bycatch Estimation Workshop for the South Atlantic. Standardizing the TIP methodologies; we've been working with samplers and data collection partners, because as you know those are spread widely across contracting firms working with the states and working with federal FTEs.

We had a recommendation to increase recreational catch sampling because that's such a critical element; and MRIP did increase the dockside sampling in 2014. In the interest of full disclosure, I think most of that was in the Gulf, but I can double-check on that. Another one was develop reliable estimates of recreational discards.

We did some at-sea sampling in the Gulf using headboat survey staff and also maintained existing levels for the for-hire sampling through Florida. The next page, evaluate the allocation of resources; one of the things that we've embarked on is taking a look at plankton sampling and doing a comparison of the sample designs to see if there are some gains we can make on that by making those surveys a little more efficient.

Going to the next slide; we're asked to evaluate the use of acoustics to enhance habitat mapping. You can see a couple of things there. We're using two instruments mainly on the NOAA ships, the ME70 and the EK60, and we're also evaluating additional ways to archive and process the habitat mapping, so it's at our fingertips a little bit faster.

The next one is to integrate multiple technologies. I will say that the Southeast Fisheries Science Center hosted a large national-scale enterprise to look at advanced technologies for sampling untrawlable habitats. It was a very exciting project. We had scientists from the Pacific Islands Center, the Alaska Center, Northwest Center and from Woods Hole and also from the Louisiana Universities Consortium, LUNCON.

In this effort we had aboard the ship stationary camera systems mounted, and so these were stationary arrays; remotely operated vehicles; autonomous underwater vehicles and towed sleds.

Then we put cameras on the bottom to be able to watch how these instruments behaved in the water and then also to watch how animals behaved relative to these things cruising through to be able to compare those against one another to evaluate how efficient and how effective they were against different taxa.

We sampled nineteen sites using all of this equipment; and we have over 6,000 minutes of video collected. We're in the process of analyzing this right now. This is going to be an invaluable effort I think to inform ways that we can get at some of that habitat characterization we're all longing for and then also to get at some of this fishery-independent collections to bolster our stock assessments.

For observer coverage we were urged to expand the coverage. I think we, under the economic circumstances, did well to maintain that coverage over that one-year timeframe. We're engaged in the Shrimp Bycatch Estimation Workshop. I think we've talked about that already. Biological information and recommendations on the next slide is to do a better job of coordinating.

We continue to work with ACCSP and with the Gulf States Commission on using the prioritization tools and making decisions on what our targets and priorities are for that. We're interested in evolving into these more holistic approaches; and so we're certainly interested in doing more stomach content analysis to enable some of the ecosystem modeling that we were talking about earlier in our habitat and ecosystem discussions and then also the reproductive information.

Emphasize age validation and aging workshops; and, of course, with the challenges we've had with the gray triggerfish, we had numerous collaborations to try and calibrate those aging efforts; but we also got a grant to initiate an age validation where we're actually doing the tetracycline marking of these fish and raising them to be able to validate those ages.

Now instead of being absolutely certain that if you age a fish and I age a fish we get the same answer; this is going to be our way to validate the fact that the answer we get is actually the true answer. We would like to be doing that routinely. Also, this micro-constituent analysis helps us to understand the origins and movement patterns of these fishes.

We're going to skip the Caribbean. Information management is the next one that's germane. We are working on IT infrastructure. As you know, there's an executive order to focus on making public data public; and so we're working very hard to build portals that can accommodate all of our data that are not covered by confidentiality rules, making those fingertip available, including all of the fishery-independent data; so that if we have academic researchers who can squeeze more good out of that work, they're able to do that because the data are readily accessible to them.

Cross-cutting recommendation; collect sensitivity analyses of the stock assessments. We have one management strategy evaluation that's funded. We're working on proposals for more of those. What this is going to be is to look across our stock assessments and make sure that we're



making the investments and the part of the assessment that's going to give us the biggest return on the dollar.

If there are things in the assessment that are trailing behind in what their contribution is, consider back or cutting those to be able to make stronger investments in the parts that really are. That is going to be a really valuable tool. Also improving electronic data systems for information technology; and you can see the list of things, some of which we've already covered.

Under the next slide, evaluating information flow and identifying information bottlenecks; again, this is looking at our systems and modernizing some of the data portals to make those data more readily accessible and easier to get at. I think I will stop there and see if there are any questions.

MR. HARTIG: Thank you, Bonnie. That was much more detailed than the one we got at the assessment workshop. I appreciate that because I wanted to know with some detail what you guys have done; and obviously you have made some significant headway into addressing some of the things that came out of the data and the suggestions that came from the reviewers in the data workshop. I appreciate that. Questions? Michelle.

DR. DUVAL: Bonnie, I apologize for my ignorance. The SEAMAP Groundfish Trawl Survey, is that a Gulf survey?

DR. PONWITH: We have a SEAMAP Program that extends into all of the three sub-regions of our region. The predominant is in the Gulf, but we do have some SEAMAP sampling that the states do in the South Atlantic.

DR. DUVAL: Right, but my question is where is the groundfish trawl survey? I don't recall it being in the South Atlantic.

DR. PONWITH: Yes, that is the Gulf.

MR. BELL: Under the heading of habitat mapping, you guys have certain capabilities that are available to you, assets and time and all. There are a lot of universities and other groups that have assets and capabilities and are doing stuff. Is there kind of like a master database or something? Do you take input from them in terms of like if we were trying – because we talked about this over and over again, the need to try to – I mean ideally a perfect world – map the entire shelf and beyond. Is there a system to account for all of that?

Where I'm going with this is when we were dealing with the larger box MPA things and we kind of looked at what we mapped and what we had mapped, and there were a lot of gaps, and so logically you'd want to kind of try to fill in gaps as you can and prioritize and assign assets, but there are always potentially partners out there, I guess, that could take on some of the work; but is there sort of a master map, I guess, that you maintain?

DR. PONWITH: We don't personally but I know that is something that has been discussed. The fact of the matter is that mapping is very expensive and very slow to map the universe; and so

anything we can do to give ourselves a leg up, we should be doing. Within the federal government, the first step is this executive order that says that data collected with public funds needs to be public pertains to all federal agencies.

That would be an opportunity to work very closely with USGS and Department of Interior and see to it that any work that they've done, that it did include mapping, we were able to kind of piece that together as a mosaic and make sure we aren't doubling up. That would be tragic with as much work we have to do to double up on a spot.

Our most likely candidate right now is BOEM, because BOEM keeps records of all of the proprietary data that the oil and gas companies have when they're doing exploration. Those data are proprietary, but my understanding is that after a period of time, they flip into the public domain just like a classic song does after an amount of time. We're exploring ways to work with BOEM to be able to access those and make sure that when they ripen, if indeed that is the case, that we have our hands on that, because that could be a wealth of information.

MR. BELL: And then DoD would have some unclassified mapping and all that could be perhaps melded in. What I was thinking in particular, because Coastal Carolina, one of our universities here, has a very active and capable program; and they have got multibeam capability. They do a lot of stuff off the Carolinas. There are probably other universities, I'm sure, that – because the technology is such now that lots of people have access to that equipment that didn't ten years ago. It would be nice to pull all that together if possible.

DR. PONWITH: That would be really a pretty exciting project that would be the gift that keeps on giving is that. I know a lot of the universities, they're loathe to give those data out until the data have been published; but once they've been published, there is a change that – you know, the research has been published on those collections, then they would be more willing to put those into the public domain as well. That would be phenomenal again to make sure that we know exactly what has already been done and avoid doubling up.

MR. HAYMANS: Thank you for the presentation, Bonnie. The report was just published a couple of months ago, maybe, the review report?

DR. PONWITH: No, this was the review that was conducted in June of 2013; and that review report was published. The actual reviewers' individual stand-alone report and then an overarching chairman's report and then my response to that; that was all published within two months or 90 days when the review was held.

MR. HAYMANS: So it was '13. My question really is it looks like the answers to the recommendations are probably more pre-existing or things that you were doing. How much of what is in red that we're seeing here is new initiatives from the science center in response to the comments?

DR. PONWITH: Some of them were ongoing and they were reported as being ongoing in the review; and there were cases where the review was this is what you need to be doing. There

were other things that were recommended that we haven't started. As you can see, there were some blue lines in there of things that were recommended we haven't started and some that were started directly as a result of the review; but to be able to give you a percentage of which is which, I couldn't do that off the top of my head.

MR. ANSON: Bonnie, I didn't catch if you had presented this or what was presented to the Gulf Council; but for the review I guess that's going on with looking at the different automated vehicles and the techniques and such; who would be the contact there because at the Gulf Commission we're having an ROV Monitoring Workshop; and there might be some things that would come out of your analysis and data that would be helpful for that.

DR. PONWITH: Your best contact for that would be Chris Gladhill.

MR. HARTIG: Any other questions? Seeing none, welcome, Kevin. I neglected to welcome you. Kevin is the new chairman of the Gulf Council, Kevin Anson from Alabama. We're glad you were able to make it. Kevin has a schedule similar to mine. He is very busy and I don't know how often we'll see him, but I'm glad you were able to come for this week. Phil, you have been great all week; have you got anything else?

MR. STEELE: Not unless you want to talk about EFPs, but I think that's on the agenda sometime today.

MR. HARTIG: All right, we'll go to Roy.

DR. CRABTREE: Just a couple of things that I'll mention that have happened since the last council meeting. We did publish a final rule to list 20 different species of coral as threatened under the Endangered Species Act. I think five of those corals occur in the Caribbean. It was a substantial change from the proposed rule which had proposed to list more corals and some as endangered; and that was based on voluminous information that came in during the public comment period.

We also on September 2 published a proposed rule that would list Nassau grouper as threatened under the Endangered Species Act. That determination was made because spawning aggregations have been reduced in size and number due to fishing pressure and concerns that trend may continue. There is going to be a 120-day comment period on that rule; so that will run until the end of the year.

We also have a petition to list queen conch under the Endangered Species Act; and we're in the process of conducting a status review for that. We expect to make a determination on that one by November 3. I think that's everything I have, Ben.

MR. HARTIG: Any questions of Roy? Monica.

MS. SMIT-BRUNELLO: I do not have anything; thank you.

MR. HARTIG: We appreciate you all week, though. You have been real busy, I know, and thanks for that. Phil, can we circle back to you; do you want to do the EFP request?

MR. STEELE: Look at Attachment 2B and 2D; you have two of them. Although one hasn't really sent us a formal request; they did send us their background. The first one is from the Gulf and South Atlantic Fisheries Foundation. It's fairly standard. What they want to do is they've requested this EFP that would allow reinitiation of observer data collection in the South Atlantic Hook-and-Line Snapper Grouper Fishery. It is fairly standard.

There is to be some fish take, not a lot. It is just observer data looking at bycatch and discard mortality kind of studies that the Gulf and South Atlantic Foundation have done in the past; and it's certainly worthy of your consideration. That's number one.

The other one is a little bit different. Well, it's quite a bit different, as a matter of fact. The title of it is "Assessing Harvest Efficiencies and Consumer Demand for North Carolina Lionfish". Janelle Fleming of the Eastern Carolina Artificial Reef Association proposes to test two trapping methods using a New England style lobster trap and a trap I've never seen before.

It's called a Crab Trap Christmas Tree. You can look at it in your briefing book. They want to look at densities of lionfish in North Carolina waters in depths from 90 to 120 feet on three different types of bottom. They want to look at artificial reef bottom, a rocky outcrop bottom and a sandy bottom, to look at the densities of these fish.

That's the main concept of their proposal, but they also want to do some outreach and consumer acceptance kind of testing to see if in fact there is a market for this thing. These are traps and the council has a prohibition for this type of gear, and so it is something you will have to consider. There is more detail on this thing. Those are the two. The Gulf and South Atlantic is fairly standard while this one from the Eastern Carolina Artificial Reef Program is going to take some thought on your part to see what you want to do.

MR. HARTIG: All right, do we need to take action on either one at this meeting?

DR. CRABTREE: Well, you would normally make recommendations to the Fisheries Service as to whether you want to recommend approval or not.

DR. DUVAL: Regarding the project from North Carolina – well, through the North Carolina Sea Grant, I guess, the crab pot Christmas trees are literally – I mean, it is a crab pot that has been clipped apart to look like a Christmas tree. A lot of people in the area buy them as decorations. They come with lights on them. Obviously, these guys are proposing to use them without the lights, but as a means of providing a kind of structure that lionfish are normally found on. I think that's why they're proposing that. I think the Maine lobster trap is definitely more of a traditional trap that we've prohibited.

MR. BELL: Without reading all this right now, is the purpose to kind of test the effectiveness of the trap designs or is it to look at lionfish densities in certain areas or habitats or kind of both? I wasn't so sure they trap very easily in the first place.

MR. STEELE: Well, it is both and there has been a lot of interest, because lionfish don't go to hook and line. You just can't do it; so the only way that they have been able to harvest these things worldwide is with spears; and that has its own challenges there. There has been some interest; and it has been shown in some other studies I think in The Bahamas, if I recollect, that these fish do go to traps. How effective this trap design is versus other, I guess that's what they're going to take a look at; so it does both, densities and effectiveness of the trapping gear, plus the consumer acceptance of this fishery in general.

MR. BREWER: Anything that can be done to bring lionfish under control is okay in my book, including dynamite. On the consumer side of it, for those of you who have never tried lionfish, it is absolutely delicious. It tastes just like a toady; they're really good. I'm hoping they can get a bunch of them and we can eat them.

MR. PHILLIPS: Yes, they're definitely sellable. I've heard about them being sold in the Keys and collected I think in the lobster traps. I've had some divers get some, but, yes, I've also eaten them and they are very good and they are very sellable.

MR. HAYMANS: Granted, I've just skimmed it, but is there a time in which they intend to deploy the traps?

MR. STEELE: I don't know if I saw an exact time on here or not. I'd have to go back there and see. I guess it would be subject to how soon – they've been funded for this, by the way. I asked them already, so Sea Grant has already funded them, but it is still subject to approval of an EFP for them to be allowed to do that. It seemed like they got the cart a little ahead of the horse, but I'm not sure when it would occur, probably as soon as possible.

MR. HAYMANS: Does it go through a Protected Resources Review?

MR. STEELE: Yes, we'll go through the whole review process of this thing. If you want it, your recommendation – and Dr. Crabtree will put this out and usually we put this out in the Federal Register and ask for public comments; and then when we're done with considering your comments and the public's, then he will make a determination whether or not to issue the EFP.

DR. CRABTREE: And typically an EFP is for one year, although on occasion they're longer.

MR. HAYMANS: I'm thinking along the lines of right whales; and quite honestly, if it's a New England type lobster trap with the same sort of cords on it and floats on it and heaven forbid something get entangled, I'm just very cautious about that aspect of it.

DR. CRABTREE: It would have to be evaluated by Protected Resources.

MR. STEELE: Well, if I may, these will be lineless. They're going to be retrieved by divers using lift bags, so there won't be any attached line or buoy to them, according to their plan.

MR. MAHOOD: I don't see any reference to other fish they might catch and what they're going to do with them, if they're going to release them. If it's designed and hopefully will catch lionfish, I'll guarantee you it will catch a lot of other fish. They don't seem to address that at all in this proposal, which could be troubling.

MR. STEELE: It could be, but I didn't see any reference as to what they're going to do with any other bycatch at all. I guess it would be something we could clarify if you wanted to go down this route.

MR. MAHOOD: It looks like the Maine lobster trap is a wire trap, which they are prohibited in state waters, I believe. Even wire traps are prohibited; so is this all going to take place in federal waters?

MR. STEELE: In depths from 90 to 120 feet.

MR. COX: I was just going to say I'm a diver and a sea bass pot fisherman. We have a lot of lionfish out on our wrecks, but I did set some of my bass pots out there to see if I could catch something in it. I haven't had any success at all; and some of the wrecks, we've got three or four hundred lionfish on them, so I hope somebody can find something. It also made me think of something else during this conversation. What if some of us sea bass pot fishermen are divers and we want to use our sea bass pots during the right whale season and not use any lines and retrieve them by diving methods? (Laughter)

DR. CRABTREE: Well, that might solve a big problem.

MR. HARTIG: I do know that the guys in the Keys, Gary Nichols in particular has given us testimony that he has been catching significant numbers of lionfish in his lobster traps. Wasn't there a proposal to do something with the trap in Florida to see if they could design a trap that was more lionfish friendly?

MS. McCAWLEY: It wasn't an FWC proposal, but there are definitely people that are taking them in their traps now and are selling them and eating them. There are also people off of Jacksonville that I think are now able to target them with hook and line, so they're testing different baits and other methods. Usually you can't really take them by hook and line; it's pretty much by diving and spearing or handheld nets.

DR. DUVAL: Some of the interests that I have heard in trying to find a way to trap lionfish is the type of bait that's being used. It involves using gonad material I think from a female lionfish to trap the males. That's what I've heard.

MR. MAHOOD: This is not an official application for an EFP, right?

MR. STEELE: Well, I pointed out to them about two hours ago that we did not have a cover letter. I have asked my staff to get in touch with Janelle Fleming and tell her if in fact they want us to consider this, then she needs to send us a cover letter. I think strictly speaking, I would ask Monica because I didn't finish law school, but I'll ask her in fact does it satisfy the requirements for an EFP, the fact they didn't send us a letter. The fact of the matter is I've asked them to do so; so once we receive that letter, it will complete the package and it will become official. As it stands now, it is kind of quasi-official because they did not send us a cover letter specifically requesting an EFP.

MR. MAHOOD: You said you can question them, Phil, relative to – obviously, I wouldn't think they'd be allowed just to keep the bycatch, but maybe I'm wrong.

MR. STEELE: Bob, I haven't really given it much thought, but it's something we certainly would need to find out what they had in mind with dealing with some of these species other than lionfish that they catch. They may have a plan for it, but it was not discussed in their proposal.

MR. HARTIG: Well, that's something this council would be very, very interested in pursuing because I don't think we want to allow those animals – we'd like to see them be released if possible, the animals that weren't subject to the trap. It would be nice to document what you caught and then release them, but I think it's pretty important that we know that kind of information if we're going to look at a gear that we may be able to use for lionfish in the future. Some kind of bycatch I think will be tolerable. It is just knowing what that is would be important.

MR. STEELE: I'm reading in the document here now and it says divers will observe and identify the number of fish inside and video record it; identify all the species to the lowest possible taxon; so I guess they are going to keep account of what they catch. What they're going to do with that is just something I would have to follow up on and get back to you on it because it is really not described very well in their proposal.

MS. SMIT-BRUNELLO: I was just looking at the EFP regulations and if you – you know, restrictions can be put on the permit the Fisheries Service issues if they issue an EFP. If you had some ideas of types of things that you would like to see restricted or allowed or those sorts of things, if you wanted to give that information to the Service for their consideration as to whether you thought it – you would agree that it could be issued if it did X, Y, and Z or those kinds of things, that might be helpful for the Service; or as it reads now, if you don't like it at all and you would recommend against it, then that would also help them in their evaluation.

DR. DUVAL: I would just going to say I support this in concept because I think anything – you know, like Chester said, anything we can do to find some lionfish attractant and use that to eliminate these things from our reefs is laudable. I think we can maybe ask for some more information.

It's like Phil said, it's one thing to enumerate and evaluate the other species down to taxon, but what are they going to do with them after that. Are they going to sell them in the restaurant trade

or what? I mean, just looking at the personnel on this, Dr. James Morris is a scientist at the Beaufort Lab in North Carolina; so one of the agency's own scientists is listed on this application.

MR. STEELE: Here is what I suggest. Their timeline on here says they want to do this in the summertime. Well, I think the summertime is pretty much gone; so I would think they wouldn't do this until next year. What we normally would do is we'd get the formal request from them requesting an EFP and we send you a letter.

Kind of like we did with the Gulf and South Atlantic, we sent you a letter in August about that one. I'll follow up with them and get more details on some of the questions; or if you have specific questions you'd like me to ask them, I'll do that. We will get the formal letter requesting the EFP and I'll forward it to you. We'll try and fill in all the blanks on the questions you have; and you could take this up again at the December meeting.

MR. HARTIG: That sounds like a plan.

MR. STEELE: But we do need a decision on the Gulf and South Atlantic Foundation, if you would like.

MR. HARTIG: Right, and I'm drawing a blank. How do we handle that?

MR. MAHOOD: You need a motion to recommend approval or disapproval.

MR. HARTIG: If we want to do the Gulf and South Atlantic Foundation that has come before us, formally we need to have a motion to approve or disapprove it. Michelle.

**DR. DUVAL: Mr. Chairman, I make a motion that we recommend to the Regional Administrator approval of the EFP application from the Gulf and South Atlantic Fisheries Foundation.**

**MR. HARTIG: Seconded by Jessica. Is there any discussion about this? Is there any objection? Seeing none; that motion is approved.** Okay, Kevin, I missed you for your Gulf Council Report.

MR. ANSON: All right, a few things since they're here on the paper, just to go over it, you mentioned in your Data Collection Committee Meeting about the technical subcommittee and the progress of it. We're working along the same lines as you are and communicating with them some of our intent or desire as they work forward to looking at electronic reporting in for-hire vessels.

I didn't hear if you had said it, but we had disbanded the Ad Hoc Goliath Grouper Steering Committee; and we voted to send a letter of support to the FWC moving forward to conduct a stock assessment on Goliath grouper. I'll update you on a few of the amendments that are going through – at various stages are going through the council currently.



Red Snapper Sector Separation Amendment, three fish, Amendment 40 will be brought up at our October meeting; and it is at the stage of final vote potentially in October. That looks to divide the recreational sector as it currently sits into private and for-hire components, individual components. The preferred alternative right now in the document is that 44 percent would be for for-hire and then 56 percent for private angling.

We have a Red Snapper Accountability Measures Framework Action that was passed; and that dealt with a court decision that was made earlier in the year, which essentially required a buffer on the recreational sector. We developed a framework action and sent to the Secretary of Commerce that established a 20 percent buffer in the fishery, as well as accountability measures going forward.

We had a Red Grouper Framework Action that was developed and it sets an in-season closure for red grouper due to the annual catch limit being exceeded in 2013 and addresses the overage in that fishery. Red Drum; we reviewed a scoping document at the August council meeting; and we are going to be receiving some recommendations from an advisory panel that's going to give some recommendations on that; and that's to open up the recreational fishery in federal waters for red drum. It has been closed since the late eighties.

The Greater Amberjack ACL/ACT Framework Action; after SSC review it was determined that greater amberjack was overfished and experienced overfishing and had not met its ten-year rebuilding plan that ended in 2012. Additionally, the greater amberjack stock ACL has been exceeded twice in the last four years.

To address that, the council initiated a framework action to adjust the greater amberjack ACL/ACT to address overfishing and to rebuild the stock. At the August meeting the council reviewed a draft framework action that considers modifying greater amberjack allowable harvest and other management measures, including modifications to annual catch limits and annual catch targets; modifications to the recreational size limits and closed season; and modifications to the commercial trip limit. We will be reviewing a revised document in October.

Red Snapper IFQ modifications, Reef Fish Amendment 36, we reviewed an update on the referenda requirements for Amendment 36. It was determined a referendum is required if the council wants to consider auctions for IFQ shares. The council agreed to move forward with developing a scoping document for Amendment 36, excluding auction alternatives.

We have two shrimp amendments currently, 15 and 16. Shrimp Amendment 15 deals with status determination criteria for penaeid shrimp and adjustments to the shrimp framework procedure, which considers revising the status of brown, white and pink shrimp to ensure that overfished and overfishing thresholds are consistent with the outputs of the new model being used to determine stock status. Shrimp Amendment 16 deals with annual catch limits and accountability measures for royal red shrimp. Neither amendment will negatively affect permit holders in terms of quota, seasons or permit requirements. That is my report, Mr. Chair.

MR. BREWER: You mentioned that under Amendment 40 the current preferred alternative was 44 percent for-hire, 56 percent for recreational. I have two questions. I had heard that there had been a vote that the preferred action was no action. Was that a vote of the AP or was that a vote of a committee?

MR. ANSON: I believe that was vote from the AP.

MR. BREWER: And then the 44 percent for-hire; is that only federally permitted boats or is that state permitted and federally permitted boats for-hire?

MR. ANSON: That is just specific to federally permitted vessels. The state vessels would be included in the private angler component.

MR. HARTIG: Any other questions? Well, it is good see we're not the only ones that are busy. My goodness, it sounds like both sides of the jurisdictions are busy, busy, busy. All right, we stand in recess until the public hearing.

(Whereupon, the meeting was recessed at 5:10 o'clock p.m., September 18, 2014.)

The Full Council Session of the South Atlantic Fishery Management Council reconvened in the Topaz Room of the Charleston Marriott Hotel, September 19, 2014, and was called to order at 8:30 o'clock a.m. by Chairman Ben Hartig.

MR. HARTIG: All right, we're going to bring the South Atlantic Council Session back to order. We were able to get some of the things done yesterday during full council. The first thing we'd like to do this morning is have our Law Enforcement Officer of the Year Presentation. Before we do that, I think I'd like to have Bob come up and give a short synopsis of how we got to where we are and how important we think this is to our continuing management.

MR. MAHOOD: I know that all the council members and the folks that attend the council meetings know this council is very strong on the law enforcement component of our fishery management efforts. We all have realized a long time ago that without good enforcement, what we do here around this table can be meaningless sometimes.

We always have worked with our law enforcement groups through our advisory panel and other means to make sure that we try to make our regulations as enforceable as possible. We may not always succeed but we do the best we can. In recognition with this, several years ago our council decided to have an award for the Law Enforcement Officer of the Year in our area between the states, the Coast Guard and the National Marine Fisheries Service.

That has been I think a very successful program over the last several years. It is a great honor to get this award. It is kind of a peer award, also, because the initial nominations come out of our Law Enforcement Advisory Panel. They come to the council and the council actually takes a ballot vote based on the background that we're given on the officers and the recommendations

that the council receives. The Officer of the Year is chosen in that manner. I think those that have won it have been very deserving.

We have a lot of very deserving officers, but obviously you can't give it to everybody at one time. Mr. Chairman, I think the folks that have won it have been very efficient and very effective at their positions and really aided the national effort to manage our marine fisheries. With that, I'll turn it back to you.

MR. HARTIG: With that, we will have Officer David Brady come up and we'll do the presentation. This is a presentation on behalf of the South Atlantic Fishery Management Council 2014 Law Enforcement Officer of the Year proudly presented to Officer David Brady for his distinguished service and outstanding achievements in fisheries law enforcement, September 2014.

OFFICER BRADY: Thank you, sir, I appreciate it. (Applause)

MR. HARTIG: Not only with this, you also get a check to help you celebrate your distinguished presentation.

MR. MAHOOD: I'm proud to say David is from Georgia where I worked for 15 years.

MR. HARTIG: Well, that brings us to our committee reports. We got through the liaison and agency reports yesterday. I guess we'll just go on through as we have them, and the first one is the Snapper Grouper Report, Dr. Michelle Duval.

DR. DUVAL: The Snapper Grouper Committee met on September 16 and 17 in Charleston, South Carolina. We went through our status of landings for quota-managed species, as well as the status of amendments approved for secretarial review. **The first thing we did was have a motion to request an extension of the blueline tilefish emergency rule; and on behalf of the committee I so move. I believe an emergency rule is a roll call vote, Monica?**

MS. SMIT-BRUNELLO: Yes, I think so.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Bowen.

MR. BOWEN: Yes.

MR. MAHOOD: Mr. Brewer.

MR. BREWER: Yes.

MR. MAHOOD: Mr. Brown.

MR. BROWN: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: No.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Duval.

DR. DUVAL: Yes.

MR. MAHOOD: The motion passes with one negative vote, which I'm sure will be explained.

DR. CRABTREE: If I could, for those of you who are somewhat new to this, as a matter of policy the Fisheries Service votes no on emergency rules to prevent a unanimous vote, which

under the Magnuson Act would take away the secretary's discretion as to whether to implement or not implement the rule. I have instructions to vote no to prevent a unanimous vote.

DR. DUVAL: Thank you for that explanation, Dr. Crabtree. Next was a summary of the visioning issues and themes by sector. Then we moved right into Regulatory Amendment 16, which is the black sea bass pot closure. The staff briefed us on the status of that. The next item of business was Amendment 22, the Recreational Harvest Tag Program where we received a presentation on the status of that from Fisheries staff.

The next item of business was Amendment 29, which is the ORCS and Gray Triggerfish Amendment. **The first motion there was to accept the IPT's proposed wording for the purpose and need; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to accept the IPT's proposed wording for the alternatives under Action 3; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.** Now, I will draw the committee's attention to the fact that we did receive some public comment yesterday with regard to the Preferred Subalternative 5F for scamp regarding the proposed ACL. I did not know if it was the desire of the committee to reconsider that preferred alternative. If so, now would be the time to do it. Mel.

MR. BELL: After looking at our data in terms of the significance of scamp and listening to the testimony yesterday, as well as written comment from Tom Swatzel, we'd certainly be interested in perhaps shifting from the current preferred kind of back one level. I have which particular alternative that would be. We'd be interested doing that if it is at all possible.

DR. DUVAL: Is that a motion, Mel?

MS. BECKWITH: Subalternative 4F would be 0.9 of the proposed ABC.

MR. BELL: I would move that we establish Subalternative 4F for scamp as the preferred alternative rather than the current – is it 4F? I don't have the document in front of me.

DR. DUVAL: It is 4F and so 4F would be the alternative that you would want to select as the preferred. The preferred currently is 5F, so we would need to deselect 5F and then also select 4F.

MR. BELL: Right, so I would move that we would deselect 5F and establish 4F as our preferred alternative.

**DR. DUVAL: So a motion by Mel and second by Chris to deselect Subalternative 5F as the preferred and select instead Subalternative 4F as the preferred. Discussion? Ben.**

MR. HARTIG: Mel, we had a lot of discussion about why we were reducing it earlier. Why do we want to go back to a higher level that is not being reached now? Yes, it possibly could be reached. I don't know what the landings are this year and how they feed into that; but I think to me I think we needed to get a handle on this species to try and at least get a marker there at this time. The council can always go back.

If we hit the level, the next year we could do a framework and increase the catch if that's the way you want to do it. I just think we needed to cap that fishery and allow some of that biomass to start to accrue back into the fishery. I have real concerns over scamp based on the information we've seen from Marcel and based on the landings' information. Given that they have somewhat of a respite during the grouper closure, I still think most of the effort for scamp has been outside of that time.

MR. BELL: Basically listening to input from our fishermen and I went back and looked at all the data; and, yes, we haven't hit it recently. If that closes down, it's just a little bit more impactful I guess on our particular area; and it doesn't seem like that much of a difference. If that little bit of extra margin would be the difference the fishery remaining open for a while, it just made sense to us.

Tom mentioned us being the scamp capital of the world. I don't know about that, but it is a significant contributor. Perhaps Chris knows and could speak to that, but it is kind of a big deal for us. If it just provided a little bit of margin there without backing off too much on it, I felt that might be reasonable to consider.

MR. COX: I'm really concerned about all our shallow water groupers, especially red grouper. The scamps, we saw really good fishing on scamps this year. We are closer to the ACL this year than we were last year at this time; and I just think that we're not backing way off, but we want to have fishermen to have access to that ACL if we need it, being that we are going to a little bit closer. We have gotten close before, but I think this is a good approach. I don't think that we've done anything crazy here. I think it's still very reasonable.

MR. CONKLIN: I just wanted to point out and keep in mind that scamp is unassessed; so we really don't have a hard number to go on. Our previous actions reduced the ACL by 41 percent. This is still a very conservative approach; and I think it puts it still down to like a 34 percent reduction, if I'm not mistaken. This is within our realm and I think it's in our best interest to do it for the fishing community.

DR. DUVAL: All right, other comments on this motion? Could I please see a show of hands of those in favor of the motion? I count ten in favor. **Any opposed; one opposed. The motion passes with one opposition. The next motion was to modify the IPT's proposed wording for Alternative 1 under Action 4 as specified below; 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 deem the codified text for Amendment 29 as necessary and appropriate; and on behalf of the committee I so move. Any discussion? Any objection?**

**Seeing none; that motion stands approved.** Obviously, that will have to be fixed up a little bit with the motion that we just passed to change our preferred under Action 3.

**The next motion was to approve Amendment 29 for formal review and give the Council Chair and staff editorial license to make changes to the amendment prior to submission; and on behalf of the committee I so move.** Mr. Mahood, I believe this a roll call vote.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Bowen.

MR. BOWEN: Yes.

MR. MAHOOD: Mr. Brewer.

MR. BREWER: Yes.

MR. MAHOOD: Mr. Brown.

MR. BROWN: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: My Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCRAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Duval.

DR. DUVAL: Yes.

MR. MAHOOD: **The motion passes unanimously.**

DR. DUVAL: The next item of business was Amendment 32, which is blue-line tilefish. **The first motion here was to accept the IPT's suggested changes 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 suggested changes to Alternatives 1 and 2 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 accept inclusion of Alternatives 3 through 5 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 accept the IPT's suggested changes to Alternative 1 under 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 Alternatives 1 through 3 under Action 4; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

The next motion was to accept the IPT's suggested changes to the wording of Action 5. I would just note that Action 5 was not shown correctly worded in the decision document. It failed to include the words "and the deep-water complex" in the title of that action. However, the amendment itself is correct.

All the wording is correct both in the summary as well as in the amendment itself. It was just in the decision document that accidentally left out those words; so I just note that. On behalf of the



committee I so move – Monica, do we actually need a motion to actually accept the wording changes to the title of that action even though it was just in the decision document?

MS. SMIT-BRUNELLO: So the title is correct in the actual amendment?

DR. DUVAL: Yes, in the actual amendment under both the summary as well as within the individual chapters of the amendment itself.

MS. SMIT-BRUNELLO: I think that's fine because it's correct in the amendment; and you just pointed out to everyone that it was the decision document that had that minor error. My only question is if there was motion made at – or when there was a motion made at the committee meeting; did it reference the inaccurate title or did it reference the correct – were the words correct in the motion; did it catch everything?

DR. DUVAL: Myra is advising me that we do need a motion here because the words “and the deep-water complex were never in the amendment in June; and so the IPT suggested adding those; so if we could just go ahead and get a motion from the committee to accept the IPT's suggested changes to the wording of Action 5, we can go on. Mr. Haymans.

**MR. HAYMANS: Madam Chair, I'd make a motion that we accept the IPT's suggested wording for Action 5 to include “and the deep-water complex”.**

**DR. DUVAL: Motion by Doug; second by Charlie. Any discussion? Any objection? Seeing none; that motion stands approved. The next motion was to accept the IPT's suggested changes to Alternatives 1 and 2 under Action 5; 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 changes to alternatives under 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 accept the IPT's suggested Alternatives 2 through 4 under Action 7 and specify gutted weight; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to select Alternative 2 as a preferred under this action; 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 Alternatives 1 and 5 under Action 8; 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 as a preferred alternative; and on behalf of the committee I so move. Is there any discussion? I would note that in Regulatory Amendment**

20 the preferred alternative selected was one per vessel per day from May through August. Any discussion? Mr. Chairman.

MR. HARTIG: We had the discussion in snowy grouper, and I believe that we did that for snowies. We did the season; am I correct or not? Okay, since we had the season from May through August and we did that for blueline as well – no, we did not; okay.

DR. DUVAL: Right now the preferred – this is why I bring it to the committee's attention because we had a discussion about trying to align the seasons for the deep-water complex. In Regulatory Amendment 20 the committee selected as its preferred alternative one per vessel per day from May through August.

Your current preferred alternative here for blueline tilefish is one per vessel per day from January until whenever the quota is met.

MR. HARTIG: Thank you for that explanation. I would move that we select Alternative 5 as a preferred, establish a vessel limit of blueline tilefish of one per vessel per day from May through August and no retention during the remainder of the year.

DR. DUVAL: There is a motion to select Alternative 5 as a preferred under Action 8; second by Chris. Discussion?

MR. HARTIG: You gave a good discussion of why we should do it; so I think if we can get this recreational fishery on a season, I think we can actually in the future possibly give them more fish in that limited season; so we can get some of these very restrictive vessel limits up to possibly one per person per day in the future. At least that's my intent.

DR. DUVAL: Ben, I'm wondering if perhaps you and the seconder, which I believe was Chris, might consider modifying your motion to deselect Alternative 4 because that is the current preferred alternative. We don't want two preferred alternatives I think under this action.

MR. HARTIG: Yes, I would; deselect Alternative 4.

DR. DUVAL: Is that okay with the seconder? Thank you. Doug.

MR. HAYMANS: I just want to make sure. We're talking about under the current preferred a season that would end October 31, projected; so you close two months. How much more of a predicted season do you want other than to get all the way year-round? How long are we going to keep Alternative 5 in place, which closes at September 1, before we change to year-round? Ten months seems like a pretty long season to me. Maybe I'm not explaining myself well enough.

MR. HARTIG: Yes, I'm not quite getting what you're saying.

MR. HAYMANS: Well, under Alternative 4, one per vessel per day, the projected closure date is October 31; and you were saying that by selecting Alternative 5 we're going to have a more predictable season for the recreational angler; but if we've already gone ten months, that's pretty much a season. I'm just understand why we would back up and only give them a couple of –

MR. HARTIG: I think in the long term – at least in my opinion I think that we need a season on the recreational fishery in the deep water. I think we need a limited amount of time where we can have these people fish in the calmest times of the year, be able to access fish throughout the entire region and to try, as these fisheries recover, to give them a bag limit of more than one fish where it actually makes your trips – you can go offshore and possibly get to one per person per day. That is the way I see us going down this.

The other thing is if we have a season for the recreational fishery in this deep-water complex that is defined, we can get the bycatches of Warsaw and speckled hind reduced in that defined season for the recreational fishery, that's a lot less time that they have to be dropping throughout the year in the area where those animals live. That is really what I'd like to see is get back to something where people can actually go offshore for a reasonable trip. This is a way to do that in the future.

DR. CRABTREE: Just remember this is all about probabilities. These projections are hugely uncertain. You get a couple of intercepts that occur early in the year; you could be closed down on April. To me this makes sense and I think it has a much higher probability of having the season run without any in-season change. We get a new assessment hopefully in a couple of years; and at that point I think we come back in and recalibrate. Presumably we'll get different catch levels, things should improve, and then I think we can look then at expanding the season, maybe.

MR. CONKLIN: I just was kind of thinking about that; and if we were going to make a season on the blueline and cut a lot of the projected dates off early for what it would normally run, then maybe we would want to circle back and consider like a different bag limit to maximize the recreational fisherman's opportunity.

MR. BELL: I was just going to say I followed Ben's logic, so the tradeoff is you're giving up a couple of months on the front end, but you're establishing a better probability of maintaining a season predictability for the fishermen and avoiding bycatch issues as well. That kind of makes sense.

DR. DUVAL: I appreciate your comment, Chris, and I would just note that a bag limit as more than one per something per something was not analyzed in this amendment. We could certainly come back later, as Roy suggested and Ben has suggested if you vote this up, to modify that bag limit down the road.

MR. CONKLIN: I'm fine with that; I was just speaking to Doug's point.

DR. DUVAL: Any other discussion this motion? **The motion reads deselect Alternative 4 and select Alternative 5 as preferred under Action 8. Any other conversation? Could I please see a show of hands of those in favor of the motion, ten in favor; those opposed, two opposed. The motion passes ten in favor and two opposed.**

**The next motion is to deem the codified text for Amendment 32 as necessary and appropriate; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to approve Amendment 32 for formal review and give the Council Chair and staff editorial license to make changes to the amendment prior to submission; and on behalf of the committee I so move. Mr. Mahood, I believe this is a roll call vote.**

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: No.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Bowen.

MR. BOWEN: No.

MR. MAHOOD: Mr. Brewer.

MR. BREWER: Yes.

MR. MAHOOD: Mr. Brown.

MR. BROWN: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: No.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Duval.

DR. DUVAL: No.

MR. MAHOOD: **Okay, the motion passes by a vote of nine to four.**

DR. DUVAL: The next item on our agenda was Regulatory Amendment 22. Monica.

MS. SMIT-BRUNELLO: I believe you didn't make a motion to allow the chairman to redeem the codified text to reflect the changes necessary. I just want to make sure that is in there because you've made a few changes and the chairman is going to have to look at it again.

DR. CRABTREE: Move we give the chairman license to redeem the codified text as may be necessary.

DR. DUVAL: There is a motion by Roy to give the council chairman license to redeem the codified text as necessary. Would you care to add Amendment 29 in there as well, Roy?

DR. CRABTREE: I would care to add that.

**DR. DUVAL: Thank you very much; motion by Roy, second by Mel. Discussion? The motion reads give the council chair license to redeem the codified text for Amendments 29 and 32 as necessary and appropriate. Any objection? Seeing none; that motion stands approved.**

The next item of business was Regulatory Amendment 22, gag and wreckfish. **The first motion under this amendment was to accept the IPT's proposed wording for the purpose and need; 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 proposed changes to the wording of the alternatives under Action 1; 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 proposed wording changes for Alternatives 1 and 2 with the exception of adding Subalternative 2C, and that motion failed. **The next motion is to modify Action 2 to only consider changes to the gag bag limit, 2 and 3 fish, within the aggregate; and on behalf of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.** I will just note that the intent is for the bag limit on black grouper to remain at one fish. Zack.

MR. BOWEN: Just for the record, I objected.

DR. DUVAL: I apologize; so the motion passed with one objection. We do have a suggestion as a matter of sort of cleanliness that perhaps the committee would consider a motion to move Alternative 2 and its subalternatives to the considered but rejected appendix in order to allow staff to do exactly what we asked them to do in the previous motion. Would someone be willing to make that motion?

MS. BECKWITH: Michelle, I would suggest that we leave it in the document for now. There is no reason; it is going out to public hearings, so why not send out the entire suite of options? I would like to retain it in the document.

DR. DUVAL: Well, you can't have both. That's contrary to the motion that you just approved.

MS. BROUWER: Perhaps to clarify, the reason we're suggesting that you move it to the appendix is to capture the rationale for why you are not intending to change the aggregate; only the gag bag limit within the aggregate, and staff felt that it was important that we provide that rationale for the public; and we would do that in Appendix A.

**MR. HARTIG: I would move Alternative 2 and its subalternatives to the considered but rejected appendix.**

**DR. DUVAL: Motion by Ben; second by Charlie. Discussion? Objection? Seeing none; that motion stands approved.** I would just note that the committee indicated that they do not wish to include specification of the wreckfish ACL in numbers of fish and the wording of the action and alternatives will be revised accordingly. **The next motion was to approve the IPT's suggested edits to alternatives under Action 3; and on behalf of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to approve the IPT's suggestion to move Alternative 6 to the considered but rejected appendix; and on behalf of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to approve Regulatory Amendment 22 for public hearings in the fall of 2014; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.**

The next amendment was Regulatory Amendment 20, snowy grouper. **The first motion was to accept the IPT's proposed edits to the purpose and need; 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 proposed wording changes for Alternative 2 under Action 1; and on behalf of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion was to accept the IPT's proposed wording for Alternatives 2 and 3 under Action 2. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

I think it might be helpful at this point to ask Mike Errigo to come up and provide some additional explanation for the shift in allocation between the commercial and recreational sectors. We have discussed this on the record a number of times regarding the fact that Monroe County recreational harvest was unable to be included in the previous stock assessment that was conducted through SEDAR 4; but through the standard assessment that was conducted in SEDAR 36 those landings were able to be brought in.

When the same allocation of average landings from 1986 through 2005 was applied to that landing stream that was used within the stock assessment, we ended up with an 83/17 split between the commercial and recreational sectors although we found out that it's not solely due to the inclusion of Monroe County. I'm going to let Mike come up and explain that.

DR. ERRIGO: Okay, this is a table of the landings from SEDAR 36 that were used to calculate the allocation as it is in the amendment. This is commercial; the bigger number, recreational; total and then the percentage for the allocation commercial and recreational. It went from 1986 to 2005. These numbers are from SEDAR; and what they did was there were two years, '86 and '89, where there discrepancies in the recreational data that they fixed.

They smoothed those over. They were actually zeroes, but they had intercepts with zero landings; so they looked at the ratio of headboat to recreational – private recreational from surrounding years and they filled in those numbers. Here is what you get. I tried to recreate the old MRFSS data, which was very difficult because there have been a lot of changes and average weights changed and this and that and the other thing.

That's about as close as I got to recreating it. The average weights and things like that have changed over time. There have been some changes to headboat numbers and things like that. That was as close as I could get from the data that I had. It's the same years, but the averages came out – the commercial hasn't changed that terribly much, some, but I wasn't able to get the old commercial estimates, but the old recreational estimates were a lot smaller.

This does not include Monroe County; and the SEDAR 36 numbers do include Monroe County. I also did a calculation with these new numbers but just subtracted Monroe County out. That's this; and the percentages did not go back to where they were when the old MRFSS numbers were used. They're still pretty close to 86/14. They're 86/14 instead of like 87/13; so they didn't change that terribly much.

It looks like the biggest difference in allocations wasn't the addition of landings from Monroe County on the recreational side, but was in fact all the changes that were done – the re-estimation process going from MRFSS to MRIP. It was a re-estimation of all that new data and then the calibration of the old MRFSS to the new MRIP that made the bulk of the change in the allocation. This last column here on the right is the Monroe County total recreational landings.

Actually I think it is just private recreational landings. I think headboat; they had estimates from them, so it is just private recreational. It was actually zero until 1999 and then it jumped around a lot; but because they used an average from this time period, it didn't have a huge effect on the allocation. The biggest effect was just year to year the changes due to the calibration from MRFSS to the new MRIP methodologies and re-estimation process; so the changes in the weightings that they did.

DR. DUVAL: Thank you very much for that, Mike, much appreciated. Are there questions for Mike? Roy.

DR. CRABTREE: I appreciate that, Mike, because that's a little different I guess than what we talked about; but I think where it leaves us is essentially the same, is that the best available landings now have been changed. We're going to go through this again as a result of the process of improving MRIP. We've got a Calibration Workshop that just went on a few weeks ago.

There are probably more changes to the effort estimation process; and as our perception of what the landings are changes over time, because our allocations are based largely on landings, we're going to have to come in and deal with that and revisit it. It is a difficult thing, but I'm afraid we're not done with it yet.

DR. DUVAL: Very true. Any other questions or comments for Mike? Mike, I really thank you for doing this and thank you to Myra for reminding me that this would be very helpful for the discussion for the record and for the committee to know about. **So, where we left off was the next motion within Regulatory Amendment 20 was to accept the IPT's proposed wording for Action 3 and Alternative 1; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

One thing we failed to do was to approve the IPT's suggested edits to Alternative 5; so if someone would care to make that motion, I would very much appreciate it. Ben.

**MR. HARTIG: I would move that we approve the IPT's suggested edits to Alternative 5.**



**DR. DUVAL:** Seconded by Roy. Is there any discussion? Any objection? Seeing none; that motion stands approved. The next motion was to change Alternative 5 to apply to Indian River/Brevard instead of Volusia/Brevard; 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 Alternative 4, Subalternative 4B under Action 3 as the preferred alternative; and on behalf of the committee I so move. Is there discussion? Any objection? Seeing none; that motion stands approved.

Because of what we did under Action 4, which was the recreational bag limit, our preferred was Alternative 1; and we changed that; and so what we need to do is deselect Alternative 1, which was no action, as a preferred because having Alternative 1 and Alternative 2 as preferreds are contradictory to one another. If I could get a motion from the committee to deselect Alternative 1 as a preferred, I would appreciate that. Ben.

**MR. HARTIG:** Yes, I would move that we deselect Alternative 1 as the preferred under Action 4.

**DR. DUVAL:** Motion by Ben and seconded by Jessica. Discussion? Any objection? Seeing none; that motion stands approved. The next motion was to select Alternative 2 under Action 4 as the preferred alternative. Is there discussion? Any objection? Seeing none; that motion stands approved.

The next motion was to approve Regulatory Amendment 20 for formal review; and on behalf of the committee I so move. I believe this is a roll call vote.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Bowen.

MR. BOWEN: Yes.

MR. MAHOOD: Mr. Brewer.

MR. BREWER: Yes.

MR. MAHOOD: Mr. Brown.

MR. BROWN: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: Chairman Duval.

DR. DUVAL: Yes.

MR. MAHOOD: **The motion passes unanimously.**

DR. DUVAL: **The next motion was to deem the codified text as necessary and appropriate and give the Council Chair and council staff editorial license to make changes to the amendment document as needed prior to submission; and on behalf of the committee I so move.** Monica.

MS. SMIT-BRUNELLO: And to redeem the codified text if necessary; you're doing that to the Council Chair as well?

DR. DUVAL: Is that a new motion or do you want the motion modified?

MS. SMIT-BRUNELLO: Why don't you modify the motion to add that in there? In case changes are needed to the codified text that you currently have before you, then you give the Chair – and you've previously done this many times – the authority to redeem that codified text. It's kind of like what you just did for Amendment 29 and 32.

DR. DUVAL: I guess I'm just looking to our parliamentarian; because when we did that for Amendments 29 and 32, that was a separate motion; so would this really be a substitute motion?

MS. SMIT-BRUNELLO: And from my perspective if you want to do it as a separate motion, that's fine. I just don't want you to forget you need to give the Council Chair that authority.

DR. DUVAL: I would prefer if we could just do that as a separate, if you don't mind. We have a motion on the floor. The motion is to deem the codified text as necessary and appropriate and give the Council Chair and council staff editorial license to make changes to the amendment document as needed prior to submission. **Is there any objection to this motion? Seeing none; that motion stands approved.** Now, if we could have another motion to give the Council Chair the authority to redeem the codified text as necessary; that would be great. Charlie.

**MR. PHILLIPS: Madam Chair, I move we give the Council Chair license to redeem the codified text as necessary and appropriate.**

**DR. DUVAL: Seconded by Jessica. Discussion? Objection? Seeing none; that motion stands approved.** The next amendment was Amendment 36, which is spawning SMZs. **The first motion was to modify and approve the need for Snapper Grouper Amendment 36; and on behalf of the committee I so move. Discussion? Jack.**

MR. COX: This is a difficult amendment and I just want to say that I know that we're taking a leap of faith here to see where this has worked in other areas. North Carolina put up two sites, and I wish that some of the other states had done a little more. I just wanted to say with fishing pressure increasing and the way the technology and fishing is changing that we're going to have to look at measures like this to protect our species. I just wanted to put that out there.

DR. DUVAL: Any other discussion? **Any objection? Seeing none; that motion stands approved.** The next motion was to approve the wording of Action 1 and the range of alternatives; and on behalf of the committee I so move. **I'm sorry, I apologize, the next motion was that it is the council's intent that spawning SMZs would only consider prohibiting fishing for and/or possession of snapper grouper species; species in the Snapper Grouper Fishery Management Unit. On behalf of the committee I so move. Any discussion? Anna.**

MS. BECKWITH: I just want to remind folks about my concerns of boxing ourselves into just this one intent. I know I've chatted with folks about my ideas and I just wanted to put that back out there. I don't think we should be boxing ourselves in here with such a specific intent.

MR. PHILLIPS: Yes, and I'm thinking this is probably where we're going to be, but it may be feasible to use a Type 4 or some other type. I'm sensitive to Anna's thoughts, and I'll leave it at that.

DR. DUVAL: Any other discussion on the motion? **Is there any objection to the motion? The motion passes with two objections. The next motion was to approve the wording of Action 1 and the range of alternatives; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

**The next motion is to approve the wording of Action 2 and the range of alternatives; and on behalf of the committee I so move. Is there discussion? Mark.**

MR. BROWN: I don't know if this is a motion or not, but I'm trying to think of a way – and I wasn't sure where to input this in here, but some consideration to be taken, too, with these SMZs in regards to the spawning and looking at possibly some time/area closures; I mean, having the areas designated but maybe having it modified. Since a lot of the SMZs have gear restrictions, but they're still open to fishing, as possibly looking at a time/area closure for spawning and that at certain times of the year maybe have it where it has a gear restriction.

DR. DUVAL: I think you're referring to some of the public comment that we received yesterday regarding some of the spawning timeframes that have been put together for a lot of the different species in the snapper grouper complex. I know that Rusty brought that up yesterday; so it may be that we could add an action that would consider a spawning season closure or a spawning area closure. I would think that might be a separate action maybe once this goes through. Roy, I see you had your hand up.

DR. CRABTREE: Well, wherever you put it; but given that our need now is to protect spawning fish, it does appear to me that spawning season closures or time/area closures is a reasonable alternative as to how to do that. I do think we need to add an action in there to consider some alternatives looking at that.

DR. DUVAL: And since this motion is dealing specifically with the modification of the framework procedure to allow for consideration of spawning SMZs, perhaps once we get through this particular motion you can make a motion to add an action to do so. Does that sound reasonable?

MR. BROWN: Okay, just indicate when it would be appropriate.

DR. DUVAL: Any other discussion on this motion? **Is there any objection to this motion? Seeing none; that motion stands approved.** Mark, I think we're going to go through this next piece of the committee report and then it would be appropriate to make a motion to add an action as you've suggested.

I just want to clarify that the direction was to analyze the areas off each state noted below; that the area names designate an area to be analyzed, and specific size and location will be

determined after analyses are completed. The next direction to staff was to provide expanded charts with the areas under consideration; to include a system management plan for the spawning SMZs as an appendix to Amendment 36; and to modify the purpose and need to address the new action, which we'll get to later, to move the marine protected area off South Carolina.

That's all direction to staff; and by consensus the committee directed staff to prepare Action 3 as follows and to analyze the candidate areas that you see shown; so we did that by consensus. **The next motion was to add a new action to move the South Carolina Deep – Doug.**

MR. HAYMANS: Can we hang on one second and talk about areas?

DR. DUVAL: Absolutely.

MR. HAYMANS: I've had considerable input from both those in Georgia and outside of Georgia, from NGOs and from everywhere else, including an NGO person who is very close to our organization. There is a recommendation that Georgia add another site to its offered up – I guess whatever the right term is – but, you know, I recognize that, yes, this is only analyzing the areas; but once it's analyzed, if there is something there, there is not a whole lot you're going to be able to pull back from.

Someone had suggested the St. Simons areas; and so I guess I would be willing to offer up the St. Simons 2 Area where there is a lot of point observations of – I think there is a lot of point observations of speckled hind; but again in Georgia there is no documented spawning sites at this point. I would offer up St. Simons 2 and know that if we get to the point, I would like to rename those areas from what expert workgroups have named them.

DR. DUVAL: Thank you, Doug; so would you be okay if we included that in the list of directions to staff as an additional area to analyze was the St. Simons Area off Georgia?

MR. HAYMANS: The St. Simons 2, yes.

DR. DUVAL: The St. Simons 2 Area off Georgia?

MR. HAYMANS: Yes.

DR. DUVAL: And I agree with you that it would be good to rename these areas after analysis something different. Okay, Mel.

MR. BELL: This is under the heading of a little more discussion. We gave a lot of consideration of other potential sites to offer up. What we're calling the Devil's Hole Site right now is not insignificant by any means; and we felt that had a very strong likelihood of success in being an area that would do what we needed it to do.

I know they're not within the same depth regime, but offering up Area 51 and Area 53 we don't view as insignificant at all although that, of course, is for shallower water species, but we've

included the entire snapper grouper complex. We don't consider that insignificant. We looked at other sites.

One in particular would be what was being referred to as the Northern South Carolina Extension; but if you notice in the existing MPA up there, which that is what it was an extension of, there is some significant marks related occurrence of Warsaw and speckled hind and all already, so we didn't see where that was really going to gain much up in that area.

There is already an MPA up there. Also, the action that you were about to go to related to the Deepwater MPA and the desire to capture the reef that moved; that's not insignificant either, I think, in terms of what it might offer us in that South Carolinians invested half a million dollars in that site. We felt the combination of all those actions; we're comfortable at this level moving forward with what we've offered.

DR. DUVAL: Thank you for that, Mel; I appreciate those comments. Chris.

MR. CONKLIN: To Mel's point, I just wanted to put on the record and confirm that there has been evidence of other species spawning in Area 51 and 53, so that was our basis on selecting those spots.

DR. DUVAL: Thank you, Chris. Any other comments or discussion with regard to areas for analysis before we move on to the next motion. **The next motion was to add a new action to move the South Carolina Deepwater MPA 1.4 miles to the northwest to match the boundary of the permitted site; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.** Mark, I think now might be an appropriate time to put forward a motion to include a new action within Amendment 36 that would consider time/area spawning closures.

MR. BROWN: Yes, Madam Chair, I'd like to make a motion to put it to the committee to consider creating a time/area closure for SMZs with an additional after the spawning period to where there would be some gear restrictions and possible access to the SMZ. You might have to help me with that. I'm not quite sure how to word it.

DR. DUVAL: Yes; if you take a look at the screen, Myra has got a draft motion for you up here that says add an action to Amendment 36 that would consider time/area spawning closures for SMZs and gear restrictions maybe as appropriate. Mel.

MR. BELL: Yes, I was just going to say in essence what we're doing here is we're looking at the exploration of using a tool. This simply us some more options in that tool, some flexibility to use the tool in a slightly different way by incorporating time and by incorporating gear restrictions. We already use gear restrictions in existing SMZs for other purposes. However we word that, that's what we're trying to do is just achieve some more flexibility with this potential tool. I think that makes sense.

DR. CRABTREE: I guess I don't really understand why we're saying for SMZs. You could do a spawning closure off of a state or off of a general area, but I don't know it would need to be specific to an SMZ.

MR. BROWN: I guess I was just pivoting off of that when we were coming to a conclusion of specific areas that were being designated for spawning areas and just looking at it as an alternative for that tool.

DR. DUVAL: I had Gregg next in line so I'd like to let him go first.

MR. WAUGH: Along the lines to the point Roy was making; just some clarification. You've already approved a motion saying that you're going to have your SMZs, and we're going to prohibit fishing for snapper grouper species. As an alternative to that, this is looking at within the sites that you've suggested be analyzed, instead of a total closure you would consider time/area closures and additional gear restrictions within those identified areas in lieu of a total closure; is that the intent that we're looking at here?

DR. DUVAL: Is that your intent, Mark, to look at that –

MR. BROWN: That's correct.

DR. DUVAL: Okay, I guess I was thinking that perhaps you were referring I'm thinking to the chart that Rusty sent around to folks and the different overlapping peak spawning seasons for different fish. I was thinking that perhaps you were considering sort of like the shallow water grouper closure that we have now for spawning, that it's time-based closure, but I may be mistaken. Mel.

MR. BELL: I think in my conversations with Rusty and the way I followed it – and it's what Roy was mentioning. Rusty wasn't so much focused on area. It was more of an understanding of when these species spawn and fine tuning that understanding even to include latitudinal differences and things and then applying a spawning timing closure for species or groups of species across all areas.

I don't Rusty's concept was constrained to specific areas; so that in itself is a slightly different variation. You could certainly incorporate that in specific areas, but I think what he was getting at and what made sense was across the entire – or within specific sub-regions or something like that; so not confined to specific little SMZs. There is some logic to that; it makes sense.

DR. CRABTREE: Yes, I agree with Mel because in the public comment it was mentioned because it would be easier to enforce. Well, doing it just for these little areas isn't going to make it any easier to enforce. It might make it harder to enforce, but I think the concept that was being put forth was spawning season closures in specific broader areas. It does seem like that's a reasonable alternative; so if you make this a little broader and drop out the two areas already selected for analysis, I could support this. I think that's what they were getting at was just for us to look at time/area spawning closures more generally.

MR. BOWEN: Are we going to put something in here or we need to consider putting something in here about depth. When I think of SMZs, my initial thought – I know we're talking deep water or our intentions are two to three hundred feet of water; but on the chart that I looked at in one of our documents it had all of the artificial reefs off of Georgia and several off of South Carolina labeled as an SMZ. I just want to make sure we're not talking about closing artificial reefs in less than seventy feet of water or wherever they're located. I would like some clarification.

DR. DUVAL: My understanding is along the lines of what Roy and Mel have spoken of that adding alternatives such as this would consider broader time/area closures along the lines of our existing shallow water grouper closure. Now, it might be that you establish a spawning season closure only off North and South Carolina for a couple of months or only off Georgia and Florida for a couple of months. In other words, you're being more specific in your area, but you're not allowing any harvest of those species during the spawning time. Does that help you?

MR. BOWEN: What species are you talking about; all snapper grouper?

DR. DUVAL: That would be to be determined based on when those species spawn.

MR. BOWEN: This motion seems awful generic and awful broad.

DR. DUVAL: That's the point so that we can look at it and get some options for analysis. Charlie.

MR. PHILLIPS: I guess I need a little more clarification on what a gear restriction might look like. If we're going to close an area or SMZ or whatever for snapper grouper species, are we thinking you might want to close it to trolling or gear which would be probably used for mackerel through a certain part of this? I mean, if it's closed; it doesn't matter what kind of gear you use. I'm a little unclear on what gear restrictions you would be talking about. I'm not saying I'm against it. I'd just like to be clear.

MR. WAUGH: I wonder if we're not getting a little bit ahead of ourselves in visioning. We're supposed to be dealing with our vision for snapper grouper; and we've been progressing along looking at area-based management. While this certainly could address spawning, it raises a lot of issues and we've got basically six weeks to analyze get this ready for you for December.

This raises a number of issues. Is this in lieu of additional spawning SMZs? Are we going to bring in as an alternative removing the existing shallow water closure, modifying that shallow water closure? This really expands the scope of what is in the amendment quite a bit. It's certainly within your authority to do that; but it just raises some concerns about timing and what we can have ready for December.

DR. DUVAL: I believe I have Mark and then Doug.

MR. BROWN: I'm still thinking about it.



MR. HAYMANS: First, I guess when agreeing to go into this process, I thought a time-certain closure of these areas was part of the equation, anyway. I'm fine with whatever we need to do there. Secondly, Gregg, I don't know how in the world you're going to do even what we asked to begin with in six-weeks time and have it back to us by December.

I would be okay if you take what time is necessary to analyze it more thoroughly. I thought part of us offering up these locations was we were going to try to generate by some method additional data, whether it was bathymetry or whatnot for each of the areas that we gave up; and so I didn't really expect to see anything thorough in the next six weeks. I, for one, am okay if it's longer.

DR. CRABTREE: I understand this complicates things, but my trouble is our need now is to protect spawning fish. It is a reasonable way to do it. You could do it without focusing on specific areas but spawning season closures across more general geographic locations. I'm a little with Charlie; I don't know what the gear restrictions exactly mean.

It does seem to me given the way we laid out the purpose and need to be a reasonable alternative. You know, you go in starting to close areas, it gets controversial, and I think we need to make sure we consider all the reasonable alternatives.

Otherwise, if this isn't in keeping with what we're trying to accomplish, then we probably need to rethink the purpose and need at the next meeting – I don't think we want to open that back up today – to explain why looking at this isn't consistent with what we're trying to accomplish, but it seems to me at the moment that it is.

DR. DUVAL: I have Chester and then Bob, and then I'm going to make a suggestion regarding the wording of that motion and then we'll move forward.

MR. BREWER: I just wanted to speak in favor of the motion because I think region-wide or statewide closures during specific spawning seasons make a lot of sense. The area closures and when we're talking about SMZs; that is going to be pretty difficult to enforce; whereas, if you're not allowed to have a fish during a specific month or possession of a fish, that's fairly easy to enforce. Certainly, I think that option ought to be left on the table and clearly left on the table.

MR. MAHOOD: I think everybody remembers this; but what we're trying to do is get more site-specific and get away from the big MPAs; and we've kind of gotten along pretty well; and now again we're looking at expanding. Certainly, the staff will do – and I understand if we can close an area for a shorter period of time, it is going to have less impact as long as it gets the biological consequences when you want out of it.

But, again, like Doug said, timing and if we need more time and you all would rather us work on this and get back in March instead of December, let us know that. That would give us some more time. We all get caught in these time crunches and we kind of zero in on what you give us and then it kind of expands; so just consider that.

DR. DUVAL: Mark, I was just going to make one suggestion before you speak that if you all want to move forward with this motion – and, again, this is sort of draft motion perfection stage – I would suggest removing the gear restrictions piece just because I think that sort of complicates it as has been mentioned around the table. Go ahead.

MR. BROWN: Yes, Madam Chair, that is what I was going to request.

DR. DUVAL: Mark, would you look at the screen and see if that's a motion you are satisfied to make?

MR. BROWN: Yes, that's fine.

DR. DUVAL: Could you please read the motion?

**MR. BROWN: Madam Chair, I would like to make a motion to add alternatives to Amendment 36 that would consider time/area spawning closures as appropriate.**

**DR. DUVAL: There is a motion by Mark; seconded by Mel. Do we need any further discussion on this? Could I please see a show of hands of those in favor of the motion; those opposed. Okay, motion passes with ten in favor, one opposed and a couple of folks didn't vote. We're done with Amendment 36.**

The next amendment is Amendment 35, which removes species from the Snapper Grouper Fishery Management Unit. **The first motion here was to approve the purpose and need for Snapper Grouper Amendment 35; 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 modify and approve the wording of Action 1 and the range of alternatives; and on behalf of the committee I so move. Is there any discussion? Any objection? Seeing none; that motion stands approved.**

We had some discussion about the golden tilefish issues yesterday. If we want to address this, in discussions with Monica and Myra and Monica speaking remotely to Jack, I think it might be appropriate here if the committee wanted to consider it for a motion to add an action to Amendment 35 to modify the eligibility to fish on the 500-pound gutted weight commercial golden tilefish hook-and-line quota – and I'll let Monica speak to that. Obviously, we would need to then direct staff to modify the purpose and need as appropriate. Monica.

MS. SMIT-BRUNELLO: In speaking to a couple of people about this, including Jack McGovern, we think most of the analysis for this particular issue has already been done in 18B, and it wouldn't be that onerous to add it into this amendment, if that's what you choose to do.

DR. DUVAL: Yes; I tend to think this is pretty important. Ben.

MR. HARTIG: Would you like a motion?

DR. DUVAL: Absolutely.

**MR. HARTIG: Okay, I would move that we add an action to Amendment 35 to address golden tilefish endorsement issue.**

**DR. DUVAL: Motion by Ben; second by Charlie. Is there any other discussion? Any objection? Seeing none; that motion stands approved.** And perhaps just some direction to staff to modify the purpose and need as appropriate. Then we come to our timing as task motion and if we could get a motion to approve the timing and task. Doug.

MR. HAYMANS: I actually have a comment first. Number 8, the timing and task based on our previous discussion, I'd like to ask Gregg whether he feels like that we should give more time beyond December '14 for their initial report?

MR. WAUGH: Yes; that would definitely have to fold over to March; and so we would be looking at this again. Depending on the complexity of the season closure alternatives that come back, we may or may not be ready at the March meeting to talk about approval for public hearing. We may need additional guidance.

Because we have no alternatives at this stage, the IPT would be developing alternatives to bring back to you in March with some level of analyses; and we may be able to approve for public hearings in March. It may have to go over to June, but we will certainly shoot for March if that's your intent, but it can't be ready for December.

DR. DUVAL: Is everybody clear on that? Any other comments on the timing and task list before I ask for a motion from the committee? Mel.

MR. BELL: What we've added in that last action was time; so I guess in doing that, there is value in that I think, so we've just got to make sure we're comfortable with the additional benefit that could be derived in the delay. If everybody is comfortable with that, then fine.

DR. DUVAL: Any other comments on that? Is someone willing to make a motion to approve the task and timing as noted? Ben.

**MR. HARTIG: Yes, I'll move that we approve the timing and task as noted:**

1. Send letter requesting an extension of the emergency rule for blueline tilefish.
2. Prepare for the October Visioning Workshop as directed.
3. Prepare Regulatory Amendment 16 for council review at the December 2014 meeting.
4. Request that staff from the North Carolina Division of Marine Fisheries give the committee a presentation at the December 2014 council meeting on the North Carolina Catch Card Program for highly migratory species.
5. Submit Amendments 29 and 32 and Regulatory Amendment 20 for formal review.

6. In Regulatory Amendment 20 (snowy grouper), include a table of landings used to establish sector allocations and expand the explanation of the change in allocations that resulted from the new assessment.
7. Prepare Regulatory Amendment 22 for public hearings.
8. Conduct analyses, include detailed charts, include a system management plan as an appendix, and prepare Amendment 36 for the March 2015 council meeting.
9. Conduct analyses and prepare Amendment 35 for the December 2014 council meeting.

DR. DUVAL: Motion by Ben and second by Doug. **Any other discussion on the timing and task? Seeing none; that motion stands approved.** Is there any other business to come before the Snapper Grouper Committee at this time? Seeing none; Mr. Chairman, our business is concluded; and I apologize that we went over our allotted timeframe, but I think we got some good discussion and made up for being early earlier in the week.

MR. HARTIG: Thank you, Michelle, as always for your efficiency in your reports. I am going to ask you all if you want to take a break. Okay, ten minutes, no longer. All right, were going to go into the Joint Wahoo and Snapper Grouper Committee Report.

MS. BECKWITH: The Joint Dolphin Wahoo and Snapper Grouper Committee met September 18 and received updates on the status of commercial and recreational landings for dolphin and wahoo and also received a presentation on the operator permit. We further discussed Wahoo Amendment 7/Snapper Grouper Amendment 33 and Dolphin Wahoo Amendment 8/Snapper Grouper Amendment 34.

The committee voted on the following motions as recommended to the council. **The first motion was to move the discussion to the Law Enforcement Committee to explore modifications to the operator card requirement. On behalf of the committee I so move. Is there any discussion on this motion? Is there any opposition? Seeing none; that motion carries.**

Now we're going to move into Dolphin Wahoo Amendment 7/Snapper Grouper Amendment 33, which are the fillet issues from The Bahamas. I do want to note that everyone received an e-mail that was forwarded to you by Gregg Waugh that was from Michael Brainer, which is the Director of the Department of Marine Resources in Nassau, Bahamas.

He just wanted to point that he stated he had appreciated the discussion on this important matter and looked forward to the implementation of measures that would enhance the management of these species. It does speak to the contact that our council has had with The Bahamas while we have developed this amendment

First is discussion of the purpose and need. **The motion was to accept the IPT recommendation for wording changes. On behalf of the committee I so move. Is there any discussion on this motion? Any opposition? Seeing none; this motion carries.**

**Under Action 1 we moved to remove the language that “a rod and reel must be removed from the rod holders and stored securely on or below deck.” On behalf of the committee I so move. Is there any discussion? Charlie.**

MR. PHILLIPS: Madam Chair – and this is probably as good a place as any unless you prefer it somewhere else – I’d like Lieutenant Fowler to clarify how they would enforce the rules listed under the preferred. I didn’t vote at the committee level because there is just so much to think about.

I understand the Coast Guard and their partners; the Coast Guard only does a part of this and a lot of it is because of their funding. FWC does probably most of it, but they’re still all using the same page out of the book for the regulations. I would appreciate just a short explanation from her as to how the Coast Guard can or cannot enforce these regulations, please.

LT. FOWLER: Were you talking about the passport issue that you mentioned before?

MR. PHILLIPS: While you’re talking, I would just give a whole summary, if you will. That way maybe we’ll only have to do it once.

LT. FOWLER: The council has heard me talk repeatedly about our shrinking budget. We have our Southeast Regional Fisheries Training Center here in Charleston that we send our boarding officers and boarding team members to in order to receive training on species’ identification and updates to the rules, which are constantly in flux regarding closures and other things.

Enforcement-wise when the rules are changing, fisheries especially in the more southern parts of the district are not our primary mission. Up here in the Charleston and Jacksonville area, they are the primary mission, but as you move farther south into Florida, we have drugs and migrants also to contend with and that tends to eat up a lot of our resources.

Since the training quotas for the Southeast Regional Fisheries Training Center are decreasing because we don’t have the budget to send people and refresh that training, a lot of our members aren’t – well, to begin with, honestly, not good at telling a silk from a vermilion even with the whole fish.

If you move down to fillet, it becomes harder for us to take them off ice and go, okay, well, what kind of fish is this, what kind of fish is that, so we’re relying on the fishermen to tell us what they have. We know that fishermen are obviously 100 percent honest at all times; so it is kind of difficult for us. Anything that the council could do to make it easier for us would obviously aid enforcement.

I mentioned when we were talking the other day about the passport stamp issue; I’m not sure how we’re going to do that without some guidance from the council regarding maybe a passport stamped within the last two weeks or whatever you think is a reasonable timeframe. Does that address most of the issues that you had in mind?

MS. McCRAWLEY: Once again, I'm going to apologize for not having FWC's Law Enforcement at this particular meeting. If there are still outstanding concerns about how FWC Law Enforcement is going to enforce these rules and FWC would be the primary law enforcement agency stopping the bulk of the people that are coming back from The Bahamas, then I would suggest not approving this amendment today and waiting until the next meeting so that we can have an FWC Law Enforcement Officer here from Keys, from the affected area, that can talk about what they see on the boat and why they think that this amendment is actually an improvement on what is existing out there.

They can talk about what they're looking for when they board the boat, like they look for lobster, they look for queen conch. They look for a number of different issues when they board these boats that they suspect are coming back from The Bahamas. I understand that folks are still a little uneasy about this; and I have no problem bringing a law enforcement officer to the next meeting to explain this a little bit further and get all your questions answered.

MR. HARTIG: Charlie, in South Florida I have never expected the Coast Guard to be able to enforce fishery regulations, never. Can they tell me all the myriad of species that we manage in the southeast are; they can't do it. They have two-year duty stations and possibly three when they're on there.

Unless someone happened to be on the coast guard from South Florida on a vessel, they would be able to probably tell the difference in some of these species. This is going to be enforced by the FWC. It is not going to be enforced by the Coast Guard, period; it is just not going to happen. They don't have the capabilities in that specific area to enforce it; so if you're asking about enforceability, the FWC has already taken it to the level that they enforced the fillet rule on dolphin and wahoo; and that's where all this came from in the beginning. There is your primary enforcement in that area.

MR. BELL: Regarding enforcement, once this goes on the books, the law is the law. It is the federal law; and, yes, you can say that the total burden of this will be placed upon the state of Florida in terms of enforcement, but it is still law. If their people encounter something, they can't just go, well, we don't do that, that's not our thing, and Florida will handle that.

Morgan is doing a grand job of trying to answer the question, but they will do the best they can with what they've got. Their resources are limited and their resources may be more limited. Every vessel hour, every man hour, every boarding party hour that they have to kind of figure this stuff out is an hour taken away from something else they could be doing.

I understand the uniqueness of this thing for Florida and their willingness to deal with this; but once it's on the books, the law is the law. They have to enforce the law; they have to understand the law; they have to train to enforce the law. They can't just say, well, we don't do that; the state of Florida will handle it. My whole issue with this is, number one, in terms of the fisheries we manage, the resources we're responsible for stewardship of; this doesn't have anything to do with those resources.

These are Bahamian resources and we're allowing an exception in the law, so to speak, or creating an exception to come in. I totally get the desire to do this. I get the interest in it; but when it comes down to it, how are our fisheries, our resources better for this at the end of the day? They're not our fish. You're investing time in this in trying to deal with something that they're not our fish.

It will move forward, that's fine, but I'm just cautioning – and to be totally honest, we're discussing adding the dolphin and wahoo things; I don't think the snapper grouper thing was a good idea in the first place either. That's what gets really complex particularly when we start worrying about endangered species and other things. To be full disclosure, I don't think that was a good idea, but that is just my opinion.

MR. BROWN: Well, first of all, if there wasn't already in place the Snapper Grouper Landings Amendment from the past, I probably would maybe have a different idea about this. The fact of the matter is the dolphin and wahoo that you consider as Bahamian fish, they're probably in our waters, too, and then they're going to travel over there off of The Bahamas.

Who is claiming this species, okay? It doesn't really matter; and when they come back to the United States, they've got to abide by our regulations. They're not abiding by regulations in The Bahamas; so does it really matter where the fish is actually caught. Just to try to make things a lot simpler, if you looked at a skin on a dolphin and wahoo, there is a lot difference. You'll be able to tell what it is. One is going to be green and one is going to be blue. There is not going to be a misidentification of those two species. I don't have a problem with this. I think if FWC wants to take the responsibility to regulate this and manage it, then I have no problem with that.

MR. PHILLIPS: Back to the passport issue, the Coast Guard may not have people that can ID a vermilion from a mango very easy; but they're totally competent on reading a regulation and saying the passport timing and things like that, this is your window or whatever it is. There seems to be if not a hole at least confusion in how that would be enforced.

Even though FWC is going to do it, but if the Coast Guard can't interpret it, there is going to be confusion with the other agencies. If we go down this road, we need this thing as clean as we can make it; and I don't see where it is clean yet. Maybe Jessica's idea of bringing them back so everybody understands what the rule is, it would give us a little better comfort level if it goes through. I don't have that comfort level yet, because they still have questions on how they would enforce it. Fish ID aside, there are still issues there.

MR. BOWEN: This is a disaster; an absolute disaster. I can't support it; and I feel like we should revisit the snapper grouper law that is in place as well.

MS. BECKWITH: Noted. Morgan.

LT. FOWLER: I forgot to mention when I was talking earlier that we've seen a huge increase in Haitian migrant flow and a lot of those people are going from Haiti to The Bahamas and then over to Florida.

We are boarding a lot more vessels that coming on that vector from The Bahamas to Florida maybe not for LMR purposes but to identify vessels that may be smuggling. While we're on there, we don't want to look and see, oh, well, they have fish, too. I don't know what to do; we'll call FWC and then the boat ends up getting boarded twice. It would be easier all around there to be able to enforce the law easily.

MS. McCAWLEY: I'm going to make the request I made earlier. The people that are on the fence or the people that are thinking of voting against this, I'm going to suggest again that you wait and hear from FWC Law Enforcement at the next meeting. I don't know if you want to have more discussion; but if I need to I can move to table this amendment and a motion to table is non-debatable. I would move to table until the next meeting.

MS. BECKWITH: We have a motion on the floor we need to dispense with. Let's dispense with the motion on the floor and then we will continue this discussion. The motion on the floor is to remove the language that "a rod and reel must be removed from the rod holder and stowed securely on or below or deck." That was not that difficult; so behalf of the committee I so move. Is there any discussion specific to that motion? **Is there any opposition specific to that motion? Seeing none; that motion carries.** We are open for a new motion. Doug.

MR. HAYMANS: I would urge my fellow councilman from Florida not to table this motion. We have talked about this ad nauseam. You're either going to vote it up or vote it down and let's move on with it. I trust me what the agency lead from Florida tells me with regard to her discussions with the Florida FWC; and if FWC is comfortable and thinks this is an improvement of current existing law, let's rock on.

DR. CRABTREE: Well, I hear what you're saying, Doug, but the fact is there a lot of open-ended issues here and a lot of important issues and a lot of concerns raised by our enforcement partners. I think Jessica raises an excellent. Let's come back in December and hear from those folks. If Jessica cares to make that motion, I'd probably support it.

MS. BECKWITH: Ben, did you have anything to add before I give the floor to Jessica?

MR. HARTIG: Yes, I had a comment, but I'm willing to drop it if we're going to –

MS. McCAWLEY: Do you want to go to anybody else that wants to be part of this discussion before I make a motion?

MS. BECKWITH: Anybody have a burning desire to continue this discussion? Go ahead.

**MS. McCAWLEY: Okay, I move to table this amendment until the next council meeting in December.**

**MS. BECKWITH: And also Roy is the second to that?**

**DR. CRABTREE: Second.**



**MS. BECKWITH: Is there any discussion on this motion? Okay, any opposition? Two opposed; how many in favor? Six in favor. Let's count again. All opposed raise your hands, four opposed; all those in favor raise your hand, seven in favor. The motion carries.**

DR. CHEUVRONT: Madam Chair, you had a lot of edits and things that were made as part of motions for this documents. Even though you can consider this; is it inappropriate at this time to go ahead – I guess I don't know what you've done; have you tabled the additional motions that were made, the edits and everything else that has happened with this document?

DR. CRABTREE: Where is the motion that we just passed?

DR. CHEUVRONT: It's right beneath the flashing cursor there. Okay, so we're done with this one until December, then. We'll figure out what that means for what you're going to see in December.

DR. DUVAL: It would seem that with regard to all the motions that the committee regarding proposed changes to wording, it seems like those motions are still valid. They were approved by the committee; and it just seems that when we take this up again in December, that those same motions would come forward for approval by the council at the next meeting.

MS. SMIT-BRUNELLO: And I agree; I believe that is the way forward.

DR. CHEUVRONT: Okay.

MS. BECKWITH: Okay, so now we are down to the Generic Accountability Measures and Dolphin Allocation Amendment.

DR. CHEUVRONT: Madam Chairman, all you have is a timing and task motion for that amendment.

**MS. BECKWITH: And that motion is to direct staff to prepare the Comprehensive Amendment and Dolphin Allocation Amendment for final approval at the December 2014 council meeting. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none; that motion carries.** That appears to be the end of my report.

MR. HARTIG: Thank you, Anna. All right, the next committee report is mackerel. The Mackerel Committee met and we had our presentations on the various landings for the minutes. We had under Framework Amendment 2, Spanish Mackerel Trip Limits in Florida. The committee approved the following motions:

**The first motion was to approve modifications from the IPT for the purpose and need; 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 IPT's suggested language in Alternatives 2 through 4; and on behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

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

**The next motion was to approve Coastal Migratory Pelagics Framework Amendment 2 for secretarial review and deem the codified text as necessary and appropriate; give staff editorial license to make the necessary editorial changes to the document and codified text; give the Council Chair authority to approve the revisions and redeem the codified text. On behalf of the committee I so move. That's a roll call vote. Bob.**

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: Yes.

MR. MAHOOD: Mr. Bowen.

MR. BOWEN: Yes.

MR. MAHOOD: Mr. Brewer.

MR. BREWER: Yes.

MR. MAHOOD: Mr. Brown.

MR. BROWN: Yes.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: Yes.

MR. MAHOOD: Mr. Cox.

MR. COX: Yes.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: Yes.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: Yes.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. MAHOOD: Dr. Duval.

DR. DUVAL: Yes.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: Yes.

MR. MAHOOD: **The motion passes unanimously.**

MR. HARTIG: All right, the next item of business in the Mackerel Committee, we discussed Amendment 26, separate permits, and future amendments. I won't go into the details of that discussion. It will be in the minutes from the committee meeting. We also had a presentation from Chris McDonough of South Carolina DNR, who gave a presentation on cobia, highlighted some of the concerns that South Carolina is seeing in the cobia fishery off of their area.

Doug Haymans mentioned his tournament sales, which was interesting that this is the first time he has been able to accomplish his tournaments under that provision and it seems to be working well with one possible exception. One of the additional things we talked about was king mackerel bycatch and sales in the shark drift gillnet fishery in Amendment 20A that prohibited the sale of king mackerel and Spanish mackerel in the South Atlantic. I think that was on hold until we talked to Monica and found out where we stand. Thank you, Monica.

MS. SMIT-BRUNELLO: I've reviewed the framework for the Coastal Migratory Pelagics FMP, and I've been talking with my colleagues back in the office. We think this would take a plan amendment to make those changes.

MR. HARTIG: Okay, so it will take a plan amendment to make the changes; and if we want to continue to allow this to happen, we would probably need to do that in a fairly expeditious manner. Plan amendments take a long time. Go ahead.

MS. SMIT-BRUNELLO: We'll keep talking about it. If there is any way we can – what did I use the other day – moosh – if there is any way we can moosh it into a vehicle that would take

less time; that would be great. That came up at this meeting and our quick look at everything altogether makes us think that you probably have to have a plan amendment. If you plan for the longest approach, that is what you should do; and if we could cut it back time-wise, that would be great, but I just can't advise you that is what we can do now.

MR. HARTIG: So, Kari, there is nothing really in the near future that we could actually put this into that I am aware of; and Kari is nodding her head as well. If the council wants to address this issue, we would have to do it under a plan amendment. I'm certainly sensitive to the no new amendments, but this is an issue where these fishermen can't sell their fish and it is a problem.

MR. HAYMANS: I was just going to ask do we know if there is anything on the Gulf side that we could use as a vehicle.

MR. ANSON: Could you repeat that?

MR. HAYMANS: Is there an amendment on mackerel moving through the Gulf or being discussed on the Gulf side that could be used as a vehicle to move this permit issue?

MR. ANSON: I don't think there is.

MS. MacLAUCHLIN: What we talked about yesterday where we have 24, which is the Spanish allocations, and then 26, which is all the king mackerel stuff. Those are all the existing amendments. We're just now getting the actions and alternatives. There is that plan amendment that's coming through on either side that we can put it in.

DR. DUVAL: This is obviously important. I don't know if we could provide direction to staff to begin the process of developing whatever vehicle is appropriate to address this issue, recognizing that we haven't worked this into our priority scheme, but it's still important and we don't want to forget about it.

I don't think we would expect something that we could – I mean a plan amendment obviously takes at least several meetings to get through. I guess it just depends on the scope of the analysis that's needed, but, Gregg, I'd love some input from you on – you know, not wanting to lose this and provide some direction to staff to start exploring how to address it, but how best to fit it in in terms of timeframe.

MR. WAUGH: And this would have to be a joint amendment with the Gulf. We've got 26 that's coming that's going to deal with all the king mackerel issues. You're getting the king mackerel stock assessment results and the SSC recommendations at the December meeting. It would seem to me that's going to be pretty quick. We can fold it into that. That's joint with the Gulf and the Gulf is going to have their recommendations. It seems to me that would be the appropriate vehicle.

MR. HARTIG: And in thinking, Gregg, I wasn't thinking about the timing of that. You're right, that is relatively quick. I think you're right; I think the most expeditious thing is to fold it into

that amendment as well and not go and develop another full amendment since we have one directly on the horizon. Thank you. So that's decided.

DR. MacLAUCHLIN: Do we need a motion?

MR. HARTIG: No; we don't need a motion for that. We've had the discussion and we know where it's going to go, and I think that's good enough. The last item I have here is the motion to adopt the timing and task items as presented. Michelle.

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

1. Prepare Framework Amendment 2 for submission to the Secretary of Commerce.
2. Provide Framework Amendment 2 to the Gulf Council for their review in October 2014.
3. Pending Gulf Council approval, submit Framework Amendment 2 for formal review.
4. Staff to develop potential actions and alternatives for Amendment 24 for committee review in December 2014.

MR. HARTIG: Motion by Michelle; second by Charlie. Discussion? **Is there any objection? Seeing none; that motion is approved.** Unless there is any other business, that ends the Mackerel Report. All right, Habitat.

DR. LANEY: The Habitat Committee met September 18, 2014. We received a report from NOAA Fisheries in the Southeast Region regarding Coral Amendment 8, which was approved on August 20. I won't go into detail about the actual content of Amendment 8; just to say that we did discuss those. Council staff provided an overview of NOAA Fisheries, Southeast Fisheries Science Center to the council request for updated economic observer mapping and VMS information associated with the northern extension of the Oculina C-HAPC.

We will have some follow-up actions in terms of direction to staff on that point. The committee was provided briefings by Dr. Pace Wilber with NOAA Fisheries Habitat Conservation Division on conservation issues associated with Miami Harbor dredging. We also received a briefing from Council Member Chester Brewer on the potential impact of proposed dredging and development of the Port of Palm Beach.

We'll keep an eye on both of those projects; and depending on advice from NOAA and council staff, the committee may at some future point recommend the council send letters of concern regarding the impacts of both of those projects. The committee was also provided an overview of anticipated activities during the upcoming fall advisory panel meeting.

Roger gave us an extensive briefing on those activities. I briefed the committee on the potential removal of Milburnie Dam, which is the gateway dam on the Neuse River, and would benefit council resources. No motions were made. We gave direction to staff that they further review the VMS information from the Deepwater Shrimp Fishery and also recent 2013 catch by tow and by trip associated with rock shrimp fishing and also acquire information from the University of

Georgia Study done on bycatch in the rock shrimp fishery and bring that information back to us at the December meeting.

Staff will also coordinate with NOAA Fisheries Habitat Conservation Division to monitor the ongoing evaluation of ESA impacts associated Miami Harbor deepening and further evaluate the need for any response on that; also coordinate with regard to the proposed Port of Palm Beach Project. That constitutes my report, Mr. Chairman.

MR. HARTIG: Thank you very much, Wilson, I appreciate that. Ecosystem-Based Management; Doug.

MR. HAYMANS: The committee met on September 18, 2014, and there were no motions made. Mr. Chairman; that concludes my report.

MR. HARTIG: Protected Resources.

DR. LANEY: That's too fast, Doug. Okay, the Protected Resources Committee met on September 15; and following Doug's lead I'll try and make it even shorter. We were given a briefing on the ESA listing for coral species. The bottom line on that is that there are five additional species that were listed as threatened, which occur in the council's area of jurisdiction.

Jennifer Moore of the Protected Resources Division gave us an update on that. New regulations for conservation and critical habitat may be specified at some point and a draft recovery plan is available if folks are interested in that. We then discussed with Jennifer Lee of the PRD staff the proposed threatened listing for Nassau grouper. There is one little loose end that we have here. Recall that Kari had sent us a draft letter. The entire council had not seen it so that was submitted to the entire council. Kari tells me she received no comments back on that. What I discussed with the chairman, presuming that in the interest of efficiency everyone would like to move along today, is that we will conduct that review and comment by e-mail. If anyone has any comments on that draft letter, please get those back to Kari.

If no one has an objection, that is the way we will proceed on that. Hearing no objection, I presume everybody is comfortable with the. I did a brief review of the ongoing American Eel Status Review and noted that there will be a webinar on October 8 for interested states and tribes to participate to get further information on that.

I briefed the committee on the Atlantic Sturgeon Stock Assessment; and then we had a discussion on the future and direction for the Protected Resources Committee and gave direction to staff with regard to that process. I guess we would be drafting some goals and objectives for the committee to consider at their next meeting.

There was one other thing I needed to mention; and that was that Jennifer Lee had provided us with an update from the PRD of NMFS. We sent that out to everyone; so if you have any questions on that report, which was attached to the draft committee report that came around, you

can shoot those questions to Jennifer or to other members of the PRD staff. That, Mr. Chairman, constitutes my report.

MR. HARTIG: All right, the Advisory Panel Selection Committee; Doug. Sorry about that; I skipped one of mine. Okay, the SEDAR Committee met on September 15 and received reports on current SEDAR and steering committee activities and discussed future South Atlantic priorities and SEDAR procedures.

**We had one motion; and that was to move the South Atlantic Fishery Management Council's assessed priorities as established in June 2014 and add greater amberjack as number seven. On behalf of the committee I so move. Is there any discussion? Is there any objection? Seeing none; that motion is approved.**

MR. CARMICHAEL: I was expecting some discussion – Bonnie had brought this up; and this sentence in the report has raised some concerns that says work on all South Atlantic assessments included in SEDAR 41 benchmarks, as well as updates and standards of red grouper, blueline tilefish and golden tilefish is suspended. That's potentially a bit harsh. I meant when I wrote that I was thinking from the SEDAR perspective.

The discussions of the committee around the table when we accelerated red snapper and gray triggerfish, you guys had raised the question of would that mean that updates coming in 2016 would possibly get moved to, say, come into the SSC in October of 2015, which would be potentially blueline tilefish and golden tilefish.

You also have red grouper, which we expect to come to the SSC potentially in April or October of 2015. My thought was if we don't change the schedules of any of those from what was in the overview document, then they are going to stand as they are; but any desires that had for accelerating any of those would not happen. That is sort of what I was thinking of in terms of work because of the timing of getting terms of reference done and all that, comments by the science center and then to the SSC and then to you guys for approval. If any of those things were going to get moved ahead a little bit so they got to the SSC a year from now, it would really need to be going to the SSC at their meeting in October to talk about terms of reference for red grouper and tilefish. If the schedules aren't going to be accelerated because of this uncertainty, then we won't be doing that. I can modify this a little bit.

MR. HARTIG: Okay.

DR. CRABTREE: Yes, I think you should because I think that sentence – I don't recall what the exact timeline on the workshops is, but in fact that is work on our assessment so work hasn't all halted. It is continuing. It is just some assessments may come a little later. One other thing that I think we ought to talk about with the red snapper assessment – and maybe we would be better positioned in December – but it seems to me if that assessment's delivery date is going to be pushed; are you thinking fall, John, likely?

MR. CARMICHAEL: Well, yes, I think when the schedule was accelerated, it was clear that any sort of hiccup would probably prevent it being done and to the SSC for the next meeting after October, which we were looking at the first week in May. I think undoubtedly it is going to slip back until the fall of 2015 SSC meeting.

Whether or not it slips farther obviously depends on the outcome of this evaluation process and when that gets restarted and where the process restarts. Are we able to go right into an assessment workshop or would there be a need to have some sort of abbreviated data workshop before we go into the assessment workshop? I am expecting in December to have more discussion and maybe know more and set the schedule then.

DR. CRABTREE: And if we're going to get the assessment in fall, it seems to me it would be too late to use that in setting the season for next year; so I would like us to explore with Bonnie what more would it take to bring another year's worth of data into the assessment. I don't really get into 2016 with a brand new assessment, but it's only data through '13. I'd like to see data from 2014. I did talk to Bonnie about trying to bring that into it; but I really think we ought to do that if we're going to be later on delivery.

MR. CARMICHAEL: Right; and I called up the schedule here so you can see what is anticipated at this point. What you had asked at the last meeting and when we changed the schedule here for red snapper and gray trigger fish was whether a couple of these could move up; like these in April 2016, could those maybe move up and get done a little bit sooner.

We're expecting a conversation about just what gets done when at this meeting and now we've had this red snapper further delayed; so I think that has put that discussion off. Really, what we need to know from the SEDAR perspective is other than red snapper getting delayed, is this timing likely.

For example, if we're going to get red grouper as an update in October 2015, it would be very nice to have the SSC talk about terms of reference at their upcoming meeting. Otherwise, we're not talking about terms of reference until April and you're not approving them until June. That kind of puts us in a troublesome spot in terms of actually getting the assessment wrapped up in time for October. In terms of directing the SEDAR staff and when they start rolling on these projects, we're working a good 18 months ahead.

DR. PONWITH: As you know, we've discussed the fact already that we lost a lead assessment scientist. That was the person who was going to be focusing on red grouper. What that did, then, is jeopardize our ability to include a red grouper update assessment this year. With the issues that we're having with the red snapper assessment, then there are twofold issues.

We're going to be focusing on some decisions and analysis to support those decisions on what to do with red snapper, and that influences, then, not just red snapper but how we proceed. The real question in any stock assessment is how influential is the headboat data as an index in the conduct of that assessment; and the answer to that is different for every stock.



I would not discourage us from developing a terms of reference for an assessment. What that would do is create sort of the foundation to launch from, depending upon what the outcome of this evaluation into the headboat index is. The other thing that I think would be important for us to discuss is we're talking right now about a tentative plan for how to deal with that headboat data. We don't know what the outcome of that analysis is going to be.

My question to you is if that takes longer or even if it doesn't take longer, my ballpark figure when we talked during committee was that it would take in the best possible case three months, which would be a big enough setback that it would preclude having a stock assessment completed for this summer.

My question to you is in light of that; does it makes sense to intentionally time the restart of that so that we can capitalize on having another year's worth of data under our belt? What that cost is; we can't use the final result of the data workshop which just ended. We'd basically have to have a data workshop again to be able to incorporate that next year's data as the terminal year; but the lift on the data workshop I would expect would be more manageable because a lot of the work has already been done on this one. To me that's probably the most important question to answer today and probably the one that will influence what we should be gearing up for in terms of the potential for other species.

DR. CRABTREE: Well, I certainly think the value is there to bring in another year of data. It seems overly process heavy to me to – if it's just one more year of the same data that we just reviewed, it seems overly bureaucratic to have to go through another whole workshop and everything. It seems to me the process ought to – unless there is something or different, it doesn't seem like we ought to go in in; but I do think it's worth given this situation to bring in that additional year of data.

MR. HARTIG: I think we all agree or at least most of us from the people I've talked to agree that we should do that. I would agree that's overly bureaucratic to try and do a whole new data workshop based on one year's data. Mike.

DR. ERRIGO: Just to add to this discussion, by that time there may be an MRIP calibration developed that will calibrate the landing series backwards in time; and that might require more significant discussion than simply adding another year on. I don't know; no one has seen it, but it will change the landings' estimates all the way back in time.

DR. PONWITH: That is true; so what I see is adding in a year's worth of data, a new terminal year. I think Dr. Crabtree is right; that's fairly simple and straightforward. To my knowledge there are no new data streams that are going within the six months that weren't contemplated in the last. The two changes would be the results of the headboat analysis and how that data stream influences; and, then, yes, of course, the calibration. The calibration workshop happened this month. The results of that are being captured right now dissemination and use in the SEDARs. Again, there is going to be some work to be done. It is going to be a much lighter lift than this last workshop.

DR. DUVAL: To me that just argues for being flexible with the length of whatever – we'll call it a data workshop for now; just based on the outcomes of those workshops. Then in the meantime I guess I would ask John if it would be helpful to get a motion from the committee to move forward with development of terms of reference for I guess red grouper and black grouper updates. Would it be helpful to get a motion from the committee with regard to moving forward directing the SSC to develop terms of reference for red grouper and black grouper updates that are currently scheduled for October, just to get that ball rolling?

MR. CARMICHAEL: Well, since those are scheduled, I think if you're happy with this schedule as it is shown and understand we would approach them about red grouper and black grouper terms of reference in October, then we wouldn't need a further motion; only if you wish to change any of this.

MR. BOWEN: To be clear, Dr. Crabtree and to Bonnie as well, the new information that we would be waiting on, it would also include this past year's eight-day mini-season; correct?

DR. CRABTREE: If we pull in the 2014 data, yes, it will include it.

MR. BOWEN: I think that's a great idea.

MR. HARTIG: All right, are we good with the discussion we've had? Bonnie.

DR. PONWITH: Just for clarification again; I think it's smart to work on the terms of reference because it gives us the maximum flexibility, but just recall that was the assessment prior to the problem with red snapper was the one that was going to drop off. Having that ready prepares us for outcomes that we don't have in our hands yet; and so technically we don't know whether it is executable or not, but having those terms of reference makes that at least possible.

MR. HARTIG: Thank you for that clarification. Monica.

MS. SMIT-BRUNELLO: This is a question for John. John, so you have a good idea of how you're going to revise the report?

MR. CARMICHAEL: Yes. Do you want to see it? I changed that and it says here "work on the SEDAR 41 benchmark will be delayed while this is resolved. At the December meeting the council will receive an update and consider how to modify the scheduled SEDAR 41, including whether to include 2014 data. The council will also determine how scheduling of other South Atlantic assessments will be adjusted." That doesn't presuppose that in December you may still have to wait until March to decide some.

MR. HARTIG: Okay, are we good on all that explanation. I think we've got a good path forward. Seeing that, that concludes my SEDAR Committee Report. All right, Doug, advisory panel selection.

MR. HAYMANS: The Advisory Panel Selection Committee met on September 15 and made the following motion: **To establish state-by-state representation on the Snapper Advisory Panel with North Carolina having seven seats, South Carolina having four seats, Georgia having two seats, and Florida having seven seats; and to have one media, one consumer and one NGO seat in addition. On behalf of the committee I so move. Is there any discussion? Any opposition? Seeing none; that motion is approved.**

The committee provided the following direction to staff to work with the committee chair to develop a method to incorporate the structure as seats become available on the Snapper Grouper AP, to advertise open seats on the advisory panel and to address at the December 2014 meeting. Mr. Chairman, that concludes my report.

MR. HARTIG: Thank you, Doug. All right, that brings us to Executive/Finance. We met on September 15. Bob gave us presentations on the budget expenditures. Gregg Waugh gave the council follow-up on priorities. We discussed the South Florida Management Committee. We also had a presentation on the bills and how those are proceeding through congress. Under other business, we had a discussion on public scoping and public hearing protocol. There were no committee motions.

MR. MAHOOD: Gregg, we have one clarification, right?

MR. WAUGH: Yes. This is the draft list of activities for next year. Again, we will bring this back to you at December for you to give us your final guidance. Given that Snapper Grouper Amendment 39; the work on that will take place in 2016, we had some discussion. We had CE-BA 3, the bulk of that work taking place in 2016. There have been some discussions about how to approach bycatch; and we may want to talk about moving that up to 2015.

MS. SMIT-BRUNELLO: I've been thinking about this and I suggest you move the Bycatch Amendment up to be worked on in 2015. My office will be working with both the region and the center to bring you some options; and I will be able to give you an update on that process in December. I think it would be good if you would move that up into the 2015 timeframe at least to be worked on.

MR. WAUGH: And just question is should we continue to call it CE-BA or there was some discussion about it eventually perhaps being a joint amendment; so maybe we'll just say we'll work on bycatch.

MR. HARTIG: Okay.

MR. WAUGH: The other item we were looking just some general guidance at this stage was public hearings for the January time period. We talked about some different ways of approaching this; and the items that we would have that would be going out to public hearing would be Amendment 35 that has the species' removal and then also golden tilefish and Snapper Grouper Regulatory Amendment 16 that has the black sea bass pots.

There is a Joint South Florida's Issues Meeting the 13<sup>th</sup> and the 14<sup>th</sup>; so our idea was to piggyback on that one in Key West; do one in Cocoa Beach. That would cover the species' removal and golden fish. We would continue to do webinar presentations. The presentations would be available from our website. People can have input. We would also take public comment at the council meeting as well.

That would be our proposal is to do in person two hearings covering those species; and the Cocoa Beach will take care of the bulk of the golden tilefish fishery. Then for black sea bass pots, to hit Jacksonville; and then if you look at where the endorsements are clustered, Georgetown and then Snead's Ferry would be places that we would propose and the dates that we would be doing those. We will work with individuals to get chairmen for those, but we just wanted to run those by everybody. That's our sort of first attempt at modifying our process for doing these hearings.

MR. HARTIG: Okay, are we clear on that and we're going to move forward with that? All right, with the help of staff, there were no motions and that concludes my Executive/Finance Committee Report.

I'm going to go right into the Golden Crab Report. The Golden Crab Committee met on September 15 and received an update on the status of commercial catches, reviewed the preferred alternatives for Action 1 and discussed the Golden Crab AP Meeting to be held in November 2014. The committee did not make any motions. That ends my committee report. All right, we're going to get Anna up to do the HMS.

MS. BECKWITH: The Highly Migratory Species Committee met on September 15 and received presentations by Leann Hogan of NOAA, National Marine Fisheries HMS Section, on recent amendments developed or being developed by National Marine Fisheries Service HMS. Additionally, the committee had a discussion regarding strike interactions with the South Atlantic Fisheries, particularly king mackerel, cobia, amberjack commercial fisheries and recreational hook-and-line fisheries.

While we did not make any motions, I have had some potential comments sent around for Amendment 7 and Amendment 9 that I would like to touch upon. With the approval of this council, those comments would then be forwarded from our chairman through the appropriate commenting methodology for National Marine Fisheries.

The first set of comments would be for Amendment 7 to the 2006 Consolidated Atlantic Migratory Species Fisheries Management Plan. This one deals with bluefin tuna, if you guys can think back and remember that presentation. We would like to send some comments in that would support the current preferred allowing National Marine Fisheries to proactively transfer quota from one or more of the sub-quotas through in-season actions in the Federal Registry Notice.

What this would do would be add flexibility in the way that they currently manage bluefin tuna being able to shift quota in season. Specifically, what we're looking for is HMS is on a calendar

year; so the National Marine Fisheries would be able to take the December quota from that calendar and proactively shift it over to January where bluefin tuna have been more accessible to the northern portion of the South Atlantic.

Another comment that we're looking to send in is the January sub-quota right now has a hard end date of March 31; and we would like National Marine Fisheries to change that hard end date to read "until that sub-quota is reached or May 31, whichever comes first." What that would do is – you know, it's kind of a two piece.

You transfer that quota from December over to January and then you want to have the ability to harvest that quota instead of having that quota be closed down prior to having harvested that portion of it that's available. Those are the primary comments that we will be sending in with everyone's approval to National Marine Fisheries in reference to Amendment 7. Again, the language is in your e-mails for any additional comments.

We also have some comments that we'd like to send in with reference to Amendment 9 to the 2006 Consolidated Atlantic Migratory Fisheries Management Plan. This was that discussion that we had on the smooth dogs where the Shark Conservation Act of 2010 actually allowed for an exemption and allowed for the removal of smooth dogfish fins at sea.

The Fisheries current preferred is one that would require 75 percent of the catch to have to be smooth dog before this type of processing would be allowed at sea. Our requested preferred would be to allow smooth dogfish to make up any portion of the retained catch and to consider the needs of the fishermen because the smooth dogs are often caught in conjunction with other small coastal sharks.

Right now their preferred alternative does not allow any processing to be done if there is any shark species in addition to smooth dogs on the vessel. Then we're also asking for National Marine Fisheries to not proceed with Amendment 9 until the assessment is completed on that species, which is about six months down the line.

If there are any concerns with some proposed language or any additions, certainly we can send those into Brian. Ben will take those into consideration when he submits these comments on behalf of the council. I would need either a motion or direction to staff if the council feels comfortable sending in these comments. Doug.

**MR. HAYMANS:** Madam Chair, I'd make a motion that the council forward these comments to HMS.

**MS. BECKWITH:** Seconded by Michelle. Is there any further discussion on this motion? Seeing none, any opposition? Seeing none; that motion carries. That is the end of my report.

**MR. HARTIG:** All right, Mel is up next, Data Collection Committee.

MR. BELL: The Data Collection Committee met on 16 September and covered a number of topics. They're covered in the report. There were no motions made. I do have a timing and task draft motion. Michelle.

DR. DUVAL: Just one that did come up that I know also is of interest to the Gulf – although I think Kevin had to leave. I've spoken to Monica about this and to Bonnie – and that is the interpretation of the final rule for the Dealer Reporting Amendment. I have forwarded to both of them the excerpt from our September 2012 Data Collection Committee Meeting where it clearly states the council's intent to only require reporting of federally managed species. I know that Monica is going to be looking into this; and I was hoping that she could perhaps provide some clarification at the next council meeting once she and her fellow attorneys have had the opportunity to review that.

MR. BELL: Yes, and I appreciate you providing the documentation; and, Monica, would that be reasonable?

MS. SMIT-BRUNELLO: Certainly. I apologize; I haven't had the opportunity at this meeting to get into it, but we'll look into it thoroughly and bring that information back to you. I know there are other states in the Gulf that have the same concern; so we will look into it and get back to you.

DR. PONWITH: Yes; we have discussed this in the Gulf and I did get a chance to talk with Michelle about this. We're treating this as a two-step process and two states in the Gulf have raised a concern over this. I think the problem we ran into is we had non-attorneys making legal judgments on a piece of regulations; and so we've stepped back from that now and have the proper authorities, both state and federal attorneys, looking and getting an analysis of what the regulation actually says.

The second step is what were the councils' intent on this; and, of course, that's your job to look at this and see whether it maps your intent or not and make some decisions about what to do about it if does not. From a science standpoint, the view on this is that if the regulation read that if you are a federal permit holder, your responsibility is to report all fish from a science standpoint is the cleanest read of that regulation for us.

The reason for that is exclusively that it avoids a situation where a dealer is having to make a judgment call on whether a ticket belongs or a report belongs in the federal inbox or the state inbox. Why that is important is that if a dealer makes a mistake or isn't up on a change that happened at a council meeting where a new species was added to an FMP or removed from an FMP – they can be dynamic – or simply makes a mistake, it results in a situation where we have a report which satisfies their responsibility.

They either submit a report to us or they submit a second a report that says no fishing. If they are making judgment calls on whether species are included in their report to us, we would have no way to know if a mistake were made and federal species were left off that ticket. Basically, we would have a report; we would deem them to be in compliance.

We would accumulate those data and when it came time to make projections, we would say, “Cool, we have a hundred percent of the data so we don’t have to make any estimates for missing data because everybody has submitted their report.” We would make those projections based on that fact.

The concern would be if a mistake were made and a species were miscoded as a state species and sent to you folks and didn’t get caught before those projections were made, we would have missing data and the projections would be made from an incorrect-based platform and it would then sort of misdiagnose when a fishery needed to be closed based on the projection of when that ACL is going to be met. Our view is strictly from an ACL management standpoint that is the most foolproof way to go. I understand that has implications for you that are going to have to be considered, but I just hope that you would weigh that in your evaluations when you make decisions going forward.

MR. BELL: Yes; and I fully understand that from the data standpoint and all and particularly related to ACL-based fisheries. Kind of the example we brought is with the penaeid shrimp that we deal with, we’re not operating on an ACL thing, and it tends to be predominantly a state-dominated fishery.

These are things that we’re going to experience as we’re kind of evolving the system and there is going to be these interfaces that we will have to deal with and bumps and things; but I fully get the science-based – looking at the data. That makes perfect sense. We would call those sea lawyers in my community. There may be such a thing as a fisheries’ lawyer that has not necessarily stood before the bar. Michelle.

DR. DUVAL: I hate to disagree with Bonnie; but the council’s intent was very clear in the minutes. I think if dealers want to report all purchases on a ticket, that’s fine. I just don’t think they should be required to do so. If it’s for validation purposes, it seems to me there might be other solutions to that.

It seems kind of weak to require everything be reported as a means of validation. It seems like there could be some software solution to that. I’ll just leave it at that and wait for the interpretation from attorneys. I suspect dealers who are reporting probably are reporting some of those species, but it’s sort of getting half the picture kind of thing.

MR. BELL: Okay, any other comments on the report? Jack.

MR. COX: I just have something for Bonnie as far as data collection. Bonnie, I’m observing thousands of pounds of fish that are being recreational catches coming off of commercial boats and there is no data being collected on that. How do you think we should move forward with that?

The commercial boats were allowed to have their recreational limits of, yes, the recreational bag limits. They can’t sell them but we’re talking about quite a bit of fish. We’re talking about

triggerfish, vermilion. There is just no data being collected on any of that stuff; so my question to you is what do you think we should do about that?

DR. DUVAL: Bonnie, he is referring to when the commercial season closes, guys are still allowed to keep their 20 triggerfish from a commercial boat so how to kind of address that data gap.

DR. PONWITH: I want to make sure I understand. You're saying a commercial vessel is going out and fishing recreationally. Go ahead.

DR. DUVAL: When the commercial ACL has been met and the commercial harvest is closed, if the recreational season is still open, then commercial vessels are still allowed to retain the bag limit. It is not sold so they're not fishing recreationally; they're fishing commercially. They're only allowed to retain the recreational bag limit of that fish. They're fishing for other species; so the bag limit of that fish that is not allowed to be harvested commercially is retained as they're encountering it, but they can't sell it because it's closed on the commercial end.

MR. BELL: But they are still operating as a commercial vessel pursuing –

DR. DUVAL: Exactly; that's what I said.

MR. BELL: – species that are open, yes, so it's an actual commercial trip in which they're retaining species that are closed commercially. I guess the thing there is that you don't capture those because they're not reported through the commercial system; and it's not a recreational trip so a creel clerk is not going to run into them; so that creates a bit of a gap.

DR. PONWITH: That is a very interesting question; and what I will do is carry that back to our commercial dockside sampler people – carry it back to the recreational people and raise the question. One thing that would be useful to know and probably the best way to get that sort of qualitative view on this is to go to the state directors and ask how common is this? That would help us to I guess frame up the best approach – is it a rare event or is it a common event – and that would help us to be able to come up with the best strategy for being able to address it.

MR. BELL: Yes; so while they're not participating in a recreational trip and a creel clerk wouldn't intercept them because they still have to have a recreational license to do this; then I guess they would be subject to the phone-based part of MRIP. Ben.

MR. HARTIG: If they have to fill out a discard report, there is a category on the discard form that allows you to place a number of fish, size of fish or fish kept and eaten. It could be covered on the current discard reporting form. Granted, that's only X percent and we don't know what the percentage is now because the way that we select people has been changed. It seems to me, Bonnie, that you're selecting the best fishermen. You've got all the best fishermen I know reporting bycatch right now.



MR. COX: Bonnie, it's a common occurrence. You're talking about quite a bit of fish. If you're allowed to have 20 triggerfish per person recreationally and you've got a crew of four people and they're averaging three pounds; you can see how the weights add up pretty quick. A lot of fishermen are freezing these fish and then selling them when the season opens. I have heartache about it and I'm just telling you what is going on. I think you should either leave the dock and you're a commercial boat or you're a recreational boat. I just don't think it's right to be engaged in both fishing at the same time.

DR. PONWITH: Yes; this is a challenging situation because from a sampling standpoint, Chairman Hartig is correct that if presumably they have a recreational license and there is a probability that they will be called for effort and if they report they recreationally fished, then that is incorporated in the estimates of effort. Then it's a matter of the intercept for the catch.

I can say the odds of a dockside sampler for MRIP doing a dockside intercept on a commercial vessel is probably pretty low. Likewise, if the TIP Program samples, I can go back and ask what our TIP Protocols are, if that's part of the commercial sampling process, to ask did you retain a recreational bag limit. I suspect not, but I can't say that for sure and I can double-check on that. Then the third element is the enforcement element; and that is if indeed that's what is happening is that those fish are being retained and then sold when the season is open; yes, that's challenging.

MR. BELL: I think your suggestion to kind of reach out to the states and see if the states can kind of give a rough idea of how big a deal this is state by state maybe is a good idea. Okay, any other discussion based on the Data Collection Committee? I need a motion to approve the task and timing as presented. Michelle.

**DR. DUVAL: Mr. Chairman, I move to approve the task and timing as presented:**

1. Direct staff to assist in providing input on the draft Electronic Technology Implementation Plan.
2. Direct staff to continue working with ACCSP (Mike Cahall) on developing a commercial logbook electronic data entry form. Gregg Waugh will be the staff person; Andy Strelcheck will represent the NMFS SERO and Dave Gloeckner/Steve Turner will represent the SEFSC; Monica Smit-Brunello will represent NOAA GC. A status report will be presented to the Council in December 2014 with the goal of implementation in January 2015.

MR. BELL: Seconded by Charlie. Any discussion of that? **Any opposition? It is approved.** Mr. Chairman, that concludes my report.

MR. HARTIG: All right, that brings us to SSC Selection.

DR. DUVAL: We had a very short discussion. The SSC Selection Committee met on September 15. We moved to fill a vacancy on the SSC formerly occupied by Chip Collier and we had one motion. **The motion was move to appoint Dr. Will Smith of the North Carolina**

**Division of Marine Fisheries to fill the vacant SSC seat; 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 direct staff to develop SSC SOPP alternatives that clarify the appointment process; and on behalf of the committee I so move. Any discussion? Any objection? Seeing none; that motion stands approved.** Unless there is any more business to come before the committee, that concludes my report.

MR. HARTIG: All right, that brings to I&E; Anna.

MS. BECKWITH: The Information and Education Committee met on September 15, 2014, in Charleston, South Carolina. The committee received reports on the May 5-6, 2014, Information and Education Advisory Panel Meeting and the Science Communications Workshop held in conjunction with the AP meeting. The committee discussed council outreach and communications strategies and no motions were made by the committee. That concludes my report.

MR. HARTIG: That concludes the committee reports. We have some items under other business that we need to talk about. The first one is the Spiny Lobster Situation where we have to do a review, but I'll turn that over to Dr. Crabtree.

DR. CRABTREE: I sent a letter to the Chairman of the Gulf Council, then Doug Boyd. The accountability measure that we set up in the ACL Amendment for spiny lobster specified an annual catch target. The accountability was that if we exceeded that, the council would convene a panel to review the data, determine if we went over the ACL or not, and determine what, if any, action might be needed.

Based on the commercial landings for this year and the preliminary recreational landings, we almost certainly exceeded the ACT and we may have exceeded the ACL. There was discussion at the Gulf Council meeting about that. I believe Executive Director Gregory has been in contact with Bob and is in the process of pulling together a review panel, which I think will consist of a number of FWC folks and probably a couple of NOAA folks.

They will review this and then report back to us. That's where we stand. Beyond that, whether we need to take an action or not, I guess will hinge in part on what comes out of the results of that review panel. I don't know who exactly is on the review panel at this time – maybe Jessica does – or when they plan to meet.

MS. McCAWLEY: I know at the Gulf Council meeting Martha suggested some names; and I have some additional names from FWC. If you'd like those names at this time or if you want me to e-mail them to somebody – okay, I'll give them to Bob.

MR. HARTIG: Is there anything else on the spiny lobster? Okay, we've got a plan there and we're good. One of the other items was the Biscayne Bay National Park Issue we received in the public hearing and I heard it in the Gulf as well at the Gulf meeting. We may benefit from a

presentation on that; so is it the will of the council that we ask staff to go ahead and contact these people and go ahead and ask them to give us a presentation at the December meeting? I see heads nodding; so with direction to staff, we will do that.

Okay, the only other item I had was just to discuss VTR numbers with Bonnie a little bit. That has created quite a stir in the commercial fishery because it is difficult for fishermen to be able to have those numbers and access them. It is a problem; and, really, the question that I really needed to have asked is we already put the trip ticket number on our logbook.

Each number is already pre-identified by the trip ticket number in the logbook now. The VTR; that is a number that a fisherman has to have now and put it on every fish ticket he submits. That means he has to have the number somewhere on his vessel or on his person. It is an eight-digit number. It is at the end of the trip.

I wrote a letter and some of you probably read it where we're filling these out with slime and water and everything else on our ticket. Just to reinforce why this is so important, Bonnie, would be helpful to me so I can take that back to the fishermen why you've gone in this direction. Also, if we go this route, can we lift putting the trip ticket on the logbook form?

DR. PONWITH: The whole reason for this is matching. One of the most important steps in the ACL monitoring is to make sure that over time we're able to match what happens in those dealer reports with what is coming off of the vessel reports and consistency in how those mesh up is really important. What I'm going to do is go back on consult on this. Of course, one thing is in the electronic vessel reports, all of that would be taken care of because you could have a prefilled field that absolutely immediately matches the vessel report to the dealer report via a look-up table.

You would have a prefilled field; so once you entered that once, you would never have to do that again unless you were an owner of multiple vessels. Let me consult with them and specifically ask them the issue of the dealer report number versus the vessel report and get back to you on that. I know that is what it is; it is for being able to account and match the vessel data to the dealer data.

MR. HARTIG: Yes; and why the change between us already reporting our trip limit number on our logbook. We already have that cross-check now – we do that – and just the point that it is harder for fishermen to do this. I appreciate you going back to your staff and talking. Mel.

MR. BELL: I read your e-mail letter or whatever it was and I asked my data folks about it. The numbers are sequential, right, and you know where you left off; so you're right where you left on a piece of paper, stick it in your pocket or put it in grease pencil on the board that is where you left off.

Another thing is when you submit the report; isn't it sort of call it not quite set yet? Isn't there a period of time like within a week you can change or provide the number a week later or something? We were just looking at was that a problem for our folks or did they see that as a

problem; and my data people didn't seem to think it was a problem and you could work around it somehow.

MR. HARTIG. When we fill out the trip ticket, our fish house says you have to have the VTR number when you fill out your trip ticket or we're not going to accept your fish. That is what our fish house – I mean, they're pretty serious about the regulations and they want to make sure the fishermen give them to them.

Even though I don't get a trip ticket, per se, when I fill out – I fill out my catch on a ticket book, but they want the VTR number on that ticket; so when they fill out the trip ticket, which is the way most things in Florida are done, the dealers fill out the trip tickets, they can have that number readily available to them at that time.

Like you said, while they are sequential, you still have to make sure that you have the logbooks – which is another thing, you may run out of numbers before you figure out that you need another logbook. For us on the day fishery, you fish 200 days a year, that's a lot of numbers to keep track of and a lot of logbooks. It does pile up and certain areas don't have the same problems we do, but we fish a lot of days so it does make a difference for us. That's all I had on that issue. If there is no other business to come before this council – go ahead, Jessica.

MS. McCAWLEY: I just wanted to say thanks to Mike Collins for our new screen that we have on floor and the new room setup. I think it's really helpful.

MR. HARTIG: And I agree. The Gulf does that and it has been very helpful. Thanks, Mike. If there is no other business to come before this council, I will see most of you in October.

(Whereupon, the meeting was adjourned at 11:45 o'clock a.m., September 19, 2014.)

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# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **PUBLIC COMMENTS**

**CHARLESTON MARRIOTT HOTEL  
CHARLESTON, SC**

**SEPTEMBER 18, 2014**

**MR. PETE LOY:** Ladies and Gentlemen; my name is Pete Loy. I am only one of twelve dedicated souls that comprise the South Carolina Governor's Cup Board of Advisors. My subject is the Charleston Deepwater Reef. Hence, I'm speaking on behalf of the South Carolina Governor's Cup Board of Advisors with the hope and encouragement for this body to adjust the boundaries of the Deepwater Reef MPA to encompass the structures now resting in place. I'm proud to be involved in the South Carolina Governor's Cup that donated \$50,000 that came from private and public funds.

The viability of the Deepwater Reef, aka The South Carolina Memorial Reef, is important as it provides habitat refuges for imperiled deep-water grouper species. It took five years of fund raising to cover the cost to establish this reef. The reef fund-raising efforts resulted in an additional \$450,000 in increments ranging from one dollar up to a donation of \$25,000. All the folks that made these charitable donations have a keen desire to ensure that the mission be 100 percent successfully completed. I thank you for this opportunity to voice our goal. Thank you for your time.

**MR. HARTIG:** Thank you, Pete, I appreciate. This partnership is kind of a model like what we're looking for to do in the future. In a number of public settings, the public has come forth and said we'd like to see you set off these artificial reefs in places where we don't fish. You're not taking away anything of it; go ahead and put some material out here where we won't fish on. You are groundbreakers in this regard. I really appreciate the partnerships that you used to develop this with the state and with all the partners that you have that donated money. I look forward to seeing the results of the research. Already we've had an ROV out there that has shown we have amberjacks on it in a very short period of time. I'm hoping we can continue to monitor this and to give you feedback on your endeavor and the success that we get from this reef. Thank you.

**MR. LOY:** Well, thank you for saying thank you; and later on we're going to have Steve Leasure, who is also on the board, he dedicated a lot of his personal time toward this effort. He is an unsung hero in this.

**MR. LEASURE:** Steve Leasure with the South Carolina Memorial Reef. Thank you for the time as well. As many of you know, it has been foreseen circumstances when the sinking of the barges did not go inside their boundaries. I'm actually one of the founders. After losing some friends, we decided we wanted to build a reef off the coast and got with DNR; and they came up with the area they already had permitted, which is an MPA, which made it beautiful.

I spent almost six years of my time going around asking for private donations. Actually, I'm part of the Advisory Board as well with the South Carolina Governor's Cup. Unfortunately, since this has materialized and following the direction that it needed to, we're asking for your permission and support to have the boundaries be extended.

It is very crucial in my eyes as many other individual eyes that went and sat down at the table and face to face with different individuals and asked them for their money out of their pocket. As Pete said, I have had donations from a dollar from children on the docks up to \$25,000 from different individuals. To get that kind of money together in that period of time was a lot of hard work for all of us. Without being said, they were sold on it being an MPA as this reef was; and then unfortunately the barges fell outside that boundary. With your support and can make this happen, we greatly appreciate it. That way everybody will be getting their wishes that we raised the money for. Thank you.

MR. HARTIG: Thank you very much for your dedication as well and ditto to the comments I made to the previous speaker for you as well.

**MR. HUDSON:** Rusty Hudson, President and Director, Sustainable Fisheries; and consultant to the Southeastern Fisheries Association, East Coast Fisheries Section. I will try to be brief on these written comments, which many of them I've already submitted. Coastal Migratory Pelagic Framework Amendment 2 for Spanish Mackerel; we supported Alternative 4 for a trip limit of 3,500 pounds for the southern zone; adjusted at 75 percent of the quota caught; the trip limit would reduce to 1,500 pounds; at 100 percent it would be reduced to 500 pounds until the end of the fishing year. The Snapper Grouper Amendment 34/Dolphin Wahoo Amendment 8, the golden crab portion; we supported the Preferred Subalternative 2C for Action 1; also Preferred Subalternative 3C. For Action 2 for the dolphin allocation we supported the Preferred Alternative 4. I won't bother to read all that into record, Mr. Chairman.

Snapper Grouper Amendment 35, the scoping document, to remove the following four species, Snapper Grouper FMU, the black snapper, the dog snapper, mahogany snapper, schoolmaster; I agree wholeheartedly that three of those four are pretty rare event animals for us historically. Dog snapper, my main encounters with them were always in the East Gulf.

The Snapper Grouper Amendment 36, special management zones; back in the June meeting I had made a suggestion about doing spatial temporal spawning cycle management for this type of action for the snapper grouper stocks. I felt like that would be useful. Yesterday I was able to finally get my hands on that table that I distributed to the council; and there is a little bit more work we can probably do on that on make it a better document that I hope you all will consider to include that kind of action and choices as opposed to site fidelity year-round closures. I think that's just too much of a burden on the fishing industry anymore.

Snapper Grouper Amendment 32, blueline tilefish; I was an unofficial observer and participated in the indices. I tried to explain to them the mistakes that they had in their database particularly in the early years, the 1980's, that were probably golden tilefish both on longline and the bandit and they need to reexamined for the efficacy or the veracity of that data because I believe it caused us some serious issues. Of course, we had issue with the recent period, not with the commercial landings north of Hatteras but with the MRFSS/MRIP expansions. We had put together technical papers on that, which is all part of the written record.

Snapper Grouper Regulatory Amendment 20, snowy grouper; was fairly contentious. Having participated in the deepwater complex since the early seventies all the way into the late eighties/early nineties, I personally know that I had fished on snowy grouper off of the east coast of Florida with a bycatch of blueline tilefish; usually about 10 to 15 percent. That is very different from occurred in the CRP in North Carolina north of Hatteras where it was clean blueline tile. But back to the snowies and that particular arrangement for the participation in that standard assessment, it was supposed to be a physical meeting, but then the desire to add a little bit more data eliminated a physical meeting. At the original picking of the participants there was no commercial entity picked even though it was 95 percent historically a commercial allocation.

Then we had some problems with the inclusion of the MRFSS/MRIP data in particular Wave 3 from May/June 2012, which was a staggering amount of fish; and then it was followed in the next with Wave 3 during 2013 with very little fish; and we felt like that was another problem with the way the estimates, the intercepts, whatever you wish to call it, were creating problems. With the snowies, one of the main things that I felt – and in the future it should always be this way – when you a coexisting species like snowy and blueline tile, they should probably assessed together because it makes a lot sense.

In the particular case of Blueline Tile SEDAR 32 it was co-assessed with gray triggerfish, and they're just two different stratas, two different worlds apart. I think you get better use of your analysts like that, too. They had chosen just for the ideas of two things – and I glad to see that you moved the boundary from Volusia/Brevard County Line as an option down to the Brevard/Indian River County Line and roughly Sebastian Inlet. That is very useful; and they had wanted a trip limit of 300 pounds; and personally I had supported the split season and the idea of the four-month shallow water grouper. Then you open up and then you could wind up working the other eight months a different way.

Well, with that said, Jim Freeman, who was here yesterday, has asked me to read two of his items into the record. One is a suggestion on a snowy grouper proposal that on the commercial sector have a January 1 to March 31 opening with a 200-pound trip limit and to not reopen the commercial until September 1 through the end of year or until the quota is met at the same 200-pound trip limit. He felt like that would be able to continue to allow a product to be on the market for consumers that can't go fishing and be able to catch them themselves.

The other item that he had brought up – and as you know, he is one of the few people that has historically participated in the wreckfish fishery – and like Dr. Crabtree had indicated we don't really have any intercepts from the MRFSS/MRIP recreational component; but if we were to have it, it would probably exist down there in the Keys where it is a lot closer to get to a depth where they do exist from Fort Lauderdale and down below Key Largo; but it is a very narrow shelf and it wouldn't take much to beat it up even commercially. That was something that was indicated.

But because they went with a 5 percent allocation of the recreational limit probably due to a telephone call intercept or whatever created this allocation or reallocation that's going on – and, of course, the vision thing was that we weren't going to reallocate, but here we are doing it at this time. We could wind up actually returning 4 percent allow 1 percent just in case there is a recreational that could grow down that way; and then that would allow the 17,350 pounds based

on the 30-pound commercial weight proxy that was used for the recreational to be able to be then utilized into the seafood market.

September 2 I submitted to the SERO folks our comment on Regulatory Amendment 21, a minimum stock size threshold, and that we support the metrics that were described in that in order to eliminate the vacillating between overfished and rebuilt and those types of things for the animals that have – well, I don't even have my glasses on and can't even read the small print here – where the natural mortality rate is small, less than 0.25. This is in the case of species like red snapper, blueline tilefish, gag, black grouper, yellowtail snapper, vermilion snapper, red porgy and greater amberjack. Blueline actions right now demand that we get this regulatory amendment finished up so that we could move on with what is that particular action for the blueline tile.

Last, having participated in the SEDAR 41 red snapper/gray triggerfish data workshop just recently in August; and then right on the last day, right at the last recreational working group, we were able to recognize a couple of problems. One of the main problems that jumped out at me was 1986 with regards to red snapper; and that particular snappers' samples, it appeared to be a misidentification issue going on, because I know that our fleet doesn't catch – at that time it was stated around the table that it was two-thirds of a pound; but when you did the calculations, it worked out to one-third of a pound, and that would be like an age zero to age one.

I just know that's happening, especially when the 12-inch minimum size, when we weighed up some of the fish during the commercial season were around a pound-plus for a 12-inch red snapper. Then in '92 it shifted to a 20 inch, which is a four and a half pound. I found four red flags in the database. The '86, of course, I just told you about; then the '88, which was about three-quarters of a pound; and then when we get into that four and a half pound, we had 1997 and 1999. Both of them were like two and a half to three pounds, which is well below the four and a half pounds that Jennifer Potts' work has indicated that we should be seeing.

Then I had three more yellow flags, I call them, where in the 1980's period, particularly right around that mid-eighties mark, that those animals were too close to that minimum size. The way I then did a comparison was with the headboat index. The headboat index, of course, had been mixed with the MRFSS period '81 through '85, extricated at a later date, and then the surveys varied because it started in North Carolina and South Carolina in '72 through '74 and then Florida and Georgia came on board; and then we have to do all kinds of fun stuff like backfill and estimate and whatever because of survey reports.

The reports generally would be filled out by mates on the way in. A lot of times you'd have hundreds of small fish, red mouth, grunts, vermilion snappers, sea bass, occasionally some big fish; and then sometimes those reports wouldn't get filled out in a timely way when they were being picked up. I guess they're supposed to be picked up once a week, once a month, whatever the voluntary thing was at a dollar fifty a sheet for an all-day boat, a dollar and a quarter a sheet for a three-quarter of a day trip, which we never had them in our area; and then a dollar for a half day. We had put together our concerns back in SEDAR 25 for black sea bass and we submitted a document at the review workshop, SRWO 1; and we indicated on May 5, 2011, this problem and we got testimonies from various captains; and then that testimony really never got acted upon.



We re-entered it into this data workshop this time, SEDAR 41, DW 40; and these same captains, these same mates and stuff will be glad to testify as to how they behaved, but we have a lot of inlets between North Carolina and the Florida East Coast; and there is possibly similar stories. Now, some people, you know, once it became a mandate – and that may have been '92. I can't get a clear answer just yet; but we have CV issues with the historic period. We have better CVs that we don't know what those numbers are. Hopefully they're between 0.1 and 0.2 and not the 0.59 that exists in the historic period.

We look forward to trying to correct this data problem, because we had an issue with it in SEDAR 24 when we really started thinking about the headboat index and the creation of this private recreational that did not exist and caused us a lot of problems; and here we are trying to get our red snappers back. We want the best science we can. That means we've got to have the best data; so I'm submitting to this council a copy of what has already been provided to the science center and various other folks involved here. We hope to find a solution so that the headboat index can become a much stronger document; because whenever I had them put in a column of average sizes both in the MRFSS and MRIP from '81 to 2011 and from 1972 to 2013 on the headboat, it is really cool to see – in 1992 you can see that average weight just coming steady up for red snapper, coming from those five and six pounds, which is above that four and a half pound getting on up around eight and nine pounds in a lot of these years. After '05 we have observers on the boats and stuff; and I think all of that is very important to talk about; and the more the science centers are able to engage us, the stakeholders from all sectors, all modes, it is a good day. Thank you very much.

MR. HARTIG: Thank you, Rusty. I would say one of the things you mentioned about the SEDAR and how we schedule different species makes a lot of sense. From an efficiency standpoint, if we're going to be inviting people to participate in these different SEDARs with their expertise, from the fisherman's standpoint it certainly would benefit us to have two deep-water species that are caught in association with each other and they're in the same assessment. When you do red snapper and gray triggerfish, you do get a similar group of fishermen who participate; but in the deep-water species I think you can get that same kind of combination effect and make your efficiencies work in your favor.

MR. HUDSON: Well, to that point and just for a sense of taking my experience and explaining something, snowy grouper, when you're fishing in that 200 to 300 foot off of the east coast of Florida, snowy groupers are mostly juvenile female snowies and some adult female snowies; and then as you get closer to the 300-foot line you'll see some more of the males starting to mix in, which are generally in 20, 30, 40 pound range. Now, we discovered back in the eighties what we call deep-water wrecks, snowy wrecks, between Florida all the way up to the Carolinas.

We were able to go out into these 350 to 660-foot ranges on the site-specific places and we would catch a very great amount of 35 to 50 pound animals that historically came into the picture, but there is no blueline tile out there. The blueline tile pretty much play out depending where you're at up and down the beach, between the 300 and 360 foot in most of the experience I had. I tried to bring that to the table both in the snowy context, which I wasn't picked for that either, but again historically I've fished on these animals since the early seventies.

The golden tilefish is whole 'nother world because that bottom longline came into being in '81 and that big spike of blueline tile that I honestly believe is golden tile – Steve Brown from the

state of Florida, our bean counter there, knowing that was before our trip tickets and knowing that there is some kind of problem there, because we could not be able to stretch even the bottom longline and catch that kind of volume of blueline tilefish. Michelle knows from CRP that they did with the blueline tile up that way, it is a different world. It is totally a different world north of Hatteras. This is best in the venue of a data workshop and dealing with analysts that hopefully they can get an idea of the folks that have gills, as I call it, that actually understand fishing. Thank you.

**MR. BILL KELLY:** Mr. Chairman, members of the council, Bill Kelly. I'm the executive director of the Florida Keys Commercial Fishermen's Association. I wanted to talk to you first about king mackerel and some actions that we submitted to the Gulf Council at their last meeting over in Biloxi. We asked for a framework amendment on gillnets regarding trip limits and provided substantial information and their background with the intent of increasing the efficiency of the operation. The vessels are able to handle much larger capacities as a whole and the 25,000 pound existing trip limit. It would increase efficiency and significantly reduce operating costs and we think very much appropriate in light of anticipated increases in quotas associated with the stock assessment and the possibility of reallocation.

Likewise, in a separate action we ask for some considerations in the hook-and-line, including a trip limit increase which has been a thorn in the side of fishermen down there for some time in light of the actions of both councils in the past few months; and also permits fished by region to reduce user conflicts. The information is detailed in those letters that were copied to you; I hope all of you have received them. If you have any questions, give me a call.

The second thing I was interested in is exempted fishing permits. Our association has been working on some lionfish issues here and a trap-testing program. Of course, as soon as you say trap testing in Florida, it raises eyebrows, so we'll call them lionfish reduction devices instead. The reality is that we already know that traps will catch lionfish. Gary Nichols, who Chairman Hartig mentioned earlier, his first encounter with lionfish was 2009. He had 49 pounds of them in his deep-water traps, meaning over a hundred feet of water. There is not a lot of guys that fish deep, but he is one of them.

They averaged about a third of a pound apiece, incidental bycatch it was. The next year he had a thousand pounds; they almost doubled in size. The next year he had 6,000 pounds, the next year 10,000 pounds and then next year 13,000 pounds; all of this incidental bycatch. According to Gary Nichols – and he can prove it – he has probably carried more interns on the subject than anybody I know, well over 30, but he knows where and when to fish. He said you can give him any kind of trap you want, let him redesign the funnel, and he will catch lionfish almost exclusively with minimal bycatch.

Our trap-testing program, unlike some of what you had heard about earlier today – and not to besmirch anything that they're doing – would include five different designed traps, all of them in existence and approved by NOAA or the state of Florida in existing fisheries or for their own NOAA research. We would have observers on board that would carefully monitor and record anything and everything that is caught and/or released. We would examine four different types of bait; basically live lionfish, possibly gonads from females, cut bait and a typical rawhide strip. The whole thing to determine bycatch, which is by far the most important thing, but also which trap would be most efficient in which areas and see what we can do.

The lionfish seminar produced by the state of Florida at Cocoa Beach in October and administered by Dan Eleanor, one of the finest seminars I have ever attended, and the consensus of opinion was, yes, we can possibly contain them; but what we need to do is it would have to be through a directed commercial trap effort. The lionfish derbies are very effective in shallow water; but unfortunately the restricted down time out deep where the numbers are far greater; the only effective method would be through a trap-testing program.

We hope to have this grant we're working on that includes the National Funding Partners and so forth, administered by Gulf and Atlantic, we expect to have this wrapped up before the Gulf Council's meeting in October. We would submit the request for the EFP there and then in December we would come back to the South Atlantic Council with a similar request. We just want to bring you up to speed on that and show you some of the differences in our program. It would also include educational awareness and marketing programs, necropsies and a tagging study and some affiliated research that Dr. Hogarth would do with use of remote vehicles and so forth so that we can get a broader picture of what is going on down there.

The third item; yesterday I had the opportunity in Dr. Crabtree's gabfest, if you will, to talk about Biscayne National Park and the Florida Keys National Marine Sanctuary. We're very much concerned here. We're in a vice down there with these two general management plans, very limited discussion between the two agencies taking place. Biscayne National Park, as I mentioned to you, operating on science that is probably fifteen years old, working groups that haven't met for twelve years or more.

The previous superintendent's main premise in Biscayne National Park was that fish in that area were about 20 percent lower or smaller in size than other areas to the north of Miami or down into the Keys. You have to put them in perspective. This recent stock assessment, you can take a five-year-old yellowtail, they can be 12 inches long or he could be 22 inches long based on diet, genetics, et cetera. Well, you think about it, if you're in Biscayne National Park, you've got a nuclear power plant sitting right beside you; you've got one of the largest landfills in the state of Florida; you have who knows what coming out of the Miami River; and that's your steady diet, that might stunt your growth.

Now, it's interesting that they want to phase out commercial fishing spiny lobster that is not accountable for the majority of the damage or even significant percentages of damage to corals up there. They've got a Biscayne National Marine Lobster Sanctuary right next to them in Card Sound. We see this taking place right now, a trap debris report that has more holes in it than a sieve, and it is regurgitated day in and day in the local newspapers as they work towards their general management plan; but something that we have noticed and we've pointed out consistently is of the more than twenty sanctuary preservation areas that extend from Miami down to Key West, we have – in fact, our guys helped set them up and established these huge, dense coral area..

There is one thing that's consistent with every single one of them. There isn't any fishing of any type whatsoever allowed in them; but if you pick the 20 most impacted areas in the Florida Keys National Marine Sanctuary with the highest levels of coral damage, it is in those sanctuary preservation areas with a direct correlation to the more mooring buoys you put there, the greater the damage. The assessment is the divers have an average interaction of 18 incidents per diver per dive even if they have had pre-diving or pre-trip counseling not to interact with corals.

Do you know how much action is being taken in either of these general management plans to restrict diving; nothing. The dive boats that go out there can carry 40 passengers; they don't have to have logbooks; they don't have to say how many times they visited a spot; they don't have to list how many passengers they have on board. They went in there, so a 40-passenger boat hits Grecian Rocks, now known as Grecian Rubble, 780 interactions. They come back in and get 40 more passengers, back out, 780 more interactions. That's one boat and there might be ten boats a day that go there. Grecian Rocks is now Grecian Rubble.

These are the kinds of things that we're dealing with here; outdated science, as I mentioned yesterday, but I just want it on the record today; Biscayne National Park habitually complaining that key indicator stocks, yellowtail snapper, mutton snapper, black grouper, gag grouper, spiny lobster are all below traditional levels and in trouble. We know that absolutely is not the case with all of these species of fish, SEDAR assessments within three to four years, generally speaking. We need some support and we need some interaction there. The other thing, as I mentioned, this would put 150 people out of business, the stakeholders, plus their crewmen and families; \$40 million, the estimated initial economic impact here; drive 50,000 traps down into the Keys; and if they eliminate that two-day mini-season, 15 to 20,000 divers for those two days into the Upper Keys with significant economic impacts. Thank you very much; I appreciate your time and effort and always your support. One other thing is just kudos to NOAA and FWC Law Enforcement. As we started our spiny lobster season here, they have been outstanding. That has been a mantra I've brought time and again, the need for increased and improved law enforcement down there. It is happening and it's working. Thank you very much.

**MR. TOM SWATZEL:** Mr. Chairman, Tom Swatzel, Executive Director of the Council for Sustainable Fishing. First let me just say I'm certainly pleased with the way you've expedited this meeting. I don't know, Mr. Chairman, if you've been cracking the whip or what, but you're certainly well ahead of schedule, which is kind of unusual. I'm here to speak about the issue of scamp grouper. I had sent an e-mail out a few days ago about this. It certainly is appropriate that you'd be establishing the scamp grouper ACL here in South Carolina because this is scamp country.

South Carolina leads the region in commercial scamp landings and my hometown of Murrells Inlet leads the region also in landings in terms of ports. It is very important for this state, very important for my hometown and for our membership. What I'm asking is when you meet tomorrow as the full council and deal with the Snapper Grouper Committee Report, please consider adopting a different alternative concerning the ACL calculation. The one that is coming out of the committee is the 80 percent of ABC and that equals about 195,000 pounds commercially. That is our concern.

If you look back historically, in 2012 about 180,000 pounds were landed; and keep this in mind, that was a short season; because in 2012 gag grouper closed, and as a result all shallow water grouper closed in October. You need to keep in mind that it would be very easy to exceed the 195,000 pounds based on that. Now, if you look at landings this year commercially for scamp grouper, it looks to me like by the end of September you will already be at the total landings for 2013; so there are some pretty strong numbers coming in.

What we're asking is please consider adopting the alternative that the ACL equals 90 percent of the ABC, which would be I think somewhere slightly over 219,000 pounds commercially. Now,

we're not arguing in any way with the need to decrease the ABC; we understand that, but we're just wanting a little more buffer to ensure that the fishery doesn't close particularly here in South Carolina and the homeport that I have in Murrells Inlet.

It is really important to fishermen; so if you would please consider doing that tomorrow when the Snapper Grouper Committee Report comes up, I'd appreciate it. My understanding is that by changing the alternatives, it should not slow down the process of getting the amendment out for secretarial review in any significant way; so just keep that in mind. Lastly, I just want echo support for Bill Kelly's efforts and his association concerning the lionfish issue. It is really important that we get a grasp on lionfish throughout the region and certainly support his efforts to do trap work to see what works with that and lionfish and hopefully we can deal with that problem. Thank you for the opportunity.

**MR. McCLARY:** Scott McClary. I actually fish on a grouper snapper vessel now, but I'm actually here – Steve Shelley in the back asked me if I would speak a little more in front of people. Just to comment of getting out there, the economic impact that it has as far as a reduction of the blueline tile under Amendment 32. I understand, you know, we've got all these assessments and they're saying to reduce them down. This is some numbers that he and I put together. We made nine trips out of MccLelland's Inlet, South Carolina, this year.

The first three trips we did was for golden tile; so we got about 140 pounds of blueline. We had six more trips; and we ended up with about 14,508 pounds total with the 150 in it. That equals out to be about \$47,000, a little bit more. Just say per trip as far as expense levels go on a trip to run a boat that size and magnitude, fuel alone runs between nine hundred to a thousand dollars. Your bait is going to run you around a thousand or twelve hundred. We eat a lot of rice on the boat, so Steve keeps our fuel cost down to about \$250 per trip. I mean, you're looking at around \$2,400 or \$2,500 on a minimum side just to run a longline vessel; not including the tackle. We do go through a little bit of tackle.

Where we go from trips or in a six-trip limit, that's like \$45,000. It sounds like a lot of money; but when you start putting it back into tackle, time, boat, crew, not just me as well as to what I'm making, but you've got a captain and a family, another crew member and a family, me and my family to take care of out of all this; and when you start taking the money and see where actually a ripple effect comes into it, the boat and the crew starts losing money when we have to go down to a hundred pounds a trip limit. If we had six trips and we only allow the hundred pounds per trip limit, we're only talking about 1,170 pounds of fish that a boat would have taken aboard this year.

All right, if you start doing the math on that; the fish house, they're not packing out as much fish anymore, so the fish house is losing money. There are people they can't pay them to pack fish out to the stand around. The bait people is not selling as much bait. The tackle shop is not selling as much tackle. The fish markets don't have as much product to give to the restaurants. In other words, they'll have to start importing a lot more fish and the quality starts coming down. It not just the effect of what I personally make; it is an ripple effect all the way through the system, going from what we can allow to catch now down to a hundred pounds a trip.

You really couldn't take a vessel of that size and magnitude out on, say, a hundred pounds of snowies and a hundred pounds of gray tile in March and April when the yellowedge aren't

technically biting as well as they should be and make enough money to pay for the expenses, much less anybody to make any money to pay bills with, basically living costs, rent, car insurance, insurance, et cetera. I just wanted to bring to light the difference on what we made this year to what we're going to make next year if we run the same amount of trips with what we've got now and they reduce the ACL down to a hundred pounds per trip. That's kind of just to try and enlighten on the financial statement of it. It is all affecting everybody and not just the crew. Thank you for your time.

DR. DUVAL: Scott, I appreciate your comments; and it's having a big impact on a lot of fishermen up in North Carolina as well who depended on that resource for a few years now. Can you repeat again what you said on six trips how many pounds you caught total?

MR. McCLARY: We run nine trips this year as far as golden tile and gray tile until the limits were caught. We had nine trips – and I will be more than happy to get you a copy of this – we had nine trips. Steve went back on his fish logs and he wrote them all down for me. The first three trips we were golden tile fishing, so you're kind of fishing more in a seven or eight hundred foot depth. We had 41 pounds one trip, 10 pounds and then 86 pounds. We don't have a lot of interaction with gray tile while we're golden tile fishing because you're trying to in and out. It only lasted about two months out of the year.

Then the next six trips, we had 1,500 pounds one trip, 2,200 pounds a trip, 37 – and I've got all the totals here – and it equaled up to be 14,508 pounds total we caught the entire year. That went from January when it started down to May 29, until the season actually ended. Out of 14,500 pounds – and on a gray tile we average between three ten and three twenty-five a pound. That's not including your shipping and packing. So, back to the boat, we're probably getting somewhere around two forty-five or two fifty back to the boat.

Then again you start looking at what a fish house sitting and packing fish and they aren't buying as many boxes from the box-making company; those guys are standing around and getting sent home early because they have nothing to do. It is a big ripple effect throughout the whole deal and not just my paycheck alone. I mean, I'm suffering but everybody is suffering.

DR. DUVAL: I appreciate that clarification because I'm hearing the same thing from our fishermen up in North Carolina; and it's exactly the same thing. They have depended on this resource; and so I was curious to hear what types of catches you were getting down in South Carolina. I think it has been a little while since you have been hitting the gray tile, at least up until probably the last couple of years, so it is good to know that there is resource out there.

MR. McCLARY: There is technically four vessels in our area, we call it, from Little River to McClelland's Inlet that have the longline endorsements. The three other ones fish out of the Little River Fish House. I've fished up there for about 15 years; so I'm very good friends with the other captains. I've spoken to them on the phone the last few nights. One can't be here; he is doing a coast guard inspection for a charter.

He has explained to me – and Steve can probably vouch for this as well – for a lot of years there – you know, we say gray tile; I apologize, blueline tile, we're only bringing forty, fifty or sixty cent a pound. I'm not calling them a trash fish by no means, but a bycatch like we catch them while we're trying to catch snowies; and back then, you know, you could catch more snowies, so

you were catching a lot more blueline tile. Well, to help out with your bait bill back then, they were cutting a lot of them up because there was no rule saying you can't cut them up.

So instead of bringing what they were catching, they're using quite a bit of them for bait. So if you take a lot of these numbers we were going over and I went over with Danny Jewel extensively – and Steve and I were talking – while the years that it looks like there is not a lot being caught or brought in, it is mainly because they wasn't making any money for them. You bring in 4,000 pounds of them and you're getting thirty cent or forty cent a pound for them and you pack them out – I mean, basically it takes a lot of your ice and time up for very little income back to the vessel, so they were using them for bait catching the snowies where they made more money on them.

Dan Manance was telling me this as well. Dan has conducted longline fishing for many years and he was saying we caught up more than we ever brought in. That's just trying to give you the best feedback I can for what little bit of area and the four fishermen I know. Steve I worked with this year. Danny Jewel I worked with before but I've talked to the other vessel captains that has told me the same thing. The rest of them, there is about three or four of them that you can't talk to because they're no longer around; they all passed away. You've only got three or four of them you can actually get good information from.

Steve has got plenty of information and the three guys up there have it as well, and they'd be more than happy to give you all the feedback they can. Them two couldn't be here due to – they're charter fishing and they were getting inspected vessels done today. I am here talking about the blueline and the ripple effect as far as the commercial, but I charter fished for years, too, and it affected a lot of the same people; but then you start talking hotels, you know, people call us in the spring.

Well, you can't keep fish now and we want you to pay \$800 to go on a fishing trip to catch sea bass, which we've always caught – now you can picture of them and we've got to put them back and people go I don't want to pay \$800 to catch a fish. We're losing 20 to 30 charters in the spring where they're not coming in and renting the hotels, they're not eating at a restaurant, you're filling gas up at the fuel stations; so it is still a bigger ripple effect in the charter, more than it is in the commercial because you're talking about nobody is coming down to spend their money overall to go fishing. It's kind of really hitting a lot more people than we actually have brought out. Now, I hear a lot of people that we've got plenty of fish; we've got bad assessments; but the ripple effects are rippling a lot of people that we haven't heard about, all the way to the tackle shop owners all the way through the system.

MR. HARTIG: I appreciate that, Scott, and we're well aware of the ripple effects that occur when we have to clamp down on fisheries, but thank you.

MS. BINNS: I'm Holly Binns with the Pew Charitable Trust. I want to thank you for the opportunity to provide some input on the development of Amendment 36. This amendment would identify and protect places where fish gather to spawn, to increase the recruitment of ecologically and economically important snapper and grouper species through establishment of spawning special management zones. We encourage that the Snapper Grouper Committee identified an initial sort of suite fish spawning areas for further analysis during committee.

Upon reviewing the information considered during the development of the precursor to this amendment, Regulatory Amendment 17, there are some additional areas that emerged with further analysis as well. Several of these contain scientific or fishermen-provided evidence or they displayed geomorphological characteristics they could have multi-species spawning activity, but they're not currently included in the committee's list of areas to be analyzed and brought back for your consideration in December.

We wanted to strongly urge you to add some of these sites to the list for evaluation when the full council convenes tomorrow. Identifying additional areas for analysis at this stage doesn't commit you to selecting them as proposed spawning SMZs. What it does, however, is it provides you with a more robust data portfolio and some more detailed biological and socio-economic information for these areas. It also can help to ensure that you're capturing the most valuable areas in terms of spawning activity and spawning protections and that they're not overlooked as you move this process forward.

We think that could aid with the selection of sites at your December council meeting for ones to send out to public hearing in January and February. I think this could also potentially contribute to a more solid legal foundation for what you're doing here in light of the still pending lawsuit concerning speckled hind and Warsaw grouper. As you guys know, a lot of populations of snapper and grouper, they're the backbone of South Atlantic fisheries, but they've experienced chronic overfishing for years.

Many of them have life histories and habitat associations and behavioral characteristics such as spawning in aggregations at predictable times and places that can make them highly susceptible to rapid overfishing; and it is well documented in scientific literature that intensive fishing on spawning aggregation sites can rapidly decimate those aggregations. Just to remind you how we got here; in May 2012 the council repealed the 146,000 square mile deep-water fishing closure that was established in Amendment 17B. That was intended to address the depletion of several deep-water snapper and grouper species.

Then earlier this year the council decided not to proceed with the modification of your Deepwater MPA Network as to have been looked at as an alternative to that that deep-water closure. As a result the spawning SMZs protections envisioned under Amendment 36 are even more urgently needed for a more rapid recovery of the region's snapper and grouper fish and also to address some of the continued overfishing for species like Warsaw grouper and speckled hind.

The other thing I wanted to sort of highlight for you is that where managers have established adequate protections for aggregations and their associated habitat, reef fish populations have begun to rebound both in this and in other regions. We do tell several examples of this such as the Dry Tortugas Ecological Reserve in the comment letter that we submitted during scoping. We think this is an approach that holds a lot of merit and a lot of potential. In addition to selecting candidate areas, a few other issues will still need to be addressed as this amendment moves forward.

We urge the council to determine things like the SMZ size, location, seasonality and specific activity and gear restriction on a case-by-case basis and using the best scientific information that is available to you. I think you all for the opportunity to provide this input. It is really good to see both the deliberate and deliberative motion on Amendment 36 and in a way that really



incorporates broad input from stakeholders and for fishermen in the region as you move this process forward. This really seems like the right way to do business. We look forward to continuing to work with you guys to support this region's sustainable marine resources.

**MR. HARTER:** My name is David Harter. I am here on behalf of Beaufort County Cobia, a place where we believe is the larger spawning ground for cobia on the Atlantic Coast and where 85 percent of the cobia that are caught in South Carolina come from Beaufort County. I'm the President of the Hilton Head Island Sport Fishing Club; and I also am vice-president and projects' director for the Hilton Head Reef Foundation. I've also served this council for the last ten years as chairman of the Dolphin Wahoo Advisory Panel.

The Hilton Head Reef Foundation was founded back in the early eighties to help DNR build artificial reefs. After the saltwater fishing license was established, we turned our attention to promoting local fisheries and research and supporting the Waddell Mariculture Center. In the late nineties we lobbied for more DNR attention to our rapidly expanding cobia fishery. We were the catalyst for Don Hammond's 2001 report on the status of South Carolina fisheries for cobia, which was the first one ever done. Our Foundation; we were also lead investigator for two NOAA Cooperative Fisheries Grants using satellite archival tags to monitor and track cobia.

We were the first organization to satellite tag a cobia on the Atlantic Coast; and as a result of those grants, we have placed more satellite tags than any other state for cobia. We've been very active with DNR in promoting this genetic testing programs and we have cultivated an extensive network of recreational and charterboat captains to help DNR accomplish their goals. I know South Carolina DNR will agree that Beaufort County fishermen are by far the most involved and conservation-minded fishermen than anywhere else in the state.

I give you this background hoping that the council will take our comments on the status of our Beaufort County inshore cobia fishery more seriously. I know you've heard Dr. Jensen address his concerns about the imbalances of our inshore spawning stock based on DNA studies; but I would like to add some of the fishermen's perspectives, too. For the last fifteen years I have been the weigh master for the Hilton Head Island Food and Beverage Tournament, which is the largest and longest-running cobia tournament in Beaufort County, usually involving sixty boats or more of extremely good fishermen.

We do this in close cooperation with DNR biologists, requiring that all entries be autopsied for research data. We were the first organization on the Atlantic Coast to ask DEHEC to do methyl mercury testing also, which resulted in the current state-wide limited consumption advisory. No other Atlantic Coast state had done this before. In the last seven years of recordkeeping for the inshore versus offshore cobia, I have weighed in 182 fish, including the current state record. Of those, only eight were caught inshore. The rest were all caught offshore and entered. This year the count is zero and thirty-two.

This last week we put out a survey for about seven to ten days through our website to our local fishermen, which includes recreational and charterboats, and did it on the local media and Facebook to through our extensive e-mail networks. Basically we asked them if they had fished for cobia during the last three years to qualify them. We had to go the three years because over the last year or two, a lot of my friends have given up cobia fishing inshore. They'd rather go target something else rather than sit there all day.

Another question was if you were given the hard data by DNR based on DNA studies, charterboat logs, landings' surveys and tournament results that indicated that the inshore spawning cobia population had severely declined; would you support new management rules? Well, all 140 of these people who did respond did agree that there was a problem.

Given that new regulations that would have a sunset clause ranked from one and up, which proposal that you would accept based on the current regulation being two per person per boat, we offered one cobia per person per boat, which is basically the Florida regulation, inshore and offshore; two cobia per boat; and we even offered catch and release during the spawning period and catch and release for both inshore and offshore during spawning time; and are there any other cobia fishery management tools that are mentioned above that you would prefer. We've got about five and a half pages of comments that we collected that we'll turn over to the council.

While this is not what you'd call a professionally designed survey, it did tell us that all the respondents believed that there is a problem and that overwhelmingly endorsed – really, the best one they endorsed was a one cobia per limit inshore and offshore, which is basically what Florida is doing. The total catch and release was the more polarizing one. You either really hated or loved it on that one. The volume of the demands for action for both the recreational and charter fishing community rises every year. I think probably the most poignant comment I've heard from the captains is that somebody needs to stop us; we cannot do it ourselves. I think my summation would be that if the council continues to rely on their assessments involving Florida, South Carolina and Maryland and North Carolina and lumping all together for their stock assessments, the Beaufort County Cobia Fishery inshore is going to collapse in the meantime until we're ready to do that. Thank you, Council.

**MR. RUBY:** My name is Matt Ruby; and thank you for the opportunity to speak. I just have a couple of comments. I support the removal of the black sea bass trip ban. I believe it November 1 through June. I know that's going to come into play and hopefully that's something that will go through. Most fishermen I have talked to would prefer it to be a wintertime fishery. I do not support the removal of anymore latent king mackerel permits. I have not seen any strong landings of king mackerel in South Carolina in many years.

If they were here in any strong numbers, we would definitely fish for them. I feel that the fishermen should have that option should that fishery return as a way to make an extra living. I do not support any additional area closures without additional monitoring or enforcement. If the council does implement special management zones, I feel that they should be closed to all fishing. I feel that MPAs should also be closed to all fishing. If that's something that we need to have in the ocean to protect certain portions of the resource, then I feel like they should be protected all the way and not halfway. Thank you.

**MR. HARTIG:** Okay, those are all the cards that I had for people who wanted to speak; but if there is anyone who filled out a card that I missed or wanted to speak now, we'll take an opportunity to entertain your comments. If not, thank you all very much for your comments. I appreciate your continued involvement in our process.

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### **SNAPPER GROUPER COMMITTEE MOTIONS**

Page 19: Motion to request an extension of the blueline tilefish emergency rule. Motion approved Page 20.

#### **Amendment 29**

Page 21: Motion to accept the IPT's proposed wording for the purpose and need. Motion approved Page 21.

Page 21: Motion to accept the IPT's proposed wording for the alternatives under Action 3. Motion approved Page 21.

Page 21: Motion to deselect Subalternative 5F as the preferred and select instead Subalternative 4F as the preferred. Motion approved Page 22.

Page 22: Motion to modify the IPT's proposed wording for Alternative 1 under Action 4 as specified below. Motion approved Page 22.

Page 22: Motion was to deem the codified text for Amendment 29 as necessary and appropriate. Motion approved Page 23.

Page 23: Motion to approve Amendment 29 for formal review and give the Council Chair and staff editorial license to make changes to the amendment prior to submission. Motion approved Page 24.

#### **Amendment 32**

Page 24: Motion to accept the IPT's suggested changes to the purpose and need statements. Motion approved Page 24.

Page 24: Motion was to accept the IPT's suggested changes to Alternatives 1 and 2 under Action 1. Motion approved Page 24.

Page 24: Motion was to accept inclusion of Alternatives 3 through 5 under Action 1. Motion approved Page 24.

Page 24: Motion to accept the IPT's suggested changes to Alternative 1 under Action 3. Motion approved Page 24.

Page 24: Motion to accept the IPT's suggested changes to Alternatives 1 through 3 under Action 4. Motion approved Page 24.

Page 25: Motion to accept the IPT's suggested wording for Action 5 to include "and the deep-water complex". Motion approved Page 25.

Page 25: Motion to accept the IPT's suggested changes to Alternatives 1 and 2 under Action 5. Motion approved Page 25.

Page 25: Motion to accept the IPT's suggested changes to alternatives under Action 6. Motion approved Page 25.

Page 25: Motion to accept the IPT's suggested Alternatives 2 through 4 under Action 7 and specify gutted weight. Motion approved Page 25.

Page 25: Motion to select Alternative 2 as a preferred under this action. Motion approved Page 25.

Page 25: Motion to accept the IPT's suggested edits to Alternatives 1 and 5 under Action 8. Motion approved Page 25.

Page 27: Motion to deselect Alternative 4 and select Alternative 5 as preferred under Action 8. Motion approved Page 28.

Page 28: Motion to deem the codified text for Amendment 32 as necessary and appropriate. Motion approved Page 28.

Page 28: Motion to approve Amendment 32 for formal review and give the Council Chair and staff editorial license to make changes to the amendment prior to submission. Motion approved Page 29.

Page 29: Motion to give the council chair license to redeem the codified text for Amendments 29 and 32 as necessary and appropriate. Motion approved Page 29.

## **Amendment 22**

Page 29: Motion to accept the IPT's proposed wording for the purpose and need. Motion approved Page 29.

Page 30: Motion to accept the IPT's proposed changes to the wording of the alternatives under Action 1. Motion approved Page 30.

Page 30: Motion to modify Action 2 to only consider changes to the gag bag limit, 2 and 3 fish, within the aggregate. Motion approved Page 30.

Page 30: Motion to move Alternative 2 and its subalternatives to the considered but rejected appendix. Motion approved Page 30.

Page 30: Motion to approve the IPT's suggested edits to alternatives under Action 3. Motion approved Page 30.

Page 30: Motion to approve the IPT's suggestion to move Alternative 6 to the considered but rejected appendix. Motion approved Page 30.

Page 31: Motion to approve Regulator Amendment 22 for public hearings in the fall of 2014. Motion approved Page 31.

### **Amendment 20**

Page 31: Motion to accept the IPT's proposed edits to the purpose and need. Motion approved Page 31.

Page 31: Motion to accept the IPT's proposed wording changes for Alternative 2 under Action 1. Motion approved Page 31.

Page 31: Motion was to accept the IPT's proposed wording for Alternatives 2 and 3 under Action 2. Motion approved Page 31.

Page 32: Motion to accept the IPT's proposed wording for Action 3 and Alternative 1. Motion approved Page 32.

Page 32: Motion to approve the IPT's suggested edits to Alternative 5. Motion approved Page 33.

Page 33: Motion to change Alternative 5 to apply to Indian River/Brevard instead of Volusia/Brevard. Motion approved Page 33.

Page 33: Motion to approve Alternative 4, Subalternative 4B under Action 3 as the preferred alternative. Motion approved Page 33.

Page 33: Motion to deselect Alternative 1 as the preferred under Action 4. Motion approved Page 33.

Page 33: Motion to select Alternative 2 under Action 4 as the preferred alternative. Motion approved Page 33.

Page 33: Motion to approve Regulatory Amendment 20 for formal review. Motion approved  
Page 34.

Page 34: Motion to deem the codified text as necessary and appropriate and give the Council Chair and council staff editorial license to make changes to the amendment document as needed prior to submission. Motion approved Page 35.

Page 35: Motion to give the Council Chair license to redeem the codified text as necessary and appropriate. Motion approved Page 35.

### **Amendment 36**

Page 35: Motion to modify and approve the need for Snapper Grouper Amendment 36. Motion approved Page 35.

Page 35: Motion that it is the council's intent that spawning SMZs would only consider prohibiting fishing for and/or possession of snapper grouper species; species in the Snapper Grouper Fishery Management Unit. Motion approved Page 36.

Page 36: Motion to approve the wording of Action 1 and the range of alternatives. Motion approved Page 36.

Page 36: Motion to approve the wording of Action 2 and the range of alternatives. Motion approved Page 36.

Page 38: Motion to add a new action to move the South Carolina Deepwater MPA 1.4 miles to the northwest to match the boundary of the permitted site. Motion approved Page 38.

Page 42: Motion to add alternatives to Amendment 36 that would consider time/area spawning closures as appropriate. Motion approved Page 42.

### **Amendment 35**

Page 42: Motion to approve the purpose and need for Snapper Grouper Amendment 35. Motion approved Page 42.

Page 42: Motion to modify and approve the wording of Action 1 and the range of alternatives. Motion approved Page 42.

Page 43: Motion to add an action to Amendment 35 to address golden tilefish endorsement issue. Motion approved Page 43.

Page 43: Motion to approve the timing and task as noted:

1. Send letter requesting an extension of the emergency rule for blueline tilefish.
2. Prepare for the October Visioning Workshop as directed.
3. Prepare Regulatory Amendment 16 for council review at the December 2014 meeting.
4. Request that staff from the North Carolina Division of Marine Fisheries give the committee a presentation at the December 2014 council meeting on the North Carolina Catch Card Program for highly migratory species.
5. Submit Amendments 29 and 32 and Regulatory Amendment 20 for formal review.
6. In Regulatory Amendment 20 (snowy grouper), include a table of landings used to establish sector allocations and expand the explanation of the change in allocations that resulted from the new assessment.
7. Prepare Regulatory Amendment 22 for public hearings.
8. Conduct analyses, include detailed charts, include a system management plan as an appendix, and prepare Amendment 36 for the March 2015 council meeting.
9. Conduct analyses and prepare Amendment 35 for the December 2014 council meeting.

Motion approved Page 44.

#### **JOINT DOLPHIN WAHOO AND SNAPPER GROUPEL COMMITTEES MOTIONS**

Page 44: Motion to move the discussion to the Law Enforcement Committee to explore modifications to the operator card requirement. Motion approved Page 44.

#### **Dolphin Wahoo Amendment 7/Snapper Grouper Amendment 33**

Page 44: Motion to accept the IPT recommendation for wording changes. Motion approved Page 44.

Page 45: Motion under Action 1 to remove the language that “a rod and reel must be removed from the rod holders and stored securely on or below deck.” Motion approved Page 48.

Page 48: Motion to table amendment until the next council meeting in December. Motion approved Page 49.

#### **Generic Accountability Measures and Dolphin Allocation Amendment**

Page 49: Motion to direct staff to prepare the Comprehensive Amendment and Dolphin Allocation Amendment for final approval at the December 2014 council meeting. Motion approved Page 49.

#### **MACKEREL COMMITTEE MOTIONS**

#### **Framework Amendment 2**

Page 49: Motion to approve modifications from the IPT for the purpose and need. Motion approved Page 49.

Page 50: Motion to approve the IPT's suggested language in Alternatives 2 through 4. Motion approved Page 50.

Page 50: Motion to select Alternative 4 as the preferred. Motion approved Page 50.

Page 50: Motion to approve Coastal Migratory Pelagics Framework Amendment 2 for secretarial review and deem the codified text as necessary and appropriate; give staff editorial license to make the necessary editorial changes to the document and codified text; give the Council Chair authority to approve the revisions and redeem the codified text. Motion approved Page 51.

Page 53: Motion to adopt the timing and task items as presented:

1. Prepare Framework Amendment 2 for submission to the Secretary of Commerce.
2. Provide Framework Amendment 2 to the Gulf Council for their review in October 2014.
3. Pending Gulf Council approval, submit Framework Amendment 2 for formal review.
4. Staff to develop potential actions and alternatives for Amendment 24 for committee review in December 2014.

Motion approved Page 53.

#### **SEDAR COMMITTEE**

Page 55: Motion to move the South Atlantic Fishery Management Council's assessed priorities as established in June 2014 and add greater amberjack as number seven. Motion approved Page 55.

#### **ADVISORY PANEL SELECTION COMMITTEE**

Page 59: Motion to establish state-by-state representation on the Snapper Advisory Panel with North Carolina having seven seats, South Carolina having four seats, Georgia having two seats, and Florida having seven seats; and to have one media, one consumer and one NGO seat in addition. Motion approved Page 59.

#### **HIGHLY MIGRATORY SPECIES COMMITTEE**

Page 61: Motion that the council forward these comments to HMS. Motion approved Page 61.

#### **DATA COLLECTION COMMITTEE**

Page 65: Motion to approve the task and timing as presented:

1. Direct staff to assist in providing input on the draft Electronic Technology Implementation Plan.
2. Direct staff to continue working with ACCSP (Mike Cahall) on developing a commercial logbook electronic data entry form. Gregg Waugh will be the staff person; Andy Strelcheck will



represent the NMFS SERO and Dave Gloeckner/Steve Turner will represent the SEFSC; Monica Smit-Brunello will represent NOAA GC. A status report will be presented to the Council in December 2014 with the goal of implementation in January 2015.

Motion approved Page 65.

### **SSC SELECTION COMMITTEE**

Page 65: Motion to appoint Dr. Will Smith of the North Carolina Division of Marine Fisheries to fill the vacant SSC seat. Motion approved Page 66.

Page 66: Motion to direct staff to develop SSC SOPP alternatives that clarify the appointment process. Motion approved Page 66.

# South Atlantic Fishery Management Council

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# South Atlantic Fishery Management Council

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(Continued)

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## FULL COUNCIL - ROLL CALL VOTE

Date: September 2014

Meeting Location: Charleston, SC

Issue: BLUELINE TILEFISH ER EXTENSION

APPROVED

	YES	NO	ABSTAIN
HARTIG	✓		
DUVAL	✓		
BECKWITH	✓		
BELL	✓		
BOWEN	✓		
BREWER	✓		
BROWN	✓		
CONKLIN	✓		
COX	✓		
CRABTREE		✓	
HAYMANS	✓		
MCCAWLEY	✓		
PHILLIPS	✓		

# FULL COUNCIL - ROLL CALL VOTE

Date: September 2014

Meeting Location: Charleston, SC

Issue: S/G AMEND 29 (ORCS + TRIGGERFISH)

APPROVED

	YES	NO	ABSTAIN
HARTIG	✓		
DUVAL	✓		
BECKWITH	✓		
BELL	✓		
BOWEN	✓		
BREWER	✓		
BROWN	✓		
CONKLIN	✓		
COX	✓		
CRABTREE	✓		
HAYMANS	✓		
MCCAWLEY	✓		
PHILLIPS	✓		

# FULL COUNCIL - ROLL CALL VOTE

Date: September 2014

Meeting Location: Charleston, SC

APPROVED  
9-4

Issue: S/G AMEND 32 (BLUELINE TILEFISH)

	YES	NO	ABSTAIN
HARTIG	✓		
DUVAL		✓	
BECKWITH		✓	
BELL	✓		
BOWEN		✓	
BREWER	✓		
BROWN	✓		
CONKLIN	✓		
COX		✓	
CRABTREE	✓		
HAYMANS	✓		
MCCAWLEY	✓		
PHILLIPS	✓		

# FULL COUNCIL - ROLL CALL VOTE

Date: September 2014

Meeting Location: Charleston, SC

APPROVED

Issue: S/G REG AMEND 20 (SNOWY GROUPER)

	YES	NO	ABSTAIN
HARTIG	✓		
DUVAL	✓		
BECKWITH	✓		
BELL	✓		
BOWEN	✓		
BREWER	✓		
BROWN	✓		
CONKLIN	✓		
COX	✓		
CRABTREE	✓		
HAYMANS	✓		
MCCAWLEY	✓		
PHILLIPS	✓		



## FULL COUNCIL - ROLL CALL VOTE

Date: September 2014

Meeting Location: Charleston, SC

APPROVED

Issue: CMP FRAMEWORK AMEND 2 (SPANISH MACK)

	YES	NO	ABSTAIN
HARTIG	✓		
DUVAL	✓		
BECKWITH	✓		
BELL	✓		
BOWEN	✓		
BREWER	✓		
BROWN	✓		
CONKLIN	✓		
COX	✓		
CRABTREE	✓		
HAYMANS	✓		
MCCAWLEY	✓		
PHILLIPS	✓		

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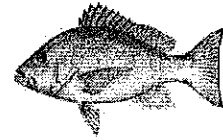
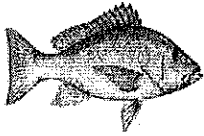
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# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

---

August 18, 2014

Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

**Email comments to: [Mike.Collins@safmc.net](mailto:Mike.Collins@safmc.net)**  
**(Subject line: CMP Framework Amendment 2 comment)**

Re: CMP Framework Amendment 2 Spanish Mackerel Comment

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) submits this written comment to the South Atlantic Fishery Management Council about the Coastal Migratory Pelagics (CMP) Framework Amendment 2 Spanish Mackerel Southern Zone Quota Action. SFA ECFS chooses Alternative 4 as a Preferred Alternative for this Action.

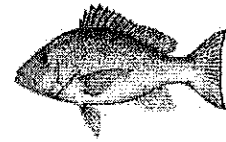
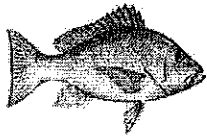
**Action: Modify the system of quota and trip limit adjustments for Atlantic migratory group Spanish mackerel in the Southern Zone**

*"Alternative 4. Establish a trip limit of 3,500 lbs for the Southern Zone. When 75% of adjusted quota of the Southern Zone quota has been landed or projected to be landed, the trip limit would be reduced to 1,500 lbs. When 100% of adjusted quota of the Southern Zone quota is reached, the trip limit is reduced to 500 lbs until the end of the fishing year or until the Southern Zone commercial quota is met or projected to be met."*

Jimmy Hull, Chairman  
SFA ECFS



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

---

August 18, 2014

Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

**Email comments to: [Mike.Collins@safmc.net](mailto:Mike.Collins@safmc.net)**  
**(Subject line: Accountability Measures and Dolphin Allocation comments)**

Re: Snapper Grouper Amendment 34 and Dolphin Wahoo Amendment 8

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) submits this written comment to the South Atlantic Fishery Management Council (SAFMC) about the proposed rules for Snapper Grouper (SG) Amendment 34 accountability measures and Dolphin Wahoo Amendment 8 in particular. SFA ECFS supports the Preferred Alternatives found in this Amendment.

*The Council is considering the following actions in these Amendments:*

• **ACTION 1:** *Define the stock status criteria required for implementing accountability measures for snapper grouper species and golden crab*

*Alternative 2. If commercial landings as estimated by the Science and Research Director reach or are projected to reach the commercial ACL, the Regional Administrator shall publish a notice to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase is prohibited and harvest or possession of this species in or from the South Atlantic EEZ is limited to the bag and possession limit. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper grouper, dolphin wahoo, or golden crab has been issued as appropriate, without regard to where such species were harvested, i.e., in state or Federal waters. Additionally,*

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

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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

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

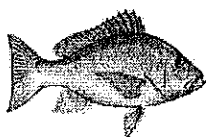
**Alternative 4.** If recreational landings reach or are projected to reach the recreational annual catch limit, National Marine Fisheries Service will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year, unless, using the best scientific information available, the Regional Administrator determines that a closure is unnecessary.

**Preferred Sub-alternative 4b.** Regardless of stock status.

**Table 1.** Unassessed snapper grouper species addressed in this action.

Unassessed Snapper Grouper Species	Commercial ACL (lb ww)	Recreational ACL (lb ww)
Jacks	189,422	267,799
Atlantic jack	147,322	155,195
Banded mulletfish	37,829	107,603
Lesser amberjack	4,270	5,000
<b>Snappers</b>	<b>215,602</b>	<b>728,577</b>
Gray snapper	192,830	602,213
Lane snapper	17,695	102,289
Cubera snapper	4,829	19,851
Dog snapper	273	3,013
Mahogany snapper	36	512
<b>Grunts</b>	<b>218,539</b>	<b>588,113</b>
White grunt	212,896	461,136
Sailors choice	0	22,674
Tomtate	0	80,056
Margate	5,643	24,246
<b>Shallow Water Groupers</b>	<b>49,776</b>	<b>46,656</b>
Red hind	18,303	6,564
Rock hind	23,115	14,838
Yellowmouth grouper	44	3,995
Yellowfin grouper	4,879	4,379
Coney	665	2,053
Graysby	2,771	14,827
<b>Porgies</b>	<b>36,348</b>	<b>106,914</b>
Jointhead porgy	1,571	36,315
Knobbed porgy	34,515	32,926
Saucer eye porgy	0	3,606
Scup	0	9,306
Whitebone porgy	262	24,762

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

Unassessed Snapper Grouper Species	Commercial ACL (lb ww)	Recreational ACL (lb ww)
<b>Individual Stocks</b>		
Atlantic spadefish	35,108	154,352
Bar jack	5,265	19,515
Scamp	333,100	176,688
Hogfish	49,569	85,353
Gray triggerfish*	272,880	353,638
<b>Species with total ACLs of Zero</b>		
Nassau grouper	0	0
Warsaw grouper	0	0
Speckled hind	0	0
Goliath grouper	0	0

\* Gray triggerfish is scheduled to for a SEDAR stock assessment beginning August 2014.

**Table 2. Species not included under Action 1 and reason they are not included in the action.**

Species	Amendment
Vermilion snapper	Regulatory Amendment 14 to the Snapper Grouper FMP
Gray triggerfish	Amendment 29 to the Snapper Grouper FMP
Black sea bass	Regulatory Amendment 14 to the Snapper Grouper FMP
Blueline tilefish	Amendment 32 to the Snapper Grouper FMP
Deepwater Complex	Amendment 32 to the Snapper Grouper FMP
Cottonwick	Ecosystem component species
Longspine porgy	Ecosystem component species
Bank sea bass	Ecosystem component species
Rock sea bass	Ecosystem component species
Ocean triggerfish	Ecosystem component species
Schoolmaster	Ecosystem component species

### • ACTION 2: Allocation of dolphin between recreational and commercial sectors

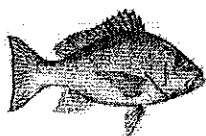
**Preferred Alternative 4.** Set the commercial allocation at the average of the percentages of the total catch over the past 5 years (2008-2012). The recreational sector allocation for dolphin is 90%, and commercial sector allocation is 10%.

**Table 3.** Sector ACLs that would result under each of the alternatives considered.

Alternative	Commercial Sector ACL (lbs ww)	Recreational Sector ACL (lbs ww)
<b>Alternative 1 (No Action)</b>	1,157,001	14,187,845
Alternative 2	1,994,830	13,344,846
Alternative 3	2,148,278	13,196,567
Preferred Alternative 4	1,534,485	13,810,361
Sub-Alternative 5a	1,534,485	13,810,361
Sub-Alternative 5b	1,534,485	13,810,361
Sub-Alternative 5c	1,381,036	13,963,809



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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**Table 4.** Commercial and recreational sector landings of dolphin for 2008 through 2013.

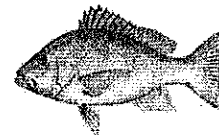
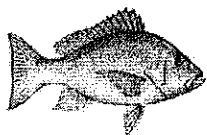
Year	Commercial Landings (lbs ww)	Recreational Landings (lbs ww)
2008	780,818	7,833,547
2009	1,222,944	7,570,195
2010	706,281	6,243,399
2011	791,457	6,518,306
2012	687,140	6,097,292
2013	496,981	4,526,565

Note: Data from 2013 are preliminary.

Source: SEFSC Commercial and Recreational ACL Datasets (2014)

Jimmy Hull, Chairman  
SFA ECFS

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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August 18, 2014

Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

**Email comments to: [Mike.Collins@safmc.net](mailto:Mike.Collins@safmc.net)**  
**(Subject line: Amendment 35 Scoping comments)**

Re: Snapper Grouper Amendment 35

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) submits this written comment about the Snapper Grouper (SG) Amendment 35 to the South Atlantic Fishery Management Council (SAFMC) about the Action to remove four SG species from the fishery management unit (FMU). SFA ECFS supports the following actions to remove these four species from the SG FMU.

The Council is considering the following actions in Amendment 35:

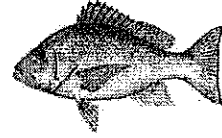
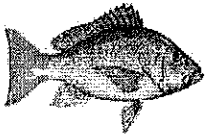
Remove the following 4 species from the Snapper Grouper FMU:

- Black Snapper (*Apsilus dentatus*)
- Dog Snapper (*Lutjanus jocu*)
- Mahogany Snapper (*Lutjanus mahogoni*)
- Schoolmaster (*Lutjanus apodus*)

Jimmy Hull, Chairman  
SFA ECFS



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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August 18, 2014

Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

**Email comments to: [Mike.Collins@safmc.net](mailto:Mike.Collins@safmc.net)**  
**(Subject line: Amendment 36 Scoping comments)**

Re: Snapper Grouper Amendment 36 Special Management Zones

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) submits this written comment to the South Atlantic Fishery Management Council (SAFMC) about the Snapper Grouper (SG) Amendment 36 scoping about Special Management Zones (SMZs). Exactly how will these work when the SAFMC examples are so few in scope.<sup>1</sup>

The SFA ECFS membership are cautious about the current timeline pasted below to implementation of this scoping rulemaking effort. There is a lot of information missing that is needed to discuss the common SAFMC SG species "spawning aggregations", whether spatial and/or temporal as to scheduling closures, bag/trip limit reductions, slot sizes, etc.

Pasted below is the SAFMC scoping summary and timeline for SG Amendment 36, accompanied by SFA ECFS comments highlighted in red. "The Council is considering the following actions in Amendment 36: Specify a process for identifying spawning sites/aggregations for snapper grouper species, including speckled hind and warsaw grouper, based on the characteristics of sites important for spawning (bottom topography, current systems, etc.) (See **Appendix C** for more specifics on this approach)."

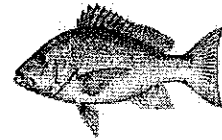
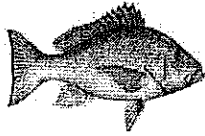
The SFA ECFS is looking forward to some spatial/temporal spawning cycle data to be supplied soon by the NMFS SERO personnel. Then the dialogue can begin in earnest. A special SMZ data meeting needs to be scheduled during 2015 based on this SAFMC timeline pasted below.

**"Note: Currently Spawning SMZs would only consider prohibiting fishing for and/or possession of snapper grouper species (species in the snapper grouper fishery management unit); fishing for all other**

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<sup>1</sup> <http://www.safmc.net/managed-areas/special-management-zones-smzs>

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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### **species would be allowed!"**

SFA ECFS questions the ability of the NMFS law enforcement team, including the state marine law enforcement to properly monitor the private recreational sector as to catch compliance and accountability. The commercial and for-hire fleet, and fishhouses are critically monitored in many ways that are well known historically.

"During scoping and public hearings, the public will be encouraged to suggest sites that could be considered. The scoping document does not include any proposed sites. It is anticipated that the public hearing draft would include preliminary sites (based on public input from scoping, as well as additional information), and the final amendment would specify proposed Spawning SMZ sites."

SFA ECFS members, consultants and scientists have supplied important information throughout the marine protected areas (MPAs) process. The SAFMC needs to more fully incorporate what they have learned the past two years into the public documents for this rule making as soon as possible.

"Explore placement of artificial reefs on appropriate bottom type within existing MPAs to target warsaw grouper, speckled hind, and other snapper grouper species.

**Note: The Spawning SMZ approach would not make any changes to the existing MPAs.** The Council is developing a System Management Plan to specify the outreach, law enforcement, and monitoring/research projects (with cost estimates) necessary to effectively monitor and evaluate the existing MPAs."

SFA ECFS can support placement of new artificial reefs on the ocean bottom, both within existing MPAs, and around other unutilized bottom fishing regions.

### **SAFMC SG Amendment Timeline:**

Council reviews scoping comments & provides guidance for more complete analyses September 15-19, 2014 in Charleston, SC

Council reviews amendment, approves measures & approves for public hearings December 1-5, 2014 in New Bern, NC

Council holds public hearings January 2015 NC - FL

Council reviews public hearing input & approves all actions March 2-6, 2015 in St. Simons Island, GA

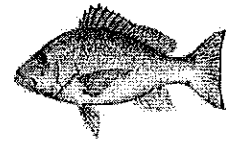
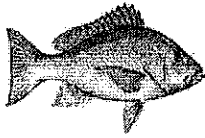
Council approves final document June 8-12, 2015 in Key West, FL

Council submits Amendment to Secretary of Commerce for formal review & implementation July 2015

Target Implementation Date January 1, 2016

Jimmy Hull, Chairman  
SFA ECFS

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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August 18, 2014

Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

**Email comments to: [Mike.Collins@safmc.net](mailto:Mike.Collins@safmc.net)**  
**(Subject line: Amendment 32 comments)**

Re: Snapper Grouper Amendment 32 Blueline Tilefish

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) submits this written comment to the South Atlantic Fishery Management Council (SAFMC) regarding the proposed Snapper Grouper (SG) Amendment 32 for the Blueline Tilefish stock. We share the concerns of several Council members about problems with SEDAR 32; and, likewise, believe that the status of this fish stock was not accurately assessed with the result being, overfished.

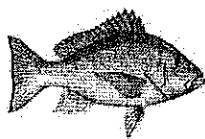
Again, we agree with the Councils recognition that the SEDAR 32 Blueline tilefish stock assessment was flawed, as the result of significant data issues. As a result, we look forward to the recently scheduled Standard Assessment with a 2014 terminal year<sup>1</sup>.

However, the flawed SEDAR 32 assessment has resulted in severe Emergency rule action, resulting in current closures and massive reductions in the acceptable biological catch (ABC). These management actions have resulted in economic loss for those previously active in this fishery from North Carolina south to Florida. The problems with SEDAR 32 and the resulting management actions are unacceptable; especially since we have pointed out the obvious problems with the historical landings data. Specifically, we know that putative Blueline Tilefish landings from the early 1980's were misreported Golden Tilefish landings from that significant targeted fishery, and not Blueline tilefish, a bycatch species at that time. Both bottom longline and the hook & line (bandit) fishing gears landings data is biased in the SEDAR 32 database. These problems were shown in our written comment to the SAFMC SSC during the April 2014 meeting. We are including the Blueline tilefish comment on projections with this written comment.

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<sup>1</sup> <http://safmc.net/sites/default/files/meetings/pdf/Council/06-2014/Comm%20Reports/FINAL/SEDARCommFINALReportJun14.pdf> Final June 2014 SEDAR Committee Report

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

In hindsight, the Blueline tilefish and Snowy grouper should have been assessed together at a SEDAR stock assessment, collectively, as these deep water species co-exist throughout most of the range and depths. They should be reassessed next year at the same venue as the SAFMC moves forward in its plan to reassess Blueline Tilefish. Fishermen throughout the South Atlantic know that the data utilized for both species needs further scrutiny in the stock assessment process..

With regard to the proposed SAFMC SG Amendment 32 actions, in general, we are not content with the quality of the science being utilized to assess this and other data poor species. The SAFMC's SSC should have requested the SEFSC to immediately produce alternative models to deal with obvious data issues following the SEDAR 32 assessment process. See our quote, below, on Blueline tilefish from the SAFMC SSC meeting.

*"The independent reviewers at the SEDAR 32 RW questioned the validity of MRIP recreational landings data used to construct a record of recreational fishing landings. The RW was addressed by fishing industry representatives that cast serious doubt over the veracity of the MRIP Blueline Tilefish landings history (see DW figure 4.11.1 below). The unreliability of MRIP estimates is particularly concerning during the recent expansion of the fishery north of Cape Hatteras from 2006 to 2008, including some elevated discard data from 2007. Further, we believe that SEDAR 32 did not effectively address anomalous annual commercial landings records during the 1980's where Blueline Tilefish were likely confused with Golden Tilefish in reporting, before institution of the Trip Ticket reporting system (from DW Fig. 3.4)."*<sup>2</sup>

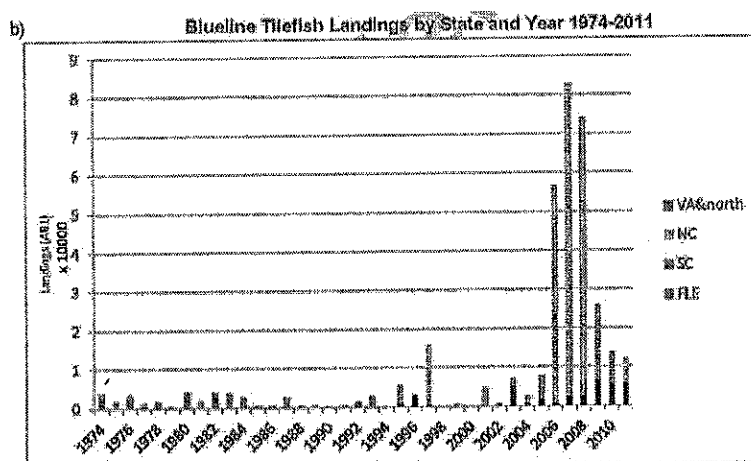
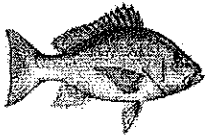


Figure 4.11.1. Estimated number of Atlantic blueline tilefish landings from MRIPSS/MRIP (1981-2011) and SRHS (1974-2011) by state (a), by state and year (b), and by state and mode (c). Florida landings from east coast only, including Florida Keys. Due to confidentiality concerns SRHS landings for GA and FLE are grouped and shown as FLE.

<sup>2</sup> SFA ECFS comment to the SAFMC SSC during the April 2014 meeting  
<http://safmc.net/meetings/briefing-book-ssc-meeting-april-29-may-1-2014>

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

April 2013

South Atlantic Blueline Tilefish

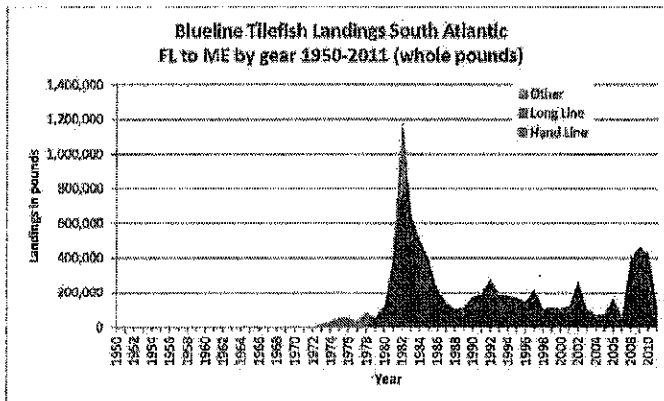


Figure 3.4 Blueline tilefish landings, in whole weight pounds, for all states (FL-ME) by gear.

Pasted below are the SAFMC actions that contain various alternatives from the SG Amendment 32 public hearing document, some of which the SFA ECFS agrees with the preferred, unless otherwise indicated.

### 1) Composition of the Deepwater Complex

SFA ECFS supports the changes created by Action 1, Alternative 2 Preferred

**"Alternative 2 (Preferred).** Remove blueline tilefish from the Deepwater Complex. Revise the Deepwater Complex annual catch limits, optimum yield, and recreational annual catch targets to reflect the removal of blueline tilefish. **Retain ACL=OY=ABC for the Deepwater Complex.** Retain recreational ACT equals  $ACL \times (1 - PSE)$  or  $ACL \times 0.5$ , whichever is greater for the Deepwater Complex."

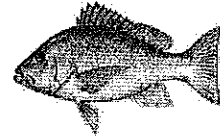
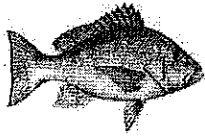
"The following alternatives are being recommended for the Council to review at their September 2014 meeting."

### 2) Maximum sustainable yield (MSY)

SFA ECFS supports the changes created by Action 2, Alternative 2 Preferred



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

	Equation	F <sub>MSY</sub>	MSY Values (pounds whole weight)
<b>Alternative 1. No Action</b>	Do not change the current definition of MSY for blue line tilefish. Currently, MSY equals the yield produced by F <sub>MSY</sub> . F <sub>30%SPR</sub> is used as the F <sub>MSY</sub> proxy.	F <sub>30%SPR</sub> = 0.350	not specified
<b>Alternative 2. Preferred</b>	MSY equals the yield produced by F <sub>MSY</sub> or the F <sub>MSY</sub> proxy. MSY and F <sub>MSY</sub> are recommended by the most recent SEDAR/SSC.	0.302	226,500

### 3) ACLs and optimum yield (OY)

SFA ECFS supports the changes created by Action 3, Alternative 3 Preferred

" **Alternative 3 (Preferred).** Establish annual catch limits for blue line tilefish. **The blue line tilefish ACL = OY = 98%ABC.** Specify commercial and recreational ACLs for blue line tilefish for 2015, 2016, 2017, and 2018 and beyond. The annual catch limit for 2018 will remain in effect until modified. Annual catch limits in 2016, 2017, and 2018 will not increase automatically in a subsequent year if present year projected catch has exceeded the total annual catch limit. Specify commercial and recreational annual catch limits based on existing sector allocations (50.07% commercial and 49.93% recreational)."

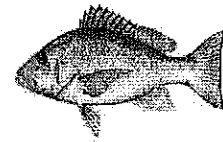
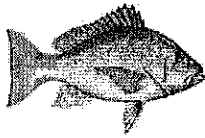
Year	Blue line Tilefish ACL (pounds ww)		
	Total	Commercial	Recreational
2015	35,632	17,841	17,791
2016	53,457	26,766	26,691
2017	71,469	35,785	35,685
2018 and beyond until modified	87,974	44,048	43,925

### 4) Recreational annual catch target (ACT)

SFA ECFS supports the changes created by Action 4, Alternative 2 Preferred

"**Alternative 2 (Preferred).** Establish an annual catch target for blue line tilefish for the recreational sector that equals the recreational ACL\*(1-PSE) or ACL\*0.5, whichever is greater."

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

Year	Bluefin Tilefish ACL (pounds ww)		
	Action 3; Alternative 2 (ACL=ABC)	Action 3; Preferred Alternative 3 (ACL=98%ABC)	Action 3; Alternative 4 (ACL=90%ABC)
2015	11,368	11,141	10,231
2016	17,055	16,714	15,350
2017	22,802	22,446	20,522
2018 and beyond until modified	28,067	27,806	25,261

Note: Calculations use the most recent 5 years of recreational landings to obtain the PSE.

Bluefin Tilefish PSE	
Year	
2009	35.6
2010	27.8
2011	43.6
2012	27.8
2013	52.1
Average	37.38

### 5) Commercial accountability measures (AM)

SFA ECFS supports the changes created by Action 5, Alternative 2 SubAlt 2c Preferred

SFA ECFS supports the changes created by Action 5, Alternative 4 SubAlt 4b Preferred

**"Alternative 2 (Preferred).** Specify the following in-season and post-season accountability measures for bluefin tilefish and the Deepwater Complex for the commercial sector: If commercial landings as estimated by the Science and Research Director reach or are projected to reach the commercial ACL, the Regional Administrator shall publish a notice to close the commercial sector for the remainder of the fishing year.

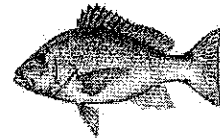
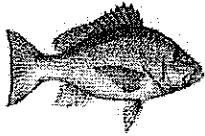
On and after the effective date of such a notification, all sale or purchase is prohibited and harvest or possession of this species in or from the South Atlantic EEZ is limited to the bag and possession limit. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit

for South Atlantic snapper grouper has been issued as appropriate, without regard to where such species were harvested, i.e., in state or Federal waters. Additionally,

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

Note: For the Deepwater Complex, at least one of the species would need to be overfished."

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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### 6) Recreational AMs

SFA ECFS supports the changes created by Action 6, Alternative 2 SubAlt 2c Preferred

SFA ECFS supports the changes created by Action 6, Alternative 4 SubAlt 4b Preferred

**"Alternative 2 (Preferred).** Specify the following post-season accountability measures for blueline tilefish and the Deepwater Complex for the recreational sector: If recreational

landings, as estimated by the Science and Research Director, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings.

**Sub-alternative 2c (Preferred).** If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished **and** the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary."

**"Alternative 4 (Preferred).** If recreational landings reach or are projected to reach the recreational annual catch limit, National Marine Fisheries Service will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year, unless, using the best scientific information available, the Regional Administrator determines that a closure is unnecessary."

**"Sub-alternative 4b (Preferred).** Regardless of stock status."

### 7) Commercial management measures

SFA ECFS supports the changes created by Action 7, Alternative 2 Preferred

**"Alternative 2.** Establish a commercial trip limit for blueline tilefish of 100 pounds gutted weight (gw)."

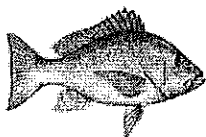
### 8) Recreational management measures

SFA ECFS supports the changes created by Action 8, Alternative 6 Preferred because it allows for the MRIP Wave 3 May/June to be measured year to year

**"Alternative 6.** Establish a vessel limit of blueline tilefish of 1/vessel/day year during May and June with no retention during the remainder of the year."

Jimmy Hull, Chairman

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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SFA ECFS



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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August 18, 2014

Mr. Bob Mahood, Executive Director  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

**Email comments to: [Mike.Collins@safmc.net](mailto:Mike.Collins@safmc.net)**  
**(Please put SG RA 20 in the subject line)**

Re: Snapper Grouper Regulatory Amendment 20 Snowy Grouper

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) submits this written comment to the South Atlantic Fishery Management Council (SAFMC) regarding the proposed Snapper Grouper (SG) Regulatory Amendment 20 (RA-20) with respect to the Atlantic Snowy grouper stock.

We have several concerns about the results of the final Southeastern Data, Assessment and Review (SEDAR 36) stock assessment report (SAR) which are utilized in the SG RA-20 proposed rule making process for Atlantic Snowy grouper. Specifically, we concur with the findings of the SEDAR 36 SAR that this fish stock is currently "underfished," but we believe that the "rebuilding" estimates for this stock are conservative, and even more access to this fish stock is a reasonable option, at this time.

The specific problems with stock projections and alternative management options need to be resolved before the SFA ECFS can comment on preferred management options and alternatives affecting the SAFMC commercial and recreational fisheries. In summary, the Council should refrain from selecting management options until the allocation issue, as described below, has been resolved.

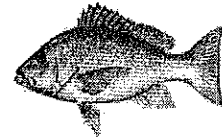
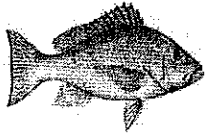
- The MRFSS/MRIP estimates by year are very unreliable<sup>1</sup>. In particular there is the need to examine years without samples or have extreme estimated landing numbers that are suspect due to low sample size by region. See Wave 3 during

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<sup>1</sup> [http://www.sefsc.noaa.gov/sedar/download/SEDAR36\\_WP01\\_Matter\\_8.16.2013.pdf?id=DOCUMENT](http://www.sefsc.noaa.gov/sedar/download/SEDAR36_WP01_Matter_8.16.2013.pdf?id=DOCUMENT)

See Tables in the working paper hyperlinked here demonstrating the issues with zero samples, zero intercepts, and massive expansions on minimal samples and/or intercepts from various regions in the SAFMC area

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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May/June 2012, as compared to Wave 3 during 2013 in Tables S-8 and S-9<sup>2</sup>. We truly question the veracity of the 83% commercial and 17% recreational results leading to a reallocation being utilized in this SAFMC SG RA-20 proposed rule! We feel this is wrong and needs remedy.

- The recent SEDAR 36 Standard Assessment process was held with no physical meetings, even though it had been a decade since the previous SEDAR 04 snowy grouper assessment full benchmark. The Snowy grouper and Blueline Tilefish should have (and can still be) assessed, as a "deep-water complex", at the same SEDAR event, with physical meetings to truly examine the veracity of data supporting the indices of abundance used by the SEDAR 36 analysts, and to question their assumptions about the uncertainties of the fishing history. Also, see the addendum with the Barile and Oden written comment about SEDAR 36<sup>3</sup>, along with the SFA ECFS comment to the SAFMC Scientific and Statistical Committee (SSC) [though public record of our written comment was not included in the SSC April 2014 Briefing Book (BB), or the final report, nor was found in the June 2014 SAFMC BB. ***"The SEDAR 36 standard stock assessment for South Atlantic snowy grouper indicated that the stock is still "overfished" but is currently not undergoing "overfishing" with respect to benchmarks produced in SEDAR 4 to achieve rebuilding of the stock. With updated modifications of both data and the model, where more accurate estimates of steepness and natural mortality were included, the SEDAR 36 model suggests a lower SSB<sub>msy</sub> to achieve the rebuilding of the stock, and that increased sustainable fishing rates (F<sub>msy</sub>) and production (MSY) can be achieved during this rebuilding plan. It is clear, with strong statistical certainty of ~ 76%, that snowy grouper is not undergoing "overfishing" and that fishing rate (F/F<sub>msy</sub>) is significantly under the sustainable (F<sub>msy</sub>) fishing rate that is permissible under the "rebuilding plan" targets for B<sub>msy</sub> and SSB<sub>msy</sub>. Specifically, fishing removal rate is only 59% of the possible rate that still maintains the rebuilding trajectories to achieve "not overfished" status (i.e. SSB/SSB<sub>msy</sub> and B/B<sub>msy</sub> are = 1)."***  
***"The SEDAR 36 standard stock assessment for South Atlantic snowy grouper indicated that the stock is still "overfished" but is currently not undergoing "overfishing" with respect to benchmarks produced in SEDAR 4 to achieve rebuilding of the stock. With updated modifications of both data and the model, where more accurate estimates of steepness and natural mortality were included, the SEDAR 36 model suggests a lower SSB<sub>msy</sub> to achieve the rebuilding of the stock, and that increased sustainable fishing rates (F<sub>msy</sub>) and production (MSY) can be achieved during this rebuilding plan. It is clear, with strong statistical certainty of ~ 76%, that snowy grouper is not undergoing "overfishing" and that fishing rate (F/F<sub>msy</sub>) is significantly under the sustainable (F<sub>msy</sub>) fishing rate that is permissible under the "rebuilding plan" targets for B<sub>msy</sub> and SSB<sub>msy</sub>. Specifically, fishing removal rate is only 59% of the possible rate that still maintains the rebuilding trajectories to achieve "not overfished" status (i.e. SSB/SSB<sub>msy</sub> and B/B<sub>msy</sub> are = 1)."***
- The SAFMC failed to nominate a commercial fishing interest to participate in the SEDAR 36 webinar process during December 2012, yet they chose two recreational fishing representatives to the panel. Then as a reaction to complaints later after the SEDAR 36 webinars had begun, a single commercial

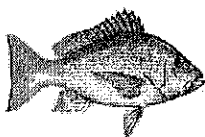
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<sup>2</sup>See PDF page 21 of 22 pages for Tables S-8 & S-9 at hyperlink below.

[http://safmc.net/sites/default/files/meetings/pdf/Public%20Hearings%20&%20Scoping/Aug%202014/SGReg20\\_P\\_HSummary\\_Aug2014.pdf](http://safmc.net/sites/default/files/meetings/pdf/Public%20Hearings%20&%20Scoping/Aug%202014/SGReg20_P_HSummary_Aug2014.pdf)

<sup>3</sup>[http://www.sefsc.noaa.gov/sedar/download/SEDAR36\\_WP13\\_PublicComments\\_10.1.2013.pdf?id=DOCUMENT](http://www.sefsc.noaa.gov/sedar/download/SEDAR36_WP13_PublicComments_10.1.2013.pdf?id=DOCUMENT)  
Includes Jeff Oden comment received on July 23, 2013 and Oden & Barile public comment received September 13, 2013.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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fisherman from North Carolina named Captain Jeff Oden was picked by the SAFMC June 2013 meeting<sup>4</sup> to serve as a SEDAR 36 commercial representative during the assessment webinars, in spite of 95% of the allocations had been historically assigned. Due to conflicts of scheduling after Captain Oden's appointment, he could not attend all of the webinars.

- The SFA ECFS Central Florida fish houses feel that Action 3 for Commercial Management Measures for Snowy Grouper, in particular Alternative 5 as currently written, causes severe economic and social concerns about the Brevard/Volusia County, Florida line being chosen for the period May to August for future fishing seasons as an alternative. The Alternative 5 should be **reworded** to move the southern management boundary to the **Brevard/Indian River County**, Florida line near Sebastian Inlet, instead. Setting the management boundary line at Brevard/ Indian River Co. would then include Cape Canaveral as an important biogeographical portion of the historic Snowy Grouper fishery in this management action. Based on the distance from Sebastian Inlet to the snowy grouper fishing grounds out to 650 feet, it requires 35 miles<sup>5</sup> minimum one-way to the deeper depths where the larger snowy grouper have populations separate from the inshore juvenile and young to medium sized female adult snowy groupers found predominately in 200 to 360 feet of water depth. Offshore of New Smyrna just north of the Brevard/Volusia County, FL line it is 52-miles to 650-feet of depth. With a ten-mile an hour commercial vessel it takes most of the day of traveling round trip to catch the current trip limit, usually in one to three multi-hook drops with the hook and line fishing gear. The catch per unit of effort (CPUE) has increased over recent years for commercial fishing for snowy groupers, as has the average sizes, far in advance of the 6 to 7 pounds whole weight (ww) referenced in Table S-2<sup>6</sup>.
- Our fishermen prefer a 300 pounds (gw) trip quota to support access to this historically utilized deep-water fishery stock.

Jimmy Hull, Chairman  
SFA ECFS

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<sup>4</sup> See June 2013 Council minutes on PDF page 25 of 113 pages for Jeff Oden motion as a SEDAR 36 Panelist.

<http://www.safmc.net/meetings/pdf/FullCouncilMinJun13.pdf>

<sup>5</sup> See Table S-7 in the Snapper Grouper Regulatory Amendment 20 for distances from various inlets from NC to FL on PDF pages 18-19 of 22

[http://safmc.net/sites/default/files/meetings/pdf/Public%20Hearings%20&%20Scoping/Aug%202014/SGReg20\\_P\\_HSummary\\_Aug2014.pdf](http://safmc.net/sites/default/files/meetings/pdf/Public%20Hearings%20&%20Scoping/Aug%202014/SGReg20_P_HSummary_Aug2014.pdf)

<sup>6</sup> See Table S-2 on PDF page 11 of 22 from hyperlink in Footnote 3 above





## Mike Collins

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**From:** DSF2009@aol.com  
**Sent:** Wednesday, September 17, 2014 4:58 PM  
**To:** Mike Collins  
**Cc:** DSF2009@aol.com  
**Subject:** Fwd: Snowy Grouper Proposal

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**From:** [cfreeman23@bellsouth.net](mailto:cfreeman23@bellsouth.net)  
**To:** [DSF2009@aol.com](mailto:DSF2009@aol.com)  
**Sent:** 9/17/2014 4:31:06 P.M. Eastern Daylight Time  
**Subj:** Snowy Grouper Proposal

I would like for the council to consider a split season for the snowy grouper commercial sector from January 1 - March 31, reopening September 1 - December 31 or until the quota has been met at a 200lb trip limit. This will allow the species a break from the commercial sector in accordance with Mr. Hartig's proposal for a recreational deep water species season from May - August. The early closure of the snowy grouper season each year along with the shallow water grouper season closing between September and October has caused a shortage in the availability of grouper towards the end of the year. Because of this we aren't able to provide our consumers with local grouper in December, our busiest retail/wholesale month.



Mike Collins

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From: DSF2009@aol.com  
Sent: Wednesday, September 17, 2014 4:58 PM  
To: Mike Collins  
Subject: Fwd: Wreckfish Proposal

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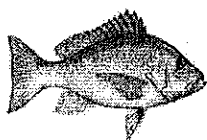
From: cfreenan23@bellsouth.net  
To: DSF2009@aol.com  
Sent: 9/17/2014 4:18:12 P.M. Eastern Daylight Time  
Subj: Wreckfish Proposal

In light of the information provided by Dr. Crabtree yesterday, I move to reduce the wreckfish quota allotted to the recreational sector from the current 5% to 1%. The new increase is poised to allot 722 fish, equaling 21,650lbs, to the recreational sector despite having reported zero landings over the past two years. Reducing the recreational limit to 1% of the total quota would still allot them 144 fish, equaling 4300lbs, while simultaneously allowing a 17,350lb increase to the commercial sector. The 17,350lb increase would be distributed equally among the 5 participants in the commercial sector and would allow each participant an increase of 3470lbs. The demand for this species has risen over the last few years and under the current proposal the public would be deprived of more than 21,000lbs of this resource.

using commercial weight of 30 pounds as a proxy



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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August 31, 2014

Ms. Kate Michie  
National Marine Fisheries Service (NMFS)  
Southeast Regional Office  
Sustainable Fisheries Division  
263 13th Avenue South  
St. Petersburg, FL 33701

Re: Proposed rule for Regulatory Amendment 21 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Regulatory Amendment 21)

NOAA-NMFS-2014-0039

<http://www.regulations.gov>

Ms. Michie,

The Southeastern Fisheries Association (SFA) East Coast Fisheries Section (ECFS) submits this written comment about the proposed rule for Regulatory Amendment 21. Pasted below is the quoted wording for the action from the August 01, 2014 Federal Register<sup>1</sup> (FR).

The SFA ECFS **agrees with the minimum stock size threshold (MSST) metrics quoted from the FR proposed rule wording pasted below.**

The table from the South Atlantic Fishery Management Council Snapper Grouper Committee Regulatory Amendment 21 Decision Document found in the March 2014 meeting<sup>2</sup> is pasted below the FR quote, included for informational purpose.

Thank you.

Jimmy Hull, Chairman  
SFA ECFS

### August 01, 2014 Federal Register quote pasted below:

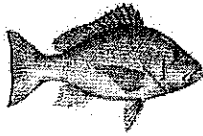
"Regulatory Amendment 21 would redefine the overfished threshold for red snapper, blueline tilefish, gag, black grouper, yellowtail snapper, vermilion snapper, red porgy, and greater amberjack as 75 percent of spawning stock biomass at maximum sustainable yield (SSB<sub>msy</sub>). The minimum stock size threshold (MSST) is used to determine if a species is overfished. The MSST for the species in this amendment is a function of the natural mortality rate (M) where  $MSST = 1 - M * SSB_{msy}$  (spawning stock biomass of the stock when it is rebuilt). When the natural mortality rate is small (less than 0.25), as is the case for these species, there is little difference between the current threshold for determining when a stock is overfished (MSST) and when the stock is rebuilt (SSB<sub>msy</sub>). Thus, for species like these which have a low rate of natural mortality, even small fluctuations in biomass due to natural conditions rather than fishing mortality may cause a stock to be classified as overfished. When a species is identified as overfished, the Magnuson-Stevens Act requires that a plan be implemented to rebuild the stock. Based on the current definition of MSST, these species could unnecessarily be classified as overfished. An overfished determination could result in lost fishing opportunities for these species if more stringent harvest restrictions were to be implemented. Regulatory Amendment 21 would redefine MSST for these species as 75 percent of SSB<sub>msy</sub>, which would help prevent overfished designations when small drops in biomass are due to natural variation in recruitment or other environmental variables such as storms, and extreme water temperatures, and ensure that rebuilding plans are applied to stocks when truly appropriate."

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<sup>1</sup> [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/s\\_atl/sg/2014/reg\\_am21/documents/pdfs/sg\\_reg\\_am21\\_pr.pdf](http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/sg/2014/reg_am21/documents/pdfs/sg_reg_am21_pr.pdf)

<sup>2</sup> [http://safmc.net/sites/default/files/meetings/pdf/Council/03-2014/SGComm/2ndBB/A6b\\_Reg21DD\\_March2014.pdf](http://safmc.net/sites/default/files/meetings/pdf/Council/03-2014/SGComm/2ndBB/A6b_Reg21DD_March2014.pdf)

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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SAFMC Snapper Grouper Regulatory Amendment 21 MSST Decision Document for Sub-alternative 2c  
pasted below:

**Sub-alternative 2c.** Change MSST if the estimation of M is 0.25 or lower based on the estimation of the natural mortality rate (M) from a peer-review report (e.g., a SEDAR stock assessment).

Species	M
Red snapper	0.08
Blueline Tilefish	0.10
Gag	0.14
Black Grouper	0.14
Yellowtail snapper	0.20
Vermilion snapper	0.22
Red porgy	0.23
Greater amberjack	0.23

Subj: **SEDAR 41 Red Snapper & Gray Triggerfish Headboat Experts Comment Section**  
 Date: 9/14/2014 11:52:59 A.M. Eastern Daylight Time  
 From: [DSF2009@aol.com](mailto:DSF2009@aol.com)  
 To: [georgejolocke@bellsouth.net](mailto:georgejolocke@bellsouth.net), [captpaul1966@aol.com](mailto:captpaul1966@aol.com), [fishnmore@cfl.rr.com](mailto:fishnmore@cfl.rr.com),  
[captgeorgejr@pastimeprincess.com](mailto:captgeorgejr@pastimeprincess.com), [fishzack@comcast.net](mailto:fishzack@comcast.net), [ocpolk@bellsouth.net](mailto:ocpolk@bellsouth.net),  
[captaincritter@aol.com](mailto:captaincritter@aol.com), [steveamicks@aol.com](mailto:steveamicks@aol.com), [capt.leebo1@hotmail.com](mailto:capt.leebo1@hotmail.com),  
[Capt.Markbrown@comcast.net](mailto:Capt.Markbrown@comcast.net), [jlfishing@bellsouth.net](mailto:jlfishing@bellsouth.net)  
 CC: [HullsSeafood@aol.com](mailto:HullsSeafood@aol.com), [abaco711@hotmail.com](mailto:abaco711@hotmail.com), [Bobfish@aol.com](mailto:Bobfish@aol.com), [SFAECFS@aol.com](mailto:SFAECFS@aol.com),  
[DSF2009@aol.com](mailto:DSF2009@aol.com), [kingseafood@bellsouth.net](mailto:kingseafood@bellsouth.net), [heavyhittercharters@cfl.rr.com](mailto:heavyhittercharters@cfl.rr.com),  
[seafoodatlantic@gmail.com](mailto:seafoodatlantic@gmail.com), [UNDERSEAS6@YAHOO.COM](mailto:UNDERSEAS6@YAHOO.COM), [LaurileeThompson@aol.com](mailto:LaurileeThompson@aol.com),  
[sherrim@wildoceanmarket.com](mailto:sherrim@wildoceanmarket.com), [michelle@safeharbourseafood.net](mailto:michelle@safeharbourseafood.net), [vic\\_lloyd@bellsouth.net](mailto:vic_lloyd@bellsouth.net),  
[bcolby3@cfl.rr.com](mailto:bcolby3@cfl.rr.com), [patrex@bellsouth.net](mailto:patrex@bellsouth.net), [Pottsy18@aol.com](mailto:Pottsy18@aol.com), [mikesm13@gmail.com](mailto:mikesm13@gmail.com),  
[sherring@gmail.com](mailto:sherring@gmail.com), [cfreeman23@bellsouth.net](mailto:cfreeman23@bellsouth.net)

Sunday September 14, 2014

This email is being sent to the "Headboat Experts" who supplied comments during the SEDAR 25 Black Sea Bass stock assessment Review Workshop (RW) in a document identified as **SEDAR 25 RW-01**. That 22-page document is **attached** and was submitted on 5 May 2011. Other concerned fishing interests are being included on this email outreach and update.

The same "headboat experts comment section" was included in the 11-page Red Snapper/Gray Triggerfish data workshop (DW) working paper identified as **SEDAR 41 DW 40 Nelson et al**, submitted on 27 August 2014, and is **attached** to this email.

The second SEDAR 41 Red Snapper/Gray Triggerfish post DW webinar was held on Thursday September 11, 2014 and Dr. Peter Barile, industry scientist, characterized the results of that recent SEDAR 41 DW webinar below based on the working paper identified as **SEDAR 41 DW 40 Nelson et al**.

***"Today at the South Atlantic Red snapper stock assessment post-Data workshop (DW) webinar, the NMFS-Beaufort scientists objected to the results of a DW Report authored by D. Nelson, J. Hull and P. Barile titled "Problems with Headboat Index of abundance confounds use in SEDAR 41 Red Snapper." The NMFS scientists agreed that regulatory changes in 1992 and 2010 changed the fishing behavior of the Headboat fleet. They agreed with our proposal to "split" the index pre- and post- 1992 because of the 20" size regulation going into effect. However, they vehemently disagreed with the testimonials from Headboat Captains that brought into question the validity of the Headboat logbook data starting in the 1970's and into the 1980's. As a result they refused to accept that there was any "recall bias" (lack of accurate reporting due to delayed logbook reporting and submittal) or that any of the data reported was just fabricated due to delays in reporting. As a result, the NMFS-Beaufort scientists called for a "stoppage" in the Red Snapper (and Gray Triggerfish) stock assessments until these issues can be resolved."***

The headboat experts who commented during 2011 and who are without current email addresses will be contacted by telephone and copy will be made available of this email and the two attachments identified above.

Any of you that have further questions, comments or more headboat information, please get in touch with Captain Jimmy Hull, Chairman for the East Coast Fisheries Section of the Southeastern Fisheries Association (SFA ECFS). Email him at [HullsSeafood@aol.com](mailto:HullsSeafood@aol.com) or call him at 386-547-1254.

*Rusty ;-)*

Russell H. Hudson, President  
 Directed Sustainable Fisheries, Inc. (DSF, Inc.)  
 PO Box 9351  
 Daytona Beach, Florida 32120-9351

(386) 239-0948 Telephone  
 (386) 290-8443 Cellular

Sunday, September 14, 2014 AOL: DSF2009





**Comments and notes received during the data, assessment, and review for SEDAR 25**

**SEDAR25-RW01**

**Date Submitted: 5 May 2011**



To Whom It May Concern:

I am a 65 year old charter head boat fishing captain. I have fished many different boats in the south Atlantic area off Daytona since 1964. Today, I am the captain of the 125 passenger head boat Pastime Princess out of New Smyrna. On an almost daily bases, the passengers are catching between 1000 and 2000 Black Sea Bass plus other variety of fish., From all my years of fishing experience the Sea Bass are more plentiful now than ever before. We do not target the Sea Bass because of the inability to keep these fish, however, the fish are so abundant that each fishing spot we arrive on has a plethora of Sea Bass biting our hooks.

Your scientist have stated that the Sea Bass Population was much greater in the 1980's than today's population. I have to take exception to this data and would like to be informed of the captains and the name of the boats that this information was gathered from during that time. I was never made aware of or given any log books to record my catches in the 1980's and I know of no other captains who were recording catches before 1992.

Each day of fishing, all the captains are in radio contact comparing their catches and discussing the temperament of different fishing spots. To the man, each one of us say, "The Sea Bass are here and they are very abundant"!

Respectfully,

Captain George Locke

1883 Magnolia Av.

South Daytona, Fl. 32119

(386)547-8478

05/04/11

Wednesday May 18, 2011

## Issues for discussion with Index WG Report

Jimmy Hull, fisherman / SEDAR 25 Panelist

These comments are specific to the Report Cards recommended-for-use indexes but could apply in general to the other black sea bass indexes

1. The SA stock boundaries are from Cape Hatteras to south Florida. At the beginning it was pointed out that the landings and biological life history information suggest the stock might not respond as a single unit to fishing and to management measures. This issue is still unresolved.
2. Pooling: In general the indexes and modeling use the assumption that there is a single, completely mixed stock for the entire area. The suggested alternative is that the areas north and south of the South Carolina-Georgia border (approx. 32° N.) should be assessed separately. No attempt has been made to test which better describes the situation. This needs to be done where possible.
3. The indices do not consider interactions. Interaction are either ignored or said to not be considered because of confidentiality issues. If confidentiality is a concern it should be specific as in the past data have been combined to avoid the issue. For example, landings data have been reported with Georgia and Florida combined. There are no confidentiality issues with the MARMAP chevron trap data.
4. The available data are in almost all cases too uncertain to allow accurate comparisons among areas. The exceptions are the headboat index and the MARMAP chevron trap index. The headboat index indicates a significant difference existed between the northern and southern area that still needs to be explained.
5. The Headboat Report Card states:

### *Justification for Working Group Recommendation*

The black sea bass headboat index was included in the 2005 update of the SEDAR 2 benchmark assessment. There were some filters applied to the data input to improve the quality of the data input to the model. These changes were approved by the group as improvements to the resulting index. No issues were raised that prevented the working group from including the black sea bass headboat logbook index as input to the SEDAR 25 assessment model. The SEDAR 25 DW panel ranked the headboat logbook index second to the MARMAP Chevron Trap index and

deferred the method to scale the CVs to reflect model and process error to the SEDAR 25 AW panel.

The fact is that discussion of the area differences was not allowed at Plenary. A proper reporting for the audio tape needs to be provided.

6. The MARMAP Chevron trap Index uses numbers trapped, which is not the same as weight trapped and the two measures and average weight should be examined for the index.
7. The number of age samples for the MARMAP chevron trap survey was sufficiently numerous for 2009 and 2010 that a statistical comparison of average age between the north and the south areas can be used to test the difference or lack of difference in age structure and recruitment between the two areas for these two years.

Wednesday May 18, 2011

To the SEDAR 25 Panelists,

In this comment you will find a summary of some of my main concerns.

First, my concern after the discovery of the 2005 black sea bass case study Virginia Tech project is twofold. [See SEDAR 25 DW RD-45]<sup>1</sup>

It bears directly on a problem identified during the SEDAR 25 Data Workshop (DW), yet it was written five years back. It should have been addressed then; perhaps it was and there was a research recommendation for next time? I do not think it is unreasonable to expect that at the very least the document could have been offered to the SEDAR 25 panel for their consideration, but that did not happen. Had it been, it might have provided more "traction" to the discussion of the headboat index during the plenary.

The second concern I have is the Dr. Louis Daniel interview from the Virginia Tech study that offered an explanation to the apparent difference in the GA/FL index and the NC/SC index in the early years. It was suggested that this argues for a difference in catchability among the areas. Certainly, the reported landings pre-2005 was very different between the north and south, although we do not have the later numbers. Catchability, maybe so, but that means that abundance is more or less equal in the two areas while catchability managed to decrease many times over only in the north. This cannot not be explained by technological improvements as suggested at the data workshop. I suggest that the hook index could be split and see what it shows. That might be valuable and revealing.

Another explanation might be that the GA/FL fish were depleted in the early years. But how? Who caught them? I think that the more simple explanation is that these fish, as all fishermen well know, become mostly stay-at-homes after they are a year or so old, except for a major inshore movement during spawning. Also, they were targeted more up north than down south, so the abundance up north declined faster than down south. That in turn means that the quotas need to be area adjusted and I suggested that to the DW that two management units should be considered. Also, does the model account for density compensation for when the stock was fished down to low levels off of the Carolinas?

There is another part to this problem. It has been mentioned the value of fishery independent data. We do have fishery independent data: MARMAP. These may not be highly prized but they can be used to look at the question of one or two management units. There are enough MARMAP age samples for 2009 and 2010 available to allow for a good comparison of the age structure between the two areas. So if MARMAP fishery independent chevron trap data is correct, then there should be no statistical difference in the average age between the two areas in 2009 or in 2010. I divided the area at 32° N on the suggestion of MARMAP. This simple comparison indicates there are differences for both years. The majority of MARMAP and Headboat samples and data were taken from NC and SC, and do not reflect the black sea bass stock off Florida.

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<sup>1</sup> <http://www.sefsc.noaa.gov/sedar/download/SEDAR25-RD45%20Camblos%20et%20al%202005.pdf?id=DOCUMENT>

I realize that recommending two management units is easy to do. However, doing it is another matter. First, there is the resistance from SEDAR leadership that was voiced during the meeting to any consideration of changes to this "standard" assessment. My concern with it is that after five years we were looking for a full benchmark assessment as recommended by the previous black sea bass assessment panel in 2005, but instead the stakeholders get to be the first experiment for a "new" type of standard assessment, which is simply a glorified update that lacks real flexibility. Second, there is the amount of work that would have to be done to re-do the indices and re-age the catches to prepare the AW panel for a split assessment. On the other hand, if the fish in the north and in the south do not react in the same way to the fisheries exploitation and they are separated in distance enough that recruitment success may not coincide equally in the two areas, managing the stock as a single unit seems to be riskier than managing as two units.

Furthermore, does the computer model know the following; that black sea bass live out to 300 feet of water and that the stock south of Brunswick, GA does not get fished beyond 120 feet because of the current. Just ask MARMAP about fishing in the Gulf Stream current, it is almost impossible and they do not have the time or funds to wait until the current slows or stops for a few hours in those offshore depths. That is why most of the MARMAP samples are done in the northern area. The area between Savannah and Jacksonville is basically unfished by the commercial sector for black sea bass (the pot fishery has only evolved recently) and the area has very little pressure from the headboat sector.

Of the 3 million acres of hard, "live bottom" outside of 88 feet of depth, nearly all of it holds black sea bass. Also, black sea bass do not need hard bottom to live. They do inhabit the sand fringes as shown by the results of the trawl survey discussed at the indices work group. And in fact most of the stock never gets targeted outside of 120 feet of water. There is no way to calculate the total biomass and the prolific magnitude of this black sea bass stock from just landings data whether it is fisheries independent or fisheries dependent alone.

The decline in headboat landings in the index from the early years has absolutely nothing to do with the overall abundance of black sea bass in the entire region. Instead it had more to do with the headboat mates being paid to fill out the daily logbooks, sometimes after falling behind a month or two with those daily reports. Even worse, new mates not on previous trips sometimes filled out the daily logs for those past events. This fact is based on local knowledge from several active headboat captains who have fished since before this survey began and knew that the logbooks in those early years were unreliable as per the reported catch. Targeting of species like red snapper, gray snapper, vermilion snapper, amberjack, triggerfish, grunts and other fish species further complicated the ability of the mates, coupled with tending to large numbers of customers, made it nearly impossible to accurately fill out the daily landing log, particularly when they were weeks behind. North Florida participated in the survey beginning in the later 1970's and so any information from the headboat index prior to 1986 should not be used at all or should be weighted to effectively show the lack of reliability as a model input. Almost all headboats in the early period for black sea bass fished inside of 30 miles and still do today. The black sea bass stock has a range out to 100 miles in some areas (Savannah to Jacksonville) out to depths of 300 feet. The area inside of 30 miles is the area that has the most fishing pressure across time in the southern region.

The unreliable nature of the MRFSS data from 1981-1985, a period where duplicated headboat landings were contained and subsequently removed during the SEDAR 25 DW may be an issue that needs further examination. The MRFSS data from 1981-1985 was worked up but was not included for use in plenary for the SEDAR 25 DW. This further convolutes the historical catch from before 1986 since those years were deemed unreliable in the MRFSS data set for black sea bass. The idea of discarding 20% to 50% of black sea bass with no size limits to begin with nor any bag limits during that time period are unrealistically high discard rates.

I believe that many of the indices are wrong in that they have significant statistical interactions that need to be explained. However, the hook and line and trap indices claim that interactions cannot be examined due to confidentiality issues. The interaction problem for the headboat index you are well aware of, but the score card says that the index received high marks and had been recommended in plenary without any dissent. I disagree. I dissented loudly. The MARMAP chevron trap index has an interaction that can be explored without stepping on confidentiality issues since there are none. I believe this interaction should be explored. Concerns over the headboat index, plus the recreational discard issues that were raised need to be brought back before the panel for new considerations. Or better yet convene a full benchmark data workshop, followed by a full benchmark assessment workshop.

I believe all of the issues above need to be reviewed and presented to the DW and possibly the AW for review and consideration so we can produce the most accurate assessment of the black sea bass stock possible to produce the best available science and then have the optimum yield for the coastal communities that rely on this resource for their existence. I think that with the greater participation between fishermen and scientists we are having a better understanding of how to produce accurate stock assessments that reflect reality. However, if industry goes through the effort to hire scientists, they need to be on the data and assessment workshop panels. It is unfair to the stakeholders to not allow this request. I very much appreciate your response and interest to my concerns.

Jimmy Hull  
Fisherman/SEDAR 25 Panelist



Tuesday May 24, 2011

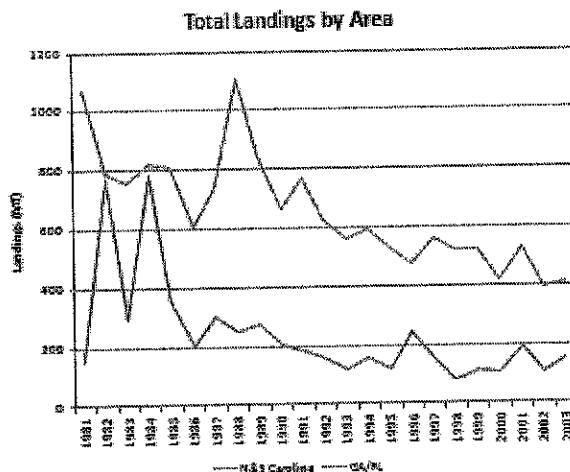
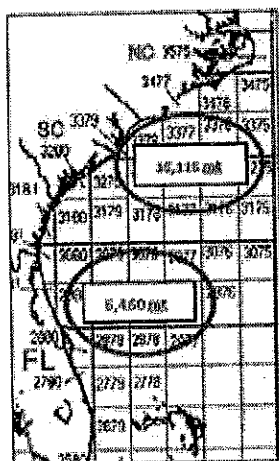
To: SEDAR 25 Panelists & Dr. Erik Williams (EW) May 20, 2011 email questions to Jimmy Hull (JH), responses back to EW.

EW: (1) In your item 1. you state "landings and biological life history information suggest the stock might not respond as a single unit to fishing and to management measures." Specifically what data do you think supports your notion and how does it relate to the known population dynamics of black sea bass?

JH: This "notion" was based on the previous SEDAR assessments that indicated from tagging data that showed there was no evidence for coastwise migrations and the landings data (only available through 2003) that showed that most of the landings were from the two northern states. To me the question was: is there enough movement by the fish to equalize abundance north and south fast enough for effective management as a single management unit.

I raised the question in my Power Point presentation to the group at our first webinar.

## Distribution of Landings 1981-2003



EW: (2) In your item 2. you suggest "No attempt has been made to test which better describes the situation", the situation being your notion of separate North and South stocks. What is the scientific/data evidence for this split? Specifically what "test" do you propose beyond the genetic test that was completed?

JH: I never suggested that the split was to be based on genetic differences.

The analysts were acting on the assumption that there was complete and rapid interchange through coastal migration when in reality the fishermen know that there is little coastwise movement for BSB. The assumption of a single management unit has never been tested and should be.

The way the data have been assembled, aggregated, do not allow for such testing. That is why I asked that the data be kept separated by area so that some testing might take place. However, the actual data (age data for instance) are so scant that uncertainty will be very large.

As it turns out the Life history Group did look at some biological parameters for age and growth and did find some differences between areas. Also, MARMAP collected a large number of otoliths samples for ageing for 2009 and 2010. These numbers are large enough to allow a meaningful statistical comparison between the age distribution of fish in the northern area and those in the southern area. Since these are MARMAP data MARMAP people should have the opportunity to do the analysis for the DW. However, preliminary testing as I stated in my posts indicates that a significant difference in age structure exists between north and south with a geographical division at 32° N. Moreover, the fishermen report an increased abundance of fish in 2009 that I did not see in my area off Florida. The MARMAP data indicate what appears to be a strong year class in 2009 and 2010 in the north, and not in the south. Taken together I think the assumption of a single uniform pool of fish for the SA is not supported by the science.

[See comparison pasted below for 2009-2010 MARMAP data from both areas using 32 degrees North latitude as dividing line]

### Results for: 2010

#### Two-Sample T-Test and CI: Calendar Age, Region

Two-sample T for Calendar Age

Region	N	Mean	St Dev	SE Mean
North	957	3.20	1.19	0.039
South	692	3.01	1.04	0.039

Difference =  $\mu$  (North) -  $\mu$  (South)

Estimate for difference: 0.185131

95% CI for difference: (0.077003, 0.293259)

T-Test of difference = 0 (vs not =): T-Value = 3.36 P-Value = 0.001 DF = 1592

### Results for: 2009

#### Two-Sample T-Test and CI: Calendar Age, Region

Two-sample T for Calendar Age

Region	N	Mean	St Dev	SE Mean
North	611	2.70	1.19	0.048
South	129	3.30	1.27	0.11

Difference =  $\mu$  (North) -  $\mu$  (South)

Estimate for difference: -0.598561

95% CI for difference: (-0.839294, -0.357828)

T-Test of difference = 0 (vs not =): T-Value = -4.91 P-Value = 0.000 DF = 178

EW: (3) In your item 3. you mention "interactions." Please be more specific here, because I am confused as to what is being referenced here. Specifically what interactions?

**JH:** My concern with interactions is twofold. First is the issue is there a division between the North and South and I did not think that in the analysis presented for the indices that any attempt has been made to explain why area effects appear to be highly significant. Second, interactions themselves do not seem to have been examined in many instances. For example, in the index scorecards notations such as 3A to E could not be included due to confidentiality concerns occur. Since these items are quite specific to the question of area differences it would be interesting to know what confidentiality issues are involved. Further, in the scorecards, in many instances any questions of interactions seem to be avoided. And in the case where significant interactions do occur in the working papers the cause for the interaction and its effect on the main effects are not investigated.

**EW:** (4) In your item 4. you state that "the available data are in almost all cases too uncertain." Specifically what data are you referencing here? And, what is meant by "too uncertain"? Certainly we have uncertainty in our data, all data have uncertainty at some level. Are you suggesting some data have too much to be used? If so, specifically what data and how are you defining "too uncertain"?

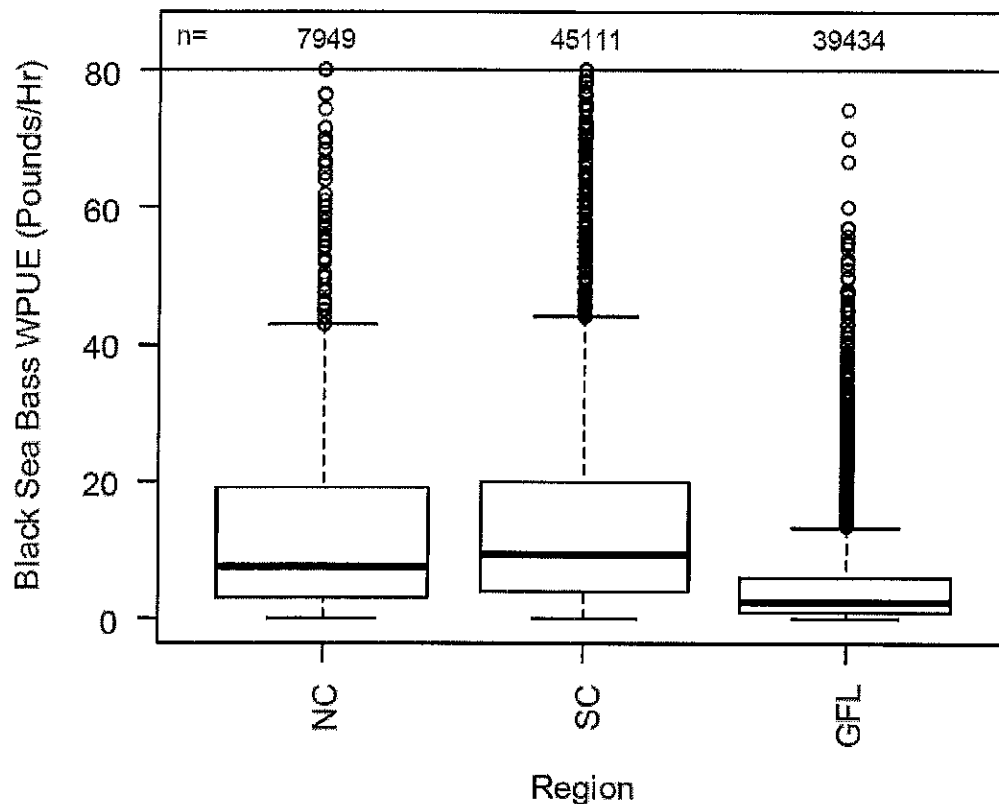
**JH:** As I mentioned above, much of the data such as length frequencies and ages are too few to allow meaningful statistical comparisons by area with in any year. Since this issue seems to me of paramount importance and since the data are inadequate to properly address the issue I feel that the available data are in many cases quite too uncertain.

**EW:** (5) In your item 5. you state "the headboat index indicates a significant difference existed between the northern and southern area." Specifically what data are you basing this statement on? And, what difference are you referring to?

**JH:** I am referring to the differences between the north and the south as illustrated in figure 5 from S 25-DW 14 revised. [See Below for Figure 5]

SEDAR25-DW-14

Figure 5. WPUE of black sea bass by region.



EW: (6) In your items 6 and 7, you are suggesting some alternate ways of analyzing or handling certain data sources. This is fine, I would just ask that you consider how your suggestions would be put in the model, being mindful that this is a standard assessment set up by the SAFMC (beyond the panel's control).

JH: It is not beyond the panels control to test the one unit two unit issues. Nor is it beyond the panel's control to recommend to the AW that they might consider two management units. If they did of course this would require two models one for the north and one for the south. The importance is that we want to know if there is a single group of BSB from VA to Key West that reacts annually as a unit to fishing mortality and recruitment from a singled SSB, or if there is a difference because the fish do not migrate north and south and there are two groups that should be assessed separately. There does seem to be a natural geographic division at 32 degrees where the bottom topography and possibly composition change. This question is being avoided and should be addressed.

EW: (7) Your second concern makes several assertions that I would be interested in understanding the basis for. Dr. Daniel's comment appears to be about angler skill, rather than about geography. Can you point to some specific data to provide evidence for your assertions?

**JH:** Dr. Daniel makes many points as to why the Head boat survey should not be used. He states that in the 1970's and 1980's the head boats in N.C. were fishing with electric reels and commercial fishermen were using the head boats as a platform. Furthermore I know that the crews working on headboats on a normal for hire trip would sell their catch to the fish market. I own a fish market and that was a major source of product. I use to deal with dozens of fisherman who sold me their catch while riding on headboats. Any of the fish caught by paying customers left behind were also sold and divided between crew. Everyone in the fishing industry from the 1980's back who was a headboat/for-hire/commercial fisherman fished with no limits and no requirement for a reef fish permit to sell your catch the incentive was to catch as much as possible and sell it. What he states about NC was true for Florida also. In 1983 with the start of management and size limits and regulations this headboat/commercial method of operation changed. I believe that the head boat index from before the mid 1980's cannot be compared with the headboat index since the mid-1980's because of these reasons and many more.

*Dr. Louis Daniel quotes:*

*"... In an abundance index, you need to be consistent; you now you've got to be consistent in the way that you collect your information. ... So over the course from 75 to 05, you've had this huge change in the headboat industry. But yet the index is treated as if nothing's ever changed. The index treats it as if the catch per angler hour of 1975 is comparable to what it was in 2005." "... So that's what's happened with the headboat index and why you see this dramatic decline and you talk to any of the headboat guys, and they'll tell you, 'you know the clientele has changed dramatically.'"*

**Dr. Daniel argues that in the late 1970's and early 1980's, commercial fishermen would use the headboats to catch fish. Commercial fishermen were very skilled at finding and landing fish because of their experience. In the past, the fishermen were also allowed to use electric reels, which allowed the fishermen to haul up fish far more quickly. Dr. Daniel's argument is that they caught far more in the past than typical recreational fishermen do now aboard a headboat. After a time, the licensing was changed and this practice ended. Dr. Daniel claims that this practice and its abrupt end account for the sharp decline in the headboat index rather than an actual decline in the fish population.**

**The SEDAR 25 coordinator by email shared the following information with me on May 04, 2011;**  
*"Catch per unit effort can change over time for reasons other than abundance, which is one reason fishery independent abundance indices are often preferred (some catchability variables are easier to control in a designed survey). It's possible that the headboat index will never reach previous levels if fishing practices have changed, even as biomass reaches target levels."*

**I agree with the quotes I have provided as a response to question 8.**

EW: (8) In your last paragraph on pg. 1, last sentence, did you mean to include headboat data in that statement? If so, what data are you basing this statement on?

**JH:** Yes, I believe the head boat data from the mid 1980's back was from NC and SC this was discussed at DW indices group. From what I have learned from the head boat Captains (experts) who were

**operating from the early years of the index and still are today is astonishing and is more evidence as to the incorrect unreliable, unusable data from the 80s back in this index.**

**Please read statements pasted below titled "Headboat Experts Comment Section".**

EW: (9) pg. 2, 3rd paragraph, last sentence. Criticism of how assessments are done or what is being calculated should be supported by an alternative. What alternative means do you propose for this stock assessment?

**JH: We have produced 9 indices of abundance at SEDAR 25 DW all of these are full of uncertainty and have their own individual faults. However as a whole they could provide a better picture of the BSB biomass. My criticism is that the choice of only using 2 indices in the base run is a mistake and however the modeler does it, that all of the indices should be used. Each index provides a different method of sampling the stock. By themselves are weak but together stronger and more believable. Since SEDAR 15 the credibility of reef fish stock assessments produced by SEDAR to the fisherman and industry stake holders is at an all time low. I believe that if we use all the indices and data produced in the assessment the accuracy, believability and credibility will rise.**

**Of the 3 million acres of hard, "live bottom" outside of 88 feet of depth, nearly all of it holds black sea bass. Also, black sea bass do not need hard bottom to live. They do inhabit the sand fringes as shown by the results of the trawl survey discussed at the indices work group. And in fact most of the stock never gets targeted outside of 120 feet of water. There is no way to calculate the total biomass and the prolific magnitude of this black sea bass stock from just landings data whether it is fisheries independent or fisheries dependent alone.**

EW: (10) pg. 2, last paragraph. Please provide some specific data to support your assertions in this paragraph.

**JH: The decline in headboat landings in the index from the early years has absolutely nothing to do with the overall abundance of black sea bass in the entire region. Instead it had more to do with the headboat mates being paid to fill out the daily logbooks, sometimes after falling behind a month or two with those daily reports. Even worse, new mates not on previous trips sometimes filled out the daily logs for those past events. This fact is based on local knowledge from several active headboat captains who have fished since before this survey began and knew that the logbooks in those early years were unreliable as per the reported catch.**

**Please read statements pasted below titled "Headboat Experts Comment Section".**

EW: (11) pg. 2, last paragraph. As FL has been reporting since the 1970s, why did you choose 1986 as a proposed start date for the headboat index?

**JH: The Snapper Grouper FMP was effective August 31, 1982 and it took during the next several years for fisherman to begin to realize the importance of reporting data accurately and on time. Also the state and federal government started mandating reporting as a requirement of obtaining permits and licenses such as the Florida trip ticket system from the mid-1980's. I chose 1986 as a proposed start date since reality began to set in, but during the early 1990's when I saw most user groups become better monitored as was the case when commercial logbooks being mandated that may prove to be a better start date yet. As you have read from the statements of the head boat experts, daily reporting was not taken seriously prior to mid 1980's. And if and when it was reported the data was guess work**

at best. I believe that from the mid 1980's until today the accuracy and reliability of data has been improving and the method of fishing operation has stayed the same. After learning how the reporting was done from reading the statements from the headboat captains of the time you may want to move the start date into the 1990's.

The entire SEDAR 25 panel needs to see and please read statements pasted below titled "Headboat Experts Comment Section".

Furthermore, the MRFSS had headboat data included from 1981-1985 in the database that had to be removed during SEDAR 25 DW. The MRFSS had and lost their 1979 & 1980 data I learned that was used in early analysis of landings but not in the SEDAR 25 DW. The MRFSS discard levels of black sea bass with no minimum size limits for some of the years and no bag limits for all these early years made the remaining MRFSS data from 1981-1985 unreliable according to the SEDAR 25 data workshop recreational working group. These type of issues create red flags about potentially "fatally flawed" MRFSS data being used in assessments as reported recently.

In the April 1997 original Atlantic red snapper stock assessment final report by Manooch et al, is a statement about MRFSS data from 1986-1995 in the following quote which raises more issues;

*"Using 1986-1995 data, we found that recreational (MRFSS) landings were frequently not as often sampled as they should have been. Samples were inadequate for 1989, 1990, 1991, 1992, and 1993. They were essentially inadequate for 1994, therefore six of the 10 years evaluated (Table 3). The problem identified here for red snapper probably holds true for other species of reef fish as well. Conversely, headboat and commercial landings were sampled sufficiently for stock descriptive purposes."*

The maximum age of black sea bass was increased during SEDAR 25 from age 10 to age 11. Basically speaking with a 2010 terminal year, all the oldest black sea bass alive today were age zero from 1999 or more recently. The youngest black sea bass from 1986 that lived to age 11 were dead by 1997.

Most MRFSS data, headboat data and commercial data become more reliable by the mid-1990's and catch trends tend to be pretty close to each other. I still have a very tough time with the MRFSS discard levels for black sea bass when bag limits were not required before February 1999, which is also when the minimum size was raised from 8 inches to 10 inches. No bag limits and the 8 inch minimum sizes since August 1982 (and we rarely ever saw a black sea bass under 8 inches) did not create a climate for massive discards on charter and private recreational boats. Virtually all black sea bass from the recreational fleet were retained for consumption since the 1970's. On headboats they were common stringer fish that were either filleted for the passenger or were sold by the captain and crew. The charter boats and some private boats also sold their catch of black sea bass.

Please read statements pasted below titled "Headboat Experts Comment Section".

Last, the partially documented impacts of the fish trawl fleet that fished from NC to central Florida caused quite an impact beginning in the late 1970's until 12 January 1989 when they were banned from Cape Hatteras, NC to Cape Canaveral, FL. The "live bottom" got tore up it was documented in earlier SAFMC FMP amendments that led to the ban and took some unknown time for the "live bottom" to regenerate from that damage. How is that interaction qualified in the modeling across those years the fishery existed?

EW: (12) pg. 3, 2nd paragraph. What "interaction problem(s)" are being referenced here? Need more specifics to properly address your concerns.

**JH:** In these CPUE analyses the model looks at what are called the main effects such as year, area, number of hooks, vessel size, etc. The ones that have significant effect on the model result - usually contribute more than 5% - get included in the model. However, the main effects may also influence each other. That is they interact. Thus the area fished and the year may interact. If that interaction results in a significant change in the model results it should be examined to see what is happening. But instead, the index has ignored these interactions, some of which were as significant as the main effects. That is what has happened with the HB index and the vertical line index and probably most of the others.

The task of the DW is to provide the AW with advice on what is the best available scientific data to use in the assessment. My concern is that this is not being done.

- The question of area differences has not been addressed.
- The validity of pooling all the data from Virginia to south Florida is not established
- The problems with the data in the early years (in general before 1990) is not reported.
- In particular the early headboat data reporting problem is not considered.
- The use of MRFFS discard estimates for years when there were no appreciable discards is accepted without any scientific support being offered.
- No honest appraisal of the value of the early landings data has been given by the DW.

I believe that many of the indices are wrong in that they have significant statistical interactions that need to be explained. However, the hook and line and trap indices claim that interactions cannot be examined due to confidentiality issues. The interaction problem for the headboat index you are well aware of, but the score card says that the index received high marks and had been recommended in plenary without any dissent. I disagree. I dissented loudly. The MARMAP chevron trap index has an interaction that can be explored without stepping on confidentiality issues since there are none. I believe this interaction should be explored.

All of the concerns I have raised above, including the headboat index, plus the recreational discard issues need to be brought back before the panel for new considerations. Or better yet convene a full benchmark data workshop, followed by a full benchmark assessment workshop to work out the data and assumption problems that now exist with SEDAR 25.

Jimmy Hull, Fisherman and SEDAR 25 Panelist



**"HEADBOAT EXPERTS COMMENT SECTION"**

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05/04/11

To Whom It May Concern:

I am a 65 year old charter head boat fishing captain. I have fished many different boats in the south Atlantic area off Daytona since 1964. Today, I am the captain of the 125 passenger head boat Pastime Princess out of New Smyrna. On an almost daily bases, the passengers are catching between 1000 and 2000 Black Sea Bass plus other variety of fish., From all my years of fishing experience the Sea Bass are more plentiful now than ever before. We do not target the Sea Bass because of the inability to keep these fish, however, the fish are so abundant that each fishing spot we arrive on has a plethora of Sea Bass biting our hooks.

Your scientist have stated that the Sea Bass Population was much greater in the 1980's than today's population. I have to take exception to this data and would like to be informed of the captains and the name of the boats that this information was gathered from during that time. I was never made aware of or given any log books to record my catches in the 1980's and I know of no other captains who were recording catches before 1992.

Each day of fishing, all the captains are in radio contact comparing their catches and discussing the temperament of different fishing spots. To the man, each one of us say, "The Sea Bass are here and they are very abundant"!

Respectfully,

Captain George Locke  
1883 Magnolia Av.  
South Daytona, Fl. 32119  
(386)547-8478

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5/15/11

To: SEDAR 25 Assessment Panel

My name is Captain Paul Nelson II and I have been fishing northeast Florida since 1955 and mostly on headboats from 1968 to 2009. I worked from 1971 to 2009 aboard the headboats out of the Critter fleet dock in Ponce Inlet.

The data sheets that were filled out starting in the late 1970's were not taken very seriously at first. In fact it was common practice to fill out sheets weeks and even months after trips had taken place. This fact should be given careful consideration as far as it being used to create information about sea bass before the 1990's.

As regulations came into effect in the late 1980's and 1990's the information was taken more seriously and I would say became much more credible.

Thank you,

Captain Paul Nelson II 386-767-0745

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5/16/11

To: SEDAR 25 Assessment Panel

My name is Captain Bob Stone and I have been fishing northeast Florida since the 1940's beginning with my father the late Captain Jake Stone. The majority of my experience is aboard for-hire headboats out of Ponce Inlet and I currently run a charter boat. From 1973 to the early 1990's I was the captain aboard the various Critter Fleet headboats. During this time there were data sheets that were supposed to be filled out each trip by the first mate or captain. Unfortunately, these sheets were not taken seriously at all and I have firsthand knowledge of mates filling them out who were not even aboard the day that the trip took place. In fact, it was very common practice to fall behind by a month or more and then fill them out all at once, making up landings from 3-4 weeks prior to filling out the report. There should be no credibility given to these early data sheets, as the information contained in them was gathered in a suspect manner.

Thank you,

Captain Bob Stone      386-767-3041

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CAPT. STACY IV, INC.  
CAPT. STACY VII, INC.  
CAPT. STACY FISHING CENTER  
416 ATLANTIC BEACH CAUSEWAY  
ATLANTIC BEACH, NC 28512  
800.533.9417

May 18, 2011

TO WHOM IT MAY CONCERN,

This letter is in reference to the Black Sea Bass Fishery.

I have been in the headboat, charter, and commercial fishery for over 50 years.

On the headboat from the early sixties to the mid eighties we used electric reels and targeted the offshore deep water bottom species of the South Atlantic. These fish included Red snapper, Grouper, Trigger Fish, Vermilion Snapper, and Silver Snapper.

It was not feasible to fish inshore because our customers wanted deep water fish. We did not target Black Sea Bass.

After regulations started to get tighter we took the electric reels off and started to fish

More inshore bottom and target the Black Sea Bass. I have seen an increase in the size and number of sea bass coming to shore.

The Black Sea Bass is our main target species for our half day trips and when

The snapper and grouper season is closed it gets us through that season.

Since the recent closure of the Sea Bass fishery our half day business has been cut by 75%. This is a loss that cannot be made up. We still have boat payments, insurance, repairs and maintenance, dock rent and not to mention the lost income to our employees.

Capt." Sonny Davis"

Capt. Leslie Maurice Davis Sr.

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From: captgeorgejr@pastimeprincess.com  
Sent: 5/20/2011 2:12:24 P.M. Eastern Daylight Time  
Subj: Re: Black sea bass questions

*"We have found that in many cases the daily reports were filled out by crew members rather than the captain and that they sometimes did not get filled out for weeks if not months, and then the crew would try to catch up from memory. In some cases the mate filling out the material may not have made some of the earlier trips but still filled out a report. "*

That is a 100% accurate statement based on my 5 years here on the East coast of Florida running a headboat.

Captain George Richford  
Pastime Princess  
New Smyrna Beach, Florida

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Subject: Re: Black sea bass questions  
Date: 5/20/2011 11:11:20 P.M. Eastern Daylight Time  
From: [fishzack@comcast.net](mailto:fishzack@comcast.net)

The one point that I would like to make is that for charter/head boats off Georgia, I don't feel the discard percentages are even close to being accurate because of the way we fish. When we pull up on a reef to catch sea bass, the bigger ones usually bite first and when the size of the fish goes down we move to another reef to keep from 'killing' the reef. Therefore the discards are very low and sometimes even zero.

Again, just my thoughts and I hope this helps.

Zack Bowen

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Subject: Re: Headboats and black sea bass  
Date: 5/20/2011 11:13:22 P.M. Eastern Daylight Time  
From: [ocpolk@bellsouth.net](mailto:ocpolk@bellsouth.net)

Hi, my name is O.C. Polk I have fished the coast of S.C. since 1968, both on private and worked headboats. My first head-boat was the Gulfstream II out of Shem Creek Mt. Pleasant in 1969. I worked as a mate then in 1975 as Captain aboard it and later in the 80's on the Carolina Clipper. The vessels were licensed for 49 and 65 persons. While in the early days we caught lots of fish, there was no survey or paper work that I remember filing out. We either did not bother or were not approached to do so. In the 80's at some point it became part of the permit process to fill those reports out, they were due monthly and it was usually up to the mate to fill them, sometimes weeks later or the end of the month before they were done. They were thought of as a bother and were not a very accurate catch record. When limits were put on the different fish the owner/ captain wanted the maximum allowed fish per person to be recorded. Easy book keeping but not a true sample of the catch. I hope this info will help if you have any questions feel free to call or mail me.  
O.C. 843. 718. 8793

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Sent: 5/23/2011 12:42:20 P.M. Eastern Daylight Time  
Subj: Boat Statement Captain George Strate

I ran a party boat for the Navy from 1973 to 1979. During this time I never filled out catch records. I started running the Miss Mayport in 1979. I never filled out catch records until 1983. They would pay us one dollar per sheet. I let my crew fill them out and give them the money. Sometimes they would go weeks then fill them out. Many other Captains did the same thing. Several years ago a new NMFS representative was inconsistent in collecting the headboat survey records, sometimes waiting for over two months. I heard he left the NMFS for another job a few years ago. So we would sometimes go months before filling them out. Now we have a new guy who comes once a week. My records are filled out by myself every day. We feel that the headboat catch records are correct now during the past two years. During this transition phase of employees the NMFS representatives supervisor called me and checked the veracity of dates of when the headboat had been fishing. I told them that the several dates asked about were days the headboat was at the dock and did not go fishing.

Captain George Strate 904-821-1301

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May 23, 2011

To: SEDAR Assessment and Data Workshop Panelists

My name is Captain Lee Carver and I have been running headboats since 1979 from Ponce Inlet, Florida. From 1979 to 1985 I was the captain with the Snow White headboat fleet. Between 1985 and 1998 I operated miscellaneous headboats, and charter boats. From 1998-2011, I have been a captain with the Critter Fleet, which operates large headboats out of Ponce Inlet.

During my time I operated headboats my crew was tasked with filling out the headboat daily logbook surveys. In the earlier years the crew got paid a small amount for each logbook sheet filled out. Commonly they would wait several weeks before filling out the daily logbook sheets. They would fill in the days fishing by actual date, but their memory of what was really caught each day was not accurate.

More recently the headboat observer program was implemented. Florida state employees funded by the National Marine Fisheries Service (NMFS) would take a trip on my headboat about once a month. As an observer they do an accurate job.

For many years other NMFS representatives were responsible on a regular basis (at least once a month or more) for meeting the headboats upon return to the dock. Their job was to take biological samples (otoliths etc.) from the fish species landed, measure the fish sampled and collect the headboat daily logbook sheets.

Unfortunately the NMFS did not take the samples, measurements and surveys in a timely way as required for several years. During one year in particular the NMFS representative did not even show up for most of the spring and summer season to collect the samples and surveys. I understand the NMFS area for the sampling that includes Ponce Inlet headboats is from Brunswick, Georgia to Sebastian, Florida. Since 2010 the NMFS problem was fixed to gather the samples and survey sheets as required in a timely way.

Because of the voluntary nature of the headboat survey in the early years and the recent failures of the NMFS to collect samples and the logbooks in a timely way, I feel very troubled by the headboat information being used for the black sea bass stock assessment. Parts of the headboat survey were inaccurate in how the logbooks were filled out and the NMFS failures described above caused serious problems.

Black sea bass fishing in recent years has been as good or better than I have ever seen since I began running headboats.

Captain Lee Carver  
386-299-1679

Re: Black sea bass questions

Subject:

Date: 5/23/2011 4:14:40 P.M. Eastern Daylight Time

From: [steveamicks@aol.com](mailto:steveamicks@aol.com)

Before 1992 I was not required to fill out daily log books since i was only fishing groups of 6 and 10. Although i did keep logs for my personal use.

But starting in 1992 i started running my 20 passenger trips and started the daily fishing log sheets. My routine was to fill out my fishing log daily and then transfer the data to the headboat sheets and send them in to NMFS.

My log sheets are very accurate as far as fish kept due needing to know what went into the fish box because of the bag limits. However as far as the discards of blackseabass there is no way to keep an accurate count of what is being released. I cant do it on a small headboat with 10 to 20 anglers on it. In fact on my reporting i do write in the discard column for blackseabass i write "MANY". It is unscientific but its the best i can do.

As far as carrying observers, yes i have, but only in recent years. And at a rate of perhaps 5 to 6 times a year. Mostly since we had started working on red snapper. We have a good working relationship with Ga. DNR. IN fact we had an observer on the boat this week

As far as accuracy of what an observer is recording is questionable. I have been counting fish for many years and i am not sure that an observer sees the same thing i do on the same trip with a small group of anglers. I will give you an example. I asked the observer on this last trip how many vermillion snapper did we release today with 10 anglers fishing and his response was that he felt that 5 of the anglers released 3 to 5 vs a piece. so he thought we released about 25 vs. I was surprised that he had not counted all of them and he said well no we observe only the anglers that are closet and than use expansion to figure out how many were actually released!!!!

This is with 10 anglers. and i was thinking we released as many as we kept which was 50. Imagine the accuracy when trying to count discards with 40 to 50 anglers.

So accuracy is questionable at best under the best of conditions. More so in the early years than now. I have not studied my fishing logs as far as blackseabass goes like i did with red snapper, but in general terms i feel it safe to say that as far as numbers of blackseabass we were catching off georgia thru the 90,s it was pretty strong. But we did see numbers drop after say 2000 and on. Until the recent increase the last few seasons. This is just seat of the pants comments because i havent looked at it closely

So it surprises me that blackseabass supposedly crashed in 1992?

i hope this helps and if you have any further questions that you think of please let me  
thanks steve

Wednesday May 04, 2011

Dear Kari:

We have been having trouble with some of the Terms of Reference for the black sea bass assessment. We do not think we have properly addressed them. They are item 1.) Reviews stock structure and unit stock definitions and consider whether changes are required and 4.) Provide measures of population abundance that are appropriate for the assessment, which includes the available and relevant fishery dependent and independent data sources and the methods and coverage of the sampling and the degree to which the indices represent fishery in population conditions. We list our concerns about these items below, and we ask you to pass this all on to our SEDAR 25 (S25) Data Workshop (DW) panelists for their consideration.

We have checked the FTP site and have not found anything new that address the concerns raised last week on Thursday April 28, 2011 about the Headboat Index. Normally these decisions are suppose to be reached by consensus! It was apparent to most of us hearing the discussion between S25 Panelists and others that the area differences between Georgia/Florida and the two northern states were a serious issue that the plenary was kept from reviewing properly. A few panelists forcefully advocated that the headboat index remain unchanged and be recommended by the S25 DW as the most representative of all the indexes is a wrong choice. The fact is that cutting off discussion and concealing graphs and results from the S25 DW panelists raises questions of transparency with the S25 DW proceedings and the professionalism issues that accompany such choices. We feel that if the additional data and graphs had been shown to the S25 DW panelists for consensus we would have a different headboat index.

The S25 DW Recreational Workgroup should have presented the 1981 to 1985 MRFSS black sea bass landings and percentage discards to the S25 DW in plenary also. The unrealistic nature of the MRFSS results could have triggered a debate about other uncertainties of the MRFSS black sea bass landings and discards in other years, but that slide was pulled out of the plenary presentation. Can you make that slide available on the FTP website?

We were informed that after the S25 DW meeting we obtained the MARMAP chevron trap ages and lengths by area for 2009 and 2010. We did a quick analysis and found that based on these data the age and length structure of black sea bass from the northern area off North and South Carolina is significantly different from the southern area off Georgia and Florida. This is only for 2009 and 2010, but it seems this is something that needs to be considered along with the other information that we received at the data workshop regarding the difference between the headboat index for Florida and Georgia compared with North and South Carolina. We added to that the Life History results showing the differences in the age growth curves for their various areas. We suggest that these differences along with the headboat index matter show that it might be advisable to manage the south Atlantic stock with two management units. At the very least we urge that this matter and the other issues above be considered more carefully by the SEDAR 25 DW panelists before the S25 DW report becomes a final product.

We have checked the FTP site again today and there is nothing new posted effecting our requests so we still do not have commercial or recreational landings numbers which we had asked for several months back from the NMFS SEFSC Miami Lab. Nor have we heard anything about our request for MARMAP chevron trap catches in weights as well as numbers so we will ask again and see if we have better cooperation. Nor have we received the TIP and logbook data we requested from the SEFSC Miami Lab for black sea bass or golden tilefish.

So as you can see there are number of loose ends that we think should be taken care of before the DW Report can be drafted. Most important is the matter of the headboat index and the area differences. We ask again that you pass our concerns on to all of the SEDAR 25 DW panel members for their information and we hope their guidance.

Jimmy Hull and Rusty Hudson, SEDAR 25 DW Panelists

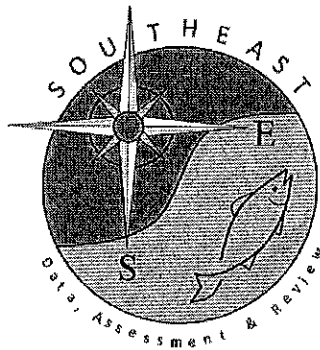
PS: It was our understanding that the proceedings of the workshop in plenary were recorded. Is this correct and if so where is it posted? JH & RH

# **Problems with Headboat Index of Abundance Confounds Use in SEDAR 41 Red Snapper**

David Nelson, Jimmy Hull, and Peter Barile

SEDAR41-DW40

Submitted: 27 August 2014



*This information is distributed solely for the purpose of pre-dissemination peer review. It does not represent and should not be construed to represent any agency determination or policy.*



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## **Problems with Headboat Index of Abundance Confounds Use in SEDAR 41 Red Snapper**

David Nelson, Jimmy Hull and Peter Barile

Southeastern Fisheries Association- East Coast Fisheries Section

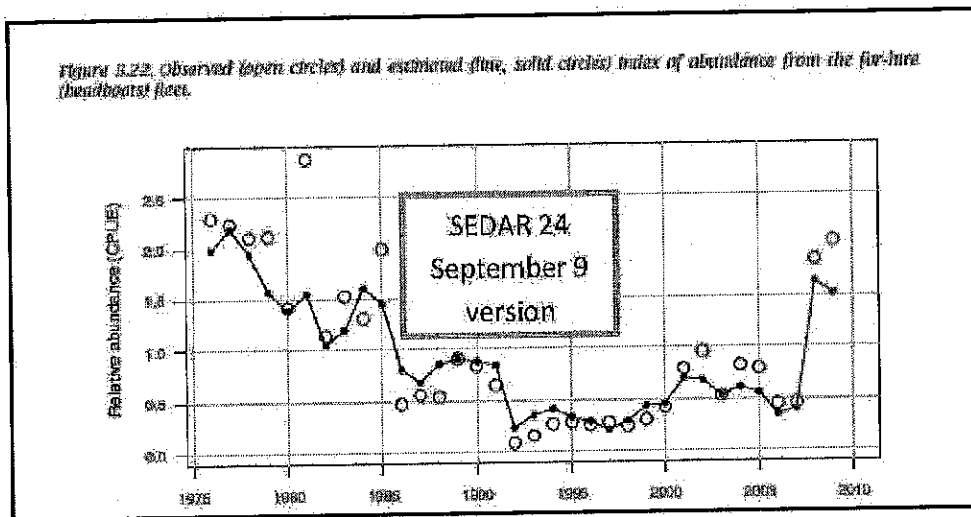
### **Summary**

The data supporting the Southeast Region Headboat Survey (SRHS) from the mid 1970's through the early 1990's was generated using a volunteer survey that is replete with "recall bias." Captains from headboats, during this period, as reported in the attached testimonials, stated that data contributing to the SRHS before the 1990's is not credible; and therefore, we do not recommend the use of pre-1992 HB CPUE data in the development of indices of abundance for use in the Red snapper stock assessment Red snapper in SEDAR 41. Also, we report, below, that drastic regulatory changes in the Red Snapper fishery, in 1992 and 2010, appreciably altered headboat fishing practices, specifically, targeting of species, throughout the SRHS region. These regulatory changes, and subsequent changes in headboat fishing behavior, significantly confound the CPUE indices of abundance for all species from this fishery. In summary, these findings support the use of a SRHS index of abundance in SEDAR 41 Red Snapper only from 1992 to 2009. Future assessments utilizing the SRHS index of abundance must take into account these issues presented, here.

### **A long-term index of abundance with a legacy of "issues"**

The Southeast Region Headboat Survey (SRHS) has been used by the NMFS-SEFSC to establish a long-term fisheries-dependent index of abundance for several important fisheries species in the southeastern United States. Specifically, it has been inappropriately used to assess long-term changes in abundances of Black sea bass, Snowy grouper, and Red snapper in SEDAR 24. While the long-term duration of this index provides a significant temporal indicator of changes in abundance for many fisheries species, it suffers with confounding issues of: 1) veracity of data reported by the fishery to the SEFSC, and 2) changes in fishing behavior in the headboat fishery resulting from a fluctuating "regulatory" environment that confounds CPUE of many species evaluated by this index.

In the early portion of the index (see figure, below), i.e. 1976 to 1991, there is considerable inter-annual variability in CPUE, with high CV's, when "recall bias" was a significant problem in reporting of data (see attached appendix). Specifically, data was "re-collected" by headboat operators, and their crew, and reported to the SEFSC on a volunteer basis where fishermen were literally "paid for their participation" and were not aware that these data would be used as a true scientific metric of abundance of species from this fishery. When these reporting issues were resolved by the early 1990's, annual variability (CVs) of CPUE was markedly reduced. We, therefore, suggest that SEDAR 41 utilize only the portion of the index from 1992 to 2009, when it constituted the "best scientific information available." Alternatively, with the caveats presented here, the headboat CPUE data before 1992 cannot be considered credible CPUE data, when compared relative to the post-1992 CPUE data.



### Headboat Fishing Practices Change with Fishery Regulations

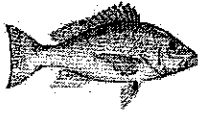
Regulatory changes in state and federal fisheries have caused headboat and commercial captains to change their fishing practices over time. Size limits, trip limits, and fishery closures have had a significant impact on targeting and effort of species in the south Atlantic. In the headboat fishery, the primary objective is to land a significant quantity of desirable fish species for customers. This increases customer satisfaction and therefore supports repeat business opportunity in the fishery. Fisheries regulation that impacted the ability of headboats to land this historically targeted species, Red snapper, then resulted in the targeting of alternative species. This fishing behavior change occurred, in the headboat fishery, industry-wide, as a result of two major rule changes that impacted the headboat fishery for Red snapper in 1992 and 2010. In 1992, the Red snapper size limit was increased to 20 inches and in 2010 the red snapper fishery was closed, and a limited 2-3 weekend fishing season opened in July of 2012, 2013 and 2014.

The 20 inch size limit significantly changed the headboat fishery behavior, as the majority of red snapper caught by headboats before 1992 were under 20 inches (see SEDAR 24). With this change, customers on headboats could land a red snapper under 20 inches, but then it had to be released. This was a frustrating experience for customers who paid money to land fish that should be desirable for consumption. The captain and crew were also impacted by this regulation because gratuity resulting from customer satisfaction and fish cleaning service, offered after the trip, declined when targeting under-sized Red snapper. For all involved in this fishery, customer, captain, and crew, catch and release of Red snapper was a difficult impact to the headboat fishing business. Over the long run the fishery adjusted and adapted by targeting other fish species, but in the near-term (ca. 1992) it drastically changed headboat fishing behavior. This change can be observed in the marked decline in the headboat index of abundance from 1991 to 1992, when Red snapper changed from being a targeted species, to largely a bycatch species- in one year. For this reason, the SRHS index must be split between 1991 and 1992.

Because Red snapper, under 20 inches, were no longer an option to land in this fishery as of 1992, headboats began targeting alternative species, including, but not limited to: Vermilion snapper, Black sea bass, Gray Triggerfish, Banded rudderfish, Amberjack, Flounder, and small sharks, among others. As these fish became the target of headboat captains, the fishery began to target areas (habitat) where they could catch these alternative target species and avoid areas with Red snapper. Others reasons for avoiding Red snapper during this period included: an interest in not wasting valuable fishing time, bait, and tackle considerations. Along with avoiding certain areas, these captains also adjusted their tackle to target other species. For example, a lighter tackle would be used for smaller-sized species, such as Vermilion snapper or Black sea bass, or a different bait from that which had been used to target Red snapper. Another change in gear also included using larger hooks to avoid the red snapper less than 20 inches.

A major regulation that impacted headboat fishing in the south Atlantic was the January 2010 closure of the Red snapper fishery. The changes in the headboat fishery included fishing behavior to avoid areas (reef habitat) where Red Snapper would appear in landings or discards. This change in fishing behavior included the total avoidance of all areas that have any localized abundance of red snapper. Fishing for alternative species also resulted in changing tackle to completely avoid all red snapper, regardless of size. In summary, the regulatory size change to 20 inches in 1992, and the closure of the Red snapper fishery in the south Atlantic in 2010 drastically affected the headboat recreational fishery performance.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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<http://www.sefsc.noaa.gov/sedar/download/Abundance%20Indices%20Workshop%20Document%20final.pdf?id=DOCUMENT>

PDF page 21 of 106 pages

"Self-reported data will be limited in reliability by the honesty and accuracy of the reporting fishers. While completely dishonest reporting may be rare and limited to a few individuals, it is difficult to quantify. More problematic is inaccurate reporting, which may be more widespread and is also difficult to quantify..."

<http://www.sefsc.noaa.gov/sedar/download/SEDAR25-RW01%20comment%20compilation%206-11%20AW.pdf?id=DOCUMENT>

PDF pages 16 to 20 of 22 pages

"HEADBOAT EXPERTS COMMENT SECTION"

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05/04/11

To Whom It May Concern:

I am a 65 year old charter head boat fishing captain. I have fished many different boats in the south Atlantic area off Daytona since 1964. Today, I am the captain of the 125 passenger head boat Pastime Princess out of New Smyrna. On an almost daily bases, the passengers are catching between 1000 and 2000 Black Sea Bass plus other variety of fish., From all my years of fishing experience the Sea Bass are more plentiful now than ever before. We do not target the Sea Bass because of the inability to keep these fish, however, the fish are so abundant that each fishing spot we arrive on has a plethora of Sea Bass biting our hooks.

Your scientist have stated that the Sea Bass Population was much greater in the 1980's than today's population. I have to take exception to this data and would like to be informed of the captains and the name of the boats that this information was gathered from during that time. I was never made aware of or given any log books to record my catches in the 1980's and I know of no other captains who were recording catches before 1992.

Each day of fishing, all the captains are in radio contact comparing their catches and discussing the temperament of different fishing spots. To the man, each one of us say, "The Sea Bass are here and they are very abundant"!

Respectfully,

George Locke  
1883 Magnolia Av.  
South Daytona, Fl. 32119  
(386)547-8478

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Page 1

111 W. GRANADA BLVD  
ORMOND BEACH, FLORIDA 32174-6303  
SFAECFS@AOL.COM

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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5/15/11

To: SEDAR 25 Assessment Panel

My name is Captain Paul Nelson II and I have been fishing northeast Florida since 1955 and mostly on headboats from 1968 to 2009. I worked from 1971 to 2009 aboard the headboats out of the Critter fleet dock in Ponce Inlet.

The data sheets that were filled out starting in the late 1970's were not taken very seriously at first. In fact it was common practice to fill out sheets weeks and even months after trips had taken place. This fact should be given careful consideration as far as it being used to create information about sea bass before the 1990's.

As regulations came into effect in the late 1980's and 1990's the information was taken more seriously and I would say became much more credible.

Thank you,

Captain Paul Nelson II 386-767-0745

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5/16/11

To: SEDAR 25 Assessment Panel

updated 5-24-11 SEDAR25-RW01

10

My name is Captain Bob Stone and I have been fishing northeast Florida since the 1940's beginning with my father the late Captain Jake Stone. The majority of my experience is aboard for-hire headboats out of Ponce Inlet and I currently run a charter boat. From 1973 to the early 1990's I was the captain aboard the various Critter Fleet headboats. During this time there were data sheets that were supposed to be filled out each trip by the first mate or captain. Unfortunately, these sheets were not taken seriously at all and I have firsthand knowledge of mates filling them out who were not even aboard the day that the trip took place. In fact, it was very common practice to fall behind by a month or more and then fill them out all at once, making up landings from 3-4 weeks prior to filling out the report.

There should be no credibility given to these early data sheets, as the information contained in them was gathered in a suspect manner.

Thank you,

Captain Bob Stone 386-767-3041

---

CAPT. STACY IV, INC.

CAPT. STACY VII, INC.

CAPT. STACY FISHING CENTER

416 ATLANTIC BEACH CAUSEWAY

ATLANTIC BEACH, NC 28512

800.533.9417

May 18, 2011

TO WHOM IT MAY CONCERN,

This letter is in reference to the Black Sea Bass Fishery.

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# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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I have been in the headboat, charter, and commercial fishery for over 50 years.

On the headboat from the early sixties to the mid eighties we used electric reels and targeted the offshore deep water bottom species of the South Atlantic. These fish included Red snapper, Grouper, Trigger Fish, Vermilion Snapper, and Silver Snapper.

It was not feasible to fish inshore because our customers wanted deep water fish. We did not target Black Sea Bass.

After regulations started to get tighter we took the electric reels off and started to fish More inshore bottom and target the Black Sea Bass. I have seen an increase in the size and number of sea bass coming to shore.

The Black Sea Bass is our main target species for our half day trips and when

The snapper and grouper season is closed it gets us through that season.

Since the recent closure of the Sea Bass fishery our half day business has been cut by 75%. This is a loss

that cannot be made up. We still have boat payments, insurance, repairs and maintenance, dock rent and not to mention the lost income to our employees.

Capt." Sonny Davis"

Capt. Leslie Maurice Davis Sr.

---

From: [captgeorgeir@pastimeprincess.com](mailto:captgeorgeir@pastimeprincess.com)

Sent: 5/20/2011 2:12:24 P.M. Eastern Daylight Time

Subj: Re: Black sea bass questions

updated 5-24-11 SEDAR25-RW01

11

"We have found that in many cases the daily reports were filled out by crew members rather than the captain and that they sometimes did not get filled out for weeks if not months, and then the crew would try to catch up from memory. In some cases the mate filling out the material may not have made some of the earlier trips but still filled out a report. "

That is a 100% accurate statement based on my 5 years here on the East coast of Florida running a headboat.

Captain George Richford

Pastime Princess

New Smyrna Beach, Florida

---

Subject: Re: Black sea bass questions

Date: 5/20/2011 11:11:20 P.M. Eastern Daylight Time

From: [fishzack@comcast.net](mailto:fishzack@comcast.net)

The one point that I would like to make is that for charter/head boats off Georgia, I don't feel the discard percentages are even close to being accurate because of the way we fish.

When we pull up on a reef to catch sea bass, the bigger ones usually bite first and when the size of the fish goes down we move to another reef to keep from 'killing' the reef. Therefore the discards are very low and sometimes even zero.

Again, just my thoughts and I hope this helps.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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Zack Bowen

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Subject: Re: Headboats and black sea bass

Date: 5/20/2011 11:13:22 P.M. Eastern Daylight Time

From: [ocpolk@bellsouth.net](mailto:ocpolk@bellsouth.net)

Hi, my name is O.C. Polk I have fished the coast of S.C. since 1968, both on private and worked headboats.

My first head-boat was the Gulfstream II out of Shem Creek Mt. Pleasant in 1969. I worked as a mate then in 1975 as Captain aboard it and later in the 80's on the Carolina Clipper. The vessels were licensed for 49 and 65 persons. While in the early days we caught lots of fish, there was no survey or paper work that I remember filing out. We either did not bother or were not approached to do so. In the 80's at some point it became part of the permit process to fill those reports out, they were due monthly and it was usually up to the mate to fill them, sometimes weeks later or the end of the month before they were done. They were thought of as a bother and were not a very accurate catch record. When limits were put on the different fish the owner/ captain wanted the maximum allowed fish per person to be recorded. Easy book keeping but not a true sample of the catch.

I hope this info will help if you have any questions feel free to call or mail me.

O.C. 843. 718. 8793

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Sent: 5/23/2011 12:42:20 P.M. Eastern Daylight Time

Subj: Boat Statement Captain George Strate

updated 5-24-11 SEDAR25-RW01

12

I ran a party boat for the Navy from 1973 to 1979. During this time I never filled out catch records. I started running the Miss Mayport in 1979. I never filled out catch records until 1983. They would pay us one dollar per sheet. I let my crew fill them out and give them the money. Sometimes they would go weeks then fill them out. Many other Captains did the same thing. Several years ago a new NMFS representative was inconsistent in collecting the headboat survey records, sometimes waiting for over two months. I heard he left the NMFS for another job a few years ago. So we would sometimes go months before filling them out. Now we have a new guy who comes once a week. My records are filled out by myself every day. We feel that the headboat catch records are correct now during the past two years. During this transition phase of employees the NMFS representatives supervisor called me and checked the veracity of dates of when the headboat had been fishing. I told them that the several dates asked about were days the headboat was at the dock and did not go fishing.

Captain George Strate 904-821-1301

---

May 23, 2011

To: SEDAR Assessment and Data Workshop Panelists

My name is Captain Lee Carver and I have been running headboats since 1979 from Ponce Inlet, Florida. From 1979 to 1985 I was the captain with the Snow White headboat fleet. Between 1985 and 1998 I operated miscellaneous headboats, and charter boats. From 1998-2011, I have been a captain with the Critter Fleet, which operates large headboats out of Ponce Inlet.

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Page 4



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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During my time I operated headboats my crew was tasked with filling out the headboat daily logbook surveys. In the earlier years the crew got paid a small amount for each logbook sheet filled out. Commonly they would wait several weeks before filling out the daily logbook sheets. They would fill in the days fishing by actual date, but their memory of what was really caught each day was not accurate. More recently the headboat observer program was implemented. Florida state employees funded by the National Marine Fisheries Service (NMFS) would take a trip on my headboat about once a month. As an observer they do an accurate job.

For many years other NMFS representatives were responsible on a regular basis (at least once a month or more) for meeting the headboats upon return to the dock. Their job was to take biological samples (otoliths etc.) from the fish species landed, measure the fish sampled and collect the headboat daily logbook sheets.

Unfortunately the NMFS did not take the samples, measurements and surveys in a timely way as required for several years. During one year in particular the NMFS representative did not even show up for most of the spring and summer season to collect the samples and surveys. I understand the NMFS area for the sampling that includes Ponce Inlet headboats is from Brunswick, Georgia to Sebastian, Florida. Since 2010 the NMFS problem was fixed to gather the samples and survey sheets as required in a timely way.

Because of the voluntary nature of the headboat survey in the early years and the recent failures of the NMFS to collect samples and the logbooks in a timely way, I feel very troubled by the headboat information being used for the black sea bass stock assessment. Parts of the headboat survey were inaccurate in how the logbooks were filled out and the NMFS failures described above caused serious problems.

Black sea bass fishing in recent years has been as good or better than I have ever seen since I began running headboats.

updated 5-24-11 SEDAR25-RW01

13

Captain Lee Carver  
386-299-1679

---

Subject:

Re: Black sea bass questions

Date: 5/23/2011 4:14:40 P.M. Eastern Daylight Time

From: [steveamicks@aol.com](mailto:steveamicks@aol.com)

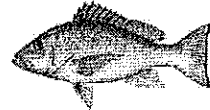
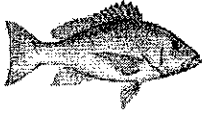
Before 1992 I was not required to fill out daily log books since i was only fishing groups of 6 and 10.

Although i did keep logs for my personal use.

But starting in 1992 i started running my 20 passenger trips and started the daily fishing log sheets. My routine was to fill out my fishing log daily and then transfer the data to the headboat sheets and send them in to NMFS.

My log sheets are very accurate as far as fish kept due needing to know what went into the fish box because of the bag limits. However as far as the discards of blackseabass there is no way to keep an accurate count of what is being released. I cant do it on a small headboat with 10 to 20 anglers on it. In

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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fact on my reporting i do write in the discard column for blackseabass i write "MANY" . it is unscientific but its the best i can do.

As far as carrying observers, yes I have, but only in recent years. And at a rate of perhaps 5 to 6 times a year. Mostly since we had started working on red snapper. We have a good working relationship with Ga. DNR. IN fact we had an observer on the boat this week

As far as accuracy of what an observer is recording is questionable. I have been counting fish for many years and i am not sure that an observer sees the same thing i do on the same trip with a small group of anglers . I will give you an example. I asked the observer on this last trip how many vermillion snapper did we release today with 10 anglers fishing and his response was that he felt that 5 of the anglers released 3 to 5 vs a piece. so he thought we released about 25 vs. I was surprised that he had not counted all of them and he said well no we observe only the anglers that are closet and than use expansion to figure out how many were actually released!!!!

This is with 10 anglers. and i was thinking we released as many as we kept which was 50. Imagine the accuracy when trying to count discards with 40 to 50 anglers.

So accuracy is questionable at best under the best of conditions . More so in the early years than now. I have not studied my fishing logs as far as blackseabass goes like i did with red snapper, but in general terms i feel it safe to say that as far as numbers of blackseabass we were catching off georgia thru the 90,s it was pretty strong. But we did see numbers drop after say 2000 and on. Until the recent increase the last few seasons. This is just seat of the pants comments because i havent looked at it closely So it surprises me that blackseabass supposedly crashed in 1992?

i hope this helps and if you have any further questions that you think of please let me  
thanks steve

Jimmy Hull, Chairman  
SFA ECFS



# 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 below.

## South Atlantic Fishery Management Council Meeting

### Full Council Meeting:

Thurs. Friday, September 19, 2014

NAME & SECTOR/ORGANIZATION:	AREA CODE & PHONE NUMBER:	EMAIL ADDRESS:	MAILING ADDRESS:
Rusby Olson / ASFA	386-239-0918	2572009@earthlink.net	32120-9351
Susan Shipman	912-222-9206	SusanShipman@att.net	SSI GA
Pat O'Sullivan	727-824-5358	Pat.O.Sullivan@usna.edu	-
Mike Merrifield / CCS	376-615-5228	mike.merrifield@usna.edu	Capel Community, FL
Emily Hance / Per		ehance@pertrust.org	
Wally Rabbing / SCNR			
Kristine Perry / SSAA			
Joe Ballenger / SCNR			
<del>Pat O'Sullivan</del>			
<del>Pat O'Sullivan</del>			



# PLEASE SIGN IN

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### Full Council Meeting:

~~Thurs.~~ Friday, September 19, 2014

<u>NAME &amp; SECTOR/ORGANIZATION:</u>	<u>AREA CODE &amp; PHONE NUMBER:</u>	<u>EMAIL ADDRESS:</u>	<u>MAILING ADDRESS:</u>
Bruce Keen	FLA		
Lara Clarke Pew		lclarke@pewtrusts.org	
Wallace Jenkins		jenkinsw@dnt.sc.gov	
Emily Helmer	Pew	ehelmer@pewtrusts.org	
Wally Bubley	SCNR		
Kristine Cherry	GSAA		
Joey Ballenger	SCNR		
Dick Brannan	CCA		
Trip Aukerman	CCA		
Jessica Stephen	SECD		

# FRIDAY → FULL COUNCIL SESSION

<u>Name:</u>	<u>Address:</u>	<u>Phone/Email:</u>
Rusty Hudson (JST) ECTS	DOB x 9351	386-239-0948 JST2009@aol.com
Emily Hemenew		ehemenew@pewtrusts.org
<del>Trip</del> Trip Aukerman CCA		
Ken Stump TOF	202-392-9520	Kstump@oceanfarm.org
Holly Binns Pew	850-322-7845	hbinns@pewtrusts.org
Lara Clarke Pew	631-379-6718	ldrake@pewtrusts.org

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD**  
*September 2014 Council Meeting*

LOCATION OF MEETING

Charleston, SC

DATE

September 18, 2014

☐

Check here if your contact information is on file. Provide your name and any updates below.

YOUR NAME (PLEASE PRINT)

Randy Stong, II

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

115 W. Island DR, Oak Island N.C. 28465

EMAIL ADDRESS

RStong.II@OCEANA.org

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

OCEANA

SECTOR (Please check all that apply)

☐

Commercial

☐

Charter/For-Hire

☐

NGO

☐

Recreational

☒

Other

ENVIRO

Describe

CHECK HERE IF YOU WISH TO  
MAKE A STATEMENT.  
(PLEASE ATTACH A WRITTEN  
COPY IF AVAILABLE)☐

Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)

☐

Other Item

☐

Snapper Grouper Amendment 32 (blueline tilefish)

☐

Snapper Grouper Amendment 29 (ORCS &amp; Gray Triggerfish)

☐

Snapper Grouper Regulatory Amendment 20 (snowy grouper)

☐

Mackerel Framework Amendment 2 (Spanish mackerel)

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD**  
*September 2014 Council Meeting*

LOCATION OF MEETING

Charleston, SC

DATE

September 18, 2014

☒

Check here if your contact information is on file. Provide your name and any updates below.

YOUR NAME (PLEASE PRINT)

Mike Menfield

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

SECTOR (Please check all that apply)

☐

Commercial

☐

Charter/For-Hire

☐

NGO

☐

Recreational

☐

Other

Describe

CHECK HERE IF YOU WISH TO  
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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)

☐

Other Item

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Snapper Grouper Amendment 32 (blueline tilefish)

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Snapper Grouper Amendment 29 (ORCS &amp; Gray Triggerfish)

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Snapper Grouper Regulatory Amendment 20 (snowy grouper)

☐

Mackerel Framework Amendment 2 (Spanish mackerel)



**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD**  
*September 2014 Council Meeting*

LOCATION OF MEETING

Charleston, SC

DATE

September 18, 2014



Check here if your contact information is on file. Provide your name and any updates below.

YOUR NAME (PLEASE PRINT)

*Ken Stump*

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

SECTOR (Please check all that apply)



Commercial



Charter/For-Hire



NGO



Recreational



Other

Describe

CHECK HERE IF YOU WISH TO  
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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)



Other Item



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Snapper Grouper Regulatory Amendment 20 (snowy grouper)



Mackerel Framework Amendment 2 (Spanish mackerel)

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD**  
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DATE

September 18, 2014



Check here if your contact information is on file. Provide your name and any updates below.

YOUR NAME (PLEASE PRINT)

*Capt. Bill Parker*

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

SECTOR (Please check all that apply)



Commercial



Charter/For-Hire



NGO



Recreational



Other

Describe

CHECK HERE IF YOU WISH TO  
MAKE A STATEMENT.  
(PLEASE ATTACH A WRITTEN  
COPY IF AVAILABLE)

Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)



Other Item



Snapper Grouper Amendment 32 (blueline tilefish)



Snapper Grouper Amendment 29 (ORCS &amp; Gray Triggerfish)



Snapper Grouper Regulatory Amendment 20 (snowy grouper)



Mackerel Framework Amendment 2 (Spanish mackerel)

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

4055 FABER PLACE DRIVE, SUITE 201

NORTH CHARLESTON, SOUTH CAROLINA 29405

**PUBLIC COMMENT ATTENDANCE RECORD***September 2014 Council Meeting*

LOCATION OF MEETING

Charleston, SC

DATE

September 18, 2014



Check here if your contact information is on file. Provide your name and any updates below.

YOUR NAME (PLEASE PRINT)

*Susan Shipman*

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

SECTOR (Please check all that apply)



Commercial



Charter/For-Hire



NGO



Recreational



Other

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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

4055 FABER PLACE DRIVE, SUITE 201

NORTH CHARLESTON, SOUTH CAROLINA 29405

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YOUR NAME (PLEASE PRINT)

*Emily Helmick*

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

*ehelmick@pewtrusts.org*

EMAIL ADDRESS

*Pew*

SECTOR (Please check all that apply)



Commercial



Charter/For-Hire



NGO



Recreational



Other

Describe

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4055 FABER PLACE DRIVE, SUITE 201

NORTH CHARLESTON, SOUTH CAROLINA 29405

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YOUR NAME (PLEASE PRINT)

Kristine Cherry

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

SECTOR (Please check all that apply)



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Other

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4055 FABER PLACE DRIVE, SUITE 201

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YOUR NAME (PLEASE PRINT)

Lora Clarke

TELEPHONE NUMBER (&amp; AREA CODE)



MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

lclarke@pewtrusts.org

SECTOR (Please check all that apply)



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Other

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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)



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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD***September 2014 Council Meeting*

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Check here if your contact information is on file. Provide your name and any updates below.

YOUR NAME (PLEASE PRINT)

Trip Aukeman

TELEPHONE NUMBER (&amp; AREA CODE)

850-559-0060

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

157 Northcott Ter Tallahassee, FL 32317

EMAIL ADDRESS

taukeman@ccaflorida.org

SECTOR (Please check all that apply)

☐

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Other

Describe

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

CCA

CHECK HERE IF YOU WISH TO  
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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)

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Snapper Grouper Amendment 32 (bluefin tilefish)

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YOUR NAME (PLEASE PRINT)

Steven H. Shelley

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

136 Lake Tr. Pawley's Island SC 29585

EMAIL ADDRESS

SECTOR (Please check all that apply)

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Other

Describe

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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YOUR NAME (PLEASE PRINT)

Ernest Muhammad

TELEPHONE NUMBER (&amp; AREA CODE)

(843) 953-9364

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

217 Fort Johnson Rd. Charleston, SC 29412

EMAIL ADDRESS

MuhammadE@dhr.sc.gov

SECTOR (Please check all that apply)

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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)

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Other Item

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Snapper Grouper Amendment 32 (blueline tilefish)

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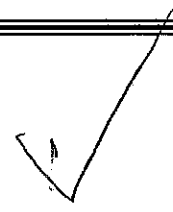
Snapper Grouper Amendment 29 (ORCS &amp; Gray Triggerfish)

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Snapper Grouper Regulatory Amendment 20 (snowy grouper)

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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD***September 2014 Council Meeting*

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YOUR NAME (PLEASE PRINT)

Pete Loy

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

SE Governors Cup Board

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

pLoy@citadelenterprises.com

SECTOR (Please check all that apply)

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Other

Describe

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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD***September 2014 Council Meeting*

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YOUR NAME (PLEASE PRINT)

Steve Leasure

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

EMAIL ADDRESS

Steve@carpet-baggers.com

SECTOR (Please check all that apply)

☐

Commercial

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Other

Describe

CHECK HERE IF YOU WISH TO  
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YOUR NAME (PLEASE PRINT)

Rusty Hudson

TELEPHONE NUMBER (&amp; AREA CODE)

386-239-0948

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

PO Box 9351 Daytona Bch, FL 32120-9351

EMAIL ADDRESS

DSF2009@aol.com

SECTOR (Please check all that apply)

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Other

Describe

CHECK HERE IF YOU WISH TO  
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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD**  
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YOUR NAME (PLEASE PRINT)

Bill Kelly

TELEPHONE NUMBER (&amp; AREA CODE)

305-619-0039

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

POB 501404 Marathon FL 33050

EMAIL ADDRESS

FKCFA1@HOTMAIL.COM

SECTOR (Please check all that apply)

☒

Commercial

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Other

Describe

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

FKCFA

CHECK HERE IF YOU WISH TO  
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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)

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NORTH CHARLESTON, SOUTH CAROLINA 29405**PUBLIC COMMENT ATTENDANCE RECORD**  
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YOUR NAME (PLEASE PRINT)

Tom Swartzel

TELEPHONE NUMBER (&amp; AREA CODE)

843-222-7456

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

PO Box 1311, Murrells Inlet, SC 29576

EMAIL ADDRESS

tom@SustainableFishing.org

SECTOR (Please check all that apply)

☐

Commercial

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NGO

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Recreational

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Other

Describe

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Council for Sustainable Fishing

CHECK HERE IF YOU WISH TO  
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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)

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YOUR NAME (PLEASE PRINT)

Scott McClary

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

PO Box 458

(Charleston?) SC 29405

EMAIL ADDRESS

seame2dive@hotmail.com

SECTOR (Please check all that apply)

☒

Commercial

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NGO

☐

Recreational

☐

Other

Describe

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Self / mlb11

CHECK HERE IF YOU WISH TO  
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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)

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YOUR NAME (PLEASE PRINT)

Holly Binns

TELEPHONE NUMBER (&amp; AREA CODE)

850-322-7845

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

2107 Mulberry Blvd., Tallahassee, FL 32303

EMAIL ADDRESS

hbinns@pewtrusts.org

SECTOR (Please check all that apply)

☐

Commercial

☐

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NGO

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Recreational

☐

Other

Describe

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Pew Charitable Trusts

CHECK HERE IF YOU WISH TO  
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**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**4055 FABER PLACE DRIVE, SUITE 201  
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YOUR NAME (PLEASE PRINT)

DAVID HARTEK

TELEPHONE NUMBER (&amp; AREA CODE)

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, &amp; ZIP CODE)

18 LEWIS ST

EMAIL ADDRESS

SECTOR (Please check all that apply)



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Other

Describe

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

HILTON HEAD ISLAND SPORTFISHING CLUB

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Dolphin Wahoo Amendment 7/Snapper Grouper Amendmnet 33 (fillets from The Bahamas)



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YOUR NAME (PLEASE PRINT)

Matt Ruby

TELEPHONE NUMBER (&amp; AREA CODE)

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P.O. Box 12057 Charleston SC

EMAIL ADDRESS

WarriorFishing3@gmail.com

SECTOR (Please check all that apply)



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Other

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BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

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YOUR NAME (PLEASE PRINT)

TELEPHONE NUMBER (& AREA CODE)

Wallace Jenkins

MAILING ADDRESS (STREET OR BOX NO., CITY, STATE, & ZIP CODE)

EMAIL ADDRESS

SC Governors Cup Billfishery Series

BUSINESS OR ORGANIZATION YOU REPRESENT (IF APPLICABLE)

Jenkinsw@dnc.sc.gov

SECTOR (Please check all that apply)



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