

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **JOINT DOLPHIN WAHOO/SNAPPER GROUPER COMMITTEE**

**Hilton Cocoa Beach Oceanfront  
Cocoa Beach, FL**

**June 14, 2016**

### **SUMMARY MINUTES**

#### **Snapper Grouper Committee:**

Dr. Michelle Duval, Chair  
Robert Boyles  
Dr. Roy Crabtree  
Ben Hartig  
Doug Haymans  
Anna Beckwith  
Chester Brewer

Jessica McCawley, Vice-Chair  
Chris Conklin (via webinar)  
Mark Brown  
Jack Cox  
Zack Bowen  
Charlie Phillips

#### **Dolphin Wahoo Committee:**

Anna Beckwith, Chair  
Chris Conklin (via webinar)  
Doug Haymans  
Jessica McCawley

Zack Bowen, Vice-Chair  
Chester Brewer  
Dr. Roy Crabtree

#### **Council Members:**

Lt. Tara Pray

Dr. Wilson Laney

#### **Council Staff:**

Gregg Waugh  
Mike Collins  
Dr. Kari MacLauchlin  
Kim Iverson  
Julie O'Dell  
Myra Brouwer  
John Hadley

Dr. Brian Chevront  
John Carmichael  
Amber Von Harten  
Dr. Mike Errigo  
Chip Collier  
Roger Pugliese

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

Dr. Andy Strelcheck  
Dr. Mike Larkin  
Dr. Jack McGovern  
Iris Lowery  
John Sanchez  
Dr. Joey Ballenger  
Jeff Radonski  
Dr. Marcel Reichert

Dr. Luiz Barbieri  
Rick DeVictor  
Dr. Bonnie Ponwith  
Nik Mehta  
Erika Burgess  
Jocelyn D'Ambrosio  
Jim Estes  
Tracy Dunn

Additional Observers Attached

The Joint Dolphin Wahoo/Snapper Grouper Committee of the South Atlantic Fishery Management Council convened at the Hilton Cocoa Beach Oceanfront, Cocoa Beach, Florida, Tuesday morning, June 14, 2016, and was called to order by Chairman Anna Beckwith.

MS. BECKWITH: The first item on the agenda is Approval of the Agenda. Are there any modifications? Seeing none, the agenda is approved. Next is the Approval of the March 2016 Dolphin Wahoo/Snapper Grouper Committee minutes. All forty-eight pages were fascinating and a nice review, and we actually had some really excellent discussion last committee on all sorts of things that I had blocked out, and so there are any modifications to that? Seeing none, the minutes are approved. Now I'm going to turn it over to Amber to go through some of our recently reviewed public comments, the procedure of our comments.

MS. VON HARTEN: I just wanted to make sure that everybody was aware of the kind of testing phase of how we're doing written comments for the council meeting. We actually got this idea from the Gulf of Mexico Council. They follow this same kind of procedure for submitting written comments online that is submitted through a Google form and then automatically posted to a Google sheet that is accessible by everybody, and so it's available from a link on our website.

If you haven't seen it, this is the form that folks have been filling out with their information. They check how they participate in fisheries in the South Atlantic and then what specific issue they are providing comment about. Then they can just type their comments in here.

If folks have a comment that includes graphs or figures or images, we have been asking folks to send those to Mike Collins, so that we can actually post it on the briefing book page. You can read the comments in real time as they come in from that link on the meeting page, and this is how it looks. It comes into a Google spreadsheet, and you can scroll through and read all the comments. It has a time/date stamp here, so you can see when those comments were submitted.

We are still accepting written comment, through this online form only, through Thursday at noon, and so we've been advising the public to make sure they use the comment form now. We were allowing folks to send them via mail and in that format through the 6<sup>th</sup> for the briefing book, but now we're asking folks to just use the online comment form exclusively.

Then I also wanted to make sure that you saw that in the briefing book posting, which is also new, the way that we're doing this, that there is this folder here at the top for additional written comments. These are for those comments, like I said, that have figures or graphs or images that we can't just paste into the Google spreadsheet, and so please make sure that you, all this week, up through Thursday, check this folder as well, because there are a couple in this other folder that came in today and then there's a couple in the red snapper folder, and so I've tried to delineate those by whatever topic that people are commenting on. I just wanted to point that out, and, again, I think you all are going to be discussing this during Executive Finance as well.

MS. BECKWITH: Just a reminder that this is a Joint Dolphin Wahoo and Snapper Grouper Committee, and so the members of each committee are listed at the bottom of the agenda. I believe everyone around the table, except Wilson, somehow managed to be on those committees, and, of course, our representative from the Gulf Council, John, is -- Everyone is always welcome to comment, regardless of voting ability. I am going to turn it over to Mike Larkin, first, to go over the recreational first, and then I will turn it over to Rick DeVactor to go over the commercial and then the status of amendments.

DR. LARKIN: I know some of you have seen this presentation before, but here is the latest and greatest of it here, of the dolphin wahoo recreational landings. Some quick notes are landings are summarized using MRIP. Landings estimates include data through Wave 6 of 2015. At this point, the 2015 landings are still preliminary, and we are still waiting on Wave 1 of 2016. All landings include MRIP and headboat landings.

First is the 2015 landings and ACLs. What I'm trying to show you here is just that, in 2014, both the dolphin and the wahoo were below their ACL. You can see the dolphin is -- They were, in 2014, 37 percent and wahoo was 38 percent of the ACL. In 2015, currently, dolphin was at 52 percent of the ACL. Wahoo is at 58 percent of the ACL in 2015.

This here is just a breakdown by mode of the recreational landings from 2004 all the way to 2015. I had a quick question for the council. This presentation was developed before I joined NOAA Fisheries, and my question is I go back to 2004 and I go all the way through 2015. Was there any reason for going back to 2004? Like can I just show the last five or the last ten? Is ten years good? Okay. Good.

Anyway, the breakdown by mode here, by charter, headboat, private, and shore for dolphin. This here is by year, and you can see the years kind of get crammed there at the bottom, and so that will help, when I only focus on the last ten years. I guess actually it's eleven, but the Y-axis on the left is the landings.

The Y-axis on the right is the effort, which that red line is the MRIP effort, and the orange line is the headboat effort. Then each bin there is for each year, the summarized landings, and the different colors are for the different codes. Then as you start, in 2012, you can see the ACL is the dot up on top, and so you can see 2012 through 2015, the landings are below those dots, and so they're below the ACL.

Then I will move on to wahoo. This is the landings summarized by mode for the wahoo recreational landings. Then the same format here, and you can see that, in 2012, the landings did exceed the ACL, but, from 2013 to 2015, are below the dots, and so below the ACL. That's it for the dolphin wahoo recreational landings. Are there any questions?

MS. BECKWITH: Thank you, Mike. Were the Wave 1 results for 2016 more delayed than usual?

DR. LARKIN: Yes, they were, and I talked to the Office of Science and Technology to understand that, and, to give you a quick description, at the end of the year, the end of 2015, they summarized the effort for the commercial sector from these vessel trip reports. During the season, they actually use a for-hire survey to get the effort from the charter fleet, and they had some problems in the Northeast in compiling and validating those vessel trip reports, and so they had to pull staff from other areas. Instead of moving on to 2016, they had to pull staff to really focus on those 2015 landings and the problems in the Northeast, and so that slowed down everything. Actually, we should be getting them next week, the Wave 1 landings for 2016, and so, yes, they are very delayed, because of that issue.

MS. BECKWITH: Okay. Are there any additional questions for Mike? All right. Thank you, Mike. Now we will move to Rick.

MR. DEVICTOR: Moving on to the commercial landings for dolphin and wahoo, as you know, every Friday, we get commercial landings from the Science Center. What you have in your briefing book under Attachment 1 are landings through May 20, and what Brian is showing on the screen here are landings we received last Friday through June 10, and so I will go through those.

There is not a big difference between the two, but, in terms of dolphin right now, as of June 10, 52 percent of the catch limit has been reached. That's around 800,000 pounds. If you recall, last year, the fishery closed on June 30, but, this year, we did increase the catch limit by about 300,000 pounds or 400,000 pounds.

Moving on down to wahoo, currently, as of June 10, 45 percent of the catch limit has been reached. That's about 31,000 pounds. Then you can see, to the right-hand side, where we were last year on June 3, 2015, and you can compare the two. This concludes my report.

MS. BECKWITH: Any questions on those commercial landings?

MR. HARTIG: Rick, thank you for that. I would just ask you guys to remain vigilant on that, to try and -- If we get to that 75 percent level, to be able to close the fishery or reduce the trip limit at that level, and so that's dolphin. I mean it's such a short time window, and I don't know how well we can monitor all the different dealers throughout the entire area, even though we have the weekly reports. I don't know how well we're doing being able to get everybody onboard with those reports, and so I'm just saying be vigilant.

MS. BECKWITH: Yes, and I actually agree with Ben on that one, because, looking at what was in our briefing book, through May 20, it was looking like the percent of the ACL that has been reached by dolphin was 27 percent, and then what we just got was up to fifty-odd percent, and so it was actually quite a big jump in that three-week difference, and so it is something that we're worried about.

MR. HAYMANS: Rick, just for my own information, and it's not pertaining to this, but is it possible to pull the imports, dolphin imports? Can you get to that? The pounds of imported dolphin from outside of the U.S., is it possible to get to that information?

DR. PONWITH: I believe that the Office of Science and Technology up in Headquarters monitors those import data. I can look into that and get back to you on what kind of time lag there is on those reports, but I know they monitor imports.

MR. COX: I was just going to say the fish house that I work out of has four big longliners out of it, and the fish moved really fast north this year, and so we had some really -- The tropical storms and stuff really had an impact on their fishing as well.

MS. BECKWITH: Are there any other comments or questions on the commercial landings? Okay. Back at you, Rick.

MR. DEVICTOR: Thank you, Madam Chair. Ben spoke about the trip limit, and, right now, that's not in place, but that was put forward through Framework Amendment 1, which would establish a commercial trip limit of dolphin of 4,000 pounds whole weight after 75 percent of the commercial sector catch limit has been reached. The regulatory amendment was sent to NMFS on

February 16, and we are processing the proposed rule package right now, and we hope to get that up to Headquarters this week, and so stay tuned.

MS. BECKWITH: Okay. Great. Thanks so much. Any questions? Seeing none, then we will move on to Discussion of Dolphin Wahoo Amendment 10/Snapper Grouper Amendment 44, and I will turn it over to Brian, for the moment.

DR. CHEUVRONT: Just to give you all an update on where we are with this, we started talking about a new amendment, joint dolphin wahoo/snapper grouper, going back to the December council meeting. We brought it up again in March, and part of what we're trying to decide, I think first off, is what kinds of actions you want to have in this amendment. There are some dolphin management measures that you all might want to consider, and, of course, there are ways of looking at allocations that probably would go into this amendment.

The decision that I think would be really helpful for your staff would be if you can make a definitive statement as to what actions you would like to have in this upcoming amendment. What you could do is deal with allocations in one amendment, which I think would probably -- As a staff member, and that's all I'm speaking of here, but I think that would be a good idea to do it that way, because the thought is that you're going to be dealing with allocations again further in the future, and dealing with it with two species, and going through the different kinds of iterations that you can have here might make this amendment a nice template to use for other things in the future.

The other thing is that the other actions that you want to consider are specifically dolphin management issues, and whether you want to include some or all of those into this one amendment is some direction that we need to get from you.

What we would like for you to do today would be to make a decision about what kinds of actions you want to be in Dolphin Wahoo Amendment 10/Snapper Grouper Amendment 44 and then what other actions you would like to move somewhere else as well as give -- This is on the schedule to go out for scoping this August, and so it would be good if you could give us direction towards the actions that you would like to have in an amendment. You did give us direction for two actions that you would like to consider in this amendment, and you gave them to us in the March meeting, and I have those in this document. This is Attachment 3, if you're trying to figure out which one we're working from.

Really, what I would like to do, Madam Chair, is to have us maybe start with the notion of what's going to be in the amendment before we get into the weeds of looking at developing the actions that we would like to take out to scoping.

MS. BECKWITH: Thank you, Brian. We've had some long, meandered conversations during this committee the last couple of council meetings, trying to explore lots of ideas. To me, part of what we are trying to achieve through Dolphin Wahoo 10 is possibly sort of a tool in the toolbox sort of amendment, where we would be considering ACL management tools, allocation management sort of mechanisms, that we would be able to utilize for more than just dolphin and yellowtail snapper, which we're sort of speaking to specifically.

As I have worked with Brian to craft some ideas that we'll be discussing in a bit, I have tried to make the verbiage in a way that we would be able to sort of shift it and use for various species. We have talked a lot about different ideas for managing the dolphin fishery in the long run. I think

it's helpful to see how this season is going and how we're not sort of bumping up against the commercial ACL at the moment. I think a lot of those bigger management discussions and changes might be something that we would take some patience and time with and may be appropriate to put into a Dolphin Wahoo Amendment 11 that will be a little bit slower pace.

For Dolphin Wahoo 10, I think I would like us to initially consider some of these mechanisms that we may be able to use to manage our ACLs or our allocations, for not only yellowtail and dolphin, but sort of further, and we will go through and we will discuss some of those, but, just to spark everyone's memories, we had talked about common pools, reserves, temporary allocation shifts, combining ACLs. Those were the type of things that I think I would like us to consider going into Amendment 10 for discussion, but I am certainly open to all opinions, and so I will open the floor.

MS. MCCAWLEY: I am good with that approach.

MR. HAYMANS: I am as well. I mean the common pool or the temporary shift is intriguing. The removal or the single ACL across the fishery is not.

DR. DUVAL: I agree with that approach just of focusing on allocations, and I agree with, as Doug said, looking at several options that could be tools that could be used for any fishery, and you might have, like you said, a suite of tools that could be selected, just depending on the circumstances of the fishery, and so a reserve category, similar to what HMS uses, of a common pool would be another thing.

I know that we've gotten some public comment with regard to what we discussed at the last council meeting, termed the Bosarge Amendment, which is similar to something that we looked at for Spanish mackerel a few years ago, sort of having triggers that would allow for a temporary shift in allocation between sectors, depending on how much of a quota had been used up, and so, yes, I'm in agreement with that approach.

MS. BECKWITH: Okay. Is there any other opinions right now? Okay.

DR. CHEUVRONT: I just want to make it clear and get this on the record, that we're talking now about two separate amendments. There would be what would be considered a dolphin management amendment, in which we have talked about some of those particular kinds of actions that we will want to consider.

We will hold to those in our hip pocket, and, when we get back to dealing with that amendment, we can start with those actions and then decide at that time if you want to modify the actions or add other actions that you would like to go into a dolphin-only amendment. The concern now is what we're saying is that Dolphin Wahoo Amendment 10/Snapper Grouper Amendment 44 is going to be dealing with the allocation issues and that's where we're going to leave it right now, correct?

MS. BECKWITH: That's right, and I think it's more than just sort of allocation. It's sort of ACL management mechanisms is the way I'm sort of framing it in my own head, but one thing I would like to do is just sort of review some of those things that we're going to think about taking out to scoping.

I have created, out of my own little brain, an option for us to consider that is a little bit different than the way that HMS manages some of their stuff, and I am not aware that anyone sort of does something like this, and so that's one of the ones that I want you guys to consider, but do we want to go through it one-by-one?

I think the first one that we had discussed was the concept of a common pool, and, if folks are comfortable taking that out to scoping -- If you guys remember the idea of the common pool, it was to just have a portion of the ACL set aside that either/or the commercial or recreational would be able to tap into if their sort of base ACL had an overage. I know specifically Doug, in the minutes, had voiced his concerns about that as an option.

Again, this would be going out to scoping. We are sort of looking at the suite of potential management tools that we could create here, and so did we have any additional thoughts on that? Is everyone okay sort of shooting that out to scoping?

MR. BOWEN: I have some concerns, like Doug, but I can wait to voice those at a later time, but definitely concerns with a pool.

MS. BECKWITH: Sure, and, again, this is for scoping, sort of the suite of management tools we might consider later on. HMS has what they call a rollover, and the way that HMS manages some of their unused quota is on a year-to-year basis. If there is an unused portion of a quota, then a percentage of that can be carried forward to only the following year, and those percentages allowed are sort of species-specific, and those rollovers are relative to kind of a baseline quota and don't build over years, and so that is one thing that we might consider.

A caveat to the way HMS species are managed is that ICCAT-managed species are exempt from the ACL requirements, and so they don't have the concerns of making sure that sort of the overall ACL is not gone over. That is one option. Then if Brian would be kind enough to bring up the verbiage of the idea that I had sort of created, and, Roy, I want you to pay special attention to this.

I am calling this idea sort of an ACL reserve action. This is different than a carryover or a rollover, and so there is a distinction, and I want you guys to really focus. The idea behind it would be to create two separate ACL reserve categories, into which the commercial and recreational sector can transfer a portion of that sector's unused quota, up to a specific percentage of that sector's total ACL. We would assign it sort of specific species-to-species at the end of the season, meaning, for dolphin, for example, if they have a 1.5-million-pound ACL and they had an unused portion of that ACL, then we would be able to transfer 100 percent of that unused portion into a reserve category, up to a certain percentage.

If we set it at 5 percent or 10 percent, 10 percent would be 150,000 pounds. That sector's ACL would not change in subsequent seasons, due to the size of the ACL reserve. The sector's total ACL reserve cannot exceed the assigned percentage of that sector's ACL. If a sector's ACL has reached its cap, even if the sector has an underage in subsequent seasons, the ACL reserve would not be increased.

If a sector exceeded its ACL and used part or all of its reserve, its ACL reserve can be replenished in future seasons by future ACL underages. A sector can use its ACL reserve in subsequent seasons to cover any overages within that sector only if the total ACL, commercial and recreational combined, is not exceeded and the species is not overfished and overfishing is not occurring. One

sector may not borrow from another sector's ACL reserve and the size of the ACL reserve may not be exceeded.

The idea behind this is, instead of a regular rollover or carryover that some of our HMS folks are accustomed to, this would potentially carry over multiple years, but it would be one reserve given to the sector by its own underages, and so there wouldn't be sort of a recreational and commercial give and take. I am now going to turn it over to Michelle to decipher what I just said, because she is so much better at explaining stuff than I am.

DR. DUVAL: Thank you, Madam Chair. I don't know about better at explaining, but Anna and I have been talking about this, and I think -- Like she said, you could have a commercial reserve and a recreational ACL reserve, and I think, just using dolphin as a great example, if the council were to decide that no more than 10 percent of the commercial dolphin annual catch limit could be carried over as a reserve -- As Anna stated, that would be 150,000 pounds.

The way that reserve gets filled up is by underage from the previous year. Perhaps if the commercial dolphin sector harvests 1.4 million of its 1.5-million-pound annual catch limit, then it could roll over that 100,000 unused pounds into this reserve. If that reserve was set at 10 percent of the total ACL, so that it maxed out at 150,000 pounds, and there was an underage the following year, you could carry over up to an additional 50,000, until you met that 150,000-pound reserve cap, but, if there continued to be underages, there would not be any more deposits into the ACL reserve. It would just be limited to 10 percent of the total. Again, this is just an example, but 10 percent of the total ACL for dolphin.

It seems to get around, I think, some of the concerns that folks might have about shifting -- It's not a shift from one sector to another. It is a particular sector contributing to its own reserve. For example, if you were to look at it on the recreational side, again, you would set a percentage of the recreational annual catch limit for dolphin, but, even though there have been some pretty significant underages of the recreational dolphin annual catch limit over the past several years, you could not continue to stock up beyond a certain proportion of the recreational ACL. I don't know if that will give folks a little bit of opportunity to think about that and process it.

MS. BECKWITH: The limitations on that, of course, would be that that reserve would only be used to erase any overages that that sector had, as long as the total ACL had not been met. I'm going to let Brian speak as well.

DR. CHEUVRONT: To try to clarify, I think one of the things that Anna is saying, continuing with that dolphin example, their ACL currently is about 1.5 million pounds. Even if they have that ACL reserve, their sector ACL still remains 1.5 million pounds. It doesn't increase by that other 150,000 pounds that might be in their reserve. It's used to ensure against overages.

MS. BECKWITH: Okay. Again, it's a new idea. I know it's different.

MR. PHILLIPS: I don't really have a problem going out with it to scoping. If it's going to be a template for other species, according to the history, it's not going to make it any difference for recreational fishermen on mahi. It might help the commercial side on mahi. If you get down to yellowtail snapper, it's not going to help the recreational fishermen there, according to history, and the likelihood of it helping commercial fishermen in the yellowtail industry is probably a lot less.

I am not sure if that's a template that might be acceptable across the board, but I don't have a problem taking it out for scoping, but it is restrictive.

MS. BECKWITH: Sure, and this is, I think, certainly not meant to be a catch-all for all species. If we're looking at developing some different tools for our toolbox or mechanisms to sort of add some flexibility to how we manage some of these species, this would just be potentially one that we would be able to consider, based on specifics.

Another example where it actually could help might eventually be cobia for the recreational fishermen, where, if we had something like this and we actually had an underage, which it's possible, then we would be able to create a small reserve for the recreational, as long as the total ACL was not met. Again, it's just a tool in the toolbox for consideration.

MR. BOYLES: I like the idea, and it's not a new one, but I recall, and maybe this is Groundhog Day for me, but we had these conversations eight and ten years ago, when we were doing allocation. I asked the question of do we have to allocate every last fish in the stock, and Monica is not here to defend herself, but, Iris, I will ask you. Do we have to allocate every last fish in the sea? I think the guidance we got at the time was OY is the standard and you have to allocate to optimum yield. You can account for scientific uncertainty and management uncertainty, and so I would ask counsel, can we do this? I like the idea. I liked it eight years ago.

MS. BECKWITH: You should have been here the last meeting. We had some great discussions on what the meaning of optimum yield is for the recreational fishery and the commercial, and so I think is probably Groundhog Day. These discussions keep coming up. Our SEP recently had a pretty extensive discussion on how to define optimum yield, and one of the discussions we had at the last meeting was if maintaining a high level of standing stock in the ocean for opportunity abundance is something that's important to the recreational fishermen and if setting an ACL that is lower, that doesn't sort of fish every last fish out, can be considered for the idea of optimum yield.

MS. LOWERY: I will respond to a slightly different point, because I think this -- Having not spent a lot of time looking at this and trying to understand it on the spot, it does seem like it could present some Magnuson issues, and, particularly, I think my concern, off the bat, would be going over ABC if you have this reserve, and so that might -- You're shaking your head, and so maybe that's something you could explain a little more.

MS. BECKWITH: Right, and this would be specific -- The reserve would only be able to be tapped to erase an overage if the total ACL from both the recreational and the commercial had not been met, and so it would never be tapped if the total ACL had been met, and so it wouldn't be sort of a stock issue. It may have helped say dolphin last year, where they had the potential to go over, although they didn't end up going over. It would have sort of covered and erased a bit of a sector's overage, but not allow for an overage of the overall ACL.

MR. HAYMANS: That comment makes me rethink my question, but I guess my first point is I just need to see some examples, something beyond dolphin wahoo, which has an extremely large ACL, but my question was going to be more along the lines for those species where ACL is equal to ABC and then we throw an extra 10 percent on it. What are the biological ramifications for that, but you have just said that that doesn't allow the ACL to be exceeded, and so I think I'm okay there. I think I understand that.

MR. HARTIG: I think you want to be a little bit careful about using dolphin as a species that you want to try and do this across the board. Dolphin is as close to an annual crop as any species we manage, and so dolphin are going to be managed differently, in my opinion, than any other species we manage.

Trying to craft this as something that you may use or that you want to use in other fisheries I don't think is the right way to go. I think dolphin presents some pretty unique problems that we need to address. One of the things in the commercial fishery, and I like the landings report that Dr. Larkin gave us, because it showed us that everyone had a good dolphin year last year, the commercial, the recreational, the for-hire. Except I think the charter wasn't quite at their highest level in five years, but the others were.

There was more dolphin in the water last year. Some way for the commercial fishery to be able to take advantage of that is critical. Now, yours doesn't do it. It doesn't allow you to go over the ACL and it doesn't allow you to use anything you have rolled over. From what I am seeing, you can't go over the ACL in Anna's proposal, and so it doesn't solve the problem of the commercial fishery. In years when the population can withstand the extra effort, we should be able to take advantage of that productivity, and so maybe I am missing something, Brian.

DR. CHEUVRONT: Ben, it does allow for a sector to go over its ACL, as long as the combined ACL is not exceeded. Like you say, dolphin is different, but remember that the recreational sector tends to leave millions of pounds uncaught each year, and so, when you add the commercial landings to the recreational landings, as long as those combined together don't exceed the fifteen-million-pound ABC/ACL that we have for dolphin, we're good.

In the situation you described, it would allow the commercial sector to go over its ACL, as long as the recreational sector didn't do the same thing. What we're trying to do, I think, or Anna is trying to do with this, is to make it so that, if one sector is having a better season than say it had in the past, which is something that occurs sometimes in dolphin, it's not coming at the expense of the other sector, and so the other sector still has its entire ACL, but you can't exceed the sector ACL if both of them combined together are going to exceed the total ACL.

DR. DUVAL: I think a couple of points. First of all, I just want to reemphasize that when Anna and I have talked about this, what we would like to take forward to scoping is a suite of possible tools in the toolbox. That doesn't mean that there would only be one tool that would have to be applied across all species, and so this is an example of a single tool. There might be two or three.

Then, second, I think -- I understand the concerns about exceeding the ABC. I think Brian has just explained how that would not happen with this particular example, and I think also -- It's my understanding that for domestic sharks that there is a similar ability to carry forward underharvest, as long as the species is not overfished and not subject to overfishing.

I am not very familiar with any kind of commercial/recreational allocation on multiple shark species. I'm sure that Rusty could touch base with me when we adjourn for lunch and let me know what those allocations are, but suffice it to say that I think a similar tool is being used for HMS species. We are trying to tweak this to potentially meet some of the situations that we might have here in the South Atlantic.

I agree with what Charlie said earlier that this is probably not necessarily something that might be useful for yellowtail, but I think we're trying to put together several different tools that we could take out to scoping, one of which might be an option for yellowtail.

MS. BECKWITH: Right, and, for the HMS species, the carryover is from one year to the next and then it disappears. This would be just adding a little more flexibility where that reserve category would be available to folks over a multiyear period, and it would be able to be sort of added to and deposited to and taken from over multiple years, and so it's just sort of adding a little bit of flexibility. Roy looks very confused, and I totally respect that. Roy, do you want to make a comment?

DR. CRABTREE: I am very confused, and when I hear you talk about carrying over over multiple years, it's not clear to me how that's going to work, because, as Ben said, dolphin are essentially an annual crop, and so all the fish that you're carrying over are going to be dead in a couple of years.

My general sense of it is that we're making this much more complicated than it needs to be, but it's hard for me to say without having it all written down and being able to walk through and see how it works, but it seems to me that we have a large amount of uncaught quota that can be carried over every year and what we need to do, and it's mostly uncaught quota on the recreational side, is it can be carried over, but we need to give some of that to the recreational fishery, because their ACL needs to increase so they don't hit it. That seems to be what we're trying to do, but we're going through an awful lot of complications to get to that, it seems.

MS. BECKWITH: Sure, I understand, and one of the thoughts behind this was sort of pulling commercial unused quota and making it available to the commercial, so you sort of get around the potential public issues of reallocating ACL, but --

DR. CRABTREE: I get that, but we have an allocation issue here, and I don't think we should let fear of public perception drive us into some incredibly complicated dance to try and get around that. If we need to change some allocation here, then we need to do it.

MS. BECKWITH: Okay.

MR. COX: To Roy's point, that's exactly what I was going to say. I mean we had already talked about an allocation shift, a temporary allocation shift, between the sectors. It just seems mighty complicated, what we're trying to do here to work around.

MS. BECKWITH: This doesn't preclude a temporary allocation shift, and it doesn't preclude the council from developing tools that maybe multiple tools are used on the same species, and so I guess, I think, if it's okay with the committee, to give us a chance to clean this verbiage up and maybe allow this idea to go to scoping. Then, when we see it again, if you guys still don't like and the public didn't like it, then we can trash it.

DR. DUVAL: I guess maybe I've had a chance to think about it a little bit more, and so I don't see it as any more complicated than a temporary allocation shift. I think, if you go back and look at the briefing materials from our March meeting, where -- I think specifically, in the decision document for Mackerel Amendment 26, this was the idea that Gulf Council Vice Chair Leann Bosarge came up with.

It had a number of different triggers under which, if a sector had only met a certain proportion of its annual catch limit, then a certain percentage of say the recreational annual catch limit would be transferred to the commercial sector for the upcoming year. However, once the donating sector reached a certain proportion of its annual catch limit, then that transfer would revert back.

I mean, quite honestly, I think that's also complicated, and probably equally as complicated as simply -- If you're not spending all of your money and you take some of that unspent money and you deposit it into a savings account that has a total limit on it, it's no more complicated than some of these other types of transfer tools that we're looking at.

MS. BECKWITH: Right, and so I guess what I was thinking we would do is send out multiple options to scoping, and I know one would be the common pool, one would potentially be this reserve category idea, one would be the temporary allocation shifts that we've discussed in the mackerel plan, and one would be the combined ACL that Roy has put forth for yellowtail. It would be sort of four options that would sweep the gamut of ways that we might be able to handle these ACL management allocation mechanisms. That's sort of where I am mentally going with this.

MS. MCCAWLEY: Can you say that list again, because I was going to try to suggest adding some more of these, and so what were the ones that you were thinking?

MS. BECKWITH: The range would be potentially the common pool, this reserve category that I know we sort of have to flesh out, the temporary allocation shift that has been discussed by the Gulf Council in their mackerel amendments, and a combined ACL option.

MS. MCCAWLEY: The combined ACL, is that the draft action at the bottom to remove sector ACLs?

MS. BECKWITH: Correct.

MS. MCCAWLEY: Following up on that, the temporary allocation shift that you referred to, this document, there are two different temporary allocation shifts in here. One of them is more like what we did in mackerel and then one of them is a temporary allocation shift such as in the bluefish fishery. Are we not going to consider the one like in the bluefish fishery as well?

MS. BECKWITH: We certainly can if you would like to.

MS. MCCAWLEY: Yes, I would like to.

MR. BREWER: I am uncomfortable talking about allocation shifts, no matter what form they might take, without having some pretty good socioeconomic analysis of whatever fishery we're talking about. I make that statement because we've had the argument with regard to dolphin before. For the recreational sector to catch approximately 50 percent, or thereabout, of its, quote, quota, it may actually be OY, and so, as we go through these discussions, I think we need some guidance on what socioeconomic effects are going to be taking place.

MS. BECKWITH: Chester, if you don't like the idea of allocation shifts, then you should love my reserve category idea.

MR. BREWER: Quite frankly, I do.

MS. BECKWITH: I think there is multiple pieces to that, Chester. I think, as we develop these tools, to where we're comfortable with them, we may choose to utilize them for specific species, at which point we would consider the socioeconomic data, but it's sort of a two-pronged approach. One is we have to figure out what tools we're comfortable using and then how we might apply those tools to a specific species, at which point all that additional information would come into the discussion. Is that okay? Anybody else?

MR. PHILLIPS: I know dolphin is kind of a different way to work that, but I am thinking back to yellowtail. If the commercial guys have been getting their limit, or close to their limit, they are never going to build up much of a rollover or a reserve, and I think we really need to talk about some kind of temporary allocation and limit it to some number or the bluefish, like Jessica talked about, and it would be good -- I don't think we want to go down the road of having multiple ways of doing shifting fisheries, if we need to.

We need to try to figure out something that's going to work for all of the fisheries, or at least most of the fisheries. Like you said, or I think I heard somebody say, set it up as a template, and it would be much less confusing to the public if we can figure out where that sweet spot is.

MS. BECKWITH: I am going to let Michelle say what I am thinking.

DR. DUVAL: We are just talking about ideas to take out for scoping. That's the whole point of scoping, is that we put ideas out there and say here is a range of things that we're thinking of, and we get public input on whether or not we should move forward with some of those ideas. It may be that the public says, well, we don't like the idea of the reserve category and brings up additional things that perhaps we haven't considered right here.

It may be that the public says, hey, we really like the idea of the bluefish approach, where it's written in the regulation exactly what proportion of allocation shift could be implemented on an annual basis. It could be that some folks like the idea of just having a single annual catch limit. I mean I feel like we're trying to get a little bit ahead of ourselves and make a final decision before we've even gone through the scoping process.

MS. LOWERY: Just to clarify, for the record, I was a little bit confused about the discussion of a single ACL and if that's being considered for dolphin or not.

MS. BECKWITH: It would be a tool that we might consider for yellowtail snapper and have discussed for dolphin although there doesn't seem to be a ton of support for the dolphin, but maybe more support for the yellowtail.

MS. LOWERY: I would encourage the council to at least take that out for scoping for the range of options.

MR. BOWEN: Since this is just going out for scoping, can we also include how it is now, with just allocation shifts, so we have some alternatives in there from like -- Instead of 90/10, like it is now, can we have some actions and alternatives in there just to go 85/15 or 80/20 or 75/25, just like it is now with allocation changes. That's kind of what the public is used to. I know it's not -  
- Never mind, but can we have that in there as well?

MS. MCCAWLEY: I'm okay with that if we're talking about that for yellowtail, and I would call that a permanent allocation shift, and it's not on our sheet here, but I would call that a hard allocation shift or a permanent allocation shift, and I would be open to looking at that for yellowtail.

MR. BOWEN: But not dolphin?

MS. BECKWITH: We just reconsidered that for dolphin.

MS. MCCAWLEY: Yes, we just did it for dolphin.

DR. DUVAL: Yes, that just became effective in the last six months. That was part of the issue last year. If that had been effective, the commercial dolphin fishery might not have reached its ACL and might not have had to be shut down, and so, to me, this amendment was supposed to be about tools for temporary allocation shifts, in order to ensure that one sector or another would not exceed its annual catch limit, and not a permanent reallocation.

MR. BOWEN: Thank you, Dr. Duval. You triggered my memory, and I stand corrected, and so I take that back, but if you want to do that on yellowtail, I'm okay with that too.

MR. COX: Since I've been on the council, very rarely do we talk about allocations, or hard allocations. If you look at the dolphin fishery for the recreational sector, it was 37 percent in 2014 and half of it was caught last year, but the commercial guys are getting 10 percent and the recreational guys are getting 90 percent. I just think at some time we're going to have to work on these hard issues.

MS. BECKWITH: We will miss you when that happens, Jack. Anyone else?

MR. HARTIG: To that point, I mean one of the things rattling around in my brain is when do we do an ORCS update? When will we update these landings figures and relook at the process for our data-poor species? It seems to me that we shouldn't go on in infinity and not readdress these on a certain timeline. It seems to me that maybe every five years, at least, you should be looking at your unassessed species and how we set the catch recommendations. I don't know that we've had that discussion, but it certainly seems to me that we should be doing that.

The other thing I had is a Roy question. In the past, Roy, you have said that we can't -- If you have a commercial ACL of X and then you roll more quota into that X allocation, it goes over the commercial ACL -- It rolls over into the commercial potential catch, but then the ACL is still X, but then you added more fish, and so how does that work?

DR. CRABTREE: If you have an underage, like we have with dolphin every year, you could, in theory, carry over the uncaught quota to the next year, and you could add it to your ACL the next year. If you didn't then go over the ABC, you wouldn't have to go to the SSC. Now, I think you could develop a control rule that carried over the uncaught or some fraction of the uncaught fish and the SSC would review that and give you another ABC the next year, potentially.

I think there are ways you could carry over the uncaught fish and allocate that differently, for example allocate more of the carryover to the sector that did catch their quota in the previous year,

something like that, and make this work. There is an awful lot of uncaught dolphin virtually every year, and so I think you could address that through carryover and potentially yellowtail as well.

DR. DUVAL: The SSC has had some conversations in reviewing its ABC control rule, and I think, John, remind me where we are with that. The SSC tried to have an ABC control rule review workshop and then a subset of folks got together to review the success of the ABC control rule, and the SSC just received a presentation on that at their May meeting. Now, it was really just an evaluation of sort of the success of the ABC control rule, and I think the conclusion was that we still need more years in order to fully assess how successful it has been.

Now, that doesn't mean that we couldn't ask the SSC to consider incorporating into its ABC control rule something like what Roy is talking about for consideration of unused ABC. Roy, I don't know if you heard what I said, but I think we could task the SSC, its reexamination of the ABC control rule, to consider having some means by which unused ABC could be shifted or reallocated. I am not sure I entirely understand what Roy was getting at, but --

MR. CARMICHAEL: What you said about the control rule is right. They have looked at it. The SSC had a group that has looked at it and they make some recommendations. They're looking at both how it performs as well as whether or not we have the right criteria within it, and so I think Marcel will report some on that when he gives his SSC report.

I think, when it gets to the unused, that you sort of have two things. You have unused within a sector, which is aside of the ABC, because the ABC is basically the total. The SSC gives you total removals and you decide how that is split up, and so whatever you do within a given ABC within a year is your purview.

If you get into the things of in a particular year you don't reach the ABC and you want to think about using that in subsequent years, that always raising the question of overfishing in that subsequent year, because you remove more than what you've said you could remove, yet we always know that, to some extent, fish left in the water is money in the bank, and so you should be able to take a few more, short-term, without necessarily overfishing.

When you're dealing with a fish where all you're looking at is landings, all that becomes much more complicated, because you don't have the actual fishing mortality rate, and so I think, to an extent, you can craft some language to the SSC to get them to weigh in on that. It's certainly something they can talk about and consider in the rule, and it's certainly within your purview, since the ABC control rule is approved by you and developed by you and the SSC in conjunction, and so I think you can accomplish all of that.

MS. LOWERY: Just for the council's information, and you might already know this, but there are the proposed revisions to the National Standard Guidelines that are not finalized yet, but there is a provision in there. We don't know what it will be when it is finalized, but it does contemplate this sort of ABC control rule carryover. It's possible that, once those are finalized, that could provide the council with some additional guidance as far as how to structure something along those lines.

MS. BECKWITH: Those are supposed to be ready by the end of the summer maybe?

MS. LOWERY: I think I've heard the fall.

DR. DUVAL: A couple of things. One, to address one of Ben's comments about when are we going to reexamine our ORCS species, Amendment 29 just became effective July 1 of last year, and so I think if we want to -- We should probably discuss, at some point, in some committee, how frequently we would like to do that and perhaps working that into the SSC's task list on some regular basis, whether it's every other year or every three years we get an update on those ORCS stocks.

Then I guess, in terms of the broader concerns about if you're rolling over or creating a reserve quota that theoretically might amount to going over the ABC in a particular year, it seems like we ought to take a little bit closer look at how HMS deals with the carryover that is allowed for domestic sharks from year to year. It's my understanding that underharvest is limited, like I said, to species that are not overfished and not subject to overfishing and it's only for one year, and so perhaps a little bit more conversation with folks at HMS, who are also subject to Magnuson, regarding how that works.

MS. BECKWITH: Right, and I asked Margo specifically that question, how their reserve and rollover mechanisms worked, when they had to sort of maintain within the total ACL, and her response was that they do have to stay within the TAC, but it hasn't been an issue, because the ICCAT-managed species are exempt from the ACL requirements, and the only shark species for which HMS carries forward underharvest currently is the Gulf of Mexico blacktip, and that fishery has been closed early since the separate quota was established, due to the linkages to the large coastal hammerhead fisheries, and so they are sort of not having to deal with that at the moment.

That was one of the reasons why I had sort of contemplated this reserve category rather than a regular rollover that would roll over unused quota from one year to the next within a sector, recognizing that we had to make sure that we are maintaining our harvest under or at our ACL, and so that's where the slight difference in the mechanisms were contemplated from. It's 12:20. Let's keep going until 12:30.

DR. DUVAL: Madam Chair, I was going to offer a motion, if you might be prepared for that. **I move that in Dolphin Wahoo Amendment 10/Snapper Grouper Amendment 44 that we take out for scoping the following: common pool allocation; a reserve category, as we've discussed here today; temporary allocation shift, and I'm thinking, in parentheses, the Bosarge suggestion for king mackerel; a temporary allocation shift (similar to bluefish); and a combined ACL.**

MS. BECKWITH: Then Jessica had also requested consideration of a permanent allocation shift specifically for yellowtail. Do you still want to toss that one in here?

MS. MCCAWLEY: Let's not toss that in there right this second and just let that motion stand as it is, and I can second that motion.

MS. BECKWITH: Okay. It's seconded by Jessica.

MR. COX: I was wondering if I can make a motion as well.

MS. BECKWITH: Unless it's a substitute motion, we can vote on this one first, and so it depends what you want to do. Is there any further discussion on this motion? Again, this is for scoping.

This is a range of potential mechanisms we might use to manage our ACLs and potential allocation shifts. **Is there anyone opposed to this motion? Seeing none, that motion carries.**

MR. COX: **I would like to make a motion for Amendment 10 to take out to scoping as well, that we look at a permanent allocation for dolphin of 80 percent recreational and 20 percent commercial.** I am looking kind of for a permanent solution.

MS. BECKWITH: Okay. We would definitely need more ranges than that, and so if you just want to consider a permanent allocation shift for dolphin, then they would sort of set up the range, the NEPA-required range. Jessica, did you want to add anything to that motion?

MS. MCCAWLEY: Let that motion stand alone.

DR. CHEUVRONT: Do I have the motion now the way you want it? We would just take out permanent allocation shift for scoping, or did you want to have the specific values in this motion as well?

MS. BECKWITH: It's up to you.

MR. COX: Yes, I think we could add some values. Let's do an 80/20, 80 percent recreational and 20 percent commercial, and we could go with a 15 percent commercial. I don't know how many ranges we need. Usually we have about three. We could possibly go with a 75 percent recreational and 25 percent commercial.

MS. BECKWITH: While Brian is getting that motion up, do we have a second to this motion? Seconded by Charlie. Is there any discussion on this motion?

DR. CRABTREE: I think you're getting way too specific for scoping. If you want to scope a document, you would lay out the problem, which is one sector is getting closed and catching it and the other is not and should we adjust the allocation and those kinds of things, but, at this point, with scoping, you wouldn't start normally putting numbers in it, and so I think we're just kind of getting ahead of the game in terms of being overly specific on all of this in what we're taking out. To me, scoping is more about identifying the problem and asking the public for input on ways we might address it.

MR. COX: **I will modify my motion. My motion would read: Take out for scoping a permanent solution to the dolphin in Amendment 10.** Somebody can help me put this together, but just to get some ideas from the public on some kind of permanent allocation.

MS. BECKWITH: Do you just want to give direction to staff to craft an appropriate --

MR. COX: That's possible, yes.

DR. CHEUVRONT: Just to follow along with what Roy was saying, just taking out for scoping a permanent allocation shift for dolphin, that could potentially be the issue that gets scoped, depending on how that gets responded to.

DR. CRABTREE: We're talking about two separate amendments here now?

MS. BECKWITH: No, this is still for one amendment.

DR. CRABTREE: So we passed a motion of what we're going to scope and now we're talking about adding something else to it? Okay.

MS. BECKWITH: Charlie, are you still comfortable with that?

MR. PHILLIPS: Yes, and I don't mind looking at stuff for scoping.

MS. BECKWITH: Okeydokey. Any further discussion? Okay. **All those opposed to this motion, please raise your hand, one. The motion carries.**

MS. MCCAWLEY: **I would make the same motion for yellowtail.**

MS. BECKWITH: Okay. Do we have a second? Second by Charlie.

MR. HARTIG: Does the allocation by gear type for the commercial sector stay in as an allocation or it's going to be the next --

MS. BECKWITH: We can consider maybe adding that to Dolphin Wahoo Amendment 11, in sort of a larger discussion of how the fishery would sort of be reorganized or, if you want to scope that now, you certainly have the power to make a motion.

MR. HARTIG: I am just saying that the council make a conscious decision last year to put these forward as two important things to go forward with with yellowtail and dolphin, and now we're saying that we're going to take one of the things that was important the last meeting and say, well, we'll do that in another amendment later. This is the single most important thing facing the commercial sector in allocation now, is gear type allocation. It would be critical to keep it in an allocation amendment.

Now, I know that the amendment has been framed as temporary allocation shifts, but, given the importance of this by everyone that has talked to me, I believe it would be critical to keep it in the allocation part of this amendment.

MS. BECKWITH: Okay. Let's vote on the standing motion and then we will put that one in there. We have a motion on the floor. We have a motion to take out, for scoping, a permanent allocation shift for yellowtail snapper. Charlie seconded. **Is there anybody opposed? Seeing none, the motion carries.**

MR. HARTIG: **I would move that also add the allocation of dolphin by gear type for the commercial sector.**

MS. BECKWITH: Okay. Is there a second to that? Second by Mark. Is there any discussion on that one?

MR. PHILLIPS: I am inclined to have that as a different amendment, if we want it. I don't think we're going to run into closed seasons, because of the additional fish that we've got, and this is going to -- What we've got on the board already is a lot. I am inclined to take it to a different amendment, if needed.

MS. BECKWITH: Yes, and we could do that. We could choose to do that after, since what we're doing now is taking it out to scoping. I don't imagine that everything that we've sent out to scoping on this list will make it into the amendments.

MS. MCCAWLEY: Do we have any idea on what the timing would be on that other amendment, just so that I can get an idea? I mean is it a year away? Is it two years away? Is it three years away?

DR. CHEUVRONT: That's something that will be discussed in Executive Finance when you look at the priorities, but I think you're probably looking at probably at least a year from now, but we'll have to see.

MS. BECKWITH: Okay. **Is there any opposition to this motion? Seeing none, that motion carries.** It is 12:31. Is there any further discussion on sending this out to scoping?

DR. CHEUVRONT: Madam Chair, at the March meeting, this committee, and then the council subsequently, passed two motions about -- One is removing sector ACLs for dolphin and yellowtail and the other is to allocate dolphin by gear type for the commercial sector, but you gave us some very specific language to consider. I guess simply direction to staff would be fine. Do you want us to use this language when we take this out to scoping or would you like for us to be more general in how you would like for us to handle this?

MS. BECKWITH: Ben, that would be up to you. The allocation of dolphin by gear type for the commercial sector, there was specific language that we approved for alternatives.

MR. HARTIG: It doesn't have to be specific language. It could be much more general, in my opinion. Going to scoping, you have some things laid out. If you think we want to move forward with that, that's okay, but, hearing Roy's comments, you should be more general in scoping. As long as it's in there, so the fishermen could maybe suggest some things.

DR. CHEUVRONT: To add to that, Madam Chair, since the last committee, we had some issues with trying to figure out how we can look at landings based on fishermen who have HMS permits versus not and longline landings versus hook and line landings. We do have more information on that, and that would all end up in the scoping document, so that the public will have a chance to look at that and evaluate it when making recommendations that they think the council ought to consider for this.

That's kind of what I would recommend, but I just wanted to make sure that, if we take this out to scoping using the general terms, then we're not going to be following the direction that you gave us in March, which is okay, but I just want to make sure that we're very clear that that is what your desire is for us to do now.

DR. DUVAL: I agree with Ben and with Roy, who has made this point that we're just going out for scoping and let's keep it general. We can always bring this specific verbiage that we voted on previously into an amendment, should those actions be included.

MS. BECKWITH: There is another document, and I think it's Attachment A4, where Brian had pulled some information together about the landings from longline landings from HMS permits

and then -- Madam Chair, we have a little bit more business to do. Would you like me to continue or do you want to break for lunch and pick up after lunch or would you like me to pick this up at full council, before we get into any additional topics?

DR. DUVAL: What's your pleasure? I mean we have a lot to do under Snapper Grouper. How much longer do you think this other business will take? What is it?

MS. BECKWITH: I would think we would probably need about thirty minutes. I could probably take care of it in full council, but to go through the other document that they had prepared, A4, talking about the catches for longline, and also just to make sure that we have the list for what is possibly going to be considered in Amendment 11, just review it for everyone and make sure that everyone is still good with that.

DR. DUVAL: We can go ahead and break for lunch. How much time do folks need for lunch? We generally have an hour-and-a-half. Is it possible that we could do it in an hour-and-fifteen minutes? If we break for lunch now, can folks be back by about quarter to two, so that we can pick this back up? I would just ask folks to please be prepared to stay this evening until at least six o'clock, because we have a lot of stuff that we need to get through for snapper grouper today.

MS. BECKWITH: If folks can pull up their Attachment A4, the last two items I have are wanting Brian just to step us through these tables, so we know that they're there and be aware of them, and then just to go through the list of other items that we are collecting for future consideration in the Dolphin Amendment 11. I will turn it over to Brian.

DR. CHEUVRONT: Thank you, Madam Chair. I am looking at Table 1 right now on Attachment 4, and we didn't really have a straightforward way to determine which dolphin were landed by people with HMS permits and a dolphin permit or just by dolphin permit alone, and so we did sort of a backdoor calculation here by looking at landings, to see if there were any HMS species on the same trip ticket.

If it was just dolphin or dolphin and wahoo or other non-HMS species, that got included in dolphin-only landings, and HMS is if it included HMS species. That was the closest way that we could do this without going through and comparing permit numbers and all to each landing, but, as you can see, there is a pretty big difference. When you start looking over time from the Mid-Atlantic and North Atlantic, over 90 percent of them, in some cases as much as 100 percent, of dolphin were landed by folks who also had an HMS permit.

The percentages tend to be fairly high in North Carolina, but if you look and see in 2011, the trend was actually reversed and in 2012, but then it reversed itself again in 2013 and 2014. In South Carolina each year, the majority of dolphin were landed by folks with HMS permits. However, when you get to Georgia and Florida, it's more like it was in North Carolina, with some flipping going back and forth, but the big thing to remember is it looks like a large percentage of the commercial landings of dolphin are occurring by folks who probably have both of those permits.

Then we did the same analysis looking at numbers of vessels, unique vessels, and so it's the same type of result. Then looking at the numbers of trips. You can see that, in general, the HMS trips tend to outpace just the dolphin-only trips, and these other tables you have already seen before. Table 4 and Table 5, you have seen in other documents. They just break down landings. They have appeared in other briefing book materials that you've seen in the past. Dolphin landings,

longline versus hook and line, by month, by year, and the trend, just to make sure you all know, is that the longline landings tend to increase in the spring, primarily May and June, but then decrease dramatically by early July, and so that's a trend that we always sort of see continuing.

If you remember last year, the commercial sector caught its ACL and closed at the end of June, which is very close to when the longline landings typically drop off precipitously, and so, if you look at the landings by pound, you will see that there is some variation over time, and by time I mean months, in terms of the trend for hook and line, but the hook and line fishery tends to last all year, and so I wanted to point that out.

Then Table 5 sort of shows you the commercial and recreational breakdown for dolphin landings, and so that includes hook and line and longline together, and Table 6 is the same landings for yellowtail by commercial and recreational by month.

MS. BECKWITH: Okay. Perfect. Is there any questions on this attachment or the tables or data contained within? Okay. Seeing none, then let's do a quick review of the other topics to be considered in potentially Dolphin Amendment 11, and then we will move on to snapper grouper.

Brian has projected on the screen the master list. Some of these have come from our discussion and some of these have come from public comments, and it's not necessarily items that we are going to take action on, but simply a running list of items that have come up for future discussion and/or consideration. If you guys either have anything to add or questions on anything that is up there, feel free to add that.

One clarification we had was we have a bullet point in there about potentially instituting a circle hook requirement for the dolphin fishery, and staff was looking for some clarification on if that was for future consideration for just longline or for all commercial. If we don't feel the need to clarify that now, we can certainly have that discussion at some future date.

MR. COX: Every time I see the word "bag limit", I think of a recreational limit. A trip limit is a commercial limit, not a bag limit. Am I correct on that?

DR. CHEUVRONT: But we're talking bag limit sales, and so this would be recreational fishermen being allowed to sell what they catch. That used to be allowed in this fishery, and then it was taken out. We have gone back and forth with this over the years, and there is some desire to bring this discussion up again. The AP is very much in favor of allowing for-hire sales of recreationally-caught dolphin, and so this council has discussed it several times, and there is folks who do want to discuss it again and some who don't, but this is just a potential list of things that could go into a future amendment.

MR. COX: Then I think it should read "recreational bag limit sales of dolphin" and not "commercial bag limit".

MS. BECKWITH: Or maybe even, for further clarification, charter bag limit sales, which is really what we're possibly considering, for-hire bag limit sales of dually-permitted vessels, I think maybe even more specifically. Okay, guys. Any other comments or concerns?

MS. MCCAWLEY: Do we want to talk about the HMS requirements that are required for longliners that might not be required for other people that don't have an HMS permit that might be longlining dolphin?

MS. BECKWITH: You are certainly welcome to do that.

MS. MCCAWLEY: Well, as part of the list of things that we would talk about for the next --

MS. BECKWITH: Yes. Okay. I see what you're saying. That was partly where the circle hooks were coming in, but, in addition to that, they also have some different bait requirements and some protected resource training and shark ID workshop requirements that --

MS. MCCAWLEY: Gear configurations and they have closed areas, I believe.

MS. BECKWITH: Yes, although I think our regulations state that our folks aren't allowed in HMS closed areas. Do you have a phrase that you want to add in there for that?

MS. MCCAWLEY: Ask staff to provide a list of the differences for the HMS longline fishery versus people that don't have the HMS permit might be taking longline. That wasn't a short phrase.

MS. BECKWITH: Right, and so the different requirements from the limited entry trifecta versus just our -- Okay. We will give that to Brian as direction.

DR. CHEUVRONT: Let me put something up here and make sure that it's close to what you want. This is sort of going to be like a laundry list that we're going to keep until we develop this amendment, and so what we need to be able to do is make sure that we can recall what this was about. Does this sort of capture it? Consider complementing HMS requirements in the dolphin wahoo fishery.

MS. BECKWITH: Probably not the wahoo fishery. I think it would be specific to the longline, or do you guys want to go broader than that?

MR. BREWER: The concern is not with the hook and line fishery, obviously. It is the longline, what the HMS folks refer to as the, quote, state boats. That's where the concern is, and I think specifically whether the people that are fishing there should have some of the -- If they're going to be longlining, essentially pelagic longlining, whether they should be required to have a lot of the same types of restrictions or whatever you want to call them, rules and regulations, that the HMS people -- Just as an example, turtles. There has been a pretty good reduction in the bycatch of turtles because of the use of circle hooks, and maybe that would be a good requirement for us to put on specifically the longline fishery, and so try to capture it as the longline dolphin wahoo directed fishery.

MR. BOWEN: Forgive me. I am old and hard of hearing, and Chester may have touched on this, but you mentioned about the circle hooks. You said clarification. I would maybe not want clarification, but maybe some rationale of why that's even in there. I hate a circle hook.

MS. BECKWITH: Sure. Folks that pelagic longline through the HMS requirements, they have a circle hook requirement for the pelagic longlines. They also have a requirement for whole bait,

whole squid, and a handful of other requirements that those individuals that are using pelagic longlines for just dolphin, via our our dolphin permit, don't have, and so there is a sense that there may be some inequity in the regulations between the longliners that follow the HMS regulations and those that only hold our dolphin permit and use longline gear.

MR. BOWEN: So the rationale would be consistency in regulations?

MS. BECKWITH: Right.

MR. BOWEN: I'm fine with that. Thank you.

MS. BECKWITH: Okay, guys. Anybody else?

DR. CHEUVRONT: There were a couple of things that you added to the list that you might want to mention to the rest of the committee.

MS. BECKWITH: Yes, I did. I added to the laundry list for a future discussion my personal pet peeve of removing the operator card requirement for the dolphin wahoo charter vessel, again for future discussion, and we had had some discussion during the last committee meeting about possibly considering implementing an ACT to monitor the recreational fishery, as a way of addressing the optimum yield question, and also we had had some comments from the public to consider changing the fishing start date to better accommodate the growth in the Northeast fishery. Again, these are not sort of suggestions of actions to move forward with, but just a record of things that we've discussed that we might want to consider in the future. Is there any additions or concerns? All right. Seeing none, then, unless there is other business --

MR. HAYMANS: I say this with all due hesitation. However, in that potential list, we're putting folks on alert that at some time in the future we're going to be looking at limited entry. Our current control date is nine years old. I think that's coming up in another -- I know it's coming up later on this week for another fishery, and so I think possibly we ought to talk about the control date for dolphin wahoo, seeing as it's nine years old.

MS. BECKWITH: For which part of dolphin wahoo?

MR. HAYMANS: In your list -- Well, for both. It's March of 2007 for for-hire and it's December of 2007 for commercial. I am just looking at the potential future amendments. We have said, in that list, is limited entry, and so I think we ought to update the control date. It's nine years since we've done anything with it.

MS. BECKWITH: We have a control date of June 30 for the dolphin commercial fishery that we did at the September meeting.

MR. HAYMANS: My apologies. I am looking at what is online, and it's not updated.

MS. BECKWITH: I have an inkling that we may be talking about the charter control dates here at some point. I think it's on the agenda for Snapper Grouper, and so I think that would encompass all, but, yes, I agree. I mean that would certainly be something that would be added to the list, although the list does have limited entry for the for-hire industry, and I think that discussion is

going to come up in Snapper Grouper later on. Anything else? Is there any other business to come before the committee? Seeing none, the committee adjourns.

(Whereupon, the meeting was adjourned on June 14, 2016.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

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Transcribed By:  
Amanda Thomas Transcriptions  
July 25, 2016

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