

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COBIA COMMITTEE

**Marina Inn at Grande Dunes
Myrtle Beach, SC**

September 14-15, 2016

SUMMARY MINUTES

Mackerel Cobia Committee:

Ben Hartig, Chairman
Mel Bell
Dr. Roy Crabtree
Anna Beckwith
Doug Haymans
Robert Beal
Dewey Hemilright

Dr. Michelle Duval, Vice-Chair
Jessica McCawley
Chris Conklin
Charlie Phillips
Zack Bowen
Rob O'Reilly
Tony DeLernia

Council Members:

Chester Brewer
Tim Griner
LTJG Amy Hockenberry

Dr. Wilson Laney
Mark Brown

Council Staff:

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

John Carmichael
Dr. Brian Chevront
Amber Von Harten
Chip Collier
Myra Brouwer
John Hadley

Observers/Participants:

Erika Burgess
Leann Bosarge
Dr. Louis Daniel
Nik Mehta
Jocelyn D'Ambrosio
ASAC Jeff Radonski
Dr. Mike Denson
Jack Cox

Dr. Marcel Reichert
Rick DeVictor
Robert Boyles
Dr. Dave Gloeckner
Monica Smit-Brunello
Dr. Jack McGovern
Bill Gorham

Additional Observers Attached

The Mackerel Cobia Committee of the South Atlantic Fishery Management Council convened at the Marina Inn at Grande Dunes, Myrtle Beach, South Carolina, Wednesday afternoon, September 14, 2016, and was called to order by Chairman Ben Hartig.

MR. WAUGH: We have two voting seats on our Mackerel Committee for Mid-Atlantic Council representatives. During the cobia discussions, the fishermen, particularly in Virginia, have felt that their level of representation hasn't been what they would like it to be, and we have pointed out that we've got two voting seats, and that certainly provides you a voice.

You will also hear later on the status of the work with the Atlantic States Marine Fisheries Commission. That's another avenue for them to have some voice, but I attended the last Mid-Atlantic Council meeting, and they operate as a committee of the whole with some of their activities with the New England Council, and that allows the New England representative to vote at the council level, if you will, and so we've talked with Monica and with the Mid-Atlantic NOAA GC, and we've come up with a procedure that we're going to use at this meeting, and we will have our SOPPs, which is our standards and procedures committee, meet and codify some of these informal operations, so that we have them.

Once Mr. O'Reilly goes through the Mid-Atlantic report, then Ben or Michelle will convene us a committee of the whole. During that committee of the whole, we will be functioning as a full council, and all our non-voting members, the two Mid-Atlantic representatives to the Mackerel Committee, the Coast Guard, ASMFC, and U.S. Fish and Wildlife Service can vote, and we will be operating as a council.

Any motions coming from the South Carolina DNR presentation, Agenda Item 7, will be addressed and also any actions from the public comments, Agenda Item 8, and then particularly when we get into Framework Amendment 4, which is cobia, Agenda Item 9, that will be discussed as a committee of the whole.

Once we complete all the actions on Framework Amendment 4, then we will recess the committee of the whole and we will operate as a South Atlantic Council session. Michelle will convene the council session and then we will entertain a motion from a South Atlantic Council member to approve the framework that we just modified and then deem the codified text as necessary and appropriate, giving staff editorial license to make any changes and the Chairman authority to approve those revisions and re-deem the text. All members, everybody here, can participate in the discussion, but only South Atlantic Council members will vote on that final motion to send the document for formal review, and that will be a roll call vote, like we do for any final secretarial actions, and I will conduct that roll call vote.

Then, once that's done, we will recess the council session and continue discussions as a Mackerel Committee. We're doing this to give added voice to the folks from the Mid-Atlantic that represent the fishermen in Virginia and give them some added stature in our discussions, so they feel that they have more representation and more influence in the outcome. I think you're going to see this more and more, and it's interesting, when you look around. We are having more and more representation from the Mid-Atlantic Council here, and I think you will see us attending Mid-Atlantic Council meetings, and we will be doing the same with New England, as these fish start to cross jurisdictional boundaries.

I have had some informal discussions with Chris Moore, the Mid-Atlantic Executive Director, and we're going to follow up with Tom Nies, the New England Executive Director, and talk about how the councils can come up with some working relationship, similar to what we're doing here as this committee of the whole, to allow the councils to work together on these multijurisdictional issues without having to go back to the Secretary of Commerce and change how these management authority designations have been made thus far, and so thanks to Monica for her help and guidance in setting this up, and I would be glad to answer any questions you have.

MR. HAYMANS: I will just ask. When I hear committee of the whole, I think the council as a whole functioning as a committee, and I understand the distinction that you just made, but these gentlemen are on the committee, and are they not voting members of the committee now?

MR. WAUGH: They are, and we operate at the committee level, but then anything done by the committee, all of those actions, would then normally be approved by the council, and so we're bypassing that by operating as a committee of the whole. When you function as a committee of the whole, the main body still needs to ratify that decision, and so what we're doing that may be a little bit different is we're not going back and ratifying each individual decision pertaining to the cobia amendment. We're just going to approve the amendment as modified.

MR. HAYMANS: So we will skip the "I so move".

MR. WAUGH: Yes.

DR. DUVAL: Gregg, just a quick question. I think the members of the committee, we need to -- It's Ben, myself, Anna, Mel, Zack, Chris Conklin, Roy Crabtree, Doug Haymans, Jessica McCawley, Charlie Phillips, Robert Beal, Rob O'Reilly, Dewey Hemilright. Madam Chair Bosarge is not listed as a member of the committee, but she is our Gulf Council liaison, and so we just want to clarify that she would not be participating in this vote. Roy, if you could confirm that on the record, I would appreciate that.

DR. CRABTREE: Yes, I confirm that, and Ms. Bosarge and I in fact had that discussion just a moment ago. She has no desire to vote on these issues, I'm sure.

DR. DUVAL: I don't blame her at all.

DR. LANEY: My question follows on Michelle's. The U.S. Coast Guard and U.S. Fish and Wildlife Service are not members of any of these committees, and so do I presume correctly that we don't get a vote either?

MR. WAUGH: The way we have discussed this is since you vote at the committee level on other committees -- The thought was, since we're operating as a committee of the whole, then you would be able to vote on this.

MR. HARTIG: You can always abstain.

MR. HAYMANS: I realize you and others have had a lot of chance to think through this, but what are the ramifications for other committees? Are there other issues that may come up because we set this precedent?

MR. WAUGH: I could see something similar coming up with dolphin wahoo, because, on our Dolphin Wahoo Committee, we have one voting seat for the Mid-Atlantic and one voting seat for New England. That, right now, is the only one, except we will have to cycle back to Snapper Grouper, because we've got a number of species that are cross-jurisdictional there, and so I could see it happening with Snapper Grouper as well.

MR. HARTIG: Are there any questions?

MS. SMIT-BRUNELLO: Just one point to Wilson's question. Wilson, you would not though be voting when the South Atlantic Council takes final action on the actual framework amendment.

DR. LANEY: Yes, understood.

MR. HARTIG: Thanks, Monica. Anything else? All right. Moving along, do you want to go into committee of the whole now or do you want to do it after Rob's report?

MR. WAUGH: After Rob's report.

MR. HARTIG: Okay, and so we will go right back into the Cobia Mackerel Committee. The next item of business is to approve the agenda. Are there any changes to the agenda? Seeing none, the agenda is approved. Next we do the minutes, approving the minutes. Are there any changes, deletions, or corrections to the minutes? Seeing none, the minutes are approved. That brings us right into Status of Commercial Catches Versus ACLs, and that would be Rick, I believe.

MR. DEVICTOR: I will go through the commercial landings. This is on the screen. These are king mackerel landings, and these are updated through September 8. In the Northern Zone, 1.98 percent has been met so far. Again, these are March start dates for king mackerel. In the Southern Zone, we're at 30.5 percent. Overall, we're at 21 percent.

Moving on to Spanish mackerel, there are also two zones for Spanish mackerel. In the Northern Zone, 60.3 percent has been met. The Southern Zone is at 13.2, for a cumulative total of 22.8 for Spanish mackerel. For cobia, and, again, these are through September 8, and we started to do something new here. We showed the landings of non-federal dealer-reported landings. We haven't done that before, and we're, again, going to talk about this soon, but, for federal dealer-reported for cobia, 50,000 has been met and 21,736. Again, this is 2015 last year, and so we'll talk more about this, and these are when landings came in after the fishing year ended. When you're looking at 2016, 51.6 percent has been met in the Atlantic group, and that concludes my report.

DR. MACLAUHLIN: The commercial landings report was Attachment 1 in your briefing book that was sent out a couple of weeks ago. This is an updated version. If folks want a copy of the updated report through September 8, we can have Mike send that out or post it for you guys.

MR. HARTIG: Sure. Any questions of Rick? All right, Rick, that takes us to Status Reports, and I'm sure you're going to do that.

MR. DEVICTOR: Yes, Mr. Chairman, and thank you. The one amendment I have to report on is CMP Amendment 26. Again, this updated the Gulf and Atlantic king mackerel ACLs based on

the results of SEDAR 38. It modified the stock boundary to be consistent with the stock boundary used in SEDAR 38. It updated the zone subzone commercial quotas for Gulf king mackerel and revised sector allocations for Gulf king mackerel. There was a provision to allow bag limit sales of Atlantic king mackerel in the small coastal shark gillnet fishery and changes in management regulations for the Atlantic Southern Zone.

That's the list of the regulations or the actions in the amendment. The council voted to approve to send that to NMFS at the March meeting. The regulatory amendment was submitted for secretarial review on July 6, and we're working on the proposed rule right now.

MR. HARTIG: Thank you, Rick. Are there any questions on that? Seeing none, that brings us to the Status Updates on the Commercial and Recreational Landings to the Southeast Regional Office for Quota Monitoring. Who is going to do that presentation?

MR. DEVICTOR: I will cover that. Where this came about, council staff sent over a list of questions for SERO to address, and it basically has to do with when does data get to the Science Center and when does SERO post it online, and the thought process here is it would be good for the public to know when they can go online and look at the commercial data, the recreational data, the for-hire data, and the headboat data.

What I put together here, this is Attachment 2a, and I worked with the LAPP Branch at SERO and also talked to the Science Center, and they helped me put this together. You know most of this, but I will just go over it. For the commercial sector, forms from trips landing between Sunday and Saturday must be sent to the Science Center by 11:59 p.m. local time on the following Tuesday.

Then the Science Center sends it to SERO on that Friday, and what happens is SERO will try to get it up that Friday, or most likely will get it up on Monday. Each Monday, commercial landings are updated. Of course, we get projections from the Science Center, and that's what we use if we're getting close to reaching a catch limit. We will go through and do a Fishery Bulletin and such like that. That's the commercial landings as they come in.

Private recreational, and this should also say charter, estimates of catch, effort, and participation are available approximately forty-five days following the end of a sampling wave. For example, if it was May/June, landings would come in, usually, around August 15. The Science Center recalculates the pounds and then provides it to SERO within fifteen days, and then we have it up on our website at SERO within three days or less. That's private recreational and charter.

Finally, headboat, as you know, the fishing reports are submitted weekly, by 11:59 local time the Sunday following a week. The Science Center sends it to SERO within fifteen days of when they get it, and then we put it on our website within three days or less. Then I also put down a website that people can go to where we explain more about what happens when the Science Center gets it and when we put it online and why numbers may not match exactly between the two. That's a report on the Science Center transferring the data to SERO and when we put it online.

MR. BOWEN: Thanks, Rick. That was a good presentation, but I do have a question. When you get to the private recreational/charter, you said Wave 3, for an example, May/June, and you said August 15 that it's completed. Then, by this page, so it will be fifteen days after that, and so roughly August 30, and then two or three business days after that, and so around September 2 or

3. Even on some of the landings that I am looking at, or I looked at last week before the meeting, they still have “preliminary” beside them. Can you or would you go into an explanation of when those preliminary numbers would be changed to final, just for the audience and myself, really?

MR. DEVICTOR: They will continue to say “preliminary”, but they do get finalized the following year, I want to say springtime. Again, Bonnie is not here and the LAPP Branch isn’t here, but I believe that’s right, that it’s around springtime when it becomes actually the final landings.

MR. BOWEN: So it is normal for them to say, even though the numbers are as correct as we know they are, or can be, it’s normal for it to still say “preliminary” until the following year?

MR. DEVICTOR: Yes, that’s correct.

MR. BOWEN: Thank you for the clarification.

MR. BELL: That’s a process of just QA and QC and just making sure everything is right before you put the final stamp on it?

MR. DEVICTOR: Right. That’s correct. They go through a check. If there are mistakes in there or there’s post-stratification, of course, that has happened, and then numbers to weights also is different between what’s done in Headquarters and then, again, what’s done in the Science Center. That’s some of the delay in what the Science Center does after they get those landings.

MR. HARTIG: Are we good? Thanks, Rick. We appreciate that. The next item of business is an explanation of what happened with the cobia commercial overage in 2015. Steve Turner is on the line since Bonnie couldn’t be here at this meeting, to give us a report on that.

DR. GLOECKNER: This is Dave. I’m going to go ahead with this. This is Dave Gloeckner at the Science Center. I work for Steve Turner in the Fisheries Statistics Division. I run the Fishery Monitoring Branch.

MR. HARTIG: Thank you, Dave. We’re ready any time you are.

DR. GLOECKNER: All right. On the commercial side, just some general topics. Landings by federally-permitted dealers, that’s all that goes into the CLM system. We are missing, from that data, the state dealer reports. Reporting weeks are Sunday to Saturday. Dealer weekly reports are due at midnight on Tuesday. Data in CLM are considered preliminary. Finalized data are submitted by the states and available on the ACCSP data warehouse by late spring of the following year.

In 2015, we had sixty-five dealers reporting 948 trips with South Atlantic group cobia through CLM. The total was 50,054 pounds, or 83.4 percent of the quota. Originally, at the end of the season, we had calculated 54,162 pounds, or 90 percent, but, when we were reviewing the data, we did find that there were a couple of areas off of North Florida that were being included, and those had to be removed from that group and transferred to East Coast Florida.

There is a big discrepancy between CLM and what we have in the ACCSP warehouse, and we can see that there is a difference for Virginia as well as overall. What we found was that most of the

cobia were -- Most of that difference was cobia landed from state waters and sold to non-federally-permitted dealers, and so that data was not in CLM. There is a potential issue with conversion factors in North Carolina. The data in ACCSP were not in the actual landed pounds, and so that was dealt with by the Center, and we developed a work-around, working with the State of North Carolina, to get accurate numbers.

For the recreational side, the MRIP landings in 2015 are still consistent with the recent time series of landings. The confidence interval is included here, and so you can see that the overlap is consistent between the years, from 2010 to 2015.

Excluding Florida East Coast, most of the 2015 landings were from state waters of North Carolina and Virginia. That seems to be consistent with what we were seeing on the commercial side. The number of recreational trips that targeted cobia from New York to Georgia increased by 25 percent from 2014 to 2015. We also had what appears to be larger fish intercepted, and so our mean weights were a little bit larger than we applied to the numbers landed, which could impact the pounds that are reported.

For 2015, they were substantially higher than previous years. The increase is due mainly to a shift in landings north, away from Florida East Coast, and to the larger average weights. In 2015, the recreational catch limit was 630,000 pounds. Are there any questions?

MR. HARTIG: Are there questions for Dave? Rob.

MR. O'REILLY: Thank you, Mr. Chair, and thank you, Dave. I guess my question is I'm not sure I understand the difference between the MRIP weights and the weights used by SERO in the calculations that have been going on for about a year, and so is MRIP embedded in that dataset that SERO uses?

DR. GLOECKNER: MRIP is embedded in the dataset that SERO uses. There are average weights that are calculated by MRIP, but we also have a process that we embedded in the SEDAR process, which actually has a larger threshold of sample size to determine average weights than what MRIP uses. If you have a smaller sample size, you may have weights that are suspect, and so we choose a higher threshold.

MR. O'REILLY: I guess, when you look at the confidence intervals there for the numbers of fish, that it does look like 2010 through 2015 is within the same range of values, but, when you look at the weight, since we have heard so much about a spike, when you talk about the weight, do you find that as well when you plot the weight data? Since that's used for the ACL and ACT, I think that's an important distinction to make, if it's there.

DR. GLOECKNER: For 2015, we did find that the average weights were larger for pretty much every state from Georgia through Virginia, except for Virginia. That seemed to be stable.

DR. DUVAL: I think it looks like Slide 4, the bar graph that shows the 95 percent confidence intervals, I guess I would just draw people's attention to the fact that it says that this includes East Florida, and so all of that MRIP harvest includes East Florida.

DR. GLOECKNER: The standard error for Florida East Coast is substantially lower than a lot of the other states.

MR. HARTIG: Any other questions of Dave? Seeing none, Dave, thank you so much. We appreciate hearing from you.

DR. GLOECKNER: All right. Have a good day.

MR. HARTIG: You too. All right. We have an action thing here.

DR. MACLAUHLIN: We asked the Science Center to provide that information, specifically the information about the commercial landings for Atlantic cobia, because the commercial ACL was 60,000 pounds. Then we had received reports that it was 54,000, and so that it hadn't exceeded the ACL. Then some information that was used in the cobia framework that came from the Science Center and then the ACCSP data indicated that the landings were substantially higher and had exceeded that ACL.

We wanted to make sure that everybody understood what happened. The final landings are the ones in that report that Rick just gave, 71,790, but what we wanted to just make sure that folks understood is that there was an overage. There was not an in-season closure, because this occurred kind of late in the season and then the landings came in. Then there was not a post-season AM triggered, because cobia is not designated as overfished. There may be some reporting issues with the state landings that the council may want to address or just as an FYI that this occurred with the cobia that are sold, the commercial sector.

DR. DUVAL: We did quite a bit of forensics on this ourselves, because North Carolina landed the majority of the cobia harvest, and we had -- As Dave alluded to, there is a discrepancy within the ACCSP database. Basically, what happens there is that we have had a trip ticket database for longer than ACCSP has been around. There is actually an extra field in the ACCSP database that relays the data feed from our trip ticket database into ACCSP, and it's basically mapping something into the wrong box, is how I would say it.

You have pounds whole weight of fish going into a box that should be as-landed weight, and so we track cobia in as-landed. If anyone goes on the ACL monitoring website, it doesn't matter whether cobia is coming in whole or gutted. That's the pounds that are recorded, which is as-landed, and that raises some concerns for me, because I think it's confusing, given that there may be conversion factors that are applied to the gutted fish versus the un-gutted fish.

For us, the vast majority of our cobia come in a gutted condition. There is like less than a thousand pounds annually of cobia that are landed whole, and so, when we do our final landings reports, we report everything in whole weight, and so we have a conversion factor that's applied to those gutted fish.

Again, the data feed that was built from our database to the ACCSP data warehouse has been putting things in the wrong box for a while, and so, as Dave said, we figured that out. There is going to be a correction applied to that. Generally, North Carolina only has a few hundred pounds of cobia that are landed in December commercially. It has gone up to 1,000 or to 1,800 pounds, I think, a couple of years, and I want to say like 2011 and 2012 or 2012 and 2013.

Last year, we had a big pulse of fish that came in. I would say the as-landed weight was probably about 13,000 pounds. That's a lot. I think, if folks remember, December of last year was a really, really warm month. We were in shorts in the council meeting in December. The two weeks right around Christmas were extremely warm, and so, in terms of looking at those fish, when I was looking at those landings and asked our staff to look into this, and I'm going to be speaking in pounds whole weight here, just because that's the way we report the final numbers, but 14,000 pounds of those fish were reported by like four dealers on the Outer Banks. All of those dealers have their federal permit, and so they should be reporting weekly.

On an annual basis, in 2015, we had only about 1,100 pounds that was reported by state dealers only. I should say only 1,100 pounds of fish came in via paper tickets. That's what I meant to say. We have electronic reporting in North Carolina. Those federal dealers who reported the 14,000 pounds of fish were reporting electronically, obviously, and we double-checked to make sure that our monthly automated upload to the ACCSP data warehouse had occurred. That happens the twelfth of every month, and so those complete, but preliminary, landings go up to the ACCSP data warehouse on a monthly basis.

If this pulse of fish was coming in in December, even with dealers who were reporting weekly on a federal basis, it would have been difficult for SERO to get a closure package out, I think, because I think it requires a couple of weeks. I know the Science Center tries to give a couple of weeks of notice. I think that's partially what happened.

In double checking the electronic reports that we get, the last electronic report -- Our dealers are required to report by the tenth of the following month. I think most other states are similar, in terms of the monthly reporting, and the last electronic report was filed with us on the 14th of January, and so all of those data were up into the ACCSP data warehouse by certainly the mid-February upload to ACCSP.

I think there is a combination of things going on there between a pulse of fish, a huge pulse of fish, that was landed in December and then I have this error in terms of mapping one piece of information into the wrong box in the ACCSP data warehouse, and then I have some concerns about this tracking cobia in this as-landed condition. I think that just creates confusion. I know it's this way for the other CMP species as well, for king and Spanish mackerel. I don't think we need to get into a discussion about it here. We've got much more important things to deal with, but I just wanted to give folks a sense of why did things go over and what might have been the timing constraints, in terms of getting any kind of closure notice out, and the fact that we didn't really find this out until later. Thank you for the indulgence.

MR. HARTIG: I appreciate that detailed explanation.

MR. O'REILLY: I want to find out if the situation with Virginia state landings to state dealers, whether that has been solved. I was kind of surprised to read that initially, and I assume a lot of that 21,000 pounds may have been Virginia poundage that was sold to Virginia dealers, but certainly all of our data is available by April 1, and I hope there is a mechanism to get that data, because I wouldn't want to see again that that was one of the limiting factors.

MR. HARTIG: Roy, from reporting requirements for unlicensed fishermen fishing in state waters, there wouldn't be any, correct, as far as federal goes?

DR. CRABTREE: I think it's still a problem, in that unlicensed dealers catching cobia in state waters could sell to a non-federally-permitted dealer, and that would be missed in the dealer reporting. We would find out about it, but not as timely as the dealer reports are.

MR. O'REILLY: Something should be worked out, I think, because we've had mandatory commercial harvest reporting since 1993, and the data are there, as I said, by April 1 at the latest, and so there needs to be some way to make sure there is an avenue.

DR. CRABTREE: Yes, I agree with you, and I am sure the Center is aware of that, but we can't just rely, I don't think, on our standard dealer reporting. We're going to have to figure out how to pull that in. Whether there are timeliness issues with that, I don't know at this point how easy it will be to resolve. One way to get at this would be to come up with a permit, federal permit, required to sell cobia and hopefully get the states to recognize that, so everybody has got to sell to federally-permitted dealers and then get everything on one reporting requirement.

MR. HARTIG: All right. Are there any more questions about that last presentation? Seeing none, the next thing on our agenda is the June 2016 and August 2016 Gulf Council Meeting Reports. That is Kari.

DR. MACLAUHLIN: Yes, and we have the meeting summaries as Attachment 3, but I am just going to do a verbal report. Anna went to the June meeting and Chester went to the August meeting, and they can elaborate or answer questions. Really, the Gulf Council just reviewed Framework Amendment 5, which this committee will be reviewing probably tomorrow and approving some of the actions and alternatives. Then CMP Amendment 29, which is the Gulf king mackerel allocation sharing, they made some changes to the actions and alternatives that the South Atlantic will just be reviewing and approving. Then it will go back to the Gulf, and that's all from the Gulf.

MR. HARTIG: Any questions about the Gulf reports? Seeing none, that takes us to the August 2016 MAFMC Report, and I believe Louis Daniel is here, and I am heartened to see Louis here, and I welcome you wholeheartedly. It's really good to see you again, buddy.

DR. DANIEL: Ben was the Chairman when I first started with the South Atlantic Council, and so you've always kind of been Mr. Chairman to me. Let me get to this real quick. Thank you for letting me speak to you all today. The ASMFC met at August. We presented a white paper to them on the possibilities of the management of cobia, and they agreed to direct staff to move forward to develop a public information document. That is what I have been doing over the last six weeks or so, putting together a document and putting together a plan development team.

It's maybe a day or so before the deadline, but, right now, we've got a member from Virginia, North Carolina, South Carolina, Florida, and the other two members of the committee will be myself and your Kari MacLauchlin. We are trying to really do as much as we can to do a good, concerted, cooperative effort between the council and the commission and what we hope is is a good complementary plan.

Some of the things that we're working on now are trying to look at the individual state issues. I will be asking folks for input, feedback, on how their fishery operates in their individual states, as well as just the landings information. The points you brought up, in terms of landed weight versus

whole weight, we may be able to resolve some of those issues with the commission level with those reporting requirements.

Another important issue, one that's of interest to the commission, is is there any way to have a better feel on where these fish are being caught, federal and state waters? Right now, it's estimated that 82 percent of the harvest comes from state waters, but we know, with this -- I hate to call it a newly-developing fishery, but there is more interest in pursuing cobia with surface baits, and we're seeing a lot of towers being built to go look for them. They're following the bait and the fish in and out of federal waters.

There is a lot of overlap, I believe, occurring, at least in the ocean fishery, where who knows whether that 82 percent number is right or not, but certainly those fish that are being taken in the ocean are being taken during a spawning run, and they are probably generally within about five to six miles from the beach, but exactly where -- I mean if you asked me if I was in state waters or the EEZ and I was 3.2 miles off the beach and I could see people clearly on the beach, I would probably say I was in state waters, and I think that's what a lot of folks probably do.

I don't know that there's any way that we can reconcile that information. We probably can't, but I think it is important for the public to recognize that it's not a distinct line at three miles and that all those fish are being taken right inside of three miles, because we know, at least in North Carolina, a lot of those fish are indeed taken in federal waters. How that acts and how that works in Florida, South Carolina, Georgia, and Virginia, it's really hard to tell.

The other issue, real quickly, is that we have relied very heavily on the presentation that you are getting ready to see on the genetic work. There's been a lot of consternation by some folks over the genetic work that's been done. We are operating under the assumption that we're looking at a Georgia to New York stock. That's not a razor-edge line. There is overlap. There is going to be some flux on either side of that line, and it may change as time progresses, but we don't anticipate it changing, at least not immediately.

The one question that I have in the PID and for the plan development team to discuss and to talk with leadership at the commission is we know we're seeing some landings up as far north as Rhode Island, and how do we address those types of things and dealing with some of these locations where the landings are extremely episodic. You get above Maryland, and there will be years that they go a couple without even catching a cobia, and so how can we provide flexibility to those states, to allow their fishermen to actually retain a cobia, but not have to worry about monitoring quotas that may be on the order of a couple hundred pounds?

My hope is, by the end of this week, to have the PTD finalized and to have a PID ready for their review. Certainly you all will be privy to that document, through your staff, and then the plan will be discussed at the annual meeting in Bar Harbor. With concurrence by the commission, we will probably hold public hearings sometime in the late winter, for discussion again at our late winter/spring meeting, I believe in February. I would be happy to answer any questions that you may have about the commission's actions. Our Executive Director, Bob Beal, is here, as well as myself, and so any questions?

MR. HARTIG: That's what I'm looking for. Zack has got one.

MR. BOWEN: Thank you. I know the MRIP shows for Wave 3 for Georgia that we had zero landings for 2016. I am also aware that MRIP says that approximately only 20 percent of our landings are caught in state waters, which I feel like, anecdotally, is extremely high. You mentioned you have somebody from North Carolina and South Carolina and Florida. Why did you all leave out somebody from Georgia to be on this team?

DR. DANIEL: Because you all are so small. No, I'm kidding. Your person who does the recommending did not recommend somebody for the PDT. That was up to the state directors and the administrative commissioners as well as the voting members of the South Atlantic Board to make the decision as to who to put up. The states of North Carolina, South Carolina, Florida, and Virginia and the South Atlantic Council ponied up nominations for the PDT, and those were the only ones that did, and so that's the reason why there is no one from Georgia, but we do have a good technical representative from the State of Georgia, and so the PDT will be developing the document that the technical committee will ultimately review, and so your folks from Georgia will definitely have an opportunity to review all of that information before it goes to the public.

MR. BOWEN: Thank you. There is some smart people in Georgia. I am not one of them, but I just hated that we got missed, because there is some highly-intelligent people in the DNR there. Thank you.

DR. DUVAL: I guess, Zack, just to that point, the PDT doesn't always include -- It generally is a much smaller group of people. It is not every state that has an interest in the fishery. There is generally a technical committee representative from every state, or almost every state, with an interest in the fishery, but the PDT is -- That's the core group of people that is actually writing the plan, and so having fifteen people doing that can be a little bit tricky sometimes. It's usually a small group of folks.

MR. HAYMANS: Chris Kalinowski is going to be our technical committee member, and we are working on a South Atlantic Species AP member as well. That is almost solidified.

DR. MACLAUHLIN: I'm on it, Zack. I will keep an eye on it for Georgia.

MR. BOWEN: All the help is appreciated.

DR. DANIEL: I will let you know, for those of you that are interested, the South Atlantic Board did discuss how to set up the advisory panel. For the South Atlantic Board, we have a multispecies AP, but some of those folks raised concerns that they may not have the expertise on cobia that we might want to have for this plan. There was one alternative of actually developing a stand-alone cobia plan, but most folks agreed that the better approach, and the way we're moving forward, is that if individual states have individual fishermen, both on the commercial or the recreational side, that particularly know about cobia, we will be looking for their nominations to the South Atlantic Board, to further populate that AP, so that we have that representation as well. I think we've got a good approach. The council has been very helpful and very interactive with the commission. I am looking forward to -- I think the end product will be one that we can all be proud of.

MR. HARTIG: All right. Any other questions?

MR. BEAL: Not a question, but just a comment or a piece to add. As Louis was talking about the timeline, I think the one important thing to remember is that the commission's action will not affect the fishery for 2017. We will have hearings in the winter and get back together in February and review the output of those hearings. Then we will draft an FMP and have another round of hearings and then final decisions later in 2017. 2017 is going to be this kind of limbo year, where the council is trying to adjust some things and the commission is working on something, but the states will have to act individually if they want to make changes to their regulations for 2017. It won't be through the commission's new FMP.

MR. HARTIG: Thanks for that, Bob. All right. I see no more questions. Thank you, Louis.

DR. DANIEL: Good to see you all.

MR. HARTIG: Absolutely. We will move into the August 2016 Mid-Atlantic Meeting Report from Rob O'Reilly.

MR. O'REILLY: Thank you, Mr. Chair. It's not a lengthy report, and I want to thank Gregg for his introduction, because one of the motions that came out of the Mid-Atlantic Council was that there was a request from the Mid-Atlantic Council to the South Atlantic Council, to the Coastal Migratory Pelagics Committee for Mackerel, to meet as a committee of the whole, and Gregg already outlined that process.

The way this arose was we had a letter. The Mid-Atlantic Council had a letter from the New England Council, and the New England Council requested that they be allowed to have seats on the Mid-Atlantic Council, specifically because of the changes in distribution of black sea bass, principally, but also summer flounder a little bit.

The decision at the Mid-Atlantic Council was to afford two seats, two additional seats, and so there will be three seats in the Mid-Atlantic Council on the Demersal Committee that handles summer flounder, scup, and black sea bass. Then, at the same time, I was getting asked by your Executive Director and also by the Mid-Atlantic Council Executive Director, Chris Moore, about why didn't we look towards a committee of the whole, because that was part of what was done that day for the Scallop Committee, to include the Mid-Atlantic Council. That's how it developed, and obviously it's a step forward.

I think, really, I appreciate Gregg's information about Virginia, but, frankly, it looks like it was Virginia that was a miss for quite a few years, but, as you know, cobia was not the sort of dilemma that it has been recently, and so that opportunity was always here for Virginia, through the Mid-Atlantic Council, and we appreciate being here again today.

There was a second item, which should sound familiar. In June, I had told you that I had a motion that I didn't necessarily want to make, but maybe talk about, and that motion concerned looking at the distribution of landings over a three, five, or ten-year period by state and configuring an approach that wouldn't be specifically allocation, but that could establish seasons commensurate with those landings, whatever the timeframe would be, and I think the comments I got back in June were that you're really pushing close on allocation and probably it's something to think about, but not easy to do, but that's certainly -- At least in Virginia, that's been the situation.

You pretty much know what our commission ended up doing, keeping the season open until August 30 and a two-fish boat limit and also having the forty-inch total length. One of those fish on the boat, by the way, can only be fifty or greater. We took that action at the commission level, and I think the idea was how do you do something that's better, but everyone has a chance?

A motion that was made at the Mid-Atlantic Council was to request that the South Atlantic Fishery Management Council initiate an amendment that would establish geographic-specific variable fishing seasons for cobia that would represent the recent distribution of landings. I will stop there and tell you that the state was perfected to geographic, because, after all, there is many things to consider there. We know we have a Georgia to New York Atlantic migratory stock definition right now. We also know, as we go forward, it's likely that, beyond Virginia, there will be accounted-for landings. So far, there haven't been accounted-for landings. You have to dig back to about 1986 to see that New Jersey, in the old MRFSS system, had about 150,000 pounds recorded, but, other than that -- What the merit is there, I'm not sure, but definitely we're going to see landings in other states, and so the geographical component is important.

The Mid-Atlantic Council also requests that the South Atlantic Fishery Management Council establish framework priorities within the amendment to adjust fishing seasons as well. The reason for the adjustment would be that there is going to be changes. If there is something that can be a framework -- Let's just say that Maryland all of a sudden has landings, but they weren't part of a set season and they were just sort of open. Right now, they don't have regulations. That adjustment could be made.

In addition, if there could be changes or would be changes, let's say it starts out with a three, five, or ten-year basis for these seasons, then those could be adjusted if North Carolina shifted its harvest or Virginia did or Georgia did. Wherever it might occur, adjustments could be made. It's as close as you're going to get to having flexibility, and I certainly was wondering myself, at the time, if the Atlantic States Marine Fisheries Commission puts in an amendment, a plan, to take care of the states' recreational fisheries, what will that look like?

It certainly is not meant in any way in a bad light, but we have experience with that with summer flounder, with the recreational fishery. What occurred from 1998 to 2014 was that each state had a target, which was a soft quota, and you put in your request of what your management measures would be like, mainly size, bag, and season, for the upcoming fishing year and then, if on paper they sort of met either the reduction or the liberalization that you're able to take, everything was fine.

The didn't always occur, obviously. It was a little bit like a see-saw process, and, in addition, the other part of that was there were many years where states involved in that, and there were nine states involved in that plan, where they became very hesitant to try and reach what now would be an ACL, in your purpose, but for us was simply an overall RHL, with each state having a target. Hesitancy was the norm, and so I think, six years in a row, no one really took advantage of the fishing opportunities that were there, because there were problems if they had overages.

I don't know what ASMFC would end up with, in terms of a plan on how to adjust the states. For example, if they started out with a ten-year basis or a five-year basis of landings and that was your target for that state or your share, that could become a situation, if it wasn't provided for upfront, to be pretty awkward, because, if you look at the data just that we have, the landings data, you

could see a lot of variability, and you can imagine that fish are going to be left unharvested for not a good reason if there is a system that is not adaptable enough each year.

I think the selling point of this motion is that it allows for just that. It allows for adaptability, and it doesn't have to be on a year-to-year basis, but certainly, within about a three-year basis, you would want some adaptability. You would want to revise your season.

There's more to it, I guess, if you have been through it, like we have for summer flounder, but I will say for summer flounder, despite going from let's say a fifteen-and-a-half-inch size limit to a nineteen-and-a-half-inch size limit, back to a seventeen to a sixteen, and, despite going all through that, the states essentially that I knew, and not all of them, liked the fact that they had some say in what went forward, but they certainly could have a say as well through our process that you have developed here for the Mid-Atlantic Council to make those types of adjustments. If you have some questions, that would be great.

It's a little bit different, but not really. Instead of having different dates when the season starts and ends, you would have a fishing regime of dates for your particular geographical area, and it may spill out later that that's something between federal and state waters, because, if you look, Virginia, the last two years, has been either 100 percent or 94 percent a state-water fishery for cobia. If you look at Georgia the last three years, no state water fishery. This is through 2015. South Carolina, in 2015, 7 percent was in state waters.

If you go back further, there are a lot of changes. Virginia has been as much as 50 percent federal waters as early as 2011, and so there is a lot of variability going on, and I think that's what propelled me at least to try and talk to you about this in June and then bring it up at the Mid-Atlantic Council, and so thank you very much.

MR. HARTIG: Thank you, Rob.

DR. DUVAL: Rob, I just want to make sure I'm understanding this appropriately. You're suggesting that this geographic-specific variable fishing season could also address state versus federal waters as well as trying to address when the fish are in a particular state's waters. That's the sense that I'm getting.

I guess just a couple of things. We do have the ability, within our current framework, to adjust fishing seasons. It would have to go through the current standard documentation process for our framework that would allow for, I think, these types of seasonal adjustments. It does sound a lot, to me, like the type of process that we would engage in under an Atlantic States Marine Fisheries Commission FMP.

My concern is that I feel like there is more flexibility through the ASMFC process, in terms of being able to make adjustments like this in a more timely fashion, whereas, through our process, at the council level, you have to go through federal rulemaking with a framework, and that adds a significant chunk of time to doing anything like this. I may not be understanding this all appropriately, but it also seems somewhat, I guess, repetitive with what we're trying to do through the commission process, to try to afford the states additional flexibility through that process to maybe do exactly that kind of seasonal type of adjustment that allows everybody to have equitable access to the resource but still try to constrain harvest within an overall ACL.

I guess just a couple of things. We do have the ability to do something like this through a framework already, and so we wouldn't need to modify our procedures, but I guess, when I put my big-picture hat on, as just being Chair of the council, and I think about all the priorities that we have on our plate right now, which is pretty full, I am concerned about trying to do something like this.

MR. O'REILLY: Fair enough, but either system is going to have some delay built in, but if there is the ability to adapt, as part of the framework, the seasons, then that's going to take the same amount of time. I am not pitting this against the ASMFC process. What I'm doing is making sure that we have the best situation possible. The ASMFC, and I know Bob is right to my left down there, but the ASMFC is in a situation where I don't think it has had to really look at changes so far in the distribution, in the fishing opportunities, as much. I am trying to think of all the examples. Summer flounder came out there, and, if you haven't been part of that, which you probably were a little bit, it was really cumbersome, because you had to float a plan that you hoped would achieve its objective, but it rarely did, just because of you can't predict effort and you can't predict availability, and so that's what complicates it.

I am not sure, until I see it, until I see the further workings of this, I'm not sure how the ASMFC would look at that, because I have a sense that, in the beginning, there would have to be some static examples of what the states are doing, and they would choose the last three years, the last five years, the last ten years, and each state would have some type of a share of that recreational fishery. Then, to change that, I think it would be pretty taxing, I think, just to change that, or, to make way for Maryland and Delaware in the future, that wouldn't be something that would be easy to do.

That would be probably more than an addendum at the ASMFC, although some of these could be addendums, and so I don't know. I just know that it really is important to make sure that we have a choice, perhaps. It's not to duplicate effort at all, but it's to have the best scenario come forward, and it's early in the ASMFC situation. This is a stock situation, which the South Atlantic manages, and so, hence, there is always going to be involvement there, because ASMFC has complementary management, and I don't think anyone is positive what exactly that entails yet, until something goes forward by late 2017, but I appreciate taking any other questions.

DR. DUVAL: Just to respond to that really quickly, because we do need to move on, but I mean I think we can continue to talk about this. There is going to be a little bit of yin-and-yang of sort of who follows who, and I think the whole intent and purpose behind asking ASMFC to become involved in this was predicated on where the majority of the fishery is occurring and the flexibility that that process affords.

I completely understand that even that flexibility -- Some issues take a long time to work out or put into place. I think we can continue to think about this as both processes move forward. I mean we're trying to put some, I guess, stop-gap measures in for 2017 here, through this framework amendment, that would, at a minimum, modify our accountability measures, which are really what led to the situation that we're in right now, and so I think I would encourage us to keep potentially talking about this, but I am not sure this meeting right now is a place where we could say, yes, we're going to move forward with something this or, no, we're not and that's all.

MR. O'REILLY: My last sentiment is that it's not a recreational situation. It's a commercial situation, but I've been listening for about fifteen years about the commercial bluefish situation and allocation there. In fact, it's very difficult to move off those allocations. That is why the ASMFC developed voluntary transfers. For summer flounder, the recreational side, that was finally just everyone had had enough of being held to the same standards for so many years that it got overturned into a different situation, which is now regional management, which will have a big test this year, because of the fact that the summer flounder stock status has gone down quite a bit.

I appreciate that you want to continue the discussion. I don't sense that there is any problem with having both systems looked at and thought about, and I think if ASMFC were to embark on something new, which would be recreational fishing seasons that they would set instead of targets or shares or soft quotas, I think that would make the world of difference.

MR. HARTIG: Are you good?

DR. DUVAL: That's what I was referring to, is, through the ASMFC process, setting recreational fishing seasons that allow for that access that way, rather than shares or allocations.

MR. HARTIG: All right. Any more questions for Rob? You all thought mackerel was complex. All right. I am going to give the honor to Madam Chair to bring us into a committee of the whole.

The Mackerel Cobia Committee of the South Atlantic Fishery Management Council reconvened at the Marina Inn at Grande Dunes, Myrtle Beach, South Carolina, Thursday morning, September 15, 2016, and was called to order by Chairman Michelle Duval.

MR. HARTIG: Now I am going to go right back to you. Our time is up for this committee, and so what do you want to do? We have gone over for an hour.

DR. DUVAL: I just had a little sidebar with Gregg. Mel, I hate to do this to you, but I think I'm going to boot Law Enforcement Committee Update until December, when we have a presentation. Gregg has assured me that we can squeeze in a Law Enforcement Committee meeting.

MR. BELL: The only question I would have related to that is we did have a motion that we were wanting to act on that would allow us to move ahead on something related to the letter, and so what do you think, Gregg?

MR. WAUGH: That was to write a letter to Roy. Two things. We could bring it up in Full Council or just wait until December. We have been trying to get those items on the charts for several years now, and I don't know that two months is --

MR. BELL: In the interest of helping things along, we could just delay that a little bit. I think that's okay.

DR. DUVAL: If that's okay, we will postpone the Law Enforcement Committee meeting until December. We do have a Protected Resources Committee, where we're getting updates on the biological opinion, the Nassau grouper twelve-month determination. I don't know that there's

actually any specific actions that we are going to be taking during that committee meeting. I don't believe that there is.

I mean I'm inclined for the council to hear the updates, but we would have to cruise through that pretty lickety-split. Now, we do have two other items that we need to take final action on here at this meeting for Mackerel Cobia. If we could cruise those in the next fifteen minutes and then we could move immediately to Protected Resources and get through those updates and maybe we can catch up and be back on schedule, or at least only dock everybody fifteen minutes for lunch. We're scheduled to recess for lunch at 11:30. I see shock and dismay on Roy's face. You will get over it, right? All right.

With everyone's consent, that's how I would like to proceed. Let's get through these last couple of items on the Mackerel Cobia Committee, and then we will move immediately into Protected Resources.

MS. SMIT-BRUNELLO: Just to clarify, I have a question. You are no longer meeting as a committee of the whole, correct, and you're meeting as your regular Mackerel Committee?

DR. DUVAL: That is correct. We are now meeting as our Mackerel Committee. Our liaisons have voting rights on that committee.

MS. SMIT-BRUNELLO: Right, and so, committee members, you should know who you are.

DR. DUVAL: By this time, we have read the lists at least three times, and I certainly hope so. Look on the bottom of the agenda.

DR. MACLAUHLIN: The next item on the agenda is Framework Amendment 5. This is actually a joint framework amendment with the Gulf. The Gulf AP recommended to the Gulf Council that they wanted to modify the regulations and remove these restrictions for commercial king mackerel and Spanish mackerel permits that prohibit retaining the bag limit on these federally-permitted vessels when the commercial harvest is closed but the vessel is on a private recreational trip, and so basically if a vessel has one of the commercial permits on it, it's closed and they can't go out on a private recreational trip and retain that bag limit.

King and Spanish mackerel commercial permits are the only commercial permits in the Southeast that have this restriction, and so, in order to -- This amendment has one action, and it's just going to revise these restrictions to allow the vessels to retain the bag limit when they're on a -- It's to fish for and retain the bag limit when they're on a private trip. The expected timeline is that you would review this and approve it and select a preferred and approve it for formal review in September. The Gulf would do that in October, and we would submit it in October or November.

The first item is to approve the revised purpose and need. This is the purpose and need approved by the Gulf Council at their last meeting. The purpose of the action is to eliminate permit restrictions unique to commercial king and Spanish mackerel-permitted vessels. The need is to standardize vessel permit restrictions applicable after a commercial quota closure and remove restrictions on recreational fishing and reduce the potential for regulatory discards in the king mackerel and Spanish mackerel components of the CMP fishery and so, if you would review and approve that purpose and need.

MR. HARTIG: Is there a motion to approve the purpose and need?

MS. MCCAWLEY: **I move that we approve the modified purpose and need statements.**

MR. HARTIG: Thank you, Jessica. Second by Charlie. Is there discussion? **Is there any objection? Seeing none, that motion is approved.**

DR. MACLAUHLIN: Next, we have the action. We have the Gulf alternatives. This is what they approved at their August meeting. The IPT has some recommendations, and so we would like the South Atlantic Council to approve the language in these alternatives that are shown here under IPT recommendations on the alternatives. It's just to clarify and make sure that it lines up with the regulatory language. When we send it back to the Gulf, these would be the alternatives that they would review and approve also. We would need a motion to approve the IPT recommendations for language in the alternatives and then next to select the South Atlantic preferred alternatives.

DR. DUVAL: **I move that we approve the IPT recommendations for the language in the alternatives.**

MR. HARTIG: Second by Charlie. Is there discussion? **Is there any objection? Seeing none, that motion is approved.** Then what we need to do is have the South Atlantic preferred to approve both of those Gulf?

DR. MACLAUHLIN: Yes, the South Atlantic would need to select their preferred alternatives. The Gulf has selected Alternative 2 and Alternative 3, and so this would modify the regulations to allow this for commercial king mackerel, vessels with commercial king mackerel and Spanish mackerel, and I can get into the effects, but, in general, on the South Atlantic side, we anticipate minimal to no effects, positive or negative, because either there is not a commercial quota closure on our side, or, if there are, there is not really many vessels that would participate in the private recreational trip if they have a commercial permit on there. We anticipate minimal to no effects on the South Atlantic side.

MR. HARTIG: I would concur with that.

MS. MCCAWLEY: **I move that we select Alternative 2 and Alternative 3 under Action 1 as the South Atlantic preferreds.**

MR. HARTIG: Motion by Jessica and second by Charlie. Is there further discussion? **Is there any objection to that motion? Seeing none, that motion is approved.**

DR. MACLAUHLIN: Would the committee make the motion?

DR. DUVAL: The committee does make the motion, which will then be brought up at Full Council. When we go into Full Council tomorrow, that's when we'll have the roll call vote to send forward to the Secretary. Since we're operating as a committee here, it's only the committee members voting.

I move that we approve Coastal Migratory Pelagics Framework Amendment 5 for secretarial review and deem the codified text as necessary and appropriate and give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.

MR. HARTIG: Second by Anna. Is there discussion? **Is there any objection? Seeing none, that motion is approved.** All right. One down and one to go.

DR. MACLAUHLIN: The next item is Amendment 29. This addresses Gulf king mackerel allocation sharing, and so it looks at options for each sector's access to the Gulf king mackerel ACL and adjusts AMs, if necessary, for these post-season AMs, to line up with this system. This is similar to the action that you looked at in Amendment 26 that dealt with Gulf king mackerel commercial/recreational allocations.

In August, the Gulf Council reviewed the options paper and they provided direction to staff, and they have a couple of actions and alternatives for the South Atlantic Council to review and approve, just the actions and alternatives, the language and everything. Then it will go back to the Gulf Council in October. They are going to review that and select preferreds and have public hearings, and I believe this is the right timeline, in November and December and then the South Atlantic Council would review that public input probably in March, after the Gulf Council has had their late January or early February meeting. We anticipate this to be approved by both councils and submitted in February of 2017, hopefully, and so we have some information in there that we need you to approve.

The purpose and need language, I have that here. The purpose is to consider changes to the recreational and commercial allocations for Gulf migratory group king mackerel and the recreational accountability measure. The need is to achieve optimum yield while ensuring overfishing does not occur in the CMP fishery, thereby increasing social and economic benefits of the CMP fishery through sustainable and viable harvest of king mackerel. We need a motion to approve that, if it's okay with the committee.

MS. MCCAWLEY: **I move that we approve the modified purpose and need statements.**

MR. HARTIG: Second by Charlie. Is there discussion? **Any objection? Seeing none, that motion is approved.**

DR. MACLAUHLIN: Then, next, we have the Action 1. We have the alternatives here that have been approved by the Gulf Council at their last meeting, and so this is what they were looking at. All we need is approval by the South Atlantic of the action and the alternatives, just so everybody knows. There is no preferreds at this time.

We have the no-action alternative, which doesn't establish any kind of quota sharing system, and it keeps those recreational/commercial allocations at 68 percent recreational and 32 percent commercial. We have Alternative 2 that conditionally transfers a certain percentage of the allocation to the commercial sector in the next fishing year if a minimum recreational landings threshold is not met. If the commercial sector does not land at least 90 percent of its ACL, the transfer will not occur, and landings data from two years prior will be used to determine allocation

transfers. Then we have four options for how much would be conditionally transferred, and then we have the three options, e, f, and g, which is the recreational ACL minimum threshold.

Alternative 3 sets it up if the stock ACL is not harvested in a fishing year that the Gulf SSC will be convened to consider increasing the ABC for the following fishing year only. If the SSC recommends increasing that ABC, the amount of the increase, in pounds, will be added to the ACL of the sector which harvested its ACL within 10 percent in the previous fishing year. Consideration of an ABC adjustment by the SSC would only be requested if a minimum percentage of the stock ACL was not harvested in a given fishing year, and those are Options 3a through 3c. If one of Options 3a through 3c is not chosen as the preferred and the stock ACL has not been landed, the SSC will consider raising the ABC in any year when the stock ACL is not harvested. The committee actions would be to review, edit, and add Gulf Alternatives 1 through 3 in this action and then if you want to add any alternatives or options.

MR. HARTIG: Our staff explained it pretty well.

MS. MCCAWLEY: **I move that we approve Alternatives 1 through 3 in Action 1.**

MR. HARTIG: Second by Michelle. Is there discussion? **Is there any objection? Seeing none, that motion is approved.**

DR. MACLAUHLIN: One more action, Action 2. It's to adjust the recreational AM for Gulf king mackerel. Right now, you have Alternative 1, no action. It keeps their in-season recreational AM. If the landings reach or are projected to reach the recreational ACL, the bag limit will be reduced zero for the remainder of the fishing year.

Alternative 2 replaces the current in-season AM with a post-season AM. If the recreational ACL is exceeded in any fishing year, the length of the following fishing season will be reduced by the amount necessary to ensure the landings do not exceed the ACL. Alternative 3 is replace the current in-season AM with a post-season AM. If both the recreational ACL and the stock ACL are exceeded in a fishing year, the length of the following recreational season will be reduced by the amount necessary to ensure landings do not exceed the recreational ACL. We just need the same thing, pretty much. It's to review and approve those alternatives in Action 2.

MS. MCCAWLEY: **I move that we approve Alternatives 1 through 3 in Action 2.**

MR. HARTIG: Second by Charlie. Is there discussion? **Is there any objection? Seeing none, that motion is approved.**

DR. MACLAUHLIN: There's nothing else. That's it, I think.

MR. HARTIG: All right. Is there any other business to come before the Mackerel Cobia Committee? Seeing none, we are adjourned.

(Whereupon, the meeting was adjourned on September 15, 2016.)

Certified By: _____ Date: _____

Transcribed By:
Amanda Thomas
September 23, 2016

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
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 - ✓ Charlie Phillips
 - ✓ Robert Beal, ASMFC Representative
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MONICA SMIT-BRUNELLO
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Fishery Economist

✓ John Hadley
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Timestamp	Full Name	Email	Mailing Address (If your address is already on file, just type "on file")	How do you participate in fisheries in the South Atlantic? (Check all that apply)
9/14/2016 8:08:05	Walter Bublely	bublelyw@dnr.sc.gov	217 Fort Johnson Rd, Charleston, SC	Government
9/14/2016 8:08:49	Joey Ballenger	ballengerj@dnr.sc.gov	on file	SCDNR
9/14/2016 8:10:24	Gary Jennings	gjennings@asafishing.org	514 Sawyer Shores Lane, Windermere, FL 34786	Private Recreational Angler, Non-Governmental Organization
9/14/2016 8:13:02	Leda Dummire	ldummire@pewtrusts.org	205 Taylor Lane, Morehead City, NC 28557	Non-Governmental Organization
9/14/2016 8:14:49	dean foster	dfoster@pewtrusts.org	on file	Non-Governmental Organization
9/14/2016 8:20:49	Robert Lorenz	rlorenz@ec.rr.com	On file	Private Recreational Angler
9/14/2016 8:23:13	Lora Clarke	lclarke@pewtrusts.org	on file	Non-Governmental Organization
9/14/2016 8:30:52	jim freeman	cfreeman23@bellsouth.net	122 springwood dr daytona beach fl 32119	Commercial Fisherman
9/14/2016 8:39:52	Gary Zurn	gzurn@bigrocksports.com	on file	Seafood Dealer/Wholesaler/Retailer
9/14/2016 8:42:11	Russell Dunn	Russell.Dunn@noaa.gov	on file	NOAA Fisheries
9/14/2016 8:42:55	David Bush	davidbush@ncfish.org	on file	NCFA
9/14/2016 9:20:19	Rusty Hudson	DSF2009@aol.com	On file	Fisheries Consultant
9/14/2016 9:30:22	Celeste Leroux	celeste.leroux@noaa.gov	on file	NOAA Fisheries employee
9/14/2016 10:22:35	Mary Conley	mconley@tnc.org	on file	Non-Governmental Organization
9/14/2016 10:26:23	rick hawkins	rick.hawkins@uscg.mil	file	uscg
9/14/2016 10:27:47	david la	david.la@uscg.mil	721 medical center drive wilmington, nc 28401	Private Recreational Angler, Charter/Headboat/For-hire, Commercial Fisherman
9/14/2016 10:38:56	trip aukeman	taukeman@ccafloida.org	on file	Non-Governmental Organization

Timestamp	Full Name	Email	Mailing Address (If your address is already on file, just type "on file")	How do you participate in fisheries in the South Atlantic? (Check all that apply)
9/14/2016 11:53:56	wayne mershon	kenyonseafood@sc.rr.com	on file	Commercial Fisherman, Seafood Dealer/Wholesaler/Retailer
9/14/2016 13:09:20	William Gorham	getbowedup40@gmail.com	ON FILE	Private Recreational Angler, Charter/Headboat/For-hire, LURE MANU
9/14/2016 13:29:03	John O'Hern	johncohern1@gmail.com	2731 Euston Road Winter Park FL 32789	Fishery Observer
9/14/2016 14:00:00	Steve Shelley	ssmsmollied54@gmail.com	on file	Commercial Fisherman
9/14/2016 14:28:21	Tony Constant	awconstant@gmail.com	on file	Private Recreational Angler
9/14/2016 15:04:33	Robert Boyles	boylesr@dnr.sc.gov	on file	Government
9/14/2016 15:47:18	davis turner	tideridefishin@hotmail.com	1231 ladys island dr. port royal sc	Charter/Headboat/For-hire
9/14/2016 15:58:15	Captain Eric Heiden	e.heiden@aol.com	1041 Blue Stem Drive, 37A, Pawleys Island, SC 29585	Charter/Headboat/For-hire

Timestamp	Full Name	Email	Mailing Address (If your address is already on file, just type "on file")	How do you participate in fisheries in the South Atlantic? (Check all that apply)
9/15/2016 8:02:02	Dean Foster	dfoster@pewtrusts.org	on file	Non-Governmental Organization
9/15/2016 8:03:19	Rusty Hudson	DSF2009@aol.com	on file	Fisheries Consultant
9/15/2016 8:03:57	Lora Clarke	lclarke@pewtrusts.org	on file	Non-Governmental Organization
9/15/2016 8:13:22	Bill Kelly	fkcfat1@hotmail.com	On file	Commercial fishing representative
9/15/2016 8:35:44	david bush	davidbush@ncfish.org	on file	NCFA
9/15/2016 9:19:18	jack cox	dayboat1965@gmail.com	file	Seafood Dealer/Wholesaler/Retailer
9/15/2016 9:54:14	Robert Boyles	boylesr@dhr.sc.gov	on file	Government
9/15/2016 10:02:32	Russell Dunn	Russell.Dunn@noaa.gov	on file	NOAA Fisheries
9/15/2016 10:29:07	david westfall		3904 A Flagg St Murrells Inlet SC 29576	Commercial Fisherman
9/15/2016 17:05:42	Leda Dunmire		on file	Non-Governmental Organization
9/15/2016 17:05:59	Dick Brame		on file	Non-Governmental Organization
9/15/2016 17:06:13	Allison Johnson		on file	Non-Governmental Organization
9/15/2016 17:06:33	Rusty Hudson		on file	Commercial Fisherman, DSF
9/15/2016 17:06:53	Bill Gorham		on file	Charter/Headboat/For-hire
9/15/2016 17:08:09	Trip		on file	Non-Governmental Organization
9/15/2016 17:08:27	Dean Foster		on file	Non-Governmental Organization

WEDNESDAY

9/14/16

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