

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COBIA ADVISORY PANEL

**Town and Country Inn
Charleston, South Carolina**

October 7-8, 2019

Summary Minutes

Mackerel Cobia AP Members

Ira Laks, Chair
Stephen Donalson
Steve English
Aaron Kelly
Gregg Peralta
Gary Robinson

Stephen Swann, Vice Chair
Dr. Christopher Elkins
Rusty Hudson
John Mallette
Brad Phillips
Tom Roller

Council Members

Jessica McCawley
Tim Griner

Chris Conklin
Steve Poland

Council Staff

Gregg Waugh
Julia Byrd
Cierra Graham
Cameron Rhodes
Allie Iberle

Dr. Brian Cheuvront
Dr. Chip Collier
John Hadley
Christina Wiegand

Other Observers and Participants attached.

The Mackerel Cobia Advisory Panel of the South Atlantic Fishery Management Council convened at the Town and Country Inn in Charleston, South Carolina on October 7, 2019 and was called to order by Chairman Ira Laks.

MR. LAKS: We're going to get started here with the Mackerel Cobia AP for 2019. If we can go around the room and have the AP members just give your name and where you're from and what you do, and then if we can go around the back of the room after that and have everyone introduce themselves, and that would be great. Thank you. Rusty, why don't you start?

MR. HUDSON: Rusty Hudson with Directed Sustainable Fisheries, representing a variety of clients from up and down the South Atlantic coast.

DR. ELKINS: Chris Elkins, North Carolina, NGO seat.

MR. DONALSON: Steve Donalson from St. Augustine, Florida, a recreational fisherman.

MR. ROLLER: Tom Roller, North Carolina, full-time for-hire fisherman.

MS. WIEGAND: Christina Wiegand, South Atlantic Council staff.

MR. LAKS: Ira Laks, charter and commercial fisherman from Jupiter, Florida.

MR. SWANN: Steve Swann, recreational fisherman, Jacksonville, Florida.

MR. ENGLISH: Steve English, commercial fishermen from south Florida.

MR. MALLETTE: John Mallette, charter and commercial fisherman, North Carolina.

MR. PERALTA: Greg Peralta, recreational angler, Charleston, South Carolina.

MR. PHILLIPS: Brad Phillips, North Carolina, for-hire fisherman as well as charter boat.

MR. KELLY: Aaron Kelly, charter boat captain, Oregon Inlet, North Carolina.

MR. LAKS: We are going to get started with approval of the minutes. Does anybody see any corrections that they would like to bring up in the minutes? I don't see any objection to the minutes. Does anyone have any issues with the agenda or would like to bring something up? The agenda stands. Executive Director Gregg Waugh would like to make a few statements, and so I'm going to turn it over to him.

MR. WAUGH: Thank you, Ira. Good afternoon. I just wanted to take the opportunity to welcome you all here and to also sort of bid my adieu. I will be retiring in December, and the council has selected John Carmichael as my replacement, and so he will be taking over, but Mackerel is one of the committees that I worked on many years ago, and I don't think any of you, not even Rusty, was on the AP when I was working on mackerel, but Bob Pelosi from Florida chaired the Mackerel AP for quite a number of years, and we had quite a succession of heavy hitters, and Lee Thompkins is a name that some of you may remember from Florida that was on there.

I just want to thank you all, all the current and past AP members, for your input. I know sometimes you get frustrated, and you feel like the council isn't listening. The council always listens and takes your advice into account, and they don't always do what the APs want to do, and that's a common theme and feeling across our APs, but our council has always valued the advisory panel input, and so thank you for making the time to attend and participate, and I know it takes time away from your operations, but your input is very important and very valuable, and so keep up the good work, and you've got a great chairman, and Christina does a super job staffing this, and so thanks, Ira, and good luck.

MR. LAKS: Well, I personally want to thank you for the guidance you've given me and being able to be a part of this process, and I think I can speak for everyone when I say we wish you well in your next endeavors.

MS. WIEGAND: The first thing I wanted to do is just give you all an update on some of the recently-submitted CMP actions and amendments. Framework 6, if you guys will remember way back to April of 2018, you talked about this amendment. This is the one that addresses king mackerel trip limits in Season 1 only, and that amendment was approved by the council last September, and it has gone through the NMFS rulemaking process and has officially been implemented, which means you all will be operating under new commercial trip limits come the start of the season in March of 2020.

Then, if you will remember, at the June meeting, the council had requested emergency action for the commercial king mackerel fishery in Season 2, and this was the request to raise the trip limit from fifty fish to seventy-five fish for this season, and that was approved by NMFS, and it has been implemented. As of October 1, you guys are operating under the seventy-five-fish trip limit for king mackerel.

Additionally, since we've started talking about limited entry for the commercial Spanish mackerel fishery, the council sent a letter to NMFS last June requesting a control date of March 7, 2019, and this is the first time that the council had discussed limited entry on the record, and so that letter was sent, and it is currently up at NMFS Headquarters being reviewed, and I will let you guys know once that has been approved. Does anyone have any questions about the recent actions that have gone through?

MR. LAKS: All right, and so do we want to move on to the discussion with Framework Number 8?

MS. WIEGAND: All right, and so Coastal Migratory Pelagics Framework Amendment 8 is going to address trip limits in Season 2 for commercial king mackerel permanently, and so the emergency action went into effect as of October, but that emergency action will expire, and so, unless Framework 8 is approved and put into place, the trip limit will revert back to the original fifty fish, which is why the council is currently working on this amendment.

Most of the background comes from you guys, and so I don't need to review it in too much detail, but this AP had expressed concerns about the low trip limit in Season 2 and that it was making it challenging for guys to make a trip, particularly at a time where the weather was rough and it could be hard to get out and make a substantial trip.

That's why the council had requested emergency action. If you can see, the season structure went into place with Amendment 26, and that's when you guys starting getting rollover from Season 1 into Season 2, this sort of concept of rollover, and so, as you can see, even with rollover, king mackerel commercial landings weren't getting anywhere close to the commercial ACL, and the council felt that this was a significant economic opportunity that the fishermen weren't being allowed to capitalize on, and so that's why the emergency rule was implemented, and that's why we're working on this amendment now.

In terms of timing, the council approved this for public hearing at their September meeting, and we're going to be having public hearings on October 29 and 30 at 5:00 p.m., and this is a little bit different than you're used to. Normally, we have them at 6:00 p.m., but, because we're trying to cram in a number of public hearings in a small amount of time, we're starting this one at 5:00 p.m., and I will send out an email to you guys once all of the materials for that have been posted, just so that you're kept in the loop.

The council did make a small modification to the purpose and need, and this was based on the IPT's recommendation just to be more clear that the purpose for this action isn't just to modify the commercial trip limit, but it's to increase the commercial trip limit for Atlantic king mackerel and that the need is to provide a commercial trip limit sufficient to support fishing activity and revenue opportunity while still constraining the harvest to the annual catch limit and providing for year-round access. Before I move on, does anyone have any questions or concerns about the purpose and the need for this amendment? All right. You're making it easy for me, to start out.

All right. Then let's dive into the meat of this. Currently, in Season 2, it is fifty fish from October 1 to January 31 and then fifty fish in February, unless less than 70 percent of the Season 2 quota has been landed, and then it bumps up to seventy-five fish, except for, of course, for this season, where the emergency rule has been implemented and you guys are at seventy-five fish from October 1 to the end of February.

The second alternative in this amendment would be to make October 1 to January 31 seventy-five fish with a bump-up to 100 fish if less than 70 percent of the Season 2 quota has been landed. Alternative 3 would be 100 fish until January and then a bump-up to 150 fish. Alternative 4 would be 150 fish with a bump-up to 175 fish.

Additionally, during the meeting, the council requested that we add an alternative for a Season 2 trip limit of 100 fish with no step-up, and they selected this as their preferred alternative, and so the next round of this document will have an Alternative 5 that has the trip limit from October 1 through the end of February as 100 fish.

I want to talk about the analysis. This analysis is additionally done not considering rollover, and there are two different methods. The first method assumes that any trip that harvested twenty-five to seventy-five king mackerel will now catch the new proposed trip limit, and so seventy-five, 100, or 150 fish. The high method, the second method, assumes that every trip that harvested anywhere from one to seventy-five king mackerel will now catch the new proposed trip limits, and so reality is probably somewhere in between the two.

Here is the analysis. Under Alternative 1, which is the no action alternative, there is a step-up to seventy-five fish in February, and the quota is not met before the end of the season. Under

Alternative 2, the low method shows that there will be a step-up, and the quota won't be met. However, the high method shows that, on January 12, 70 percent of the quota will be met, and so it will remain seventy-five fish through the entire season, and the season will close early, on February 22.

For Alternative 3, which is 100 fish, with the low, there is a step-up to 150 fish, and there is no closure. Under the high method, 70 percent of the quota is met on December 24, and there is then no step-up, and the fishery closes on January 23. Last, but not least, Alternative 4 is 150 fish. The low is, yes, 70 percent of the quota is met on December 30, and so no step-up, and the season closes on February 7. Under the high method, the 70 percent is met on December 11, and there is no step-up, and the fishery closes on the 23rd of December.

Now, the council has requested that staff do an additional analysis that we're currently working on to consider rollover from Season 1 into Season 2 and how that will impact closure dates. Staff is working on this, and I do want to note that the analysis will be highly uncertain, one because there have only been a couple of seasons that the fishery has been operating under this rollover system, as well as the fact that, come next season, you guys will be operating under Framework Amendment 6, which increases that Season 1 trip limit, and we don't know how that will ultimately affect fishing behavior. We are putting together that analysis, but that is something to consider. I will go back to the action and ask if there are any questions, and, if not, then I will let you guys discuss any kind of recommendations you would like to make to the council.

MR. LAKS: If I could just remind everyone to just state your name for the record before you speak. Thank you.

MR. HUDSON: On Alternative 3, Christina, we just stay at 100 the whole time, that second alternative in Alternative 3, and can we potentially have a step-down if we have that 70 percent trigger, from 100 down to seventy-five, because, normally, if we were at seventy-five, we would have stepped down to fifty, just so that we could get all of February in and then start our March 1, and so based on some of the dates that you've got there.

MS. WIEGAND: Under Alternative 3, there is still this step-up to 150 fish in February, but only if less than 70 percent of the Season 2 quota has been landed. You could recommend to the council to add another alternative where, instead of a step-up, there is a step-down to seventy-five fish if you're at 70 percent or at 75 percent, however you would like to structure that, but it is a possibility to have that as a step-down, as opposed to a step-up.

MR. HUDSON: Yes, I saw that, and that's why I was wondering if we still have a step-down in position of the 70 percent trigger, and I just thought that there is some people, maybe in the southern part of the Florida region, that might like that as kind of a buffer, and then, come March 1, we have a whole different season start, which will be our first time, actually, starting at a good start on March 1 coming up.

MR. LAKS: While I appreciate you looking out for the fishermen in the south, I think, at this point, that might be getting even more confusing, and with the short time -- I don't know, and we would have to ask a council member, but I don't know if it would be something that we want to mess with, that we're going to have an ACL, I believe, for two years, and is that correct, and that

if we don't just want to see what between seventy-five fish and 100 fish is going to show us after that, and maybe we can look into something after that.

MR. HUDSON: You are probably right there, Ira, because we have been at the fifty and seventy-five and whatever, and we just now started at seventy-five, and that's the experiment that we're doing right now, and so you're right. With that change with the possible ABC and ACLs and everything, that might be the best way to do it, because any changes we make will be a year or two down the line later anyway, Framework 9.

MR. DONALSON: Can I ask just a general question? Just looking at all four alternatives, assuming one of these is going to get approved and passed, I remember, from the last time we were all together, the issue came up about not just let's increase the amount, but is that increased amount doable? I mean, can you guys go out and catch 150 fish, versus fifty fish? I don't mean that sarcastically, but I'm serious. I am just trying to learn. Like, are we just increasing it to increase it, or can you actually harvest that many fish in a trip and get back?

MR. ENGLISH: Some people can harvest that many, the really professional people, but I think that's a little high. That's my personal opinion.

MR. DONALSON: Yes, and that's kind of why I was asking. I mean, I hate to just increase it to increase it if no one is going to take advantage of it, and is there something else that we're not looking at?

MR. LAKS: Sometimes, the way this fishery performs, you can have fifty boats in an area, and one guy might be on a lucky spot, and he might hit the 150 fish, if you were to go to that, but the majority of boats that are out there probably wouldn't, and I would ask maybe Keith or Gary to speak to that and see what they say, but I would -- 150 would be the right day with the right weather in the right boat in the right spot and all that kind of stuff.

MR. BOWEN: Yes, I agree with what he said. I think, for the most part, it would be just a few boats that could catch that. At a hundred head, I think it would probably be a pretty good spread for everybody, but even a hundred head -- I think that not everyone is going to be catching that all the time, but it will give you the opportunity, when the fish are there and biting, instead of leaving in an hour, and you're having a chance to actually put a day together, and so that's kind of like what we're attempting to do with the hundred head. I mean, I think that would probably, with the quota that we have and all the stuff that we have going on, it would probably be -- To me, I think it would be the best, but I agree with what Ira is saying.

MR. LAKS: The way this fishery -- The way people fish in it, we're trying to thread a needle of putting enough fish on where you can make more money, but not putting too many fish at the dock at one time to glut and bring the price down. You don't want to fish too high for diminished returns, and so we are trying to thread a needle and try to see where it's going to put us at. Is there any other discussion? Would someone like to make a motion?

MS. WIEGAND: I would also remind you that this document was put together right after the council meeting, and so keep in mind that there is an Alternative 5 that is currently the council's preferred, and that is the 100 fish with no step-up. It's just 100 fish from October 1 through the end of February.

MR. HUDSON: You said Alternative 5, and so it's not in our decision document at the moment? Okay.

MS. WIEGAND: It was a short time period. The council meeting ended on Friday, and this had to be up on Monday, and so the motion is included here that the council approved.

MR. HUDSON: **Can I make the motion then to accept Alternative 5?**

MR. LAKS: Would anyone like to second it?

MR. ROBINSON: I will second it.

MR. SWANN: From a management perspective, that seems to make the most sense. It's the easiest and less staff time involved, and it just seems to make more sense, to me.

MR. LAKS: Is there any other discussion? **We can get you to raise your hands if you're in favor. It looks like we've got eleven in favor; any opposed, one opposed. The motion passes.**

MS. WIEGAND: Are there any other questions or concerns about this amendment, before we move on?

MR. LAKS: All right. Then we're moving on.

MS. WIEGAND: Next up on the agenda, we're going to talk about commercial effort in the Spanish mackerel fishery, and I want to structure this a certain way. First, I'm going to go over this white paper, and this was a white paper that was presented to the council at their September meeting, and so I want to go over this with you all. Then we're going to talk about the actions that the council took based on this white paper, and then, after that, there's another agenda item to then talk about a limited-entry system for the commercial Spanish mackerel fishery, and so we're going to get to all of it, but that's how I had intended to structure the conversation.

This white paper was put together because the advisory panel had brought some concerns to the council regarding commercial effort in the Spanish mackerel fishery, and it was increasing rapidly, and, as a result, we've seen closures in the commercial Spanish mackerel fishery in the Northern Zone as well as a recent closure last year in the Southern Zone, and so the council is looking into how to address that, and they asked for this paper, to sort of get some background information on the history of the Spanish mackerel fishery and some possible ways forward to address effort concerns as well as a look at what effort was currently like.

First, just a little bit of background on the commercial Spanish mackerel fishery. Again, I am not going to go into this in too much detail. You guys are the fishermen, and I know you understand the regs, but we do have the Spanish mackerel fishery broken up into two zones.

There is the Gulf group and the Atlantic group, and these are broken up at the Miami-Dade/Monroe County border, and, as you will remember, the Coastal Migratory Pelagics Fishery Management Plan is a joint plan between the Gulf Council and the South Atlantic Council. While we do have

a framework procedure that allows us to act independently of each other, larger decisions do have to be approved by both councils.

Additionally, in the Atlantic Zone, we have a Northern Zone and a Southern Zone, and the Northern Zone is the North Carolina/South Carolina north all the way through the Mid-Atlantic Council's jurisdiction, to that New York/Connecticut/Rhode Island line, and then the Southern Zone is North Carolina/South Carolina line south to the Miami-Dade/Monroe County line.

Here are the current commercial regulations. Again, we've got those two zones. Currently, commercial fishermen are allocated 55 percent of the ACL, and recreational fishermen are allocated 45 percent of the total ACL. Of the commercial ACL, the Northern Zone receives 20 percent, and the Southern Zone receives 80 percent, and, in a little bit, I will get into how those allocations were determined.

Here is your current ACL. Currently, the commercial is at 3.3 million pounds of Spanish mackerel. The season runs from March 1 to the end of February, and here are the trip limits, and so, in that Northern Zone, it's just 3,500 pounds year-round. In the Southern Zone, you guys are operating under this adjusted quota system, where 250,000 pounds are set aside, and you are using this adjusted quota, and so, from March 1 until 75 percent of that adjusted quota is met, it's 3,500 pounds, and then, once you've hit 75 percent of the adjusted quota, until 100 percent of the adjusted quota is met, you are fishing at 1,500 pounds. Then, once 100 percent of that adjusted quota is met, until the full quota is reached, you are operating under 500 pounds. Then there's a twelve-inch fork length limit.

It's also important to remember that, for Spanish mackerel in state waters, the Atlantic States Marine Fisheries Commission manages them. They began managing Spanish mackerel back in the 1990s, and, in 2011, they approved an omnibus amendment, and one of the bigger purposes of that omnibus amendment was to bring Spanish mackerel regulations in state waters in line with those in federal waters, to an extent.

I talked to you guys a little bit about the concerns, and we've seen closures in the Northern Zone as well as closures in the Southern Zone of the commercial fishery. During this season, the Northern Zone closed to commercial harvest on August 24, 2019, which is right before their peak season, and I will get into the seasonality of this fishery in a second. The states are able to transfer quota between the zones, up to 100,000 pounds. However, when the North Carolina Division of Marine Fisheries requested of FWC a transfer of that poundage, FWC denied that request, because the Southern Zone is also projected to close early this year.

As the advisory panel, you guys have passed a couple of motions, one requesting that the state look into a limited entry system as well as having the council work with the states to manage effort, as well as considering a gillnet endorsement for the Southern Zone. We'll talk about those options as well.

I did want to note just a few key amendments throughout the Spanish mackerel management history, and I don't want to go over everything, and we could be here all day, but a few key amendments. First was Amendment 2, and this is the one that set up the original allocations, and these allocations were originally set at 76 percent commercial and 24 percent recreational, and those were based on the landing stream from 1979 to 1985.

Then, in Amendment 4, the council chose to reallocate Spanish mackerel equally between the recreational and commercial sectors. This was done for a number of reasons that I will talk about again in a little bit, but the primary reason was that both sectors had the ability to harvest the entire ACL, and so the council, at the time, felt that the most fair and equitable allocation was 50/50.

Amendment 6, which was implemented in 1992, this was the first time that we provided for commercial Atlantic Spanish mackerel possession limits, and so this was the first time that the Northern Zone area, which at the time was the Florida/Georgia line, and so south of where it is today, was at 3,500 pounds, and then there was a trip limit system in place in the Southern Zone as well, starting at 1,500 pounds and being modified from there.

Then there was a 1998 framework action that was passed and then implemented in 1999, and this, again, reallocated Atlantic migratory group Spanish mackerel, and this was done because the commercial sector was regularly exceeding their ACL, while the recreational sector was landing proportionately lower amounts of their ACL each year, and so the council decided to bump up the commercial allocation to 55 percent and the recreational at 45 percent, and this is where it currently is.

Then you've got Amendment 20B, and this was the first amendment that established those Northern and Southern Zones as you see them today, with the separate commercial quotas for both king and Spanish mackerel, and, again, once we talk about allocations in a little bit, I will go into a bit more detail on how those quotas were set. Then, last, but certainly not least, Framework Amendment 2 was the amendment that implemented that adjusted quota system that we see in the Southern Zone.

To dive into a little bit of the commercial landings sort of background, here you go, and, as you can see, the commercial sector has been regularly exceeding their ACL, particularly from the 2009 season on through to the 2013/2014 season, and, for the most recent season that we have complete landings for, they have been landing very close to their total ACL. Here is that in image form. As you can see, there was a peak in landings between about 2009 down to about 2012, where it's been sort of stable right at that blue line, which is the ACL.

MR. HUDSON: Can we get the 2018/2019 numbers, because I believe we both had closures on that one.

MS. WIEGAND: Both the Northern Zone and the Southern Zone did close. I don't believe those numbers are finalized, but I can pull them from the ACL website, but they would just be preliminary landings.

MR. HUDSON: It was mainly the dates, and I was trying to compare back, or ahead.

MR. LAKS: Rusty, I just pulled them up, and the preliminary landings are 693,549 in the Northern Zone and 3,283,421 in the Southern Zone.

MR. HUDSON: What dates were those closed for each sector or zone?

MR. LAKS: On here, it says the trip limit was reduced on 12/26/2018 in the Southern Zone and then also a further reduction at 1/27/2019, and then it closed on 2/5/2019. Last year, in the Northern Zone, it closed at 11/4/2018.

MS. WIEGAND: Then I did want to show just a little bit of the recreational landings here as well, even though this is a report on commercial effort. As you can see, the recreational fishery has been landing between 62 and 28 percent of their ACL since the ACL was established back in 2012, and here is that graphically, and so this blue line is the ACL, and then these recreational landings are here, and these are the old MRIP numbers, so that they are comparable to the ACL here, and so these are not the new MRIP numbers.

MR. ROLLER: With adjusted MRIP numbers, does it look a little different?

MS. WIEGAND: It does look a little different, but I kept it this way so that it was comparable to the ACL, given the allocations discussion that we were going to talk about, but the new recreational numbers are a little bit different than these numbers, and they will be considered once we go through the stock assessment process, and the Spanish mackerel stock assessment is scheduled to start the end of 2020 or the beginning of 2021, I believe, and that's when the council will start looking at incorporating that into ABCs and ACLs.

MR. ROLLER: But they are still significantly under the ACL or not, or is that --

MS. WIEGAND: With the old numbers and the current ACL, yes. We won't really know what the new ACL will be, to compare those new numbers, until we've gone through the full stock assessment, and so the issue is the ACL is not comparable to those new numbers right now, until we've got a new ABC and then a new ACL to compare them.

MR. DONALSON: Without getting into too much detail, how is this number estimated or calculated, the recreational landings? Like where does that number come from?

MS. WIEGAND: These all come from the Marine Recreational Information Program as well as the charter and for-hire surveys.

MR. HUDSON: I know that we have to get to the next stock assessment in order to use the new calibrations on the MRIP numbers, but it wouldn't hurt to take a look at the PSEs that surround those numbers and see how much of a change there is, percentage-wise, if it's 100 or 400 percent or something like that, for the recreational, that somewhere we're going to have to work our way through.

MR. LAKS: Since I brought up the landings in the commercial, just looking at the recreational landings, with the first two waves of MRIP this year, there seems to be a significant increase over last year.

DR. ELKINS: Perhaps I missed it, but there wasn't any economic information in our briefing book about comparing recreational and commercial Spanish mackerel impacts.

MR. LAKS: I don't think we have any specific information, but I know that we did have information that Spanish were either the second or third-most targeted in recreational trips at one point.

MS. WIEGAND: There was a study that John Hadley put together on the economics of the fishery, and I believe that king and Spanish mackerel were second and third in directed trips. He is nodding at me and saying that I'm not lying to you guys.

MR. MALLETTE: The way I received the recreational numbers, the way I understand it, was it came from basically surveys done on charter boats and recreational boats, and so, basically, all the recreational landings was all voluntary, where, with the commercial fishery, everything is mandatory, and I am getting that correct, or is that --

MS. WIEGAND: In terms of private recreational versus commercial, yes. The private recreational guys report through the Marine Recreational Information Program, which is a survey that's both done at the dock, where people try to intercept recreational and charter fishermen, as well as what was a telephone survey and is now a mail survey, which is where we're seeing the change in numbers, but, yes, there is no mandatory reporting for private recreational anglers.

MR. MALLETTE: Okay, and so, being that that's how they get those numbers, it's safe to say that there could be a very large percentage of people that you don't know what they caught that are Spanish mackerel fishing that those numbers can't be recorded, and so that adds on to what possibly was caught too, right?

MS. WIEGAND: That's certainly possible, and now you're getting a little bit into what Rusty was talking about with percent standard errors, and Chip just brought me the ones for the current -- Let me make sure I'm reading this right. The current system ranges, PSE ranges, Rusty, anywhere from 20 percent to 9 percent, and then, under the new numbers, it's anywhere from 10 percent to 28 percent PSE.

MR. LAKS: Any other comments for this? All right.

MS. WIEGAND: Continuing on, I wanted to talk about these commercial landings by zone, because there are some pretty big differences between North Carolina and Florida, and I will note that, for -- We did not break these up by state, to ensure confidentiality, but, in the Northern Zone, landings are primarily coming from North Carolina, and, in the Southern Zone, they are primarily coming from Florida. Here are the Northern Zone landings, and this is the Northern Zone quota, and then this orange line are the landings, and so, as you can see, recent seasons, the Northern Zone has been right at or exceeding their quota.

MR. ROLLER: Being that most are from North Carolina, are there increasing catches from north of North Carolina, recreational or commercial?

MS. WIEGAND: We have seen increasing landings north, both in the actual numbers, but primarily anecdotally. We've been hearing a lot of information from fishermen about increasing landings in Virginia and Maryland up through New Jersey for both commercial and recreational. Here are the Southern Zone landings. Again, this green line is the landings, and that blue line is

their quota, and so you can see, in recent years, that the Southern Zone as well has been right at that quota, and, again, like Rusty noted, during the 2018/2019 season, they did close early.

Here are landings by gear type, and, as you can see, by year, cast net landings have been increasing since about 2014, and then you see gillnet landings slightly decrease in recent years, and then you're seeing increasing landings by handlines as well, and one thing I want to note about this table is that this is federally-permitted fishermen only, and so this table doesn't include fishermen who do not have a federal permit and are fishing only in state waters, and so these landings are only federally-permitted guys.

MR. LAKS: Christina, do we know what states -- Do all the states not require a federal permit? I mean, do we know even about what the Mid-Atlantic or --

MS. WIEGAND: I do not know state-by-state the Mid-Atlantic regulations, but, off the top of my head, no, I do not believe that any of those states require a federal permit to fish in state waters. Then another thing that I wanted to map for you guys are gillnet trips in the whale management zone, and so there's been some talk at this advisory panel about gillnetting that is occurring during the months where the Atlantic Large Whale Take Reduction Plan regulations are in place for Spanish mackerel gillnets, and so what this map is -- These lines delegate out the different management zones from the Large Whale Take Reduction Plan and when those regulations are in place.

Then these grids are essentially a heat map showing the number of gillnet trips that occurred there from 2014 to 2018. Red is higher and green is lower, but you can see there is some gillnet effort here in the Southeast Restricted Area South Zone from December 1 to March 31, when those large whale regulations are in place, and remember that, down here in Florida, gillnetting is not allowed in state waters, and so this effort is occurring exclusively in federal waters.

DR. ELKINS: Is that just gillnets targeting Spanish?

MS. WIEGAND: Yes, this is just gillnets targeting Spanish, specifically.

MR. ROLLER: In North Carolina, is that including state-water fisheries, or is that only in federal waters?

MS. WIEGAND: This is only fishermen that have a federal permit. All right. Next up is participation in the Atlantic Spanish mackerel fishery, and so here are the permits, and I pulled this from the Regional Office's permit page on August 25, and so, if you look at it right now, it might be a little different, but, as of August 25, there were a total of 1,922 Spanish mackerel permits. Remember that the commercial Spanish mackerel permit -- There is one permit that covers both the Gulf and Atlantic migratory groups, and so one permit for the entire range.

In the Gulf, and that includes the Florida Keys, because remember that break between the two groups is the Miami-Dade/Monroe County line, there are about 785 permits in the Gulf region. Out in the Atlantic region, there's about 1,126 permits, and the majority of those permits are, again, on the Florida east coast, at 718, and in North Carolina, at 300 permits.

Again, looking at these numbers here, this is only going to be federally-permitted vessels, and so, again, it's not including fishermen who are operating in state waters and do not have a federal permit, but, as you can see, the number of vessels in the fishery has been roughly stable since 2000. The average pounds per trip has decreased slightly up until 2013, and then it looks like it's on a slight uptick since then.

If you look here, you can also see the number of trips that were taken, and, again, it looks like that has slightly increased from between 2000 and 2008 now to 2009, and it looks like it is slightly increasing, and, again, these are only federally-permitted vessels.

Next, I wanted to cover the seasonality of the fishery. Here are average monthly landings overall. As you can see, landings are higher in the winter months, November, December, January, and February, and lower in the summer. However, if you break this up by zone, you can see the distinct difference between the two fisheries. The Northern Zone is primarily operating between May and October, whereas the Southern Zone really begins to pick up in November and operates on through March.

Next, I wanted to go over the economics of the commercial Spanish mackerel fishery. Here, you can see the relationship between this purple-red line, which is the landings, and then this is the inflation-adjusted ex-vessel value, and so this makes it clear the relationship between the number of fish on the market and how that affects the price, and this is not broken up by Northern or Southern Zone. This is the entire Spanish mackerel fishery in the Atlantic. Again, we've got something similar here. This blue line is now the ex-vessel value and the landings in this reddish-purple line.

You will remember that, back in April of 2018, a fishery performance report was completed for Spanish mackerel, with those that were on the advisory panel at the time. We're also going to be updating that later this meeting, but there was a discussion about how both the commercial and the recreational sectors have seen a shift toward Spanish mackerel and that price can vary in North Carolina from anywhere from \$1.50 to \$2.00 for a medium-sized mackerel and that the majority of Spanish mackerel in North Carolina is then sold to northern markets. There is also talk about how Florida banned gillnets in 1995, and that really changed how fishermen prosecuted the Spanish mackerel fishery.

In Florida, the market price can fluctuate quite a bit throughout the season, and, during the winter months, they typically see a higher price than the rest of the year. Again, we're going to be revisiting this fishery performance report and updating it later in this meeting, along with the ones for king mackerel and Florida cobia.

I am going to skip over this discussion of limited entry for now, because we're going to get into it in more detail in a little bit, and so I'm going to skip that and come back to it. Here are the current state regulations. Since the Spanish mackerel fishery is also pretty heavy in state waters, the council wanted to consider collaborating with the states, and so I've got the regulations right here. You will see, in Florida, from March 1 to November 30, they are at 3,500 pounds. Then, from December 1 until the end of the season, it's 3,500 pounds Monday through Friday, and Saturday and Sunday is 1,500 pounds.

However, if the federal trip limit is reduced to 1,500 pounds, state waters follows suit, and then, if the federal trip limit is reduced to 500 pounds, or federal waters are closed to commercial harvest, in state waters it remains 500 pounds, and gillnets are not an allowable gear in the State of Florida. Then you will see, for the most part, Georgia and South Carolina and North Carolina tend to match federal regulations, and I also included regulations up in the Mid-Atlantic zone, which also mirror federal regulations, as of right now.

There are a number of management options that we went and discussed with the council. We talked about the possibility of modifying trip limits. Generally, decreasing trip limits -- How that affects a fishery ultimately depends on how fishermen are affected by a higher trip limit and a shorter season versus a lower trip limit and a longer season, one of the main concerns being that low trip limits, while they do reduce the rate of harvest, can also make fishing trips inefficient.

There is also allocation, and so, like I said, I was going to talk about allocations a little bit more. Commercial and recreational allocations were set up originally in Amendment 2 based on the range of landings from 1979 to 1985, which resulted in a 76 percent allocation to the commercial sector and a 24 percent allocation to the recreational sector.

Then Amendment 4 was implemented, which revised it to that 50/50 split, and, in that amendment, this is the rationale that was cited for changing the allocation to 50/50. The Spanish mackerel resource was overfished from 1979 until 1985, and the council, at the time, felt that that was resulting in lower recreational catches and that the recreational sector had been affected by increasing commercial effort in the mid-1970s. Additionally, there was qualitative information that said that the recreational catch was actually much higher during the 1970s, and so, again, because capacity and demand of both of those groups had expanded in such a way that both were able to harvest the allowable catch, 50/50 was decided to be the most equitable allocation.

Then the other allocation that we see in the Spanish mackerel fishery is the allocation between the Northern and the Southern Zone, and this was implemented in CMP Amendment 20B, and so it was effective in March of 2015, and that allocation was based on the proportion of landings in each zone from the 2002/2003 fishing season through the 2011/2012 fishing season, and this is the allocation that gives 20 percent of the commercial ACL to the Northern Zone and 80 percent of the commercial ACL to the Southern Zone. Right now, I will take any questions on the white paper itself, and then I'm going to talk to you guys a little bit about the direction the council decided to go after reviewing this paper.

MR. ENGLISH: I would like to speak on the last two items in particular. We started out at a 75 percent commercial and 25 percent recreational, and that's what it was, and that's how it was caught. They were concerned that that wasn't right, and so they went to 50/50, and I get that. We look at our paperwork though, and it's proven that that was the exact number that it should have been, because, for thirty years, that 25 percent that was taken from the commercial sector has never been touched by the recreational sector. It hasn't been touched, and it has just been taken from the commercial sector and set aside and not used, and so that's point number one on that.

The other thing I would like to speak on is the North Carolina/Florida allocation. We're at 80/20, which is -- That's where it ended up being, from the numbers we had in the past. North Carolina needs 900,000 pounds of fish and not 650,000. That's what they catch. If you look at the paperwork, that's their average landings, is 900,000 to 950,000.

The only time they land less than that is when they have a weather system that wipes out their entire fall season, but their average landings are 900,000, and that's what North Carolina needs, and so put that into your mind as food-for-thought for later discussion down the road, when we're trying to figure out how to manage these mackerel fair to everybody.

MR. ROLLER: I have to respectfully disagree with the idea that it's not being utilized from the recreational side. It's not that it's not being utilized. Just because it's not harvested, it doesn't mean that it's not being utilized. We had a wonderful discussion at the last AP meeting between all of us, and we discussed how important Spanish mackerel are, and one of the reasons to the for-hire fleet that it's important is abundance, and the abundance meaning the fact that we can go out and catch so many of them and they're available for such a long period of the year, particularly in our high season. My point is, whether or not we catch that quota, it doesn't matter. For a lot of us, the fact that the abundance is there is what is most important, and I just wanted to state that. Thank you.

MR. ENGLISH: My response to that is this. We do all these scientific studies, and we say that this many fish can be taken out of the ocean and landed and killed and done away with, and we will still have an abundant fishery, and everybody will catch fish, and we have this amount of fish for everybody to share, but we shouldn't take that amount of fish and say the scientists say you can catch this many, but we're going to take this much and not let anybody catch them.

The scientists say we can catch this many, and they will still abundant, and so let's go by the scientific evidence, and that's all I'm saying. Let's use the scientific evidence, and then, if we have to change it down the road, let's do it, but let's do it in a manner to where it's fair to everybody, and I'm talking recreational and commercial. I think we can do it to where it would benefit both sides, and I think it will benefit us greatly if we come up with a system that accounts for these fish, rather than just willy-nilly saying you can't close this or you can't close that, recreational or commercial, and so that's my point of it.

DR. ELKINS: I think something needs to be done, but I have to echo what Tom said. recreational fishing is all about encounters, and it's not necessarily about killing fish, although Spanish mackerel are usually killed in North Carolina, and, normally, that's done, I think, after a stock assessment, and I mentioned earlier that it would have been helpful to have economic data from North Carolina to compare the economic impacts of the recreational and commercial sectors. Even though the recreational sector may catch far fewer fish, it may in fact be more important economically to the state and to the South Atlantic.

The so-called extra fish that we leave in the ocean, they provide a buffer, in case there were errors in the stock assessment. For example, in North Carolina, 60 percent of the commercial fishermen do not have catches associated with them, and that is trip tickets, and so there is some uncertainty there about actually how much is being landed in North Carolina, and it's been a problem for stock assessments of all species, and so the penchant for some fisheries managers to take all the fish -- I have trouble identifying with that. It really doesn't resonate with me. I guess I'm just conservative, but I agree with Steve that there could be some movement, but I would feel better waiting for the stock assessment, so we could make a better decision.

MR. ENGLISH: I will say one more thing, and I get the economic argument, and we heard that in Florida back before the net ban, that we're worth more money than you are and so you don't count, and that no longer applies. It doesn't matter if I'm worth ten-dollars and you're worth ten-million-dollars. In the United States of America, we're equal. We're equal, and we have a commercial sector that lands fish for the public, not the commercial fishermen.

We land fish for people to eat, and so the value in them and the value of recreational has no meaning to me, because the recreational fishery -- That one fish is worth \$250 a pound, where my fish is worth fifty-cents a pound. I understand that, and that's why I say that we need to balance it, but let's be fair about it when we do balance it. Let's just be fair about it, and let's -- We're either going to accept our scientific -- What we're told by the scientists, we're either going to accept that or we're going to say, no, we don't believe what you say, and so we're going to change your numbers, because that's what we're doing, what we're saying here, is we don't believe your numbers and so we're going to make a bigger cushion than what you do, and we know that our scientific community leaves a big cushion already, a huge cushion, between the ABC and the ACL.

I am just saying that we have the numbers in front of us, and we have the trends for thirty years, and we see where we're at, and I think there's something we can do to make this thing work for us, and I'm going to tell you right now that, whatever we do now, five years from now will not apply. If we don't do a limited-entry program, we're going to be SOL, fellas, SOL, because, the more people that get into the commercial side, it will not sustain it. You've got a limited pie, and you cannot put unlimited people in it, and that's all I've got for now.

MR. ROLLER: I have a quick question, Christina. When Florida does the step-down to 500 pounds once the quota is met, and as is being discussed in North Carolina, where does that poundage come from?

MS. WIEGAND: Landings in state waters are counted against the commercial ACL, and so the total southern quota is caught, and the commercial fishery in federal waters shuts down, and, yes, Florida does allow this 500 pounds to continue, and that does eventually come off of the federal ACL.

MR. ROLLER: So the unused recreational poundage, if the commercial is caught, and is that where it comes from?

MS. WIEGAND: Depending on how you want to look at it, yes, but that's not how it's monitored, and so --

MR. ROLLER: Understood.

MS. WIEGAND: So it doesn't actually get factored into recreational landings, and it's not like commercial landings then switch over to recreational landings and are counted against that ACL. It's still just counted as commercial landings.

MR. ROLLER: No, I understand that, but I'm just saying that we're using that unused poundage that's caught, correct?

MR. DONALSON: Steve English, I just want to make sure that I understand your concern. Is it the percentage between recreational versus commercial, the amounts, or is it just the overall -- That buffer that you say is out there? I just want to make sure that I understand what you're saying.

MR. ENGLISH: My concern is that we have fish that are unutilized, and that's my concern, and do I say they all should all go back to the commercial sector? Absolutely not. Absolutely not. What I am saying is just what they were just talking about, is where do the fish come from that we catch over, and it's kind of gray. Well, we don't need that. We know we've got a poundage of fish, and it's about a million-and-a-third pounds of fish, 1.3 million, on average, is what we don't use every year.

I guess I was going to talk about this later, but here's my theory on it. Let's look at what we have now. We know that North Carolina needs 300,000, because that's what they land, and we know that, and so, if we can get them 250,000 or 300,000 on their quota, because they have to have it, and there's no doubt in my mind, and you take the other million pounds of it and put it in a pool. Put it in a pool and go, okay, if the commercial sector reaches up to where they're down to 500 pounds, they pull from that pool that 500-pound trip limit. If the recreational sector catches theirs, they pull from that pool, and, if we want to pull from that pool, and, if we want to set it aside, we can set a percentage of it aside for recreational and a percentage aside for commercial, if you wanted to do that.

What I'm getting at is there's a pool of fish, and, that way, there is no gray area. We know where it's coming from, and we know where the fish are going, and then, as we progress down the road, and we see the landings going up here and up there or down here, then we have an adjustment, and we know where we're at. Just, to me, that would be the way to go.

DR. ELKINS: Help me understand the history of the Florida 500-pound state -- How did that become -- Was the unilaterally done by the state, or did the South Atlantic approve that?

MS. WIEGAND: That was unilaterally done by the state, and I don't know the exact history of why that was put into place, and I believe that it is meant to be a bycatch limit, of sorts, so that, when fishermen are targeting other things, they can keep the Spanish mackerel that they have landed, but that was not something that the South Atlantic Council approved, and so the South Atlantic Council is bound by the Magnuson-Stevens Act, and the ACL and the accountability measures that are currently in place require that, once the Northern Zone quota or the Southern Zone quota is met, that respective zone is then closed to commercial harvest.

States are governed by what's in the Atlantic States Marine Fisheries Commission plan, and my understanding, based on talking with my counterparts at ASMFC, is, the way that plan is written, it does not require states to follow federal closures, which is why Florida is able to continue that 500 pounds after federal waters are closed, and so I guess, in short, to answer your question, that 500 pounds is not something that was approved by the council. That was something that was done at the state level for Florida.

MR. ENGLISH: Just to let you know too that Florida is not the only place that did it, and Virginia did it this year. When the federal closure happened, Virginia never closed, and so just to let you know that.

MR. MALLETTE: I've got a few real quick questions, just for some clarification on my end. The numbers that you are saying and everything, recreational and commercial, this is -- Especially considering the point to the state waters or the states trying to coincide with the federal poundage, is that still seasonal too, or is that just the whole year that you all are getting those numbers? Do they have Season 1 or Season 2, or is that just year-round numbers where you're getting that total?

MS. WIEGAND: I guess I'm not sure which numbers you are referring to.

MR. MALLETTE: If you go up -- I will tell you specifically one that caught my attention, and that was where, on your chart, you said North Carolina, the state waters, was saying 3,500 pounds, and I can tell you right now, and I am gillnetting right now, that it's 500, and that's what they are stopping us at, and not 3,500.

MS. WIEGAND: That's a new thing this year. Usually, in North Carolina, it's 3,500 pounds, and they close when federal waters close. This year, I believe, and I'm going to look to Steve if I say something wrong, but North Carolina decided to keep you guys open, state waters open, even after federal waters have closed, at this 500-pound limit, and so that is something that has just occurred this season.

MR. MALLETTE: Okay. That's why I was just clarifying it. I just wanted to make sure of that, but one point I did want to make is I understand what the -- Especially what Tom and the guys over here are talking about and how important Spanish mackerel are. As a charter boat captain during the summer, in tourist season, Spanish mackerel are my moneymakers, because that's what the little kids and everybody can do and all that, and I get that, but the truth of the matter is that, once Labor Day hits, they go away. Once all the kids go back to school, the majority of the charters for Spanish mackerel go away, and so I don't really see Spanish mackerel, past Labor Day, really affecting most of the charter people that I know, that I see personally that I deal with, once the tourists are gone.

For the rest of that year, and especially like right now, just from what I am seeing, I am usually sink-netting and catching spots in the ocean. Well, the water is warmer than normal, and so, while we're catching spots, we're catching a ton of Spanish mackerel that are usually gone by now, and we really can't even set all the nets that I want to set, because I will reach that 500-pound limit in two sets, and so, if there is any way that that looks into getting some more quota, or maybe something where the federal side could help the state say, look, there is no need in stopping us from catching these fish if they're there, and, basically, I'm saying to help out money-wise, to make up for the difference.

MR. POLAND: Just to answer John's question and give just a little bit more clarification on what North Carolina is doing right now for the commercial Spanish mackerel fishery, we had closed, to complement the federal closure. The Secretary of the Department of Environmental Quality decided to allow the division to reopen the fishery at a 500-pound trip limit to close at November 15, and this was after some consultation with the Atlantic States Marine Fisheries Commission on some of the issues, or irregularities, in the Atlantic States' plan and the fact that Florida has left state waters open after the federal closure, citing those inconsistencies in the Atlantic States' plan, and so the Secretary felt that he really didn't have any choice but to open it up, because there was going to be no risk of going out of compliance at the state level, but it was opened up at 500 pounds to reduce regulatory discards in that fishery, but it is going to close again on November 15.

MR. LAKS: We're just going to move along a little bit right now, and we'll come back to this discussion when we get through this.

MS. WIEGAND: We are veering into a discussion where I think it's going to be helpful for you guys to know the direction the council intends on taking to address this issue, and so I just wanted to go over that quickly with you guys, to help inform the discussion you're already having.

The council reviewed this white paper, and they had a lengthy discussion on short-term needs versus long-term needs, and they understand that there is sort of a long-term need to address the closures in the commercial fishery, but the understanding that any sort of allocation discussion or limited-entry discussion, or sort of any further discussion, might take a long time to get an amendment implemented and that the fishermen needed a short-term solution in the meantime.

The council has requested that we work on an amendment to revise the Spanish mackerel accountability measures, and so they've requested we revise them so that, when the Northern Zone commercial sector quota is met, and so when that Northern Zone commercial quota is met, the commercial fishery will step down to 500 pounds, and then the commercial Spanish mackerel fishery will close when the total ACL is reached, and so the total ACL being both the commercial and the recreational ACLs combined. When that total ACL is reached, everyone will close.

Additionally, they have asked there to be another action in that amendment that will look at a set of trip limit alternatives for the Northern Zone, with 3,500 pounds being where it currently is and options for 2,500 pounds, 2,000 pounds, and 1,500 pounds.

Staff is currently working on putting together this amendment, and I am going to encourage you guys to talk about it in detail and at length now, because this is the only opportunity you will have to talk about this amendment. Because of the timeframe that is needed to get this into place before another closure would occur next year, this amendment has to move pretty quick, and so staff is working on developing these actions and alternatives and analyzing them, and we're going to be taking them to the council in December, so that they can review it and select preferred alternatives and approve it for public hearings.

We then will be taking it out to public hearing in January, and then the council has requested to have a special webinar held, and, during that webinar, the council will review this amendment and consider it for final action, and so this is the opportunity the advisory panel has to comment on these actions and alternatives, and, of course, there is also opportunity to comment at meetings and during the public hearings, but this is the only time that the AP will be together to comment on these actions, and so I encourage you guys to talk about them and make a recommendation to the council on how this advisory panel feels they should move forward, but this is the direction the council is currently headed.

MR. SWANN: So that's essentially a transfer from the recreational sector to the commercial sector?

MS. WIEGAND: I don't necessarily want to use the word "transfer". It does allow the commercial guys to keep fishing after their quota has been reached at 500 pounds until the total ACL is reached, but it's not a transfer in the sense that quota is permanently moving to the commercial sector.

MR. SWANN: So, logically, if there's a million pounds left in the water every year, then the commercial ACL is -- You would expect that to be reached earlier and earlier in the year, as the biomass would logically increase, right, if we're leaving a million pounds in the water, but is that happening, and, if it's not happening, is that because the trip limits prevent it from happening?

MS. WIEGAND: The amount of biomass in the water is something that's ultimately going to be decided through a stock assessment process, and, like I said, Spanish mackerel is on the docket for the end of 2020 or the beginning of 2021, and I actually put together, on Ira's request, a timeline for you guys to look at for stock assessments, and so this is what we're looking at for Spanish mackerel. It's going to be an operational assessment through 2021, and that's when we'll really dig into some of these biomass issues.

MR. SWANN: I guess what I'm asking is are you seeing any impact from essentially a million pounds being left in the water every year, or is that just not showing up?

MS. WIEGAND: That is something that I'm actually going to pose to the bigger group who is actually out there fishing and how that biomass being left on the water, but, to my knowledge, until a stock assessment occurs, we don't have any sort of scientific -- I don't have any scientific backing to say, yes, it is, or, no, it isn't.

MR. ENGLISH: Two things. Just so I don't forget it, North Carolina has indicated that they would like to go to the step-down system in the Northern Zone, the same as the Southern Zone does, the 3,500 and step-down to 1,500 at 75 and all that. They don't do it now, and they're just a straight 3,500, and they want to go to a step-down system, just like we have in south Florida, in the south.

MS. WIEGAND: I don't believe they want to go to the full step-down system that you guys have in the south, where there's an adjusted quota and you drop to 1,500 pounds. I think they just want to do a straight 3,500 pounds until the Northern Zone quota is met, and then, once that quota is met, they will drop down to 500 pounds, but not the step-down system that they have in the Southern Zone.

MR. ENGLISH: Okay. Well, the commercial fishermen themselves that I have spoken with, the fishermen themselves, would prefer 3,500 with a step-down at 75 percent to 1,500 and then the 500. Anyhow, that was the main one.

MR. ROLLER: We're being very coy with our language here, and I'm getting a little frustrated, and so I just want to -- I read this up here, that the Spanish mackerel fishery will close when the total ACL, commercial and recreational combined, is met or projected to be met. The commercial will fish until they hit their ACL, and then they will step-down to 500 pounds and fish on the recreational ACL, and why can't we just call it that?

MR. HUDSON: I just need a clarification. Since we have a permit, open-access permit, from Texas to Maine, for Spanish mackerel, do we have to include the Gulf Council in on any of the decisions that we're trying to make for recreational and commercial on this coast?

MS. WIEGAND: It depends. The Spanish mackerel permit actually runs -- The permit itself covers all of the Gulf and then up through the Mid-Atlantic Council's jurisdiction, and so it doesn't cover New England like it does with dolphin wahoo. It depends on the decision we're making. With this amendment, since we're revising accountability measures, specifically, only for Atlantic migratory group Spanish mackerel, we can make this decision independent of the Gulf.

However, if we wanted to make changes to the permits, that would require working with the Gulf Council. Ultimately, it depends specifically on the action and whether or not it's included in the framework procedure. If it's included in our framework procedure, then, yes, we can do that independently of the Gulf, but anything outside of that has to be done in consultation with the Gulf Council and approved by the council as well, and I will get into that a little bit more once we move from this discussion to talk about limited access.

MR. HUDSON: So, if we have limited access here, they don't have to do that there, but their permit will be constrained so they won't be allowed to come into the limited-access areas.

MS. WIEGAND: Since there is only one permit, we can't do just limited-access for the commercial Spanish mackerel permit without approval from the Gulf, because it's one permit that covers Gulf and Atlantic fish, and, like I said, I will get into this in a little bit more detail, and we could talk about separating the permit, so there's two different permits, and we could talk about different types of endorsements, but, ultimately, anything to do with permits, even if it's just for Atlantic migratory group, that's a bigger issue that does require approval from the Gulf Council.

MR. LAKS: Steve, did you want to go ahead? I think we're going to revisit some of this when we get into limited entry, too.

MR. ENGLISH: Just one more time, and then I will quit beating this dead horse. The commercial sector, that 25 percent of fish that we're pulling this pool from, was commercial fish until the recreational sector got them for the recreational sector and never utilized them, just as a cushion, and that's what they are. They're a cushion. They were taken from the commercial sector and left there to not be utilized, and so what we're going is utilizing those fish.

Now, the commercial sector could go, you're not catching them and give us that 25 percent and let us go ahead and catch them, and that would be an argument. I am not for that. I am not for that. I am saying we know where we're at now, and we know where we need to be in the commercial sector. The market tells us where we need to be in the commercial sector, and the northern region needs more fish right now. In the southern region, we're okay. We're okay, but those fish are commercial fish, as far as I'm concerned.

They were just taken from the commercial sector and left in la-la land for no one to use, and now we're to a point that we know we need to use those fish. We need those fish, some of them, and so my point is we should utilize -- Let's just tell it like it is, instead of playing games. We've got 1.3 million pounds of fish that nobody is using. Let's spread them out, and let's go ahead and use them.

DR. ELKINS: Just for the record, I just want to make it known that the re-opening of the commercial season, as stated, by the DEQ Chief Regan, the state fishery board, the North Carolina

Marine Fisheries Commission, was not consulted. In fact, the chair was not even called. I will leave it at that.

MS. WIEGAND: I don't mean to push you guys, but I will, again, remind you that this is the only time you will be seeing the actions that the council intends to include in this amendment, and I would encourage you, if you have any specific recommendations for the council, for or against, whatever the AP discusses and agrees on, that now is the time to sort of put those forth to the council.

MR. LAKS: I was just going to mention that I spoke to a mackerel fisherman from North Carolina who is here, and I know he was interested in maybe looking at some trip limit reductions for the council to do, and I don't know what you all think about that, and I don't know any other guys from North Carolina that are on this panel that commercial fish for Spanish mackerel, and if you maybe want to voice your opinion on that.

MR. MALLETTE: Well, as far as commercial fishing, like I said, I do commercial fish Spanish mackerel, just mostly from the gillnets when I am setting for spots and things like that, and so we catch a lot of Spanish. As far as reductions go, I can only speak by what I've seen, where, if you would have told me that four or five years ago, I would have been like, yes, fine, we don't hardly catch Spanish at this time of year and it's not that big of a deal, but what I've noticed in the past I would say three years is we're seeing more Spanish than we ever have in the later part of the year.

What I will say is, if there is a way to put it out there for the council to -- If the state is following your lead, I guess I would say, for a lot of things that you're all doing, then give some more quota just to -- We're catching the fish, and we want to be able to make money and be able to pay our bills, and so, if the fish are there -- I mean, just enough to reduce the discards that's going to be out there from us catching them and being restrained at what we can catch, because there's so many that we're getting a limit instantly, before we can catch -- While we're trying to target other fish, and so that's just a thought.

MR. LAKS: I am going to let Thomas Newman speak. Hopefully he'll be joining us officially here next time we meet. He's a North Carolina commercial fisherman, and, since this has come up so fast, I think we should get a little more input to help us make some decisions.

MR. NEWMAN: I'm Thomas Newman, and I'm a commercial fisherman from North Carolina, and the closures just started coming closer and getting quicker and quicker every year on the Spanish mackerel fisheries, and, in North Carolina, most of the Spanish mackerel are caught north of Ocracoke. It's really the main heart of the fishery that catches 80 to 90 percent of the fish is Ocracoke and Hatteras and Swanquarter and Engelhard. It's really just a few small communities.

It's what we base six months of our year's work on, is Spanish mackerel, and these closures has made it to where the gillnet fleet cannot even work, because we don't want to go out and waste these fish. I mean, nobody wants to go out there and throw over Spanish mackerel that we could be selling, and I'm not talking about 200 or 300 boats doing it. I'm talking about maybe thirty to fifty boats, max, that really fish hard for these fish, and this early closure has made it to where just a handful of guys even worked from that August 24 closure until North Carolina opened the fishery back up to the 500-pound bycatch, just because the guys didn't want to see us wasting fish, and I was one of them.

I actually went to Virginia, because Virginia actually never closed, but that's another story, and I didn't want to go up there, and I hope that I ain't got to go back, but all we're asking is, until we can get another stock assessment done to hopefully increase the total ACL, is just get -- If we can't get a couple hundred thousand pounds just added to our quota straight-up, hopefully we can come up with some something to either do a step-down, such as Florida has, just to slow harvest up, but I really don't think that we need to go down to a hard number, like 1,500 or 2,000 pounds, yet, because I just -- We don't want to waste any fish, and, in the spring of the year, we have a pretty good run of fish, and sometimes it's feast or famine.

You might catch 2,500 pounds, and you might catch 250 pounds, and so we don't want to see one net that gets full of fish and stuff being wasted, but, like I said, in short, all we're doing is we're asking you to help us extend our season before we get another stock assessment done, and, if you've got any questions, feel free to ask. I've been doing this fishery now for well over ten years, and I'm five generations deep fishing on both sides of my family, or deeper, and I don't even know, but, if you've got any questions, I will do my best to answer them.

MR. ROLLER: A quick question. In my area, and I'm in Beaufort, and I see two sorts, and I've been hearing stories from two kinds of commercial fishermen. I've got guys who target Spanish mackerel directly and specifically, and then I've got like John, who is like spot fishing and catching them while they're doing other small-mesh activities, and how would you characterize the boats in your area? Is that both of those, or does it make sense what I'm asking?

MR. NEWMAN: The boats in my area, Spanish mackerel is the heart and soul. On May 1, give or take a week or two, we start fishing for Spanish mackerel in the ocean, and we're catching them as they're migrating north from Florida, and then those fish are slowly working through the sound, through Pamlico Sound, and a third to half of the fleet will target the fish inside the Pamlico Sound there in the summer months, and then a third to a half will target them in the ocean, and some of the guys switch to other things in the summertime, bottom fishing or longline fishing, but depending on what's profitable, because, in North Carolina, you have to go where the fish are, and you can't just have all of your eggs in one basket. You've got to spread yourself out, but, most of our fishing our area, we do target Spanish, but, right now, some of the guys are targeting other things, but that's just because of the closure, but Spanish is our bread-and-butter from May 1 to October, whenever the fish leave.

MR. ROLLER: So you are directed targeting them, and you're not specifically discussing like the drop-net fleets that are catching the gray trout and spots and croaker and that sort of thing?

MR. NEWMAN: The drop-net fleet that targets the gray trout and the croaker, that's the winter fisheries, and the Spanish are going by then, but those guys -- The drop-net fishers, a lot of those are doing other things when we're mackerel fishing. Like I said, it really just is a small, hardcore group, and I am not real familiar with the boats down in your area, but I only know of one guy that really targets Spanish mackerel hard core, and most of the boats are smaller skiffs, and they're just kind of weekend fishermen, is what I call them, but I'm not -- Don't put me on the record for that. I'm not 100 percent sure.

MR. ROLLER: No, I understand, but my comment is in relation to the public comment that I heard at the council meeting, and, in my area, I've got a fleet of boats, and they're mostly what we

call drop-netters, and they're fishing within two miles of the beach, and they're dropping small mesh in forty or fifty feet of water, and they are catching spots and sea mullet and gray trout and croakers and Spanish mackerel, and so that's what I heard from public comment, and that's what my question kind of referred to, because that was more of a kind of catch-everything fishery, and I do have guys who are specifically targeting Spanish mackerel, which I think you clarified.

MR. LAKS: Rusty, did you have a question?

MR. HUDSON: Not a question, but an observation. On Motion 5, with the collective quota, commercial and recreational, combined and caught and closing everything down, including the 500, when I looked at the PSEs, they were fine, except if you drilled down to little states like Georgia and Massachusetts, and then you had some outrageous PSEs. That means that, basically, when they do this operational assessment that you just finished showing the timing on, and they put in those calibrated numbers, if it does like the black sea bass -- The black sea bass biomass increased like 36 percent by those increased recreational numbers, which then that will clean up the decision-making going forward, when they know what those numbers are.

MR. LAKS: Anyone else have any questions for Thomas?

DR. ELKINS: I just think Motion 5 really needs -- I think we need more information on the timing of implementing of this and the implementation of the limited entry, and can you give us a little more information on that, so we can make a better decision?

MS. WIEGAND: In terms of this motion on the board, this is going to be part of what we're calling Framework Amendment 9, and this will be approved if the council continues along the timeline that they're currently on, which is always tentative, depending on what they discuss in December, but the intent is to take final action on this amendment at a webinar in January, with the goal of having these regulations in place before a closure would occur in the Northern Zone, and so, in theory, sometime by the middle of August, given the closure this year. That timeline, ultimately, depends on how fast the National Marine Fisheries Service is currently moving during rulemaking at that time, which can vary quite a bit, and, unfortunately, the council has no control over that schedule.

In terms of a limited-entry program, the council hasn't decided yes or no to move that route. Right now, they're just gathering information from the advisory panel on what they would like to see with a limited-entry program, which is what we're going to talk about next. If the council did decide to go down that road, it would probably be a lengthy discussion, given that limited-entry programs can sometimes be controversial, and it's also going to require approval from the Gulf, and, like I said, I will get into more of that discussion once we move into the full limited-entry discussion, but I will just say that that will be a lengthy amendment, and it will involve the Gulf Council as well, and so it's sort of hard to put a timeline on that. It ultimately depends on when the council decides they want to address limited entry, if they want to, and then how that process goes on, but I would say it could be a number of years.

MR. LAKS: Thank you, Thomas, for your help. Would someone like to make a motion?

MR. ENGLISH: I will make a motion.

MR. LAKS: Go ahead, Steve.

MR. ENGLISH: **The way it stands right now, I recommend that we go with Amendment 5 and allow the 500 after the closures, and the reason I say that is strictly to not waste bycatch.** That's what it's for, and that's all it's for. It's not for anything but to take those fish that are being caught anyhow. You're not going to stop the fish from being caught, but it's to take those fish and be able to land them and utilize them and not feed them to the crabs.

MS. WIEGAND: Could you read that into the record for me?

MR. ENGLISH: **Recommend the council move forward with revising Spanish mackerel accountability measures, as proposed in Motion 5 from the September 2019 council meeting.**

MR. LAKS: Is there a second?

MR. KELLY: I will second that.

MR. LAKS: Second by Aaron. Is there any discussion?

MR. ROLLER: This is a slippery slope, and I understand, and I really feel for some of my state's fishermen, like Thomas, the hardcore, full-time fishermen, but I hope you all from other South Atlantic states understand what North Carolina is like. We have gillnet fisheries of the size and effort that have never existed in any other South Atlantic states prior to your net bans. A lot of them are hard to manage. We have open-access fisheries, and it's very easy to get a commercial fishing license, and so, while I would like to see this fishery open, so that we could support our full-time fishermen, I am just worried about how this could impact other decisions down the line, and it's just very, very concerning to me, and I just can't support it.

MR. ENGLISH: (Mr. English's comment is not audible on the recording.)

MR. ROLLER: I could have one by the end of the day, in four or five hours.

MR. MALLETTE: You can buy a commercial license in North Carolina for several thousand dollars, \$400-plus a year, or more, and you have to catch a certain amount to keep it. You can't just buy it just to have it. I mean, if I went and got one right now, and I didn't fish all year long, they're not going to let me keep the license, and do you know what I'm saying? It's not as easy as a lot of places, and I will say this, that one of the biggest problems that I see that North Carolina does, and I really wish it would go away, just for the record, is this recreational/commercial license, where you don't have to have a commercial license, but you can buy a license and use commercial gear, but you can't sell it.

Now, truth be told, you ain't got enough people out there to manage these people, and I see people out there, these recreational gillnetters, with recreational/commercial licenses, or whatever they call it, and they're out there every night catching fish. Now, I don't know about you, and I eat a lot of fish, but I'm not eating that much fish, and what are they doing with it?

I mean, don't -- Outside of other words I want to say, don't do one thing and tell me it's raining, and I think, if you get rid of a lot of that stuff, as far as North Carolina is concerned, you will see

better things, and just the economics alone are already killing us. I mean, the price of fuel, the price of having a license, the price of everything goes up, but the price of your product doesn't go up, and so I'm not a business major, but it's naturally doing it right there on its own.

MR. KELLY: What I see going on here is the water got warm, and the Spanish went to the bay, and it was awesome Spanish mackerel fishing, incredible fishing, and the commercial guys didn't catch them this fall, they couldn't catch them, and so they're finally getting a shot at them if the weather lets them go, and the weather stinks right now. They're not even going to be able to fish for the next five days.

As far as new people getting in it, it's hard. It's hard work, and it's tough, and I see about four or five guys that do it where we're at in the Outer Banks. They're good at it, and we all work together, and I'm pulling spoons next to them, and we all communicate, and I don't see a problem with it. What I do see a problem with is these guys didn't even get a shot at them when they came back down, and, I mean, it's fish that we can catch and we can use.

MR. LAKS: Well, somebody caught them, because they caught their quota.

MR. KELLY: It was very good in Virginia. Talking to my cohorts up there, I think it was as good as I've ever seen it.

MR. LAKS: Do we want to vote on this now, or is there any more -- Steve Donalson.

MR. DONALSON: Steve, I just want to make sure, again, that I'm understanding what you're communicating. You made a comment that you're going after the extra poundage of bycatch, and there's dead fish floating around out there that are just -- I mean, that's what you're saying?

MR. ENGLISH: What I'm saying is, when the Spanish mackerel fishery closes down, the gillnetters -- The fishermen in North Carolina, they have to catch something to make a living, because their mackerel season is closed, and so now they go targeting other species of fish. Well, it's in the same area, spots and croakers and bluefish, whatever it is.

When they target those fish, they're going to catch Spanish mackerel. Instead of taking those mackerel out of the net and pitching them overboard, why not let them take 500 pounds of them and put them in their boat and go home? They can stop fishing a little earlier, because they've got 500 pounds of mackerel to sell now, along with whatever spots or croakers or whatever else they sell, but, if you don't, and they pitch them mackerel overboard, they're going to go, dang, I need another 500 pounds of something, and I will put it back overboard and catch some more spots and croakers and throw some more mackerel overboard, and so you don't want that. That's what we're trying to avoid, and so, to me, it's just a commonsense thing. You allow that afterwards, to keep the bycatch from happening, and that's the way I look at it. I hate to waste fish.

DR. ELKINS: I hate to waste fish too, but, if the bycatch is many times more than the directed fishery, it's not really a bycatch fishery. You're targeting Spanish, and, for spot and croaker, if you're down 91 and 81 percent harvest reductions since the Fisheries Reform Act of 1997, there is some question about whether we should even be targeting those fish, and perhaps that's why you're not catching them, not just the weather, the climate change.

If it's really bycatch, in North Carolina, we have other bycatch rules, where, for example, red drum can be caught as bycatch, and you have to have at least an equal poundage of the target species, and so, if that were to be part of this motion, I could support it, but, otherwise, people are going to target it, and, if we don't reduce the trip limit, more people are going to enter the fishery, because they will know that they're going to be able to continue to harvest Spanish after the commercial quota is met. It would be great if we could do things concurrently, limited entry, but that appears to be years away, and so I can't support this motion.

MR. ROLLER: The North Carolina fishery, we're not talking about a cast net fishery. We're not talking about a hook-and-line trolling fishery. We're talking about a small-mesh gillnet fishery that catches a whole bunch of other stuff, including Spanish mackerel, and so that's why we're talking about bycatch, and that's just for everyone else here to understand.

Now, we have other problems in North Carolina. We've had several of our other fisheries get restricted, due to overfishing, and our biggest state-managed fish, southern flounder, has a 72 percent reduction, and one that was mentioned is, with Spanish, it's not just that they're abundant, but their value is increasing. We all know that from the presentation, and so there are more people entering this fishery, and there's also more people being pushed into this fishery, due to other closures. If I'm a recreational fisherman in Florida or Georgia or South Carolina, I would be really concerned about this, because we're seeing a different state with open-access fisheries with huge gear allowances ultimately impacting the recreational quota.

MR. MALLETTE: I was going to make this real quick, but just for some clarification on some things that I heard, and, like I said, I just sit back and listen to a lot of stuff, and I can only speak from my perspective and what I see. Dr. Elkins brought up about the reduction in spot and how there has been a number that have stated there's not a lot of spot, and I get that, and I understand that, but there's also -- Just for clarification, there's a lot of spot being caught places they never were.

I have friends of mine in Maine that I tuna fish with that are getting loaded up with spots, and they have never went there before, and so, as you say, there's no spots here, but it's not saying there's no spots, but it's just things are moving, just like Virginia and New Jersey. I mean, they're catching white shrimp out of the Chesapeake right now that we ain't catching here, and so I just think there's cycles, and I don't think that the fish are getting all caught up, but there are just not as many here as -- They have moved on. The same body of fish has just moved, due to weather changes or whatever.

I know for a fact that a lot of the spots and a lot of the fish have moved offshore here. Something that I was discussing before, and just so people have some clarification, just in case they didn't know, is we just had Hurricane Florence that pushed a lot of water offshore, and I'm running charters in ninety foot of water, usually catching b-liners, and I'm catching croakers. I have got friends of mine setting sea bass traps, and they are catching blue crabs, and so, obviously, the fish are still there, but they're just not at the usual places you go look for them, and so, if they're not in the usual places you go looking for them, obviously, the numbers are going to go down. I mean, that's just basic common sense, from my end.

Now, that was what I was saying about the spots and whatnot, and maybe Thomas can tell me if I'm wrong, but, a lot of the guys that I know that specifically go for the Spanish mackerel, yes,

they're using nets, and, yes, I'm using nets for spots, but it's two completely different setups, where they have a lot deeper marshes that's covering a lot more water, and they catch more fish. When I am sink-netting, my net literally isn't more than two foot off the bottom, and so just the fact that I'm catching that many Spanish that close to the bottom, where they should be going over it, should tell you how many fish there really is, just in my opinion.

MR. LAKS: We are going to go Steve English and then Steve Swann, and then we're going to take a vote on this.

MR. ENGLISH: All right. I guess here's my thought on this. Here's my thought on this. What else do we do? This is a temporary measure. We've got -- Until we get a limited entry into the commercial sector, we're not going to cure a thing. We are not curing a thing. This is nothing but a stopgap measure for a couple of years, or next year, and they may change it next year. If Virginia and Maryland and New Jersey and all of those open up and expand this fishery, 650,000 pounds ain't going nowhere, and so we'll have to take a whole new look at it then, but, for right now, this is the only avenue that I see.

We've got 1.3 million pounds of fish that is not utilized, not being caught, and this would allow them to be caught, some of them. This would allow the fishermen to land the fish that they're going to catch anyhow, and we're not going to catch more than what the scientific community says we can catch, and we're not going to do that. We're staying within the -- We'll know where they're coming from. We won't be sitting here in gray areas, which we are now, and we'll know where they're coming from.

To me, if somebody has a better alternative to allow these fish to be caught, by all means, let me know, but I don't see one. I mean, we could take and give North Carolina an emergency half-million pounds of fish, and maybe that would be the way to go with it, but I think this is the better route. If you're only talking 500-pound trip limits, you're going to catch a lot less fish, and so that's it.

MR. SWANN: Christina, is there an estimate on the poundage of fish that will be caught by this proposed change?

MS. WIEGAND: That's something that staff is working on. We haven't pulled the numbers yet, since this motion was just passed at the September council meeting a couple of weeks ago, but that is something that staff is working on, and we will be presenting those numbers to the council before they make a decision on this, but I just don't have those numbers right now, but they're in the works.

MR. SWANN: How can they pass a motion like this without understanding what the impact of it would be, just out of curiosity?

MS. WIEGAND: This is just a motion. All the council has done, at this point, is ask staff to start working on an amendment, and so part of that amendment process involves doing all of that analysis, and so then, before the council actually makes a decision, they will have all of that analysis to review, and so they can ultimately change their direction, change their mind on moving forward with this, but, at this point, they have just said we would like to consider making these

changes, and, staff, please go and do all of this analysis and bring that back to us, so that we can then consider fully which direction we would like to go.

MR. SWANN: That will be considered in December?

MS. WIEGAND: Maybe. We've gotten into there is staff workload issues, and staff is working on pulling those numbers, and we're getting them as fast as we can, hopefully by the December meeting, but, if not the December meeting, then by January, before the council takes final action. The council will review any analysis before they take any action on this amendment.

MR. SWANN: Thanks. I don't think I can support anything that I don't understand what the impact of it would be, or could be.

MR. LAKS: I think we've had a pretty good discussion on that, and I think we should put it to a vote. **All those in favor of the motion, please raise your hand, eight in favor; all those opposed, five opposed. The motion passes.**

All right, guys. I see that there's some cookies here, and so it's time to take a break, and let's try and get back in about ten minutes, and so say twenty-five after.

(Whereupon, a recess was taken.)

MS. WIEGAND: So there was one last thing that I wanted to bring up before we move on from the council's direction on Spanish mackerel to talk about limited entry. In addition to revising the accountability measures, the council also asked that we include an action in this amendment to analyze different trip limits for the Northern Zone, and so, again, it's at 3,500 pounds now, and they were asking us to consider 2,500 pounds, 2,000 pounds, and 1,500 pounds, and so I didn't know if the advisory panel wanted to make any recommendations on that before we moved on to talk about limited entry.

MR. ENGLISH: I would like to put a little bit of input, and I've spoken with North Carolina fishermen, in particular, the gillnet fishermen, the ones that target the mackerel, and they have shown an interest in doing a step-down, just like we do in the Southern Zone, from 3,500 to 1,500 at 75 percent and then 500 at the end. That is on the federal level. That way, we can keep the federal levels all the same. I will say this, that, at some point, the states are going to have to come in and look at each state and go, we need to do something different right here, and that's when the fishermen need to get together with them.

The good thing with the state, Florida and North Carolina, is they can do it in a couple of days, or North Carolina can. Florida takes a little longer, but the state could come in and actually come up with some better limits, but I think we should keep the federal uniform, is what I'm getting at, for federal waters, and so I think 3,500 with a step-down to 1,500 is something that should be considered.

MR. LAKS: Did you want to make a motion, Steve?

MR. ENGLISH: **I will make a motion that we add to that proposal a 3,500-pound trip limit with a step-down to 1,500 at 75 percent.**

MS. WIEGAND: Do you want this to be like the adjusted quota system in Florida, where they hold off that 250,000 pounds and do the 75 percent step-down to 1,500 and then a step-down to 500 until the quota is met or, in this case, until the total ACL is met, given the new accountability measure action? Do you want just a strict step-down, or do you want the adjusted quota system?

MR. ENGLISH: In North Carolina, you will have to go with just a strict step-down, because 250,000 pounds is over a third of that quota, and so that wouldn't work.

MS. WIEGAND: Does this capture what you're looking for?

MR. ENGLISH: Yes, it does.

MR. LAKS: Steve, could you just read that into the record?

MR. ENGLISH: **My motion is consider a trip limit in the Northern Zone starting at 3,500 pounds with a step-down to 1,500 pounds once 75 percent of the Northern Zone quota is reached.**

MR. LAKS: Is there a second to that motion? It's seconded by Aaron. Any discussion?

DR. ELKINS: If the original starting quota were less, presumably that would prolong the season, and the quota wouldn't be reached as soon, and, also presumably, it might still be open during the spot and croaker gillnet season, and then we could prevent some waste by having a higher trip limit at that time, instead of the 500 pounds that we currently have, and so I might offer a friendly motion, alternative motion, to the one on the floor, and you can choose whatever number you want.

MS. WIEGAND: Are you making this a formal substitute motion? I want to be clear that you're asking to go to the adjusted quota system, where that 250,000 pounds is held off until the end of the season, like they do in the Southern Zone.

DR. ELKINS: No. **This motion has a trip limit of 3,500 pounds, and I would presume that we could go to 3,000 or something and save quota for later in the year, so we wouldn't waste the bycatch.** Again, I just want to be clear, and so your substitute motion is just to consider a trip limit in the Northern Zone that would start at say 3,000 pounds, with a step-down at 75 as well?

MR. LAKS: Do we have a second for this motion?

MR. ROLLER: I will second it.

MR. LAKS: Seconded by Tom Roller. Is there any discussion?

MR. HUDSON: With the Northern Zone, does that include any or all of North Carolina?

MS. WIEGAND: That includes all of North Carolina.

MR. HUDSON: Because, on your white paper, that 3,500 pounds is combined Spanish and king. It's on page 24 of the PDF, and so that's a problem. I understand that it's a lot of small kings also,

that's under probably the twenty-two-inch or twenty-three or four-inch, and twelve-inch is the measure used in North Carolina, and so I heard about that issue, because they're so similar in size and smallness.

MS. WIEGAND: I just want to make one note. These are the state regulations. In federal waters, it's not a combined trip limit between king and Spanish mackerel. There are separate trip limits for federal waters.

MR. ENGLISH: The reason I made the motion for 3,500 with a step-down to 1,500 is, right now, it's 3,500, and there's no step-down, and it's just a straight 3,500, and so, if you go with 3,500 to a 1,500 step-down, that leaves 25 percent of the fish to be caught at 1,500 pounds and not 3,500, and so it's a reduction. It could help some, but the only way you're going to cure it, truthfully, is the State of North Carolina could issue a proclamation, and the fishermen of North Carolina can go to their fisheries commission and go, look, this is what we land, and we don't need 3,500 and we need 800, or we need 1,400, whatever that poundage may be, and, for North Carolina, they could implement that overnight, and that's the trip limit they would be on.

What they have to be careful of is that, if North Carolina cuts the poundage back to their fishermen, the fish that are left over are going to be caught in Virginia and Maryland and New Jersey, places they have never caught them before, and so they're going to be giving the fish they traditionally catch in North Carolina to other states, and so that's why you have to be careful and not try and cut your fishermen back in North Carolina and just give those fish to someone else, and they're going to be caught anyhow, and you're going to be in the same position, and so that's why I think the 3,500 to 1,500 is a step in the right direction, and then, as I say, as we proceed, until we get limited entry, we won't have any kind of an answer at all.

MR. LAKS: Any more discussion?

MR. HUDSON: A fourteen-inch total length basically matches twelve fork?

MS. WIEGAND: Yes.

MR. LAKS: I believe we vote on the substitute motion first. We're going to vote on the substitute motion. **All those in favor, please raise your hand, five in favor; all those opposed, three opposed; abstentions, three. The substitute motion now becomes the main motion.**

We're going to have this vote again. **All those in favor, please raise your hand, five in favor; all those opposed, three opposed; abstentions, three. The motion passes.**

MR. HUDSON: Christina, when can we see an analysis of the timeline of potential things for getting down to the 500, when that happens?

MS. WIEGAND: The analysis for this amendment is something that staff is currently working on right now, and we're hoping to have it for the December meeting, but, if not for the December meeting, then in time for public hearings in January.

MR. LAKS: Okay. Do we want to move into the limited entry discussion? Put your thinking caps on. Go ahead, Rusty.

MR. HUDSON: I just really hate making decisions for states that I don't know what they're going to react like north of North Carolina, because that's out of our South Atlantic Council region, basically, and so that kind of bothers me a little.

MS. WIEGAND: I will note that we do have a Mid-Atlantic representative on the AP, Skip Feller. Unfortunately, he was unable to make this meeting, but that's where we get input from the Mid-Atlantic, usually, and then, of course, we have the two Mid-Atlantic liaisons that are on the council Mackerel Committee that vote as full members.

MR. HUDSON: Is that person a commercial mackerel fisherman or just a council member of the Mid-Atlantic Council?

MS. WIEGAND: They are council members of the Mid-Atlantic Council, and it's Dewey Hemilright and Tony DiLernia who are the Mid-Atlantic liaisons on the Mackerel Committee. All right, and so let's talk about limited entry. One of the things this advisory panel has recommended is limited entry for the commercial Spanish mackerel permit. If you will remember, this commercial Spanish mackerel permit covers both the Gulf and the Atlantic stock, and so it's just one single permit. I know, for charter permits, we've got a specific Gulf permit and a specific Atlantic permit, and it's not like that for the commercial Spanish mackerel fishery. It's open access, one permit, for Gulf and Atlantic fish, and so this creates some problems.

The Gulf of Mexico is not currently experiencing the problems that the Atlantic side is with Spanish mackerel, and so I included the Gulf landings here, and these are recreational landings and commercial landings, and they currently have a stock ACL, and so they don't have sector allocations for Spanish mackerel anymore. They got rid of those back in 2014.

Except for the one 2013/2014 fishing year, they have been landing relatively small proportions of their annual catch limit, and, based on discussions with my counterparts at the Gulf, they think it's unlikely that the Gulf Council is going to be excited about moving forward with limited entry for the commercial Spanish mackerel permit, given that their fishermen just aren't experiencing the problems that our fishermen are.

That leaves us with a couple of options. We can work with the Gulf Council and see if they would be interested in limited access, but, under the assumption that they might not be, we could consider further separating the CMP FMP and do limited entry for just the commercial Atlantic Spanish mackerel fishery. There are two ways to do this. We could separate the fishery management plans entirely, and so we would no longer have a joint fishery management plan for CMP, or we can just separate the Spanish mackerel permit and end up with two permits, a Gulf commercial Spanish mackerel permit and an Atlantic Spanish mackerel permit.

This has been discussed a number of times at the council level. Most recently, it was considered as part of Coastal Migratory Pelagics Amendment 28, which didn't ultimately go through, but the logic, at the time, was separating management of the coastal migratory pelagic fishery was appropriate, because the Gulf and South Atlantic have a history of working separately on management issues, and it was Amendment 8, I believe, that sort of further separated what the councils were able to do unilaterally, and so, like I said earlier, we've got this framework procedure now, where, if we're just making decisions that will affect our migratory group, and there are a

series of things, like trip limits, accountability measures, et cetera, they can be done without us having to consult the Gulf Council, because it's not affecting their stock of fish.

However, there are still things, like permit discussions and seasons, that would be a full plan amendment that the Gulf Council then must not only weigh-in on, but also approve, and so we've been going down this route of sort of further separating what the councils do with this framework procedure. Additionally, there has been increasing disagreement between the two councils. Anytime we have worked on joint amendments that will affect both stocks, it has become increasingly clear that the Gulf Council and the South Atlantic Council often have different perspectives, and so, at the time, that was the argument for separating the fishery management plan.

The South Atlantic Council had originally proposed splitting up permits back in 2013, but the Gulf Council wasn't interested, and then, by 2015, the Gulf Council was onboard, and the South Atlantic Council wasn't onboard, and so this is something that's been discussed a number of times and is one possible option to go down if the South Atlantic Council decides they want to consider limited entry for just the South Atlantic fish.

Some things that would have to be considered would be do we want to split the FMPs entirely, or do we want to just split the permits. If we're splitting the permits, do we split it at the jurisdictional boundary, or would we split it at the Miami-Dade/Monroe County line, where the migratory stock boundary is, and we would have to consider qualification criteria. It is an open-access permit right now, and so you could feasibly give anyone who has a permit right now both a Gulf and South Atlantic permit. These would just be some of the things the council would have to discuss and you all would have to discuss as we went down this route.

You guys have also discussed interest in a limited-entry commercial gillnet endorsement for the Southern Zone, and so North Carolina and South Carolina south, and this is a possibility. For example, there is a limited-access king mackerel gillnet endorsement in the Gulf Southern Zone right now, and we also have a number of gear endorsements in the South Atlantic, and there is gear endorsements for black sea bass pots, and there is a golden tilefish longline endorsement.

One of the things to consider is these permits, these limited-access gear endorsements, are typically put on limited-access permits. Now, we've talked to NOAA General Counsel and the lawyers, and they have given us some direction that says it wouldn't necessarily be impossible to put a limited-access endorsement on an open-access permit, but it would be new territory, and so we're not saying it's impossible, but it would likely be more complicated than putting a limited-access endorsement on a limited-access permit that is similar to what's been done in the past. That is just some background information on limited-access systems and how that might end up having to work for Spanish mackerel in the South Atlantic.

Some things you guys are wanting to consider while you're having this discussion are things like present participation in the fishery. Where should the council cap permits? Should they cap them where they are now? Should they be looking to decrease them to a lower amount or maybe a higher amount than the number of permits? That's something you guys are going to want to discuss.

Consider eligibility requirements to receive a permit. Do you want to create any exceptions or a system that would allow new entrants into the fishery at some future point? What kind of start date would you be looking at? The council has set a control date for this fishery of March 7, 2019, and so that's already up at Headquarters and will hopefully be approved and in place.

Then, just sort of generally, you will want to consider things like fishing practices, how people would adapt to this system, or are there options for fishermen who may not be able to get a permit to move into other fisheries and how it might impact communities, and so those are, broadly, some of the ideas you will want to think about, and so, in addition to you guys discussing whether or not you would like to see a limited-entry permit for Spanish mackerel, consider how you would want to go about seeing that permit and then what sort of transferability and eligibility qualifications would you want to consider.

Again, this is just the very beginning of the discussion, and we're going to take this information back to the council for them to review, and then they will ultimately decide which direction they want to go, but, should the council choose to move down this limited-entry route, this is not going to be the last time you guys have an opportunity to discuss what this limited-entry program would look like. These are just sort of your first thoughts, and let's get them on the table so that the council can consider which direction they would like to go.

MR. LAKS: Guys, I just want to say something. I didn't really want to get too involved with the conversation we had before the break, because I really don't know the North Carolina fishery, but, as someone who is charter and commercial, I could have argued for either side. I mean, I see the need for commercial guys to keep fishing, and I do worry about fish getting caught and the whole thing that we don't catch them. While we might not land them, but -- There is a possibility that recreational people catch them and just don't land them, and there is value in that.

I think, if the council moves forward with it, and we decide to move forward with it, if you don't get into limited entry, you are chasing your tail. If people can expand this fishery, you are never going to get ahead of it, and you look at other fisheries that -- Take, for example, the snapper grouper fishery. By some rough math, and all of my math is rough, but I figure there's like 5.7 million pounds in the snapper grouper fishery, and there is anywhere between 500 and 600 people allowed in that fishery.

Now, I think, Christina, you just said there's something like a thousand east coast permits, and we don't know how many west coast permits fish, and there's an untold amount of state permits, and we don't really even know who participates in that fishery, and we don't know the capacity of that fleet. When you get a permit, you have to put your vessel size and your capacity size, and I know, in Florida, I could probably, with my saltwater products license, rent a boat, because it's technically a commercial boat, because it's a rented boat, and go Spanish mackerel fishing.

I think it's important that the council takes it seriously and works with the Atlantic States and that this fishery has to have some sort of force to contain it. I mean, I look at the charter fishery north of North Carolina, and I wasn't even aware that they had to have South Atlantic charter permits to catch these fish, and, if you look at how many people are now getting them, and, anecdotally, I did some research, and there is guys in New Jersey now doing charter fishing for Spanish mackerel, which, when I was a kid, was unheard of.

I just think that this fishery expanding, both recreational and commercial, and with the going down the path of having fish into a single ACL, there is probably that's going to be down the road. It's going to close one year, and everybody is going to be up in arms, and so I think this is something the council needs to jump ahead of, and I would love you guys to discuss it.

MR. ROLLER: When it comes to North Carolina, Ira, you touched on one of my big concerns in general about this fishery, is that we have all of these state permits that are guys fishing in state waters, and we talk about limited entry, and my concern is that, even if we go down limited entry, how do we get a grasp on all of these unpermitted fisheries?

Now, North Carolina is the only state or territory in the nation without federal joint enforcement, and so one of the reasons we don't have, in my opinion anyway, and it's a big sticking point with me over the years, is a lot of our fishermen don't have these South Atlantic permits because our state can't enforce it, legally can't enforce it, and so I'm just really concerned about all these vessels that are just fishing in state waters that aren't permitted currently and how we would get a grasp on that.

MR. LAKS: I agree with you, and I think there some things that can be done, and that's why I think the council needs to work with the Atlantic States Commission, because if you do require a permit, and by no means am I suggesting that state boats that don't have a permit be left out of this fishery. I think there's ways that they can be accommodated. They're in the fishery now, and they're part of the effort, but, once a state does require a permit for something -- For instance, king mackerel in Florida, you have to have a permit to catch in the state waters, and you can only sell it to a federal dealer, and you can get a better handle, and you get more fleet information, and, to see the path that we're going down, with an expanding recreational and an unknown expanding commercial fishery, I don't see anything but trouble in the future by leaving this commercial fishery open.

DR. ELKINS: I think limited entry would protect these professional full-time fishermen that are in the fishery right now. The second point is, Tom, help me out, and Steve, but, in the summer flounder fishery, which is co-managed by ASMFC and the Mid-Atlantic, in North Carolina, if I'm right, you can't land more than a hundred pounds of flounder from the ocean if you don't have a permit, and is that right?

MR. ROLLER: That is correct, yes.

DR. ELKINS: So I see a mechanism there that we could ensure that, even though we don't have -- To control the state fishermen and to protect the quota for permitted people.

MR. HUDSON: I am glad that you got on the permit list there. The 692 boats on the Florida west coast and Florida Keys, the west coast part would be covered by the Gulf States Marine Fisheries Commission, and the Keys would be the Atlantic States Commission, and the difference is ten miles on the west coast of Florida, and that's the bulk of that 785 total Gulf permits, but isn't that zone from Monroe/Dade considered like a Gulf stock with the Spanish mackerel, yet that's a three-mile zone, just like it is from Dade/Monroe north to Maine, and it's three miles, and so there's a big difference in the way everybody functions.

I think there's more gillnet -- Well, there's not a lot of gillnet, but there's some gillnet over there, and that -- I wouldn't want to try to get into another one of those things that went back and forth with the Gulf of Mexico for like several years, trying to get an amendment done, and it was tough.

MR. LAKS: I think there's a way to draw a line, like Miami-Dade or something, that it's a true east coast fishery.

MR. ENGLISH: You hit on a lot of the points. If the federal -- If we do a limited entry in the federal system, the states then have the option of utilizing that to allow the fishermen they want to fish in a different capacity than the federal, if they want to, or limit the number of -- They can use it in any number of ways to get a handle on this fishery. We've got to get a handle on it. You just can't -- If you were to give another 600,000 pounds of fish to North Carolina tomorrow and let double the people into it, you've not done nothing. You are just spinning your wheels. You're catching more fish, and nobody is doing anything, and so limited entry is the only way to go. We have to do limited entry, and that's all there is to it.

I have got a proposal, and, mainly -- I think, if I tell you what I want to tell you on the gillnet endorsement, it will kind of lend you to where I'm coming from on this limited-entry thing. If it's okay, I want to go through this one, real quick.

The gillnet endorsement in south Florida, the reason we want this is we have twenty boats that operate in this fishery, and that's what we have, and we got together and talked, and there's about twenty boats. It may be seventeen, and it may be twenty-two, but we're there, and so we want to make transferable permits for those twenty boats in that fishery. That way, if somebody leaves it, somebody can buy the permit and go back into it, so you keep your twenty boats into it.

Here's what I came up with for how to achieve this and not hurt the fishermen in the fishery. The way you qualify is by having -- To get the transferable gillnet endorsement in Florida, you have to have gillnet landings in that Southern Zone. That's where they have to come from. You can't have gillnet landings anywhere but that Southern Zone to qualify for that permit. You go and, if you've been there the last three of five years, you qualify for that permit, and that may change to four or six or five or seven, depending on -- We have to look at it to see what the numbers end up being. We want to end up with around twenty permits, because that's what the fishery has been for the last twenty years, since the net ban. We know it, and we've fished it, and we know it.

Now, that will hurt -- That will eliminate some people who just got into it, and that will eliminate some people who haven't been in it for years that may want to come back, and so, to cure that problem, you would go and you would do a non-transferable permit, and, if you did a non-transferable permit, then that would allow anybody who has been in it for two years to get a non-transferable permit, and it would cover all the fishermen that aren't covered by a transferable permit, but, when they're out, they're out, and now you're down to twenty fishermen in that fishery, and that's what that fishery needs, because, if you put more than that in it, you're catching more fish than what the market will stand, number one, and you're catching fish that are going to be needed in the state-water quota after that little run goes through there, and so you're protecting everything by doing that gillnet endorsement.

I think, if we did those things, we wouldn't hurt fishermen, and we would end up with a goal that we wanted to end up with, and, with that said, we could probably go along those same lines with a limited entry for the entire fishery.

MR. PERALTA: I am not sure that I am making the synaptic leap that everyone else has made here, in that, if an ACL is established, and fishing stops when the ACL is met, why do we care about limited access? Could somebody explain that to me?

MR. LAKS: Let me go first, and then I will let you -- What we just discussed before was not stopping when an ACL was met, and, whatever you want to call it, part of the recreational or the total ACL, the commercial will be fishing into that other side of the fishery, and, if you're going to give them some relief and to be able to catch those fish, but that fishery keeps expanding, you haven't done anything. You're just chasing your tail, like I said before.

If you have, as Steve has said several times, an unlimited amount of fish, and you don't limit the fishermen, you almost are going backwards, and so whatever gain that we would give in relief to the commercial fishermen by going to 500 -- If that fishery expands, that relief is now no longer there, because there is more people cutting up the same pie. I am going to let Steve double-down on what I said, and then I'll let you respond.

MR. ENGLISH: The one thing I think you're missing is, when we do regulation, we just talk about the fish, and the fishermen are just -- They don't count. They don't count. Every time you do a regulation, you have an impact on a fisherman, a commercial fisherman in particular, and he has dedicated his life and his business to catching fish, and, every time that you do something that makes it harder and more difficult and him catch less and let other people come in and take half of what he's been doing all his life from him, because it's now easy for them, you're not doing justice to the system. It's not just about regulating fish. It is, but it's about -- When you do that, you have to have some compassion for the people who have been in it all their lives. That is my thoughts on it.

MR. PERALTA: I came up in the technology field. Things change all the time. In the end, the people that innovate, the people that change and embrace the change, they're the ones that win, and so I think this conversation just doesn't resonate with me, because it goes against everything that I have seen in my business life.

MR. LAKS: For my own clarification, are you saying that there is no point in limiting it because commercial fishermen would have to adapt to the way the rules are? I think, if I was to respond to that, I would say -- Say they brought in the cookies there, and I hit them pretty hard, and there was just barely enough to go around here, and that's fine, but, next year, you had the same amount of cookies, but there was twice the people in the room. How do you get around that?

MR. PERALTA: The smartest person in the room gets the most cookies.

MR. LAKS: I would like to think it's the biggest, but -- Yes, that's true, but, unfortunately, with fish, it's not all a level playing field, and so the fish can be in one spot and not in another spot, and these fish do migrate, and so, for what you're saying, to make it a truly Darwin situation, you wouldn't have any trip limits, and you just would pound them and have it totally unlimited and the whole fishery couldn't sustain itself.

The object for some people to look at limited entry is to have a sustainable fishery that people can survive and make a living at and keep a supply line through the suppliers and not everyone starving and not -- These are professional fishermen that have to feed their families, and, if you reduce the amount of fish they have, they no longer can stay in business, and then you're going to hurt everyone all down the line. The price is a point, too. If you have too many people and too many fish coming in at one point, then you reduce the price of your trip, and it makes it not a rational thing to do.

MR. PERALTA: But I guess the point would be that market forces would control that. Over time, if the price collapses, there are fewer people in the fishery, and it corrects itself.

MR. ENGLISH: Your point is we make regulations, and people that have had their entire life in it doing it, and the regulation destroys them, and it's okay, because that's what it's doing. The regulation is destroying those who made a career of fishing and letting people in who never fished a day in their life, and they take off of their job and come into the fishery and take advantage of it for two months and go back to work, and the guys who have made their living at it all their life will be destroyed. We don't do that in any part of our society. That's not how we do it. We have limits on every aspect of our society, so we don't hurt the people who have been in it and have been there first. I mean, I guess I don't understand that rationale.

MR. DONALSON: Can you give me an example of that, where we don't do that in any of the other segments?

MR. ENGLISH: You have a limited number of permits when you go to get a -- You've got rules and special ways that you have to go to get an electrical license, a carpenter license, a plumbing license, a bar. There can only be X amount of bars allowed somewhere. I couldn't go open a bar up next door to that guy just because I wanted to, but, in fishing, you can. You can go pay fifty-bucks for a license in Florida and you're a fisherman.

It's that simple, and you're competing with me, and I've been there all of my life, and they reduced me down to a cast net and a fishing pole, and now everybody out there says, oh, I can do that, because I don't have to invest anything, and so here they come, for fifty-bucks, and now I'm competing with them, and now my fish are worth a third of what they should be worth, and I'm catching a third as many, and I'm in a nightmare situation, and so that's what I'm saying.

When you regulate fish, you're not just regulating fish. You're regulating fishermen, too. If you don't look at it that way, and you just regulate the fish, then let the hair go with the hide. Give me my gillnet back, and I will compete, but, other than that, I -- Any time you make a regulation, you are hurting the man who has put his life and soul into it for somebody who doesn't have a pot to pee in about it.

MR. LAKS: I'm just going to respond to Steve, and then we're going to go to Steve Poland. I could give you examples of other fisheries we manage, and so it doesn't have to be even outside the fishery. You can talk about the king mackerel fishery, and you can talk about the snapper grouper fishery and other fisheries that the council manages that are limited entry that are very successful, and so it's not even something out of the range of fishers.

MR. DONALSON: My reason for the question was I wanted to make sure that Gregg understood where Steve was coming from with that statement, because it's true what you said, but the way that you said it originally kind of left it open to be like, well, wait a minute, what does that mean, because, to your point about free market versus regulatory market, they're two different things. To your bar example, yes, you can't go open up a bar, but I can open up a clothes store, and it's not regulated, and so there's a difference between those two scenarios, and that's all, Gregg.

MR. POLAND: This is to Tom and Chris's point and question about North Carolina requiring federal permits in state waters. There are a few fisheries where we do already require federal permits, and I'm not familiar with the summer flounder, scup, and black sea bass, because I kind of work the South Atlantic Council and south, but king mackerel, dolphin wahoo, and snapper grouper all require -- For all those fisheries, we require federal permits to land fish in the state, and so it would not be a stretch to require that also for the Spanish mackerel fishery.

The only caveat to that is that it would require a rule change from our state commission, and so, even if the South Atlantic Council decided to go the route of limited entry for the Spanish mackerel fishery in federal waters, it would still be a decision left to North Carolina Marine Fisheries Commission to decide if that's a policy that they wanted to adopt in state waters.

DR. ELKINS: Steve, historically, remind me, but limited entry has not been a popular subject in North Carolina, with local fishermen?

MR. POLAND: That is correct, and I would even venture to say it hasn't been a popular subject for the South Atlantic Council in general, or the South Atlantic region in general, but, yes, that's correct, Dr. Elkins.

MR. ROLLER: In regard to the summer flounder, what we were referencing is that, as the State of North Carolina assumes all flounder caught in the ocean are summer flounder, the state has a 100-pound trip limit on all flounder caught in the ocean, commercial, and so that's why I was referencing the fact that we may not have a permit for them, but we do have a trip limit in place.

MR. POLAND: Yes, and, to that, that is now, currently, 100 pounds from only trawl gear for commercial in the Atlantic Ocean, but, yes, you need a -- I can't remember the exact name of the permit.

MR. ROLLER: But, prior to the Southern Flounder FMP, you didn't need a -- I am not sure that you needed a permit to land and sell flounder. I have a lot of friends who hook-and-line flounder fished and sold them commercially, and that change to the trawl was just in relation to southern flounder, and I don't think that's necessarily pertinent, but my point was that the state does limit that federally-managed species, and do you see my point, without a permit.

MR. POLAND: Yes, that's correct, and then that goes back to -- That's a Marine Fisheries Commission purview, and so that would have to come at our state level from our state rules.

DR. ELKINS: But the words "limited entry" wouldn't be in the ocean if we had a 100-pound trip limit for non-federally-permitted mackerel, and we could do it without saying limited entry, correct? Like the summer flounder.

MR. POLAND: Again, that kind of falls under the purview of our state rules, and I am kind of thinking of this in the context of, right now, the South Atlantic Council, this AP, what steps the South Atlantic Council could take, if they so choose to go limited entry or try to limit mackerel landings without a permit that would only speak to the EEZ, and it would also take that kind of complementary measure by our state Marine Fisheries Commission to do a rule change and implement that in state waters, but certainly, if the council moved in the direction of limited entry, we would have that discussion, or at least, me being the South Atlantic rep for the division, would present everything that we do here back to the commission, and, if they chose to act on it, they could, and they could also choose not to act on it. That's under their purview. I came up here just to couch that, that, if the council did move forward with limited entry, and the AP recommended it and the council decided that, yes, that's a good policy, that still doesn't mean that the states, or North Carolina in particular, would still complement that.

MR. LAKS: Steve, could I just ask you a question, for clarification? If the state did want to require a federal permit for state waters, they still could allow a 100-pound incidental catch, too.

MR. POLAND: Yes, we could, and, since Spanish mackerel are managed in state waters, through the interjurisdictional plan with ASMFC under ACFCMA, we can do anything right now, currently, under 3,500 pounds, and so the state has that flexibility in that, and so, the way the interstate plans work, we can be more restrictive if we so choose, and so, again, that gets back to if the state's policy is to limit that in state waters, and they have the authority, but that's certainly not our decision here at the South Atlantic Council, and it would be something that I would have to bring back to the state and to our commission, and the commission would have to make a rule change to that effect.

MR. LAKS: Gregg, I just want to put it in a different way. When I'm saying that I'm for limited entry, it's almost more as a recreational charter fisherman that caters to pure recreational fishermen. When I see us moving down this path of fishing into one ACL, doing both, I don't mind inviting the commercial fishermen to my party. I just want to know how many are coming and how much beer to have, and I don't want to run out of beer. Without knowing the world that is showing up, and it could be too many, we're all going to run out.

MR. ROLLER: Real quick, when we're talking kind of big picture here, Gregg, I just think it's kind of hard to have that discussion around natural resource extraction, right, whether it's fish or timber or something else. We can talk about the tragedy of the commons and so many other economic theories, but I think it's kind of really hard to have that big-picture discussion like that, but that's just my opinion.

MR. LAKS: Is there anyone else that wants to add anything?

MR. MALLETT: I have a question. With limited entry, just because I don't know -- I know what pricing is, if I want to go get a permit or something. If something is approved, and they approve a federal permit, who dictates how much those permits cost? I understand the market on a lot of stuff, but I think that falls into my opinions on a lot of things on who can just go get one.

MS. WIEGAND: Well, I will let Steve and Ira and everyone else here who has worked in limited-entry systems before get into sort of the nitty-gritty about how fishermen ultimately decide price, but, depending on how the permit system is ultimately structured and transferability and eligibility

and all that, essentially, the market dictates the price. You've got snapper grouper unlimited permits, which can go upwards of I think \$60,000 for a single permit, and I think king mackerel permits run closer to \$12,000 now, but, ultimately, that's something that the market and fishermen decide when they say I want to sell my permit.

MR. MALLETTE: I think what I meant, and I get that, and I think I might have worded it wrong, but I think I was looking at more than just the money of it, because I know a king mackerel permit right now, federal king mackerel, you're looking at three-grand, or maybe a little more -- I actually know somebody that did just buy one for that, and we thought it was insane and he got it cheap.

I guess my point to that is that falls into what do you have to -- Who is going to come up with the regulations on, okay, if we allow limited entry, who is going to come up with what you're allowed -- I guess the prerequisites you have to get it? For example, following onto what Gregg was saying, and something that I'm sure my boys from the up the road can attest to, I'm just going to use tuna for an example.

Like Tom said, you can buy a commercial license in North Carolina for \$2,500 or three-grand, and you can buy them on Craigslist, right? You get a commercial license. Well, "Wicked Tuna" came out, and now everybody and their brother with a triple-engine outboard wants to be a tuna fisherman. Now they're all up there bluefin tuna fishing, and now guess what? Bluefin tuna, when they go to Japan, once they find out it's from North Carolina, they don't even want it, because they get so many fish that are coming over there from guys that don't know what the hell they're doing and not prepping the fish, and so you devalue the product, because you opened it up to so many people that all they had to do was throw some money at it, and now they get to be cool and do it.

What I am thinking is that one of the prerequisites, but having it outside of just throwing some money at it, is you can prove that you're an actual commercial guy and put some time into it, and it's not just going to be your weekend hobby just because you want to go out fishing and be able to sell what you catch and maybe write off your fuel bill for a new boat.

MR. LAKS: Market forces are going to determine that, but the council is ultimately going to make the decision of who would be allowed in a limited-entry system, but this panel can advise, and, again, I'm not saying that people that don't have a federal permit right now -- If you have a history of being in the fishery, you should be allowed in the fishery. Again, I don't -- I have watched the "Wicked Tuna", and I don't think the Spanish mackerel fishery is going to be quite as glamorous. It's not going to be -- I don't think you're going to have people rushing in and wanting to get mackerel scales all over their triple-outboard boat.

MR. MALLETTE: I guess my answer to that would be -- I get that you're right that it's not as glamorous or whatever, but I have personally seen, in my area, whether it was flounder, whether it was trout, whether it was -- I know people that fish king mackerel tournaments, and they have their federal king permits just -- It's more or less a matter of they're not doing it to make a living. They're doing it just so their fishing trip doesn't cost them as much money. Do you see what I'm saying? I'm just trying to say it was their way to -- If you can kind of keep it towards the actual real fishermen, if there's a way that there can be some parameters set up to do that and not just a guy that just wants to do it just because he doesn't want his fishing trip with his friends to cost as much out of his own pocket.

MR. LAKS: I am going to go to Steve English and then Tom Roller, but just, real quick, to your point, the council used to have income requirements for certain fisheries, but it's almost impossible to prove them, and so they did away with it, and, again, if you're worried about more people coming in, non-limited entry should be more of a worry than limited entry.

MR. ENGLISH: To his point, what can you do to make sure that the right people have the permits? Well, first of all, to get the permit, we will have to set up parameters to get it, and that should be based on landings, historical landings. Now, you're getting away from -- We've got to determine, first, do we care about the people who are in it, or are we just looking at everybody and anybody that's it doesn't count, and it's just everybody has the same thing?

I think we've got to determine that the people that are in it now are the ones that should have priority. I think that should be number one, that we should decide that, whether we think that the people in it now should have priority or everybody and his brother should have equal rights to what those that are in it now have done all their lives. That's number one.

You will have to protect it. If you get limited entry, you will have to protect it from several things. Number one, if you go to a limited entry system, and say you end up with twenty permits or something. If you are not careful, you will end up just like the Gulf snapper and grouper fishery, snapper fishery, did, and you will have five fish houses that own all the permits, and now the fishermen are no longer independent fishermen, and so you have to put a rule in place that only one permit per person, per entity, and a fish house cannot own five permits. No corporation can own five permits. It has to be one permit, and they have to be individual permits. That will eliminate that, and that's the way that we'll have to do it to cover it, and, like I said, to get into it, you have to go by landings, and that will put the proper people into it, and that's two things that I see you can do, and, if we do those two things, it will be the right system.

MR. ROLLER: John, I feel your pain on the tuna, for exactly what you said. Some of the boats that we see in that fishery, particularly in southeast North Carolina, is ridiculous, but I think you made a pretty good argument for limited entry with everything that you said. In addition to that, I think it's really important -- I mean, that was one of my big questions, was I know a lot of guys with these federal king mackerel permits that I am stunned why they would even want to own one in the first place, guys with half-a-million-dollar boats selling some extra fish on the side, and that's not something I personally agree with. I want to see whatever parameters on a potential limited entry, and, any way you do it, I want to see it in a way that's going to protect the individual fishermen, because I think, in the past, when we haven't done that, the results aren't what they could have been or should have been.

MR. HUDSON: The examples with the endorsements, of course, were small numbers of boats that we were just focusing on the gear, and then the price went way up, and is this the highest number of Atlantic Spanish mackerel permits, 1,126, seen in the last say ten years, per year? If not, was there a higher year? Can't we just cap that on the Atlantic coast, without doing any other stuff of trying to make it extremely valuable, with it being such a large volume of permits?

MS. WIEGAND: This is just the number from -- I pulled this from the public database, and this was what the number was on August 25, 2019. I could work with the Permits Office and see if we can get historical permit numbers, but that would take time, and I believe what you're recommending, or discussing, is the idea of a moratorium on permit sales, as opposed to a limited

entry program, similar to what they did with king mackerel before moving into the limited-entry program, and certainly that's also something that the council could consider.

MR. HUDSON: The reason I brought up is I don't want to see another two-for-one. That should be discontinued on the snapper grouper, and I've been saying that for several years now, but, if 1,126 is a doable -- Some percentage of that isn't using their permits, and then there will be a little bit of buy-and-sell at reasonable prices, instead of what happened with black sea bass and golden tile. I'm just throwing it out there as an example.

MR. LAKS: Rusty, to your point, I think it's even going to be more, because you can't exclude the state boats that don't have permits, and so we would be wanting to roll them into the fishery, and you would probably double the amount of permits, I would think, between here and wherever, and you have a whole fleet that doesn't have permits, that we don't have vessel information on, or we don't get the correct reporting on, and timely reporting, as we do in the federal system, and so I think that number would be, just off of a guess, probably close to double.

MR. HUDSON: That's dealing with state-water boats only in that capacity?

MR. LAKS: Well, what I'm saying is, if you went to limited entry, presuming how the council, and how we would advise to do it, you would have to pretty much say these are the people that have permits now, and then you're going to have a world of boats that don't have permits that have landings, and I don't see any way that you can keep them out of the fishery. You would just want them to get permits, and they would qualify for those permits, but that would be the number -- Whatever the council would decide they want to see for what would qualify from state boats, or even federal boats that haven't had landings, if they would even qualify, but I think that number would go up significantly if you included the active world of the Spanish mackerel fishery.

MR. HUDSON: Which means that we're already at that place in time. You're probably saying there is two-thousand-something boats or so on the Atlantic coast that is somehow fishing either just state and/or -- But they're not permitted, in some cases, and so you don't have all of that analysis.

MR. LAKS: I would say that's a great guess, but purely a guess, but I would say that's probably about it.

MR. ENGLISH: I look at Florida east coast permits, 718, and just think if 718 gillnet boats showed up at Cape Canaveral to catch mackerel. What would you have? You would have a nightmare. You would have a major problem. That ain't going to happen, but the fishery -- We know that fisheries will withstand X amount of boats in them. You can't have 200 boats at Cape Canaveral catching mackerel with a gillnet. That won't work. We know that. That's why I say you take the historical what it's been, the historical number, and that's the number you go by. That's why I say twenty is that historical number.

The same way in the unlimited mackerel fishery, Florida being a little bit of an exception, because Florida has just got astronomically out of control in state waters down there in Salerno, where all the people take time off their job to go out and catch them now with a cast net and a rod-and-reel, and the problem is that we're overproducing.

You know it and we all know it, and we're overproducing. We're producing way too many fish way too fast, and that fishery won't tolerate that many boats. We need to come up with a sustainable number of boats to make the fishery level, and we don't need a glut in boats to waste the fish. I mean, that's my view, is we need -- We know how many boats the fishery will stand, and we need to get to that number.

MR. HUDSON: The Spanish mackerel gillnet fleet in Florida is prosecuted totally in federal waters, and it's not allowed to prosecute in state waters on the Atlantic side, and it's different in the Gulf, a little bit, some different over there in the Gulf, but, in the state waters, you have a cast net fishery, and they have a hook-and-line fishery, and so that is not the same capacity to catch as the gillnet guys that fish outside in federal waters, I guess, in a general day, and so that's a small group of people, and I don't know the exact number, but it's a smaller group of people than this 1,126, or the seven-hundred-and-something, either one.

MR. ENGLISH: Yes, and that's my point, is that specialized gillnet fishery is X amount of boats, and the rest of the fishery is a lot more. They are producing in a different manner, but it's a lot more people, and so that's where you have to adjust. If you're overproducing the market, what are you doing? You're shooting yourself in the foot.

DR. ELKINS: If I could ask Christina, and so what are you looking for us today to do on this?

MS. WIEGAND: I think the council just wanted the advisory panel to have a broad discussion about limited entry and what you guys believe a limited-entry program should look like or consider. Like I said, we're at the very, very beginning stages of considering limited entry, and past advisory panels have passed motions a number of times requesting the council look at this, and this is a new advisory panel, and there's new members, and so it would be worth it, perhaps, to sort of reiterate the advisory panel's stance on the limited entry program.

Then, of course, all of the discussion that you guys have had here today regarding things like eligibility requirements, the importance of protecting individual fishermen, fishermen that have been in the fishery for a significant amount of time, that will all go into the AP report that Ira will present at the December council meeting to the council, and so I think what they were looking for is just sort of a broad discussion about what you guys would like to see them consider in terms of limited entry.

DR. ELKINS: So are you looking for a motion to vote whether the panel is in favor of limited entry and some kind of guidelines, for example, as Steve brought up, that we're not in favor of consolidation, and we're in favor of catch history being used to dole out the permit? I am just looking for some guidance.

MS. WIEGAND: I think a motion to whether the AP would like the council to consider continuing to discuss a limited entry program, and, like I said, these points that you've brought up, they don't necessarily need to be in a firm motion form, but they will be presented to the council, and so I would encourage you to keep having discussions, or, if you feel like you have sort of addressed the top things that you think the council should consider when doing a limited-entry program, but this will come back to you guys, if the council decides to go down this route, and so don't feel like you have to make a perfect system right now.

I think it's just important to say, boom, boom, boom, these are the things that we think are the most important for the council to consider when considering limited entry, and we'll take that to the council, and they will decide what they want to do with it. If they move forward, it's going to be shot back to you guys probably more than once as it continued to develop.

MR. LAKS: Don't forget that limited entry doesn't mean no entry. I mean, we can advise, or the council can advise, whether you have some sort of greenhorn program or if you get a bunch of people, like someone like Steve English, who knows the Spanish mackerel fishery, that can recommend somebody, and the council decides that that somebody -- You can have a certain amount of permits a year that new blood can get in the fishery.

I mean, these are all things that can be figured out, and, as Christina said, we're not going to figure it all out now, and the council certainly is going to take a ton of time with this, but, going down the road, I think, if someone wants to make a motion to --

MS. WIEGAND: If it helps, what I'm going to do is just start bullet-pointing some of the things you guys have talked about, just to make it clear what will ultimately go to be recommended to the council, and so it's starting off with you guys have talked a lot about protecting fishermen who have been in the fishery for an extended period of time.

MR. SWANN: Maybe this is a private question for Steve English, because I'm ignorant, and I may need some help here, but, like with the king mackerel limited entry, how does that work in Florida in the state waters? Does the state go along with the feds on that limited entry, or is it totally separate?

MR. ENGLISH: The state honors the feds, yes.

MR. SWANN: So probably the same thing would happen with Spanish mackerel too then?

MR. ENGLISH: They could. Absolutely they could, and they could totally, or they could partially. That would be the thing. With Spanish mackerel, it would be on a state-by-state basis, if they took it all or took part of -- Whether they wanted to fully endorse limited entry and not do anything else or they wanted to do limited entry and pull in the federal limited entry, under federal guidelines, and say, now, if you're a state -- Say in Florida, if you've got a federal permit and you're a full-time commercial fisherman, and that's what you do for a living, and you have a limited-entry permit, and you come in and you can do the cast net fishery or the rod-and-reef fishery, but, if you don't have that permit, and you just come into it part-time, we're going to limit you to 500 pounds of fish, or 300 pounds of fish, because you don't have the unlimited permit, and that would give them that option to control some of the involvement, is what I'm getting at.

MR. SWANN: Yes, that makes sense.

MR. LAKS: Steve, if I can add one thing to that. Having a federal permit apply in state waters also gives you some accountability, because then you're required to sell to a federal dealer, and the reporting has to be done every week, and you get much better data that way.

MR. SWANN: I totally agree with that, and it makes sense.

MR. ENGLISH: Also, right now, the numbers you see, when she shows you the federal landings, that's only about a third of the numbers. We don't have true, accurate numbers for the other two-thirds. The state has them, but they're not filled out with logbooks or anything. The state just has a bundle of numbers that they send in, or I'm assuming that's how it works, how you get them. I have never figured out how, when I fill out my logbook, and then I land them in the state, how they differentiate the ones that are already reported on my logbook versus the state report, and so I have never figured out how they do that, but, anyway, it would make a uniform system with a limited-entry permit.

MS. WIEGAND: All right, and so what I've got on the list right now is looking at eligibility requirements, in order to protect fishermen who have been participating in the fishery for a long time. Looking at what number of permits the Spanish mackerel fishery could handle, both the full commercial Spanish mackerel fishery as well as the gillnet fishery in the Southern Zone.

Rusty mentioned considering a possible moratorium. Then work to avoid consolidation of the permits, like Steve mentioned, in the Gulf, and then looking at how the states may or may not modify their regulations if the federal permit became limited access, sort of what Steve Poland was talking about with the process that North Carolina would have to go through having the Marine Fisheries Commission consider and ultimately make the decision on what to do, in terms of requiring permits and how that might work for other states in the region. Is there anything else that anyone would like to see added to this list?

MR. LAKS: I would like to see a method for entering new blood or new fishermen into the fishery. Any other comments, guys?

MR. ROLLER: One of the things we mentioned earlier was like how we all know people with like the king mackerel permit in general and that these permits end up in the hands of people who really aren't fishing, and, I mean, do any of our bullet points really address that? Does anybody have any ideas of how to word that? Is latent the right --

MR. ENGLISH: I think, if you do a limited-entry system and you base it on historical landings and base it on the last three to five years of landings, that's the people who are in it, who are doing it, something of that nature. If you do that, you will have your number of fishermen you need to have.

MR. ROLLER: But how do we protect the going forward? My sense is like I'm sure maybe that's the way these king mackerel permits were -- I am just speaking out of -- I may be wrong here, but maybe that's how it started, but how do we protect them going forward, so that these permits don't end up in the hands of people with million-dollar boats who are messing around? Do you see my point?

MR. ENGLISH: I see what you're saying, and there's a way to do that. If a permit is not utilized in a certain manner, it gets turned back in or something. There is a way to do it, to where people aren't buying the permits and just holding them and not using them.

MR. LAKS: Tom, from my point of view, I don't see that as really being a big issue, because, if you're having permits and they're not using them, then that's better for the rest of the entrants in the fishery. I don't know if I want to have stringent -- That's something that needs to be discussed,

is how stringent you want to be in the past, because we do want there to be an ability for somebody's permits to transfer to have new people in the fishery, and so, if you limit it too much on catch history, you can really reduce the permits, and then you get into where Rusty was concerned about, and so I think understanding how hard this is going to be, to make it more inclusive, is probably going to be better for everybody.

MR. MALLETTE: I guess, as a reply to what you asked, the way, in my mind, that I see it can work would be not to say that you can't do it, because I believe that, if you're a grown man, you can make a living however you see fit, if you can afford it, and it's just a matter of keeping to, I guess, the integrity of it I guess would be the -- If you buy the permit, use it.

Anybody can call a phone number and lie and say I caught this amount, but, if you are going to have a federal permit, you have to sell it somewhere, and they can't fudge their paperwork, or they're not supposed to anyway, and go by that. If a certain person hasn't sold a certain amount of Spanish mackerel or whatever over a certain time period, whatever you figure out, they lose the permit, and then it goes back into the -- What I am thinking the best thing to do is to keep the permit as a permit for the fishery and not make it into an investment and into a commodity, like real estate, because you have people that are buying them, and all they're doing is -- They will use it a little bit, just to keep it, and they don't need the money, but they will wait for that \$3,000 permit to be \$30,000, and then they will sell it.

That's how you have commercial boats now that people sell their commercial boat, and the permits are worth more than the boat. They can sell the boat for \$20,000, but they will sell the boat and the permit for \$100,000, and that's how you get to that point, and so, if you just keep it to -- There's a way to do it to where, yes, you can have this permit, and, yes, you can use it to make a living, but you have to do it a certain amount to keep it. I guess it's a use-it-or-lose-it type of deal.

MR. LAKS: The only problem I see with those kind of things is, as you were saying, there's a lot of fishermen who do different things in different years and different weather conditions and different fish are available. If you make that stringent of a requirement, and someone doesn't need it -- You would have to make it like a long time series where they didn't use it to do that, because to tell someone that, oh, you didn't fish last year, because there was something else more valuable that you wanted to fish for -- You just have to watch that.

MR. MALLETTE: I guess the way I was saying that was it wasn't that you have to go catch a lot.

MR. LAKS: You can also put a requirement that you have to be a fisherman.

MR. MALLETTE: Life happens. I mean, what if you had an injury and couldn't do it? It's not a matter of just take it, but at least try to weed it out. I mean, if somebody couldn't fish for a year, because of health problems or whatever, somebody has to say, okay, why didn't he fish this year? If he ain't got a good reason for it -- If he's got a good reason, keep it.

MR. LAKS: I think, in most limited entry in the past, there's been hardship cases, where, if you can prove that you had some sort of hardship, you can do that, but, also, I think, if you did want to put a provision on it, that it would be for full-time fishermen, that if you're landing something else, but it's hard to say if you're just a Spanish mackerel fisherman.

MR. MALLETTE: Well, I don't foresee that --

MR. LAKS: You could show that you have landings of other fish and that you're a fisherman.

MR. MALLETTE: Yes, correct. Exactly.

MS. WIEGAND: I am hearing some back-and-forth on this idea of addressing unfished or underfished permits, and so my thought was to leave it on the list for the council, but just it needs more discussion, since there are some differing opinions at the table, and I don't want to present this to the council as everyone is on the same page.

MR. ENGLISH: Just to let you know, I think there's 1,700 king mackerel permits, is what there are, or fourteen-hundred-and-something-now, and there's not 1,400 boats out there fishing king mackerel every day. That's just not the case, and so it seems like it, yes, because we've got a lot more than we should, but still.

Like I said, that was the only main thing there, and the other thing that I was saying to all these permits is it can't -- A bear hunter in North Carolina said this to me one time. He said -- He calls them the enviros, and he says that we go to get a bear permit, and he said the enviros bought all the bear permits up, and they have stopped bear hunting, and so you've got to make sure that doesn't happen, and it's the same way in this limited thing. If one or two entities buy all the permits up, you no longer have fishermen, and you've got corporations, and so that's the thing I think we need to protect.

MR. LAKS: Would someone like to make a motion to recommend these things?

DR. ELKINS: **So moved.**

MR. LAKS: Would someone like to second it?

MR. ENGLISH: Second.

MS. WIEGAND: I am going to be a pain. Chris, would you mind reading this into the record, to be clear that this is what the advisory panel is recommending?

DR. ELKINS: Items to consider for limited entry are eligibility requirements to protect fishermen who have been participating for a long time; what number of permits can the Spanish mackerel fishery handle (full fishery and gillnet fishery in Southern Zone); possible moratorium on new permits; avoiding consolidation of permits; how the states may or may not modify regulations if the federal permit became limited access; method for new entrants into the fishery; provisions to address unfished or underfished permits (this item needs further discussion and will include both sides of the discussion).

MR. LAKS: Is there any discussion?

MR. HUDSON: Is this going to be Texas to Maine, or is this just the Atlantic coast?

MS. WIEGAND: This would be for -- Well, that's a good clarification to make. Is this specific to Atlantic mackerel, which would be Miami-Dade/Monroe through the Mid-Atlantic Council's jurisdiction, and so it doesn't include New England, because we don't have management jurisdiction there, but just the Mid-Atlantic region, and so it's the New York/Connecticut/Rhode Island line, or is this for the full Spanish mackerel fishery? My understanding, from the discussion, was this was specific to Atlantic Spanish mackerel, but, if that is not this AP's intent, that would be something to clarify now.

DR. ELKINS: **My motion is for the Atlantic only.** Let's keep it simple.

MR. LAKS: Is there any other discussion?

MR. HUDSON: You did say New Jersey and New York?

MS. WIEGAND: Through the Mid-Atlantic Council's jurisdiction, and so it stops at the New York/Connecticut/Rhode Island line, and so it includes New York and New Jersey and everything south of that.

MR. HUDSON: When I was looking at the Spanish mackerel stuff, I saw some *de minimis* landings, like in Massachusetts and stuff like that.

MS. WIEGAND: We don't currently manage Spanish mackerel up in that area.

MR. LAKS: Any other discussion? **All those in favor of the motion, raise your hand, eleven in favor; all those opposed, one opposed; any abstentions. The motion passes.**

Guys, we've got a few minutes left, and we got a request that we talk a little bit about descending devices, even while they don't really apply to the fisheries that we're talking about, but the council just wants to get some input, and I will let Christina explain.

MS. WIEGAND: Right now, the Gulf Council is in the middle of a release mortality workshop, and one of the things they're looking at is outreach, and I know that you guys aren't out there descending a king mackerel, but certainly you guys participate in other fisheries as well, and one of the questions is sort of where you all are getting your information from, when it comes to descending devices. Are you looking at magazines, or are you getting it from state agency websites, things like that, and so, if you guys just wanted to weigh-in a little bit, anyone who is using a descending device, where did you get your information on it, things like that.

MR. SWANN: Are you talking about information on types of descending devices or the use of a descending device?

MS. WIEGAND: Both.

MR. SWANN: I think, initially, I got information from FWC in Florida, and they sent me a descending device, and I've been using it ever since.

MS. WIEGAND: I am going to let Cameron chime in, and she's been more attached to her email today than me, and so she can give you guys more information on what they are really looking for.

MS. RHODES: Hi, guys. It's not descending-device-specific, and so this is relative to any kind of information that you might get, whether it be regulatory or just fishing practices, but just how you go about getting your information, is what we're looking for.

MR. SWANN: I guess, in that context, from the South Atlantic notifications and emails that come out, for the most part.

MR. LAKS: Emails, plenty of emails.

MR. DONALSON: Speaking from my group in our area, most of that information is either word of mouth or, for the example of red snapper, until they told everybody what they had to have, which we found out through mailings, or tackle shops or whatever, but common practice is just, hey, have you tried this or do you do that and how do you handle this.

MS. RHODES: Just a follow-up question. If regulations change, where do you find that most recreational fishermen go to figure out if a regulation is what it is? Where do you visit? Is it mobile apps, or do you look on websites, wait for a magazine to publish something about it? What's your standard practice for that kind of stuff?

MR. DONALSON: Most of us have gone to apps, using our mobile devices. A lot of it -- I say a lot, but that works great when you're in range, but, if you're a situation where you don't know, and you're out of range, then hopefully you know what the regs are, but it's either an app on your phone or online, for the most current information.

MS. RHODES: Sorry, but I'm going to ask a bunch of questions, probably, of each of you, but I will keep it brief. Which mobile app are you using?

MR. DONALSON: Fish Rules, Fish ID, or we just go to the website for National Marine Fisheries, or a Google search on the size limit for red drum, and then whatever come up, for example.

MR. SWANN: Also, I see, a lot of times, when a regulation changes, it will be echoed pretty quick back and forth on like the Florida Sportsmen boards and other chat rooms and things like that, and so word spreads pretty quick these days. That and, as soon as somebody gets a ticket, you hear all about it.

MR. ROLLER: The Facebook fishing groups seem to be a huge source of information now, and also misinformation too, yes.

MR. HUDSON: Whenever I am monitoring regulation changes, I always like the preview for the Federal Register and then the actual publication, so I can alert people the next day, or three days later, whenever it publishes, but, after it publishes, it usually shouldn't take too long to either go into the NMFS or the South Atlantic Council's regulations and see an update there too, and, I mean, that's just me. I am always digging into those places.

DR. ELKINS: The South Atlantic rules, I'm on the mailing list, and so I get that, and I'm on the mailing list for the State of North Carolina, which takes those rules and sends it to me again, and I'm also on the ASMFC mailing list, and so I get stuff there. Then, in North Carolina, you can

sign up for a lot of different things going on, proclamations, for example, and so all the proclamations come to me that way, and so I get one every day, or every other day, from that.

Descending devices, I probably first saw that in some sportfishing mag or one of those things, and, of course, the South Atlantic has been discussing that for five years, it seems, and that's been implemented, and then also there's been -- I believe there's a couple of videos out there on the web of the descending device use and so forth.

MR. LAKS: Cameron, my neighbors come to me.

MS. RHODES: All right, commercial guys. Let's hear from you. Where do you get regulatory information from?

MR. ENGLISH: Usually, we'll get -- You'll send out your releases with the South Atlantic Council, and one person will get it, and, before the day is over, every commercial fisherman in the network will know it, and, within two or three days, everybody knows it.

MR. LAKS: If it's slow fishing, it's talked about ad nauseum on the radio.

MR. MALLETTE: Kind of like what Steve said, we get it -- I get it from the things that is mailed to me, but, also, a lot of the few enforcement officers we've got -- They all hang out at the fish house, and we all know them, and so, if something happens, and they actually get a text message or a proclamation or something, they are sitting there telling us about it, and so they do that more or less to say that we can't say that we didn't know that, but, either way, that's how we found out.

MR. HUDSON: I forgot to mention the state databases for regulations, because sometimes it doesn't quite mirror the federal.

MS. RHODES: I am going to do a quick couple of polls. Raise your hand if you buy fishing magazines from the grocery store or the tackle shop, wherever they are distributing fishing magazines. Okay. I will rephrase my question. Raise your hand if you are a subscriber or purchaser of fishing magazines.

MR. LAKS: *National Fisherman*.

MS. RHODES: Let the record show there are five hands raised. How many of you have a smartphone? How many of you have the Fish Rules mobile app? Commercial guys only, how many of you actively use the Fish Rules mobile app? All right. I am going to be emailing a bunch of you.

MR. LAKS: Thank you, Cameron. All right. Thank you, guys. I think we're going to wrap it up. We'll see you at 8:30, bright and early, tomorrow morning. You guys have a good night, and thank you.

(Whereupon, the meeting recessed on October 7, 2019.)

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OCTOBER 8, 2019

TUESDAY MORNING SESSION

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The Mackerel Cobia Advisory Panel of the South Atlantic Fishery Management Council reconvened at the Town and Country Inn in Charleston, South Carolina on October 8, 2019 and was called to order by Chairman Ira Laks.

MR. LAKS: Good morning, everybody. We're going to get started here, and we've got still a lot to cover, and so we're going to try and go through this the best we can.

MS. WIEGAND: We're going to start with updating the fishery performance reports for king, Spanish, and Florida east coast cobia, and the illustrious Dr. Chip Collier is going to come up here and run you guys through the Shiny app he put together with the most up-to-date data.

DR. COLLIER: This little app we put together mainly to just provide you as much information as possible, and one little stop, and so it's available on your computer, and it works on iPhone or any of the phones or tablets, and we have the different APs up top, and we have four different tabs up here, and so the first one is your AP, and then we have the Snapper Grouper AP, and we have data for past reports, and then we have past fishery performance reports, and so, if you want to see what was written a couple of years ago in the past king mackerel reports, those are included.

Once you come to this gray box, this is where you can select your species of interest. Here we have king mackerel selected first, and we have the range of years, from 2000 to 2017. Then you can select what information you are displaying below. We start off with life history data, and so it doesn't matter what years you pick up here, but the life history data is going to be the same. We use information from the most recent stock assessment, or SEDAR assessment, and so, for king mackerel, you can see that at -- Let's go up to age-five. The fish are about thirty-five inches. If you go up to age-ten, they're a little over forty inches.

We provide this information just to give you a rough idea about the size of the fish at-age, and you can also look at the length-weight relationship. At twenty inches, it's under five pounds. Then, once you get up to about twenty-five inches, that's when they're getting to around five pounds, and then it goes on up from there.

Then another piece of information that people have asked us about has been the maturity of king mackerel, and so we provide these for each of the species, and this comes from the stock assessment. At twenty inches, about 25 percent of the fish are mature. At twenty-five inches, you're looking at over 50 percent, and then most of the fish are going to be mature once you get up to thirty-five inches, and this is going to be just for females. Males mature at a slightly different schedule, but we just include the female information here.

We also have index of abundance data, and this is the information that was included in the most recent stock assessment, and the index for this one we have is the SEAMAP age-zero, and you can look at the data from 2000 to 2017. If you would like to change this, all you have to do is move

this bar over, if you want to look at a subset of years, and it's not all that important for this index of abundance, but I just wanted to show you that tool.

Typically, where we get this information is it's -- Once again, it's been included in the most recent stock assessment, and so it's reviewed, and everybody has accepted. Then we have yearly landings. The red line over here to the right, that is the ACL, and we're starting off with the commercial data, and you can select commercial, recreational, or combined, if you like, and then you can look at the landings over whatever time period you want, and we have state landings as well. We call these state landings just because that's how I have it written in the app, but we actually broke it out between Northern and Southern for king mackerel, because that's actually how they are separated out in the two different quotas for that.

Then, at the bottom, we have the number of released fish. This number of released fish only comes from the stock assessment, and so it's not readily updated. We don't have discards available for that, and so we only include the information going through the most recent stock assessment.

Going into the recreational data, you just click on the button to look at the recreational data, and you can follow the recreational data through time. Once again, this is the ACL, and then you can see the landings data. For the recreational, it's broken out into the two different areas, and then we have number of releases. The reason that we don't update the number of releases for the recreational through MRIP is because we also have to combine with headboat data, and that's only provided -- The number of releases are typically only provided during the SEDARs, and so we only have the releases once we can get a stock assessment done. Then, for combined, you can look at the actually combined data for recreational and commercial, and this will add up the ACLs as well.

Going into the next group of data, this is where, if you change the range of years, you're going to get a very different picture. We're looking at average landings, average monthly landings, and, typically, the way we look at commercial data is we do monthly landings, but, because I want to be able to combine this with recreational, I end up grouping it into waves, and so January and February is one wave, and March and April is the second wave. This just makes it easier for the app to go through things.

This is where, if you're looking at different time periods, you might see changes in landings, and so you see a slight change in the commercial. The recreational tends to be much more responsive when you're doing this, just because MRIP typically has substantial changes. I do want to point out that the landings for the mackerel data -- This is actually not the new numbers for MRIP. These are the past numbers, and the reason that we're doing that is because, if you change to the newest MRIP numbers, the ACL is not valid for those numbers, and so we want to present everything in the units that were developed for the ACLs.

We also have economic information, but we have an error. I will need to fix that. We will go to economic impacts. That one works, and so you can look at sales. We have our economic information. If you have questions on this, John Hadley is the one that will answer those, or Christina will answer those, but we have sales, income, and jobs, and we only have data from 2013 to 2017, and that is the recommended process for using this economic impacts tool, and you can see, for the economic impacts, it's slightly different between recreational and commercial, but you

cannot do combined, and the reason for that is because they are not additive. They are done very differently, and so you can look at them, but they're not necessarily comparable.

If you have any questions, we can go through this again, and it's going to be the exact same amount of information for each of the three species. We have Spanish mackerel, and so you can look at the landings, sales, life history, whatever questions you have for those, and then we also have cobia data. Depending on which species you want to go over first for the fishery performance report, I can pull that information up while you guys are discussing it, or if you have any questions about it. If there is any additional information that you would like to see in one of these apps, please let us know, and we can try to add it in there. All of this information is stuff that we've been asked about before.

One thing that we are going to be adding into the next version of this are these things called heat maps, and so what this is, it's looking at commercial data from 2012 to 2017, and, the redder the spot is, that's an indication of the number of trips that occurred within that area, or are reporting for that grid, and so you can see there are some trips that occur up north, and most of the trips are occurring down here off of Florida, with another hot spot up here around North Carolina. We have these for the three different major fisheries down here, snapper grouper, dolphin wahoo, and coastal migratory pelagics. Since we're talking coastal migratory pelagics, that is what is included for you guys.

MR. LAKS: Chip, I have one quick question. In the commercial, in the economic data, is there any way to tell, and I guess it would probably be easier for king mackerel, of the effort and different amount of fishermen that are fishing the fishery, so we could track how many different boats are coming into the fishery, or just to try and gauge if the abundance of fish is up for the people who are fishing or are more people fishing?

DR. COLLIER: We could do number of trips much easier than we could do number of people, just thinking about the recreational side of things.

MR. LAKS: I was just thinking more for the commercial, just so you can get a gauge, and I know it would be hard to do in the Spanish and cobia, because there's not a federal permit required, but, in king mackerel, you can definitely get an idea of are there more people using -- You can gauge latent effort and people coming into the fishery and have a basis point of, when it's good, who jumps in, and then who jumps out.

DR. COLLIER: We could add that.

MS. WIEGAND: Does anyone else have any questions for Chip about the data and the app that's presented here?

AP MEMBER: Chip, I just wanted to tell you great job. It's fantastic.

MS. WIEGAND: All right. Then, with that, I think we'll start with king mackerel, to update it. If you guys will remember, we did one of these for king mackerel back in April of 2018, and so what the council would like us to do is just sort of update that information. The completed fishery performance report was included for you to review.

Since we're trying to get through all three of these, in the interest of time, and since this is just an update, I don't want to go over each of these individual questions with you. I would just like to sort of hit the main topics, starting with what have catch levels been like over the past five years, and we've got that baseline information, and so if you could give us information on what you've seen in the last -- I guess it's been a year-and-a-half now since we did this fishery performance report, and so just general information on where you're seeing the fish available, how the size of the fish has changed, and if you've seen any effort shifts for king mackerel.

MR. ROLLER: In North Carolina, the fishery continues to improve tremendously for king mackerel. Probably this year, in the southeastern part, I would say it's probably one of the better years that we've seen in a decade. The size of the fish continues to grow, and we're seeing larger fish, and we're seeing more teenager-sized fish, and we're seeing a lot of small fish.

As far as effort shifts, I would have to say that I have definitely seen effort shifts in my section of the for-hire industry, because they're one of the most available fish, and we've been catching them from the beach out to thirty miles, and, when it's good, that's what people want to do, and so I would say, in my area, in my kind of loose group, it probably became one of the most targeted fish, at least during the high season, in the summer, which wasn't the case the last few years.

MR. DONALSON: This past season, in the St. Augustine/Jacksonville Beach area, I would say it's probably been one of our better kingfish years we've had in a long time, as far as numbers go. A lot of fish started showing up in some spots they hadn't been in years past. As far as size goes, I wouldn't say that we saw a significant increase. Watching the tournaments in our area, we didn't see a lot of those fifty or sixty-pound fish. Forties was a big fish, which is kind of average.

Tournament participation continues kind of flat, 200 boats or 300 boats, maybe, for the big tournaments. I think part of that is because the shootout format has kind of taken over, versus a two-day tournament, and you've got your three days that you can declare the fish, and they do a kingfish shootout, wahoo shootout, cobia shootout, and the participation in that has been just crazy high, and so, what it's worth, I thought I would throw that out there.

MR. SWANN: I will add to that. A little bit farther up the coast from St. Augustine, in Jacksonville, it seemed like it was a really, really good year for king mackerel this year, better than a lot of the past, and pretty much anybody that wanted to fish could go catch one on the nearshore reefs, eight to fifteen miles or something like that, and a lot of the fish that people were catching were probably in the eight to ten-pound range, which is, I guess, good for recruitment, and it seemed a little bit bigger than in the past, but it's still a lot of fish in the fifteens and twenties, and, like Steve Donalson said, a few bigger fish. I know, in the Jacksonville tournament, there were several fish over fifty pounds weighed in that tournament, back in July, and so, overall, a better year than I've seen in a long time.

MR. MALLETTE: Just kind of speaking just from my area of North Carolina, pretty much the Onslow Bay area, I've seen kind of like what everybody is seeing, lots more fish, lots of king mackerel. I will say we've seen a whole lot, like an insane amount, of small fish, like twenty-inch and twenty-two-inch fish, but, also, something we've been seeing a lot of too is we've been seeing a lot more of the bigger fish further offshore than we've ever seen them.

When we're offshore, on the break, wahoo fishing and things of that sort, we're catching a lot more twenty and twenty-five-pound fish offshore, and it was always an occasional thing, but, now, if you wanted to go out to the break right now, you could actually target them, and so that's something that is unusual for this time of year, and the fish were also here earlier this year, when we were commercial fishing for the Atlantic bonita in late April and things of that sort, and we were already catching kings on the beach, which was pretty unheard of, and the water was still colder too, and so there's no shortage of them, and I will say that much.

MR. PERALTA: I would be interested to hear from you all with experience about the dispersion of the year classes that you're seeing.

MR. LAKS: From my point of view, both commercial fishing and charter fishing, I have seen pretty good year classes. There's a lot of small fish, even releases, to fifty-pounders, and so I definitely see a good spread throughout the fishery, and I don't know if Keith can comment on that, and he commercial fishes in a wider range than I do.

MR. BOWEN: Yes, I agree with that. Last winter, we had a big number of nice big fish inshore, and we actually had the weather to catch them, and it was a good two or three weeks of all ten-pound-plus, which, for us -- We don't target like the real giant ones, unless they're there and they're real thick.

Then, offshore of us, we had a ton of like smaller fish, twenty-four, just legal, to six to seven-pounders, but nobody is even targeting those, because the nicer fish were inshore, and there was fish everywhere, out of every inlet, and Fort Pierce was catching them all the way up to St. Augustine, and so it was kind of crazy. It seemed like it was really good for the winter.

This summer, it's pretty interesting hearing all the reports, because we're still dealing with a lot of funky water. Like everything in our area changes like not even weekly, and it's almost daily. It's like three or four days it's decent water, and then you've got funky cold, black water, and like we have a lot of stuff, and I kind of wonder if it's like there's a break maybe up you guys' way, St. Augustine north, where maybe it doesn't affect -- It's kind of interesting hearing all the king reports up there.

I mean, there's fish, and, when the water conditions are right, you're catching them, but it's a lot more inconsistent with the water conditions. I mean, those fish definitely move as soon as -- If there's something there that they don't like, if the temperature or the bait is not there, they're gone, and so it's kind of interesting to hear all the stuff up north, but it's been normal the last few years, five years, really, with all the different water conditions we've had throughout the summer. Now, the winter months have been fine and good, and you see everything at that point, but the summer months, with all the upwellings and different kind of stuff we're dealing with down south, it's pretty interesting, but, anyway, that's what I have seen.

MR. LAKS: I can say that, down off of Jupiter, Florida, that the water temperature definitely has some stuff to do with it. We used to be able to pencil dates in the calendar, where May and August were great months, and now it almost seems like June and July are better, and so definitely the fish want to be somewhere where the water is where they want it.

MR. DONALSON: I will say, from a water temperature perspective, we kind of had two different phases. There was late spring and early summer, where the fish really were fired up, and the water was warm, and then we had like a month where we had a west wind every single day, and it pushed all the warm water out, and we had like seventy-degree water on the beach, and they just disappeared, but, when that warm water came back and the weather pattern changed, it was in the eighties, mid-eighties, and the fish are still there. I mean, it's what you said, and they are definitely following that warm water. Again, I don't know what is the cause of that, but it definitely played a role in our fishery this year.

MR. HUDSON: Chip, I would up forwarding you Dr. Barrell's work that we did post-Amendment 26, but before we had the projections, and, in there, he breaks down a lot of that mixing zone that is the Monroe/Dade north up to Brevard and Volusia, and it breaks it down so that you can see, through the years, the sizes and the months and stuff like that on each thing, and so I just thought that it might be useful.

MR. LAKS: Does anyone else want to comment on king mackerel?

MS. WIEGAND: We've got more to go for king mackerel.

MR. LAKS: Okay. Go ahead, Steve Swann.

MR. SWANN: I also wanted to add that a lot of people were releasing a lot of fish last summer, and people don't seem to like to keep a lot of kingfish, because they don't freeze real well, and so they might keep one, or maybe they will keep two on the boat, or sometimes three, but, a lot of times, they will release them, which is good to see.

MS. WIEGAND: All right, and so we've talked a lot about current management measures, but, aside from what's already been talked about relatively to king mackerel, are there any other management issues that you see that have come up within the last year that you think the council may need to address?

MR. SWANN: I would like to see the council consider adding another fish to the recreational bag limit. It seems to be that maybe the data supports it.

MR. ROLLER: I am not going to comment on adding another fish to the bag limit, but I will say that, in my area, I'm seeing a lot more people release them. There seems to be a much more conscious effort of -- At least I see this from my clients. They say, well, I would like to keep two of them, and I am going to throw those six back, and let's go do something else, but, kind of like what we're discussing in Spanish mackerel, I really don't want to see the recreational fishery punished in the future for not harvesting as many fish as they can.

MR. LAKS: I think we're going to get into the bag limit discussion, and there will be a little more information a little further on.

MR. BOWEN: I don't know if you were wanting to discuss this later on, but, with the percentage toward the end of Season 2, where we're switching that kind of stuff and dropping down, and is that something that --

MR. LAKS: Yes, we'll try and get to that in Other Business, if we can.

MR. BOWEN: All right. That's fine. I was just making sure.

MS. WIEGAND: All right. Moving on to environmental conditions and ecology, I know Keith mentioned a little bit, and you guys have talked about changes in water temperature, but is there anything else that you've noticed related to environmental conditions or the spawning season or fish abundance and recruitment?

MR. LAKS: The only thing I want to add is the shark problem is -- I know this is redundant, but it's ridiculous, and there is no metric to tell how many fish that you're losing to sharks, and I know it's been said a thousand times before, but a thousand-and-one can't hurt.

MR. ROBINSON: I want to second what Ira said about the sharks. It's absolutely ridiculous what's going on, and they're going to sit around and ignore it until it bites them in the ass. Sorry, but that's what's going on.

MR. ENGLISH: Something that's got to be discussed is the sharks. They are out of control, totally, totally out of control. The shark problem has totally changed the king fishery off of Jupiter Inlet. It used to be a live-bait fishery, and it is now a troll fishery, because you can't get one to the boat with live bait. You feed 90 percent of your catch to the sharks, and folks can't stand it. You go down there and you do something like that, and it makes you sick to your stomach, and so, this year, instead of having fifty boats live baiting and thirty boats trolling, we had eighty or ninety boats trolling, and you can imagine what that nightmare is, with everybody trolling around one another, and so, yes, we definitely need to get a handle on these sharks.

MR. HUDSON: Sharks is what I know best, and, unfortunately, the science that the SEDAR is having to do with our sandbar, our dusky, our blacktip on the Atlantic side, and a few other species, and it's pretty bad, because they can't keep up. They are several years behind. In the case of the Atlantic blacktip, they're fourteen years behind. Sandbar, it wasn't done correctly on an update, and they truncated stuff. With dusky, they wound up just considering our range and not the range of the entire neighboring countries with the dusky, and so this idea of overfished or overfishing occurring is not real, and the population biomass is much larger than what the NMFS science shows.

The way they have everything in the queue, it's going to be years, years, before they can get to the point to do their science, unless they can shake up some money and get some staff down at the Science Center and get the work done, because, unfortunately, they're talking about now the depredation of, whether it's your mackerels or your other types of fishes, your groupers, your amberjacks, on and on and on, and they're going to start making a deduction for all that mortality when they are doing stock assessments. Of course, what we really need is an encouragement to develop the fishery in a reasonable way to catch, in a sustainable way, the sharks, because the populations are probably bigger than I remember in the 1960s.

MS. WIEGAND: All right, and so next is social and economic influences. For commercially-sold fish, have you seen the market change, price and demand, and then, also, for charter and headboat trips, have you seen demand change? Then, of course, I'm guessing these are sort of long-term ideas, but communities that are dependent on the king mackerel fishery and changes in

infrastructure and how that's affecting opportunities to fish and how communities have begun to adapt to some of these changes.

MR. LAKS: In the charter fishery, especially off of south Florida, when we get a winter run of fish, and it's not exactly our best bottom fishing time of year, especially where we're closed in grouper and species like yellowtail snapper don't really bite but a few days a week, depending on the water temperature, and the king mackerel are a fairly easy fish to catch, and they definitely provide something for the charter boats to go out and catch and keep the tourists happy. It's a large fish that pulls, and they enjoy it, and, in the commercial, there's quite a few people that rely on that fishery as their sole source of -- Or the base of their income, I should say, and, actually, we're seeing some younger guys getting into the fishery.

MR. MALLETTE: Once again, just speaking from my area, the Onslow Bay area in North Carolina, as far as commercial fishing, I would say more than 95 percent of everything that we catch is getting shipped off anyway, and I personally haven't seen any differences, maybe more than a quarter or fifty-cents here and there, as far as price. Now, some of the other guys off of Florida that do a lot more of it might see more, but, just from my end, I haven't.

As far as charters go, we're always going to have a lot of people that want to catch kings, because they've been easy to catch, especially during tourist season, when it's just the simple, short trips and you've just got to put fish on the boat, but something I've noticed, whether it's right or wrong, when I get my local charter customers, they don't want to go catch them.

They want fish to eat, and, whether it's right or wrong, the misinformation they have -- I have a lot of people that tell me they don't want to eat them because they figure, if they eat two king mackerel, they will get mercury poisoning and die. I mean, I know it's not -- But this is the misinformation they have, and so I think there needs to be something out there to let people see that, hey, look, it's okay, but this is what I hear from local people. They're like, well, we would rather do grouper fishing, because they're full of mercury and we shouldn't eat kings. I don't know where they're hearing that, but this is something that I hear on a regular basis. Believe it or not, I do hear it.

MR. LAKS: I think, for the commercial price, like John was saying, it can vary quite a bit in our area, and I will let Gary and Keith speak to that too, but it's just a simple economic market demand of supply and demand. When there is fish open in different sectors, and there's a lot of fish coming onto the market from everywhere, like anything else, the price goes down, and, if you happen to be in the area where there is fish, and they're not catching them. or they're closed in another area, the price goes up.

MR. ENGLISH: I am glad you said that, because that's what I would like to say, that it's up and down. This year, it's been relatively decent. I mean, normally, in August, we're rock-bottom on our prices, because Louisiana is wide open, and they are tearing the fish up, and we're catching fish in August and all that, and we had kingfish as high as \$4.00 a pound in August this year, and that's unheard of. That's unheard of, but we've had them down as low as \$1.80 or \$2.00, and that's rock-bottom, but that was the low-end of it, and, from what I recall, I think that's about the worst that I recall, and I think Keith can tell you more than I can.

MR. BOWEN: Are we just talking about price-wise?

MR. ENGLISH: Yes.

MR. BOWEN: I mean, that's about what we've seen on the lowest end. I think maybe \$1.75, and I think I've seen it, where there's like fish coming in from the Panhandle and from down south and the Keys, and you've got -- That's just normal. That's how it goes. Then it was all the way up to \$4.80, and so it just depends if there is -- Like you said, it's supply and demand, and it kind of varies up and down whenever things are happening. Anyway, that's that.

MR. ROLLER: In my area, which is also kind of the east side of Onslow Bay in North Carolina, and you know the economy is good, and so we've had a lot more people enter the charter industry, and we're in a very mixed fishery, with a lot of guys who do kind of inshore stuff as well as ocean stuff.

The availability of king mackerel has been a huge boon to our industry, right, because, in the summer months, they're one of the most easy and fun nearshore fish to target, and I can't believe how many more people I have seen doing it in my industry, and I think it's a good thing, and, the way we fish for them, we do a lot of live-bait fishing, and we don't really seem to have the shark problem, as least as it pertains to king mackerel, in our area, and so you catch a lot of other stuff while you're doing it, and so I think it's been really, really good for industry.

Now, I will also build upon the fact that I hear a bunch of misinformation about the eating quality of king mackerel, and it drives me crazy, and it's from mercury poisoning to how bad they are, but a lot of my tourists love them. They don't know any better, and I send them home with kings, and they tell me it's some of the best fish they've ever had, and that's just kind of all your mental perception of it.

MR. HUDSON: With mercury, selenium negates the effect, and it reduces the problem for the fish and for the consumer of the fish. Of course, the larger and the older they get, the more they accumulate of both. The White House's report and the Seychelles Islands report, after studying those children from the age of five, eating things like tuna and sharks and other types of stuff in the Indian Ocean, and they don't smoke or drink or whatever, but they all came up with better intelligence than normal, and so I don't know what else to say. The selenium is the solution.

MR. BOWEN: I am just going to -- My grandpa is in his early nineties, and he has eaten kingfish probably more than two or three times a week his whole entire life, and the same with us, and we're all fine. I mean, if we can make it to our early nineties and still be walking around and driving around, I think that the whole mercury thing -- I'm not saying it's false, but it's like -- Or maybe we're just immune to it, because it's been in our family, but I doubt it. Anyway, I'm just trying to throw that out there.

MR. LAKS: I am personally worried about my other vices rather than mercury. John, go ahead.

MR. MALLETT: I think what I was trying to say was -- I hope you all understand, but I don't believe it, but I'm just telling you what I hear from the tourists, and not really the tourists, but the locals, the local people that somehow heard this, and they think that it's full of mercury and I shouldn't eat this more than once a day or something, some stupid stuff, but this is what I hear.

Like I said, I try to tell them, and I'm like, no, and so, when I tell them the king bite is good, they're like, no, we don't want to do that and we want to do other stuff, and this is why we're here, and so, obviously, I don't believe it, but I'm just letting you all know that this is the crap that I'm hearing, and so I don't know if -- Whoever started the whole mackerel having mercury thing, maybe somebody could put an effort in putting the information out there saying, hey, it's good, and I think that would also boost all of the local sales for the commercial fishermen, instead of having to ship it all the way to Canada all the time. It would get some local people eating the stuff, and then we won't have to ship it somewhere, and we'll probably get some better prices.

MR. LAKS: I'm going to go to Rusty, and then I think we've covered the mercury pretty good.

MR. HUDSON: Back in the 1970s, they shut the swordfish down over the mercury, and the FDA put an action level on there, and there's a factor of ten built in there, like the different scientists told me that were familiar with it, and you would have to eat like ten or twenty pounds a week, and then you would start accumulating some mercury, but don't forget the selenium is going to negate the effect. If you can eat largemouth bass from a reservoir twenty miles from a coal-burning, high mercury coal-burning electric plant, you will get a lot of mercury, and there is no selenium, and there is a difference.

MS. WIEGAND: All right. Last, but not least, before we leave king mackerel and move on to Spanish, is there anything else that you feel it is important for the council to know about the king mackerel fishery?

MR. LAKS: I just want to state, as I have probably stated before, that it's not Rodney Dangerfield, and it deserves more respect than it gets. Go ahead, Rusty.

MR. HUDSON: As far as the king mackerel and stuff, we're trying to straighten out the trip limits on our coast, and we wind up paying the price, as far as the value per pound, whenever the Gulf is still fishing hard, but, once they slow down, our prices come up, and yet we're still not catching our allocations. We're working on it, through the different amendments, and maybe we'll be there in another year or two.

MS. WIEGAND: All right. Are you guys ready to switch gears to Spanish mackerel? We're going to do this all again. Digging into Spanish mackerel now, what have you seen in terms of catch levels over the last year-and-a-half, since we put together the last fishery performance report?

MR. ENGLISH: I might as well put it on the record that we know that we're having closures earlier and earlier every year, and we've got way too many people in the commercial industry, way too many people, and the commercial industry is expanding out of control. We know this year, this year in particular, the mackerel moved all the way to New Jersey, and they started fishing them, and the fishermen from New Jersey and Maryland, right on down the way, are trying to figure out the gear to gear up and catch the fish, and so the problem we have now is going to be twofold next year, next year,

We've got -- We try and help the fishermen in some ways, and then you end up getting bit in the butt by it by other folks, and so mackerel has got a big problem. If we don't do something about it, then we're just going to put it out there, and we're going to put a number up there on the board, and it's going to get caught up in a couple of months, and then we'll walk away from it, and then

we'll waste fish for the rest of the year, and so I think we need to get it under control. I think we need to land them in a manner so we stretch out landings, but allow the ones who have been fishing to catch them and don't do something that stretches out our landings and then lets twice as many people into it, and we end up with the same situation we've got, and so that's my thoughts on it.

MR. ROLLER: Get ready, Chip. I'm going to have a lot for you here, but I'll talk slow. Anyway, this year has been interesting for us, in terms of Spanish mackerel. I'm going to kind of build on what I said a year-and-a-half ago, is that, whether we want to admit it or not, they are one of the most important species to the charter industry.

This year in particular, the fishery has been pretty good quality. I would not say it's the best year, and I would not say it's improving. The one big change that I have seen, this year in particular, is, in my area, a lot of us like to target the bigger Spanish. We live-bait fish for them, and I have caught, bar none, the biggest ones that I have ever caught, more bigger ones than in my life, and like I've broken nine and ten pounds several times on Spanish, and that is a really, really big Spanish in our area. Likewise, some of my associates in the for-hire industry have done the same, and it's not just anecdotal, but it seems to kind of spread across most of my folks.

Now, that being said, as far as the majority of the targeting of these fish tend to be -- You know, you're targeting the smaller fourteen to twenty-two-inch fish, and a lot of them are by trolling, definitely in the tourist season, but I can't tell you that the fishery there is improving very much. We've had some really, really bad months in the past few years.

In parts of North Carolina, you're seeing the charter industry, in the northeastern part of the state, targeting ribbonfish with the same methods, and bragging about it online, and I don't know if that's a lack of availability at times of the year, whether it's bluefish or Spanish mackerel, but it's concerning to me, and so it could be environmental, and it also could just be there's a few less fish there. Obviously, the commercial industry hasn't had that problem finding fish, but, from what I see across my industry, that's a little bit concerning to me.

MR. LAKS: I would say, for the charter industry in south Florida, especially the fish that we get off of Salerno, I know it's a very opportunistic fishery for charter fishermen. There is days where, if you're getting a real hard west wind, or northwest wind, you can get your boat in there and get your customers out and keep them sheltered, because you're so close to the beach. I also know that the recreational fishery, and I think I said this a year-and-a-half ago, that the fly fishermen have discovered this fishery, and it's an opportunity for them to catch a fish that's going to pull and fight, and I think you have more of a directed fishery for that, and the light-tackle fishery.

MR. MALLETTE: As far as commercially goes, I would say kind of something that I touched on yesterday, and I don't target them specifically, like Thomas does and some other guys up around his way, but just the amount of the Spanish that we'll be able to catch in our smaller nets that are only a few feet off the bottom, if that much, for us to catch that many Spanish, that should tell you that there's that many fish around.

As far as charter goes, I will say, the same as Tom Roller said, that, in my entire life of mating or running boats, I have maybe sent six citations in for Spanish. At Yacht Brothers Marinas, I sent twenty-four this year, citations for my customers, Spanish over five pounds, and that's the ones that wanted to do citations, and so there's a lot of big fish, but the one thing I will say is that I think

it's improving, but what I think is the fish, just like a lot of things we're fishing for, they are moving locations, and they're also moving times of year, and so here we are in the middle of October, and I have a half-day charter tomorrow, actually, and, before this, I'm doing these half-day trips, and I am catching Spanish on the beach, like I should be in July and August, now in October.

Yes, it might not have been that good this summer, but, usually, right now, when the water is cooler, and you don't even want to do it, because all you're going to catch is a ton of bluefish, we're all going to go out tomorrow, and, more than likely, we're going to wear the Spanish out right on the beach, like it was July or August and not October, and so that's just something to think about as well.

MR. ROLLER: To build upon that, on the seasonality thing, I fish near Cape Lookout, and we tend to get a big bubble of warm water on the east side of the shoals, and that will routinely hold Spanish, in my area, past the first of November, and a lot of it, in where we are, just tends to be one cold front can knock that whole fishery out in October. This year, like John said, it's like it's August, currently, but October, at least in Carteret County, North Carolina, can often be the best Spanish mackerel fishing of the year, where you can -- When the fly fishermen are really hitting them hard, and the light-tackle guys are casting for them, and the point of the matter is that you've got a lot of big, schooling fish, and they're easy to catch, and there's a bigger diversity of size. They can be a little picky in the summer.

MR. ENGLISH: One thing that I would like to make sure is on the record here is I heard several people in the fisheries community here say that they're not seeing the recruitment on Spanish mackerel this year. I guess I would like to ask the question of where they're getting their numbers from, and I will say that because -- Let me say what I need to say on that.

The small Spanish mackerel, last season, we saw more than we have seen in I don't know, in forever, and the Cape fishery, in Cape Canaveral, were fishing three-and-an-eighth or three-and-a-half-inch nets, and they were catching fourteen or sixteen-inch fish and bigger, and, at the last of the season -- That's when the small fish will move in, on the last week of the season, before everything comes ashore with the weather and moves out of the federal waters.

That last week, the boys will go out, and, for eight to ten miles, they could not run a net out and not have fifty to a hundred riled up ten-inch mackerel in the net, and they marked a solid carpet on the bottom for that long, for that length of time, and so we know those fish were there, and then, later on in the year, we catch bait mackerel, and so we target the twelve to fourteen-inch fish at the end of the season, and we catch all the bait mackerel in February, is when we catch them, because that's when they come to the beach and everything settles in.

From Sebastian Inlet to Vero, you could not catch mackerel that were between ten and twelve inches. You were catching too many under twelve-inch mackerel to fish, and you had to keep going north or south, until you ran into the school of fish that was big enough to catch twelve to fourteen-inch fish out of that, and then we fished them for four or five miles too, and so what I'm hearing on recruitment is not what I am seeing, and so I just wanted to put that on the record, that, for small mackerel, that's one of the most amazing sights that I saw last year.

MR. ROLLER: I would concur with Steve that we see a lot of small Spanish. We seem to always see a lot of small Spanish. In some years, there's a lot more than others. I couldn't make a claim

that there is more this year than others, but I certainly see a lot of eight to ten-inch Spanish, and particularly when you've got a -- When people are trolling. What we do up our way is a lot of guys troll planers with Clark spoons, to put a lot of fish in the boat, and you're going to catch a lot of undersized Spanish doing that, but there's definitely a lot of them out there, but I can't say that it's any -- There just seems to always be a lot of them out there.

MR. ENGLISH: One more thing. The difference in the Carolinas and Florida, the difference is, once you hit Carolina north, the fish are spread. They're in a big spread. As you get south to Florida, the fish concentrate down and down and down, until they're in a tighter group, and so you get a more accurate idea of how big the bunches of fish are. In North Carolina, you couldn't cast net a mackerel if you had to, because they don't get tight enough to mark.

Down in Florida, we mark them thirty-foot thick, blood red, and I'm talking -- You have never seen such a -- But that's because they all concentrate down, and so that's where you're going to get your accurate counts at, and so, if you really want to get an accurate count of mackerel, if you really want to get an accurate count, put the airplane back in the air and go up and look at the schools of fish that are out there with people with some knowledge, and you will know how many fish you have.

MR. HUDSON: A while back, Tracey Smart from SEAMAP wound up making a presentation showing the recruitment across I think five years for king mackerel and for Spanish, and I think Spanish was just a little bit under what they had hoped for, but I think it was starting to increase in a positive, where king was great all the way across, and this is what will be put into our stock assessment, and so that's the type of stuff that we need to be paying attention to a little bit.

MR. SWANN: Just some anecdotal observations. From the recreational side of northeast Florida, Spanish is really kind of a springtime thing, because it's kind of the first fish that show up in the springtime, and so people are then done hunting, and they are ready to start fishing, and so they will go out and catch Spanish, but, as soon as the king mackerel start showing up, as the water gets a little warmer, they just blow past the Spanish and fish for king mackerel, so it doesn't get hit near as hard the rest of the summer, but I know, this past summer, there were nice schools of Spanish around all summer long, and there was no trouble finding them.

MR. DONALSON: My group of charter captains that I communicate with on a regular basis had a real good year this year with Spanish, but, to Steve's point, it's not so much a targeted trip as it is they're catching them while they're fishing for kingfish and cobia and bottom fishing, or whatever else like that, and so I don't think I'm booking any Spanish trips, and you know what I mean? Now, again, I'm not speaking for everybody, but just the tight group in St. Augustine, but that's what we're seeing.

MR. KELLY: It's a big-time fish out of Oregon Inlet. A lot of the inshore boats target them, and it's a consistent fish. It was consistent this summer. Like Tom said, we had some huge fish show up, and we also started catching ribbonfish, and that took a lot of pressure off the Spanish mackerel. It was just a new fish, and guys really enjoyed catching them with casting and fly rods and trolling, and I noticed a lot of the fleet would stay closer to the inlet and burn less fuel and catch the ribbonfish, instead of running down to say Rodanthe to catch the Spanish mackerel. It just took pressure off the fishery, actually, but we did have a good season.

MS. WIEGAND: All right. Well, next on our list is management measures, and I know we've talked about management measures for Spanish mackerel quite a bit, and so, excluding the limited-entry conversation that we've already had at this meeting, are there any other management measures that you think the council should consider or should be addressed for Spanish mackerel?

MR. ENGLISH: I know we discussed it at a pretty good length yesterday, but maybe I should clarify my thoughts on a couple of items on this. We know we have this pool of fish that we haven't caught for thirty years, and so we've left forty-million pounds of fish untouched for thirty years, and we know that's there.

Now, the question is what do we do with that? Do we fight between each other and go those are mine and those are mine, or do we look at this thing and go we're all in this together? Everything is working good right now. We know we're lacking in some areas, but, in other areas, we're in good shape. In Florida, we're in good shape on our numbers right now, and we really don't need more fish in Florida, because we out-catch the market in Florida, and so that's not a problem.

North Carolina needs a few more fish, because they don't have enough to fill the market, and so that needs to -- There's your change. We have this pool of fish. Now, we could fight and either split it out amongst the two groups, and then let it just be caught up and end up in the same position we're in, to where we catch our quotas up and everybody stops fishing, or I think the best thing we could do is take this pool of fish and let's get it on the table. Take that pool of fish, that million-and-a-half pounds, or whatever it is, and put it in a pool that either group can use from, and do it in a manner that benefits both groups, both groups, not just ours and not just the recreational.

Let's do this, and let's do it for everybody. Let's do it for all the people in America and not just for our group and our people. Let's do this, and let's do it right, and let's do it for the fishery, and so that's my thoughts. I think we've got this amount of fish that we have never touched, and we have it, and let's utilize it in the proper manner, and that's my thoughts.

DR. ELKINS: If I might respond. If you put a pool of fish out there for North Carolina, or any other area, in the absence of limited entry, you're just going to have more people enter the fishery, especially with the depleted state of the other fisheries in North Carolina.

MR. LAKS: I just think that the council has worked to give -- The states have worked to give some relief to the fishermen who are commercial fishermen who are meeting their ACL, but I think, after the next stock assessment, there's going to have to be some hard management decisions on a fishery that appears to be growing, both recreationally and commercially, and so I think we see something coming, but it's just something is going to have to be worked to deal with the future of this fishery.

MR. ROLLER: What I have said a bunch of times here over the last couple of meetings is the value of Spanish mackerel is in their abundance, and the value is that we have a lot of them out there, and they are a really consistent fishery to be targeted. They might not be the best to eat, and they may not be the best fighter, but it's that they're there, and I feel very strongly that it doesn't matter whether the recreational community catches its ACL or not. The fact that those fish are in the water leads to better abundance, and, like my comments in the last section of this, I am not seeing this great abundance of fish. It's good, but it's not necessarily increasing, but we're definitely having a lot of bad weeks and months, kind of spread out over the course of the year.

If we're going to be penalized for not catching our ACL, maybe we should look for other ways for the recreational community to be able to utilize these fish. For example, our state is -- Well, our state is very aggressive. There is a bait fishery, and our state is very aggressive in making sure that we have always have intact Spanish mackerel on our boat. I can't use them for shark bait. You have got to be very careful if you're using them for marlin bait.

Maybe we should have a discussion about removing the size limit or something like that, if we're going to be penalized for not catching that ACL. If the only thing that matters is whether or not we harvest it, whether or not they are harvested, maybe we should have some other discussions like that.

Now, one of the reasons that this is becoming an issue for us is North Carolina has been really incapable of managing its inshore fisheries, whether it's southern flounder or spot or croaker or a lot of these interstate fisheries, and they're in really, really bad shape. We've had our southern flounder fishery, one of our most important finfish, and we saw a 72 percent reduction because of overfishing, and so a lot of fishermen are shifting into some of the other open fisheries, and so, if you all don't understand that, that's something we have going on in North Carolina, and so there are people moving into this fishery, and I keep hearing that there is less and less people commercial fishing, and I don't necessarily see it in the data, and I don't necessarily see it in the shifting to this effort, and so I just want to be on the record stating that this is one of the major issues, is we have all these other depleted fisheries that are kind of moving people into these more abundant fisheries.

MR. HUDSON: Remember that we have the MRIP calibrations, and that's going to be changing some of that recreational grand totals when they do the stock assessment and whatever comes out of that, and there will be some discussions between the people up north and the people down south as to what is believable and not, but one of the things that I have found -- Like bluefish, which I'm having to deal with, there is a certain shoreside or state-water component that drives a lot of that, and Spanish mackerel would probably fall into that same kind of category, and so, once we get to the stock assessment, it will be an interesting result.

DR. ELKINS: Looking at it from another perspective, Tom mentioned the movement of people into the fishery because of the condition of North Carolina state-managed and the ASMFC-managed stocks, but, looking at it from the recreational side, they are impacted as well, and, because these other fisheries are very limited, it makes the Spanish mackerel fishery even more important, and I agree with Rusty that I think, after we get a stock assessment and an MRIP calibration, I think that's the appropriate time to -- If we're going to do reallocation, that's the time to do it, when we have all the information.

MR. LAKS: I'm going to go to Steve, and then I think we're going to move on after that, because I think we're just covering some stuff we've already covered.

MR. ENGLISH: I would like to say something on what Tom said. He said the value in the fish is being left in the water, and that's to the recreational industry. The value to the fish for the commercial industry is being landed on the dock. They are two totally different scenarios, because we're two totally different fisheries. That is why I say that -- We both want abundant fisheries, and that's what seems to get lost sometimes with folks, is they think the commercial guys don't want abundant fisheries.

We want abundant fisheries, and I will say too that I am seeing a lot more mackerel than I have seen, and I think we can go a lot higher, if we needed to, on what we take out of the stock, and I have fished these fish for forty years, and I have seen it where there weren't any, and I have seen them now, and now there's a lot of fish. We have no problem with the stock of Spanish mackerel. It's getting bigger, but we use anecdotal and different things to try and make our point, is what we seem to be doing, and, instead of doing that, I would like to get on the scientific end of it, and let's do what is the right thing to do, and that's what I would like to do.

MS. WIEGAND: All right, and so, headed on down the list, next is if you guys have any observations of environmental conditions and ecology and how that has affected abundance and recruitment of Spanish mackerel over the years, and I know you guys have touched on this a little bit in your conversations already, but if there's anything that anyone would like to add, in terms of recruitment and abundance and how environmental conditions affects that.

MR. ENGLISH: I do have one thing on the environmental conditions. Of course, where we're at, that's where all the mackerel concentrate, in the hole in Martin County, and, unfortunately, that's where Lake Okeechobee dumps out, and, for the last two years, we've had massive dumps of Lake Okeechobee, and that's where a lot of your king mackerel problems are coming in. The water goes out three miles, and the fish either go south or offshore or north to get out of that water, and so it only happens during the summertime, like during the spring and summer and then maybe early fall, very early, like right up until now.

Now they're going to start releasing the water in the winter. Well, that is when our mackerel are concentrated in the hole, and, when that water comes out of the inlet, it goes right directly on these south tides down into the hole, and I am worried about what effect that's going to have on our overwintering mackerel down there in Martin County. That concerns me.

MR. DONALSON: Steve, I'm glad you brought that up, because I was going to throw that out there as well, and I know this probably isn't the right panel to discuss that, but, if you look at the other fin fisheries backwards, through Mosquito Lagoon and the areas where that water is dumping out, it's going to have a domino effect.

I mean, we see it every year when that water comes pouring out of there, and, for about a week on Facebook, you see all these posts of we've got to save Mosquito Lagoon, and then it disappears, but there is so much damage being done with that water that's coming out, and, again, I know this isn't the right forum for that, but just to get it out there, and we're going to see the effects three and five and ten years down the road across many fisheries, just from the baitfish on up the food chain.

MR. LAKS: I think we could sum it up that water quality is a huge concern of all of ours, and, last year at this time, off the east coast, we had a red tide, which is really rare for us, and so hopefully that's not something we're going to see more of in the future, but definitely it's a concern when you see it.

DR. ELKINS: While we're on the subject of water quality, I have a question for Steve, since you have fished both North Carolina and Florida. Have you noticed an impact of water quality in North Carolina on fishing?

MR. ENGLISH: You know, in North Carolina, not really. From all I've done -- Yes, our rainy years, the Albemarle Sound, of course, your fish will move east, and, in your saltier years, then the fish will move west, but you have such a large area that -- Now, the hurricane water, that causes problems, and that's nature. You just have to deal with nature, but manmade events is a little different story, but, no, in North Carolina, from what I've seen of it, all the years that I've been here, you look for your salinity levels, which is what you used to do in Florida, and it's the same thing. We just didn't have the amount of water dumped out at one time for the length of time that we dump it now, and so it's got a different impact, but it comes and goes.

MR. LAKS: It's a totally different estuary system. I mean, one of your cuts up in North Carolina probably has more water flow than all the inlets on the east coast of Florida, and so it's strange.

MR. KELLY: Just to push a little further into water quality, I have not seen any bad water this year. Sometimes you guys complain about water will come through the estuary and kill the crabs in the crab pots, and I have not seen that, and another thing I haven't seen is, this time of year, we get a down-current flow from the Chesapeake Bay, where we'll see some red algae, some kind of dead-water algae blooms that will come down, and it acts almost like a blockade for the fish, and I have not seen that this year. I don't know if you guys get it down that far, but it's directly from the Chesapeake Bay, on that down-current, and I have not seen that, and so that's a good thing.

MR. SWANN: I am in the business of doing water quality work, and I know that the St. John River, over the years, has been steadily improving, and we've seen the impacts in the estuaries and the coastal areas, and it's been good, and the water quality is getting better, but it's interesting. When something like Hurricane Irma came through a couple of years ago, when the St. John River was draining 20 percent of the state, it shut down everything until pretty much the springtime. It was quite interesting, but, from the manmade side, water quality is pretty good, and it's getting better, for the most part.

MS. WIEGAND: All right. Moving on, and, again, you guys have already touched on this a little bit, but just to revisit. Social and economic influences and how you have seen the price and demand for Spanish mackerel change on the market as well as for charter and headboat trips and thoughts on community dependence and adapting to changes in the fishery, like the availability of infrastructure.

MR. ENGLISH: The price, I will talk about that. The price of Spanish mackerel last year was the worst season we have ever seen. I mean, we dumped fish on the market, and I had fish houses call me and try and get the other fish houses together to try and shut down the fishery, and, of course, one wouldn't cooperate, because they had a freezer, and they froze them and put them on the fresh market in the summertime, and so we ended up with a real mess down there in Florida, because we were landing too many fish too fast.

That is something that I think we're going to have to discuss, and I think we can do that through the State of Florida, and I think we would be better served to do that through the State of Florida. We have allowed so many people into the fishery in the state waters down there that we just have to deal with the reality that, since we let so many in, everybody is just going to have to catch less, and it's just that simple, on the commercial side. Then maybe we can stabilize our price. We

don't have to have a huge price, but we sure need a stable price, and we don't need to be catching the fish for nothing.

Now, North Carolina is a totally different story, because they spread their fish out, and they don't catch them in these quantities, even though North Carolina caught their fish, caught their whole quota, by August of this year, and they still did not have the bad price fluctuations that we had. They just didn't have it, because there's a certain amount the market will handle, and they just didn't go above that, where, in Florida, we far exceeded it, and so that's something we're going to have to get a handle on.

MR. LAKS: I am going to make one quick comment about the price, and then, Steve, I want you to expand on how important it is to your community, Spanish mackerel, but, for those guys who don't commercial fish, a lot of times, these guys don't get paid for a week or a week-and-a-half after they put their fish in, and so you put all the effort in, and then you get your check, and you're like, oh my goodness, what did I do, and it's hard to plan. When that glut of so many fish come in, you're not knowing precisely what you're fishing for until a while after you have landed those fish, and like I said, Steve, just tell people how important Spanish mackerel are to Martin County and the areas around it.

MR. ENGLISH: In Martin County, that's our bread-and-butter. Without Spanish mackerel, we don't exist. We go away. That's our last fishery. We have a commercial dock facility down there that is a non-profit group that is the last stand of the commercial fishermen, and we have three to four buyers that buy fish across that dock, unload them there and take them to their facilities. We depend on Spanish mackerel to provide the money to keep the docks up and run the facilities, and, without it, if the mackerel fishery is gone, it's gone, and so mackerel is the most important fishery we have in Martin County. That's pretty much it.

Now, we have other fisheries too, but the problem is that you can't operate a dock on king mackerel, because there is not enough volume coming in. You've got to operate on volume to -- We get like three-cents a pound for what comes over our dock, and so, if we take in a half-million pounds a year, we're not bringing in much, but, if we take in two-million pounds a year, now we can afford to keep our docks up and keep our infrastructure going and stay alive, and so, without the volume, then we don't exist.

MR. LAKS: If I could just echo a little bit how the lack of infrastructure in south Florida is really affecting all commercial fisheries, and even, to a point, charter fisheries. The dockage is insane and all that, but, like Steve said, their dock is really like Custer's land stand. It is the last bit of working waterfront.

MS. WIEGAND: All right. Then last, but certainly not least, for Spanish mackerel, aside from everything that's already been discussed, is there anything else you feel it's important for the council to know about the Spanish mackerel fishery?

MR. MALLETT: I will say one quick thing. I guess it kind of goes back to what you just said, in a way, but I will say, as far as on the recreational side, what I notice, from charters and looking at -- As a charter boat, looking at all the weekend sport boats around me, marinas and boats, but also the type of boats, and it seems like now the popular thing is that everybody needs a twenty-four-foot bay boat with a 300 on it instead of a -- It used to be just the little small boats, and now

they're taking their same boats that they used to just redfish with, and now they're in the ocean fishing, and so now, on the weekend -- I look at New River Inlet sea buoy, and I'm trolling for Spanish, where it used to be ten boats from there to the bridge, and now there's thirty every Saturday, and so that's something to be taking into account as well.

Also, something I touched on yesterday that I just can't get past -- I get how, when I commercial fish, I am trip tickets and I'm regulated, and everything is -- You all already admitted that you all know that there's that gap with the recreational, and it's all voluntary information, and, I mean, it is what it is, and so, I mean, there's always going to be a big chunk of recreational data that you're not going to get, because you're not out there at a boat ramp checking 200 boats on a Saturday that's coming in and out and going Spanish mackerel fishing.

The way that the fishery is alone, if a recreational guy doesn't catch a lot of fish, I think there's a stigma that they say, well, there's no fish. No, that fish just didn't bite your hook. I mean, just because the fish didn't bite a hook -- That's the only way you know if a fish is there. With a net, at least you get a -- That's why you're seeing more fish netted, because they don't have to be hungry and you caught them, and so, either way you look at it, as a recreational guy, unless you catch it, you don't know what's down there, unless you're scuba diving and counting, which I don't think you're doing, and so that's pretty much the only way you're going to get your information, and so I think, whatever you figure out recreational, I think you all need to figure out a way, somehow, that you have to add a certain percentage of that, even if it's an educated guess, for what's not being reported, because you can't deny that there's a lot of fish being caught recreationally that aren't, willfully or not, being reported.

MS. WIEGAND: All right. Now we're going to give Chip a chance to stretch out his fingers. We've got one more of these to go, and, this time, we're just going to be talking about Florida east coast cobia, and so I'm sorry to all of the North Carolina and South Carolina and Georgia guys that are fishing for Atlantic cobia. We're not talking about that anymore, and you're welcome to talk to the Atlantic States Commission about that. For this fishery performance report, we are just talking about Florida east coast cobia.

MR. HUDSON: Since Atlantic States is handling the Georgia north cobia, is the Gulf States Commission handling our cobia, or is that just the Gulf Council?

MS. WIEGAND: Gulf migratory group cobia is still in the federal fisheries management plan, and so we're handling -- The Gulf Council and this council is handling Gulf migratory group cobia. Since part of gulf migratory group cobia occurs along the east coast of Florida, what happens is an ABC and an ACL is set for Gulf migratory group cobia, and then the Florida east coast gets a percentage of that, and I don't remember the exact percentage off the top of my head, but I can look it up, and then the South Atlantic Council sets management measures for Gulf migratory group cobia that occur on the east coast of Florida, and so the Florida/Georgia line down through the Keys.

MR. HUDSON: I don't think we've caught our complete cobia, or, if we did, it was just right towards the end of the season, for the Gulf stock that's on the east coast of Florida, but I noticed that there's some problems in the Gulf, and they're going to be making some changes, and I didn't know how we stand up for ourselves now.

MS. WIEGAND: You're correct that the Gulf did decide to raise the minimum size limit to thirty-six inches fork length, I believe. Our council decided not to do that until after Gulf cobia is assessed, and so what happens is, when the Gulf Council decides they would like to make a change to cobia regulations, we can either work on a joint amendment together, where both the South Atlantic Council and the Gulf Council work together to make a management decision, or the Gulf, which is what they did with changing this minimum size limit, the Gulf can say, for the chunk of Gulf cobia that we manage, everything within our jurisdiction, we're going to make this change. Then they sort of let our council know that, hey, we're doing this, and would you consider it for Florida east coast, and then our council can make the decision on whether or not we would like to make the same changes for Florida east coast.

MR. LAKS: I want to jump in on cobia. I wouldn't suggest a size change on the east coast, because we tend to have smaller fish on the east coast anyway. What I would suggest, and I don't know if it has to be done immediately, but probably after the assessment, would be that the council get the same regulations as the State of Florida.

The two fish per person in federal waters, the fish have seemed to move offshore, in the area that I fish anyway, and they seem to interact with the sharks much more, and you can see it on YouTube. There is a bunch of videos of people spearfishing off the backs of bull sharks, and, again, not to harp on the shark problem, but the sharks are eating a tremendous amount of the cobia that you hook now, and so you are getting a lot of waste, for those people trying to catch that second cobia, and I just think the State of Florida is one, and the council could probably, just for consistent rules and to give a little protection on the recreational fishery and not have some of these fish wasted.

MS. WIEGAND: All right, and, so Florida east coast cobia, since you guys put this fishery performance report together two-and-a-half years ago now, what changes have you seen, in terms of catch levels, over those past two-and-a-half years, since we put together the first fishery performance report?

MR. LAKS: Well, again, it's hard to gauge the recreational catch. Like I said, I have seen the fish move offshore and not be so much a beach fishery in our area, but more on the drop-off on the edge of the reef and interacting with the sharks. I think, if I remember looking at the commercial landings, we're on a steady downward shift in the commercial landings, and I think, maybe three or four years ago, we were catching them, and now we're not, and I don't know what kind of metric that's going to show, but I would say they're a little less abundant than they were a few years in the past, but, again, that's hard to tell. It's hard to tell, when you hook a fish, what it is when it gets eaten. Again, it's hard to really quantify what the lack of fish or the same abundance was.

MR. ENGLISH: On the commercial side on cobia, and that's what I'm speaking to, I can see where it's gone down some, because, five years ago, five or six years ago, commercial guys, we basically figured out how to catch those cobia outside the inlet. We would run outside the inlet and catch six cobia and be back at the dock in an hour. We would hang a bonita over the side, and a shark would come up, and you would catch the cobia off of them, and you would go to the dock.

The sharks got wise, and the sharks eat your cobia now, and you can't do that anymore, and that totally changed, but, now, there's thirty recreational boats out there with their bonita hung over the

side feeding the cobia to the sharks every day, and they will feed eight or ten to catch one, and the commercial fishermen don't go there anymore and do it. They just quit doing it, because it's not profitable, and so that's one thing.

Now, what we catch is we're back to where we were when we were basically king fishing, and that's when we would basically catch our cobia, or the opportunity presents when we're out there catching bait and going king fishing or something. Basically, with kingfish, it's where our cobia landings come from, and I think I'm pretty much accurate on that, I'm pretty sure.

MR. LAKS: It's an incidental catch in the commercial fishery. I mean, when there's a few fish around, a third of the boats will catch a cobia and bring them in, and that's where you will see your landings spikes, and you can almost see that they will track the commercial fishery for king mackerel, where you see some spikes. It's not a targeted species, but it's just a little bonus.

MR. BOWEN: In the beginning of the fall, there's a good run of kingfish out of like the Ponce Inlet/New Smyrna area, but those cobia were piled up there for a few years, but, then again, and that was on the commercial side, it's been so rough through those times, and those fish are piled up there, and there hasn't been as much participation, and so I don't know if that could have a player in that or not.

Like I said, it's like Ira was saying, but, I mean, I feel like it's just here and there for us anyway, but I have heard the recreational guys are catching some on the beach, a few nice ones, from what I remember, but, like I said, that's just hearsay, and there's no proof or anything, but I don't know. I was just thinking about the weather in that time, October and November, in that area. Anyway, I don't know.

MR. SWANN: In northeast Florida, as has been the practice in the past, cobia seems to be targeted, specifically in the springtime, when the rays run, but it's a real quick kind of run, and it doesn't really last that long, and then they're targeted again offshore in the wintertime on some of the offshore wrecks, maybe thirty or forty miles out. The rest of the year, it's pretty much an incidental catch when you're bottom fishing or trolling for kingfish or whatnot, but it seems to have been, this past summer, that the cobia seemed to be pretty steady.

MR. DONALSON: I was told not to mention cobia off the coast of St. Augustine for this meeting. Just kidding. What Steve said is spot-on. If anything, the run of rays we had this year was a little slower than years past, and I don't know if we missed them or they came by at night this year, and I don't know, but there wasn't as much hype around it as years past, but they were out there again.

MR. LAKS: For the charter fishery, like off of south Florida, it's -- I am certainly not going to inform my customers that the cobia are running and you better book a charter, because I dread the fact when they walk down the dock and read the paper and say, oh, I hear the cobia are biting, because it's nothing you can plan on. You just happen to -- If there's a few around that day, you hook one, but it's not something you can really target.

MR. HUDSON: This is a historical reference, but, in our nearshore area for Ponce Inlet, everything north of Cape Canaveral, we would have the manta rays come through at a certain time. Back in the day, when I was running a shrimp boat, sometimes I would actually catch them in my shrimp nets, if the water was real muddy, at a mile or two, but, once those manta rays get to the surface,

those cobia would follow them. More recently, I have learned that, south of Brevard, bull sharks seem to be the big attractant to those cobia, and they catch them there, and so we see all kinds of sizes, but, like what you were saying, there would be a lot more smaller ones, and I think my photographs across the decades will show a lot of cobia, also.

MS. WIEGAND: All right. Next up are management measures, and Ira already mentioned Florida east coast going into compliance with the regulations in Florida state waters, and are there any other management measures that should be considered for Florida east coast cobia? All right. Moving on to the next, it's environmental conditions and ecology, and you guys have mentioned a little bit about this, but, over the last two-and-a-half years, have you noticed any sort of unique effects of the environment on abundance, recruitment, spawning season?

MR. LAKS: I think what Rusty just mentioned, that the sharks are definitely an attractant to them and changing some of their behavior, but it's hard to tell, really, the abundance, but definitely the sharks. I don't know how much the lake water affects it. I think, when there's a heavy outflow, I think it affects everything, but I don't know how you could quantify that for a species like cobia, that are everywhere, but I'm sure, when they are dumping a ton of water, they're going to avoid that area and find better water.

MS. WIEGAND: All right. Social and economic influences. Has there been a change in the market price demand for charter headboat trips that want to target cobia and communities that are dependent on cobia or changes in infrastructure and adapting to changes in the fishery?

MR. LAKS: I would say what we kind of said about, in the commercial fishery, it's just a fish that we come across, and it's a little bonus here and there. As I said, in the charter fishery, it's almost the same thing. When they're around, you have a little more access to them, and it's a pleasant surprise when you catch a few.

The one thing that I have seen that has changed in the method of catching them is there's a giant spearfishing industry for them now. Like I said, there's some people that are a lot braver than I am that jump in on the back of bull shark and shoot them, and that is really -- The explosion in spearfishing for them is definitely something, and it's another reason why I think we should be consistent with state regulations.

MR. ENGLISH: The only concern of mine is we're allowed two cobia, and, trolling for kingfish, if you catch two, you ought to be able to land the two cobia, and so that's for sure an extra bonus on the day.

MR. LAKS: Well, the state commercial regulations are two per person, and so I'm just talking about the recreational.

MR. ENGLISH: The recreational. Okay.

MS. WIEGAND: All right. Is there anything else you guys feel the council needs to know about Florida east coast cobia?

DR. ELKINS: This is just a general comment, and that's the paucity of life biology and genetics information on cobia, and, with the splitting of the management, I think it's going to inhibit, or

even prevent, research. We often -- We can't predict where the fish are going to be in North Carolina. They're here one year, and the next year they're not, and there is some hint of genetic diversity in different states, and that needs to be explored, and it will make our management decisions better.

MR. HUDSON: In SEDAR 28, we started getting into the genetics and everything of cobia, when I was doing the Spanish mackerel cobia thing, and we had found that there was Gulf genetics, at least all the way to the Brevard County area. Since then, they have made that line the Georgia/Florida line. South Carolina found some genetic variation with their different sounds and stuff early on, and I don't know how that work has gone, but they also had little cobia going in between different places, little guys, and, every once in a while, I have talked to some Florida people up our way that see them up inshore too, the small ones. The genetic thing has definitely affected the way that we're managing our cobia now on the east coast, and so that might be something to look into a little deeper.

MR. LAKS: All right, guys. I think we're going to take like a twenty-minute break. I know some people have to checkout, and do what you have to do, but if we can get back here at twenty after, just because we've still got some more to cover, that would be great.

(Whereupon, a recess was taken.)

MS. WIEGAND: All right. We're going to move into the next topic, which is discussion of concerns in the recreational mackerel fishery. The council has realized that a lot of what the AP has been talking about, and what the council has been talking about, in terms of king and Spanish mackerel, has been focused on the commercial fishery, and so they wanted to add this agenda item to the AP's agenda to give the recreational sector an opportunity to discuss any concerns that they are seeing within their fishery, and so I will just sort of open it up to everyone. This is your opportunity to sort of discuss amongst yourselves and make any recommendations you feel are appropriate to the council.

MR. SWANN: I don't really have any concerns, other than the fact that, as I mentioned earlier, it might be worthy of considering an increase in the king mackerel limit to three.

MR. LAKS: I will just follow-up on that, and I think Steve is talking about off the east coast of Florida, from the Florida/Georgia line to Miami-Dade County. If you look at the recreational limit from New York to the Florida line, it's three per person, and, from Miami-Dade south, and all the way west through Texas, it's three per person, and people who fish in the area that I fish in, as a charter boat, wonder why I'm only limited to two and don't get three, like the rest of the world.

Now, we have said that not everybody wants three, but I do have customers that smoke it up and make dip, and, with the regulations we have on other fish, with the red grouper being shut and the jack complex being shut, and other fish that are shut down, and we have a fish that has abundance, and we're not coming close to the ACL, I don't really understand why we can't give something back.

MR. SWANN: Thanks for the clarification, Ira. Yes, the east coast of Florida.

MR. MALLETTE: I am kind of -- As far as Spanish mackerel goes up our way, I think the fifteen a person is good. I mean, that's a lot of fish, but I really think, with the obvious amount of king mackerel that's around, and that's been around for a few years now, I think, if you upped the bag limits on king mackerel, recreational, I think that would help a lot, and I really don't see any need to keep it at just a few fish a person, and there's plenty of fish out there.

Also, if there's a way that, as far as federally, since they do so much, kind of like what I said, to just get the word about king mackerel to the people that don't eat them. I mean, we've got -- In our area, the king mackerel tournaments are so huge, and you've got people that's investing stupid amounts of money in these boats that cost more than my house and things like that to go catch a king mackerel, but, if you actually ask a person to name their top five fish, king mackerel ain't on the list, and so there's obviously something being missed there. I think, if you did that and promoted king mackerel, like you do mahi and things like that, as far as a sportfish to eat and catch, I think that would help everybody on both sides all around.

MR. LAKS: John, just for clarification, are you saying that -- Up in North Carolina, you guys are three per person in federal waters, right? Are you suggesting that it go higher, to four?

MR. MALLETTE: I mean, you look at Spanish mackerel that are fifteen a person, and that's a lot of fish, especially if you've got a charter boat like me and you load up, and most of us are not going to catch our limit, just because there is no need in keeping that many fish, but there is also a lot of trips that we do, as far as charters go, and I know a lot of people that recreational fish, where, with that many fish out there -- You go fish, and, I mean, literally, you fish ten minutes and you've got your limit, and now what? Now you're putting pressure on something else, and just let the people catch the fish. I mean, it's not going to hurt anything, and people will have a good time. Just promote them more.

MR. ROLLER: I think the -- I am not going to argue for keeping more king mackerel. I think most of my clients -- I am not going to say that I don't support it either. Most of my clients seem to either want to keep one, the whole group, or they want to keep their limit, and the guys who keep their limit are smoking them. When I keep king mackerel, I want to keep three, because I don't want to smoke one fish. I want to smoke a whole bunch of it.

When it comes to Spanish, I think fifteen is a good number, mostly because, for those who actually want to keep their limit, I don't want to clean that many fish, and so we can keep it well within that limit. Now, that being said, and I know I've been beating this dead horse continually, but, if we're going to be penalized for not catching our ACL, we need to find other ways to utilize that fishery.

One issue I brought up in the past, and I don't necessarily think this is a good idea, but, when we catch those small fish, they are usually dead, and you throw them back. It would be great to be able to use those as bait. Maybe, if it doesn't hurt the biomass, if we're going to be losing our ACL, because of North Carolina's problematic fisheries, maybe we should look at other ways to be able to increase our usage of this fish.

MR. LAKS: As a charter fisherman in Florida, I think fifteen is good for Spanish mackerel. If you've got four or five people on it, I start sweating if I have to count that many fish, and so I think fifteen is good.

MR. SWANN: Ira, what do you do when your smaller fish when you're trolling for Spanish, because, a lot of times, when I'm trolling for Spanish, and I catch a smaller one, I don't know what's on it, and it's dead by the time it gets to the boat anyhow.

MR. LAKS: It's not a fishery that I really fish in too much, but, when I do run a charter and take people Spanish mackerel fishing, I am anchoring and fishing mostly with dead bait, and I'm targeting the larger fish, and I really avoid any small fish. I mean, it's -- We're looking for anywhere from the larges to the jumbos is what I target, and so I don't think -- I am using a whole Spanish sardine, and so I don't ever really interact with a short fish.

MR. SWANN: As Tom Roller said, maybe it would make sense, on the recreational side, to eliminate the lower size limit, because I do know that a lot of fish get killed that just get thrown over the side from the trollers that are catching Spanish.

MR. ROLLER: It depends on how you're targeting them, but, when guys are doing the traditional kind of charter boat, trolling Clark spoons, a lot of those fish are drowned, and they're dead anyway. They're also very fragile, and it tends to be on the days when you're having a tough day, and you're catching a lot of the small fish. If you even try to measure those fish, they're so fragile that you're probably going to kill them anyway.

There is a big -- I know there is a big bait fishery for them, and guys are using them for swordfish bait and for marlin bait, and I know there's a commercial fishery for the bait, as we discussed earlier, and kingfish bait, and our marine patrol in North Carolina is militant about not having a mutilated Spanish mackerel, and they will ticket you for having one that is cut up for bait, if it's not filleted and whole. I know a lot of recreational and for-hire guys that have gotten warning tickets for that, and it's kind of always -- I have always scratched my head, and we use them for bait all the time, but we have to be so careful that they're not cut up or mutilated, or this sort of thing, and so it kind of goes to my point about the minimum size limit.

MR. KELLY: I concur. I mean, when we're trolling for Spanish mackerel, we bust their throat latches, and so they're dead, and I personally don't need any more than three king mackerel, and that's plenty, but I don't see the good in throwing back dead Spanish mackerel. I mean, if it's dead, it's dead.

DR. ELKINS: My earlier comment probably should go here about the importance of the recreational Spanish mackerel fishery, because of the depletion of the other stocks, and it's becoming more important, and, where I fish near Cape Lookout, the majority of the Spanish mackerel fishermen are weekend warriors, and they only fish the weekends, and they often come down from Raleigh. They are not experts, and they are pulling Clark spoons, and they catch a lot of small fish that are dead, discards, and so I think some accommodation should be made for that and for the use of bait.

MR. ENGLISH: I can tell you how you can cure your catching your small fish from a Clark spoon. Don't troll anything under a Number 4 Clark spoon, and you won't catch any little fish. They won't hit it. Folks won't like that.

MR. LAKS: Anything else?

MR. ENGLISH: I am on the commercial side, but I've got a lot of friends on the recreational side and all, and I fully support three kingfish for the recreational industry. There is no reason not to. If you're not exceeding your quota, then you need to extend the amount of fish you're catching and make it uniform. If it's three, it's three, and it should be three.

MR. LAKS: Yes, it should be applied to all up and down the coast.

MR. ENGLISH: Exactly.

MR. BOWEN: I don't like taking any fish from anybody, however that all works out, but I do know, out of Cape Canaveral, the charter fleet is massive, and I could see if there was an increase with the recreational side, or however many the charter boats can catch, and is that the same thing, the recreational and charter? Are the limits the same? I feel like that could definitely be an issue up there.

Now, I'm not talking about any other places, but this is like a huge -- It all intertwines, and it could be very interesting, but I'm not saying one way or the other, but I'm just throwing out a possible issue if there was a big increase, catching forty or fifty per charter, mixed with all -- Because everything is all mixed up over there, and it would be insane, but, anyway, I'm just throwing that out there.

MR. LAKS: Just to clarify it, off of Canaveral, and all of Florida, to Miami-Dade, it's two per person on a charter. If you're on a charter, you're limited to two. Everywhere else on a charter, you can catch three per person, and so all we're really asking for is to go one more fish, and, again, I would say half of my customers would want the extra fish and half wouldn't, but it's just something -- There is plenty of ACL left, and why not be consistent with the rest of the country?

MR. BOWEN: I totally understand that, and I was just thinking if there was like a big jump in numbers or something like that, and that would -- It could be a conflict at some point, and I'm not saying that it shouldn't be, but it could be a possible issue, is all I'm saying.

MR. LAKS: Like Tom said, if I had forty kingfish to stake at the end of a charter, I would walk away from it all.

MR. WAUGH: Just one word of caution. I understand the concern about if you're going to lose part of your allocation because you're not using it, and you're in a very awkward position right now, because we have the new revised MRIP numbers out, but we don't have a new assessment out so that you can compare them, and you might just want to hold back a little bit, in terms of talking about changing your bag limits, until you get an assessment with the new MRIP numbers, so you understand where you really are, because, if your objective is to have as much of a season as you can, then you will be able to look at that at that stage and know what your recreational ACL is, and, if we were to increase the bag limit, what would that do to our season, and would we then be looking at a closure, and so that's just a little word of caution. It might be prudent to wait until you have a new assessment with the new numbers and you know where you are.

MR. MALLETTE: I will just preface this by saying, when I was making my comments about the fish, that I was under the assumption that, if something was to change, it wasn't going to change

until the new stock assessment is done anyway, and so that's why I was making the recommendation.

A new stock assessment is done, and, if it goes the way that we probably can agree with, that there's a lot of fish, then it's probably going to go towards that anyway, until the next stock assessment is done, and, if that shows something, then it would come back anyway, and so what I'm saying is that I'm not expecting, obviously, you all to go out tomorrow and say, yes, give them more fish, but I was already prefacing my comments on already figuring there was a new stock assessment coming.

Another thing I wanted to throw in too that I thought about is, when I bring up the bag limits and stuff for charters and recreational, just something that I noticed -- I guess I don't want to come off wrong in saying things about class or things like that, but I have a lot of friends of mine that run charters up in the Morehead area and things like that, where we have two completely different clienteles.

You get up there, and you have got a lot more sport fishermen, where, my way, I've got a lot more of your farmers and stuff, and they've been saving up for this fishing trip for three years, and they finally get away and can do it, and they want as much as they can to take back to West Virginia or Tennessee or wherever they -- I don't have a lot of the people coming down from Raleigh and fish for the weekend in my beach house people. You know what I mean?

I think that goes into play with what I'm saying, as far as the majority of my customers, as opposed to like my buddies in Morehead that don't do a lot of it, just because they have people that just -- They really just want to go catch-and-release, and they just want to have fun, where my people really want to take meat back, because that's what they want to do.

MR. LAKS: I just want to follow-up. I am not saying that it's an urgent need that I get three kingfish. It's just, as a charter boat, I have to justify to my customers that why, a hundred miles south of me, they can catch three kingfish and why, a hundred miles west of me, they can catch three kingfish, and why, 275 miles north of me, they can catch three kingfish. There is a ton of fish left on the ACL right now, and I don't really know why, at this point, and, like John was saying, there is different sets of clientele. I have clientele that want to bring every fish home, and I have clientele that might smoke two kingfish and release the rest of them.

MS. WIEGAND: Since you guys have been talking about the timeline for stock assessments, I just wanted to remind you that the update to the Atlantic king mackerel stock assessment is underway, and the council is going to be looking at reviewing results from that at their June meeting, coming up in 2020. Then, going forward, they'll be working on an amendment, and getting an amendment implemented, depending on what management measures need to be considered, can take anywhere from six months to a year to longer, but the council is looking at new numbers from king mackerel in the spring of 2020.

For Spanish mackerel, that assessment is not scheduled to start until 2021, and so the council is not going to be set to look at results from that operational stock assessment until maybe the spring of 2022, and so those are the timelines you're looking at for the king mackerel update assessment and the Spanish mackerel operational assessment.

MR. ROLLER: In my area, I see -- I get my farmers from West Virginia, and I get my sport fishermen that want to release everything, and it just kind of depends on the individual business, I think, and kind of the market, but I also want to say that my comments regarding changing Spanish size limits and whatnot are based off -- I want to say that's based off of the next stock assessment. We do have a lot of stuff there, and it's not something that I am advocating for right now, but, on that same note, I wish the council, in terms of Spanish mackerel, took that same kind of philosophy before they kept North Carolina's fishery open with their ACL being closed.

MR. ROBINSON: Christina, how do they actually do a stock assessment? I mean, you can call me stupid or whatever, and I've been doing this thirty years, and I have never known exactly how they do it.

MS. WIEGAND: I am going to look at John to give some detailed detail, but it is, in its simplest form, essentially a collation of -- Any way that I'm explaining a stock assessment is explaining it like you're five years old, since I am not a stock assessment scientist, but, at its base, it's bringing together scientists and collating all of the available data and landings, and John can give you significantly more detail than that, more eloquently than I can.

MR. CARMICHAEL: It is, and it's not particularly simple, but, at its core, it's a matter of taking all the data that they can get, and it's going back in time and trying to reproduce and recreate what happened in that population in terms of growth of fish, births of fish, deaths of fish through fishing and natural causes, and then to try to recreate what they call the population with its key rates, like the recruitment each year, the fishing mortality rate each year from the different fisheries, and they do that by putting all of these species together in a model, but it follows basic biological principles, and the most important thing is the group of fish born in one year are called a cohort.

Each year, they get a year older, just as we do, and each year they get a little bit bigger, just as we do, and, each year, some of them die, and then the rate at which they die dictates the mortality rate, and so, really, what the model is doing is it's looking at the information that comes in from the fishery, all the data that you all report and everything like that, and they essentially are creating what is the catch at-age, and that just shows how many fish did you kill at each age within any given year, and you do that over many, many years, so that you have lots of different cohorts, but looking across one year, and that allows them then to figure out what is the mortality rate, the rate at which you are removing fish, in a given year that satisfies the decline of abundance of fish say from age-nine to age-ten and then from age-ten to age-eleven and age-eleven to age-twelve, like that.

At its core, it's really relatively simple, conceptually, what's going on, and it's pretty easy to understand, because it's things like -- Think about human populations, and I like to use the example of smokers. Smokers die at a faster rate than people who don't smoke, and we pretty well accept that, and one of the ways you see that is you don't see as many ninety-year-old smokers as you do ninety-year-old non-smokers, and so fish populations are the same. If you have a population that is fished really hard, you're not going to see as many old fish as if you had a fish population that's not fished as hard, and so that is the conceptually simple basis.

The reality is that different numbers of fish are born each year, and different levels of fishing mortality each year, regulations affect you, availability affects you, and so there's lots of parameters in the model that account for all of those things, but, at its real essence, what it's doing is it's taking

all of the data that you report, and that has been reported, and try to recreate all of these different age classes of fish back in time.

We do it through a process now within SEDAR of bringing fishermen and scientists together, and data managers, to try and get the most accurate picture they can of all the data sources that are coming in. A lot of times, there is a thought of fishermen of like, oh, you're doing an assessment, come down to my boat and see what's going on, and it's like, well, the assessment scientist is not going to do that, but every port sampler that goes there is part of the process, every MRIP sampler that's on a dock asking a recreational fisherman if they can see their catch, every time somebody gets asked to show me your catch that's in there.

Then, on the other hand, because it is a time series, and so it has all of that data, the challenges we had collecting fish data ten or fifteen or twenty years ago, they're still in there. We are still dealing with those, and they're going to be in there for the entire time series, and so things like bringing on reporting things to give us better data today.

If you think about it, a long-lived fish, if you're catching fish that are twenty years old, our ability to measure those fish and count those fish and how well we did collecting data fifteen years ago is reflected in that abundance of those fish that we see today that are twenty years old, and so there is a lot of history that goes into it, and that's why one of the reasons that just getting better data today helps us improve our time series from this point forward, but we're always going to deal with the uncertainties and stuff in the data in the past, which is just a simple reality, but, for fishermen, what you've got to bear in mind is that everything you have told us, everything you have ever told us, when we do an assessment, that's all in there. If you've been fishing mackerel for twenty years, and you have reported your catches and done all that stuff, all of that data is part of the database, and that all gets folded into the assessment.

MR. ROBINSON: Do they keep in mind, since you've shut the shark fishery down in like say south Florida and how many kingfish are being eaten in the live-bait fleet? Does any of that play into it, how the mortality rate because of sharks -- That you shut one fishery down, and now it's really booming, and they're eating a lot of kingfish.

MR. CARMICHAEL: Ideally, things like that will in through say your different catch rates, and so the different amount of fish that you encounter for a given unit effort or differences in the surveys, and so we talk about surveys and our abundance indices, and those are ways the scientists going out and fishing -- A lot of times, they are criticized because they're not trying to catch the most fish, or they're doing the same thing over and over again, or they're going to the same places over and over again for years and years.

What that does is it allows you to then tease out things like that, and so, if you see a trend in a survey, and let's say it's something that is before the age at which fish recruit to the fishery, which is to say they are vulnerable to your gears and you catch them, if there is variances in that that you see in a survey, you might know that that's because of -- It could be because of environmental things, and it could be because of differences in predator-prey relationships, and it could be lots of different things going on, but that's the way the scientists try to get a handle on those types of differences.

It's important to have something that's consistent, so that you know, if there is changes in the survey, it's likely because of some sort of changes in the abundance of those fish, and that clearly is not going to be the case with fishermen, right, because you guys are getting better at fishing every day, and you're responding to regulations and everything else, and so your catch per effort and such is not always as dependable of a measure for what's going on in the population.

We hope that the surveys and stuff will get us information like that and that, collectively, the body of information we have on things like age and growth and the ages that you're catching will reflect that bigger picture of the environment, and it would be really great if we had data on different predation rates by different species within the environment, and then we could have a lot better model, and it would be more complicated, and that would require a lot more resources to get it, and so the ability is always there.

The problem we run into, in our region in particular, is just having that data. We struggle to have indices of the fish that are targets of the fishery, much less these other fish, which might be really important to that population, but they're not necessarily targeted, or they're just not as available to the gears that we have and such, and so we don't see them.

MS. WIEGAND: Just to add to a little bit of what John said, we just spent the last two hours having you guys go back through these fishery performance reports and give us more information, and those fishery performance reports, once we've put them together, are then included as part of that big package of data that goes into a stock assessment, and so, in addition to the fishermen that are there at all of these workshops, there is now information that has been put together by the APs, and so, when there are odd changes in abundance or odd peaks or drops in landings, this information from fishermen is there to help sort of explain why you may see these fluctuations in numbers, and so that's why we've started doing these fishery performance reports, so we have some of that qualitative data from you guys to help stock assessment scientists as they are reviewing the quantitative information.

MR. LAKS: I would just like to add that fishermen are a part of the process. I mean, just sitting around this table, I know Aaron was part of a stock assessment, and Rusty has been through several of them, and I've been through a couple, and so the input of the fishermen is put in here and giving the context of how the science meets some of the real-world aspects.

MR. CARMICHAEL: If that seems at all interesting to you, you can come to this thing called MREP, and we will spend an entire week just talking about the stock assessments and all the different inputs that go into them, and Ira has certainly been involved, and he's been a leader and a moderator and a big proponent of that course, and so you'll hear me, and others like me, and Dr. Porch, go through stock assessments in great detail.

MR. LAKS: We were going to bring this up a little bit later, but I will thank John for putting it on the forefront. It's a great program, and I've been involved with it, and it's been invaluable for me going through, and invaluable for me being a part of it. You get to not only meet the people who make these decisions, but you get a better understanding of how this all works, and, like anything, knowledge is power, and so I would encourage you all to look at this program, and I know a few of you have been through it that are sitting at the table, and it's a little bit of time, but all your expenses are covered, except for alcohol.

Not only do you learn a lot, and you get different perspectives of different people and get to learn how the science and the management go together, but we have a lot of fun, and it's certainly not a classroom setting. There is no tests or anything, and it's just a good program that, if you're going to be involved in this fishery and care and have passion for it, that I highly recommend.

MR. ROLLER: I just want to also say that I was a graduate of the MREP program and how much I enjoyed it. I mean, there is something for everybody in that. You can take away so much. One of the things for me, and it wasn't just meeting all the decision-makers and learning more about the process, but I was able to network and talk to fishermen from every different kind of stakeholder group across the Gulf and South Atlantic. I got so much out of that, and I couldn't believe how much I had in common with some of the Gulf commercial fishermen, and I thought it was really, really cool, and so, for anybody who really wants to learn more, it's an awesome course, and I would highly recommend that you do it.

MR. MALLETTE: I had a quick question for John. I was listening to what you were talking about, about how from an assessment that it's about -- How you all, I guess, take into account predation, whether it's mostly sharks, or, if anybody fishes our area too, something that never gets brought up is I have also never seen so many barracuda in my damned life, but things of that sort.

As we're commercial fishing and charters, I mean, yes, it would kind of be a pain in the butt, but would it help if we -- Because I know we complain about sharks and keep doing it, but would it help if we started maybe -- Instead of just complaining, if we kept track of how many fish heads we put on the boat every year, because, I mean, when we're out there trolling, we just chuck it over, but I can't count how many times I'm pulling spoons commercial fishing and I get a head in the boat and that's all I get, because it's getting eaten.

I mean, literally, in a season, and I don't know about some of the other guys, and I know that I throw hundreds over, whether it's charter or commercial, and so, if we counted that, and I'm thinking is there any value in that for you all, but, also, when the other people that feel like there is not enough sharks out there, it just adds to the information to feed that, which will eventually, hopefully, get us where we want to be with the sharks too, but still helping the mackerel out in the same way, and does that make sense?

MR. CARMICHAEL: That does make sense, and that's possibly something that could help. I know there is increasing talk around the assessments and those that do them about this impact of shark mortality, and they have certainly heard the message loud and clear from the fishermen that this seems to be on the increase, and so I think it's something that, yes, we could talk to the scientists that do the assessments and start thinking about are there some ways to get some data, and one here at the council is our Citizen Science Program. That's the kind of information that we see that going at.

In most cases, it's kind of additional, and we call it ancillary, for a fancy word to do it, but it's not necessarily straight-up inputs, but it certainly gives you a lot more information about your inputs, and that may be a project that we could do at some point to try and start just giving fishermen a way to feed that information into us, and we do that in a way where we would talk to the scientists to say, well, if we got this, could you use it, and what do we need to give you so that you can use it, because one of the founding principles of the citizen science thing is not to have you guys just

submitting data for the heck of it. We want to make sure that there is somebody waiting to catch that data and use that data.

I think Ira too could attest on our project for scamp. There was a lot of back-and-forth with the organizers, between like fishermen like him and the scientists who are going to use the data about, well, what do you really need and what can I really give you, to pare it down to something that's effective, and so I think that's something that I will make note of, to start thinking if there's a way that we can start getting this information, and probably sooner rather than later, if we can, because I expect it's going to be a time series that may increase in the future.

MR. MALLETTE: Okay. I appreciate that. I was just thinking, because I know scientists are all about numbers, and so, instead of just a whole room full of people sitting here saying all our fish are getting eaten, maybe there's a way we can actually put a number on that. Then, when you put a number on that, then you will see that, okay, well, this amount, percentage, is getting eaten, and that's a lot more than just -- That's actually a number, instead of -- Do you know what I'm saying? It's just an actual number to it.

MR. CARMICHAEL: You're exactly -- I mean, you hit the nail on the head, and I've had fishermen ask me, well, when we say it, it's anecdotal, and, when you say it, it's data, and what's the real difference, and I have always said, well, it doesn't matter who says. If they're just remembering it, it's an anecdote. If you write it down when it happens, it's data.

I mean, fishermen could start writing down some of that stuff now, not knowing where necessarily it would go, but, if it's something that you're really getting concerned about, if you were to just start keeping records yourself, informally, that may end up serving as the basis for something that we could then look at to say, all right, how do we get something that is going to give us something representative of the fishery as a whole to better understand this situation.

It's just a matter of writing things down as they happen. We have used records like that in assessments in the past of fishermen who just consistently wrote down maybe a few simple things about what they were seeing and what they were catching on individual trips, particularly in places where we don't have any other information to use.

MR. LAKS: We're going to just bring it back to the recreational, finishing up the recreational fishery. We're going to go into citizen science and perhaps something we can recommend in the next little segment, but, John, as a charter boat captain, I just tell my customers that it's way to get a head. We are going to go back to citizen science after we finish the recreational.

MR. DONALSON: John, to your point, and strictly from a recreational angler, when it comes to our limits, and maybe someone who knows the regs better than me can answer this question, but I have been told multiple times that, if my limit is two kingfish per person, and I bring in a half a fish, even if I toss it, that counts as my one. If you're following the letter of the law, and, again, someone who knows it better can answer this, we're supposed to count that fish. Just like in duck hunting. If I wound a bird, that counts toward my six-bird total. Whether I want to report it or not is between me and my conscience, and is that not the case for a recreational angler?

MR. LAKS: I believe you're right. In certain species, I don't believe you can have any mutilated fish, but I think, like in king mackerel, you can keep one if it's larger than the size limit.

MR. DONALSON: No, but, even if I toss it, I'm supposed to count that as --

MR. LAKS: As a keeper? No. That's a discard.

MR. DONALSON: Okay.

MR. MALLETTE: Just really quick, I can only speak for North Carolina, but I've actually had this discussion with marine fisheries officers in my area, and a lot -- Because we don't always just get a head in, and so I asked that question, and I was told that, as long as whatever we bring in is longer than the limit, you're good, but, even though -- Let's say I catch a twenty-pound king and it gets bit in half, and the legal limit for king is twenty-four inches, but what I bring on the boat is eighteen inches. If the whole was -- They would say, look, man, we're not going to write you a ticket, because we can tell that fish was longer than that. There is a little gray area there, but, as far as just coming in with a head, if you discard the fish, and I'm only speaking for North Carolina, but they told me that it does not count towards your bag limit, as far as charter.

MR. HUDSON: My question was going to be to Christina about the SSC meeting in the spring, but I was looking at the agenda for next week's SSC, and they have three different dates towards the end of April through early May, but one of those dates overlaps with that MREP, the second one, and the point that was brought up just a moment ago about the sharks, when they shut down, we're not shut down. The problem is that sandbar is regulated as a science fleet, with 100 percent observer and only five boats. They can only get like one or two observers out there, periodically.

The big deal is that, when the sandbar and the dusky are migrating back from overwintering, the adults, down in Mexico -- They come up February through March. They are breeding off of the east coast of Florida, and that's where the males and females get together, and then they divide up again into sexually-separate stocks, because that's just the way they are, different temperature and different-sized animals, et cetera.

Then they will work their way all the way up to North Carolina, and the females that are pregnant will dump their pups up there, and then they will keep going north. Then, come fall, they will start working their way back to the south. Now, off of North Carolina, that's where the main nursery ground is for the sandbars, and those are small sharks that are back inshore that we don't interact with. They are not the problem, the dusky, the big dusky and the big sandbar, and, down south further, the big masses of blacktip, which will work their way all the way up to New York and back, and so we do get a break a little bit from that.

Again, back to the king mackerel. We have a stock assessment that's going to be completed, along with three others, probably in March, and that means that it will be reviewed at the SSC in April, and then, come June, the council gets it, and then we can figure out where we're going with like the king mackerel projections, and hopefully it's going to be even better than what it was, but, right now, we've stepped down from the original projections down to the bottom plateau, and so, to get that back up, that benefits both the recreational, which gets two-thirds of the king mackerel, and we get one-third commercially, and, of course, on our side, we're not catching the king mackerel, but, over in the Gulf, as far as the commercial, they are, and somehow we have to see, when the new MRIP numbers are put into this king mackerel, where we're at with the recreational, because they're going to have a whole different snapshot of that world coming up.

MR. ROLLER: Real quick, I just wanted to build on the discussion about fish that were cut in half, and I think it's kind of a state issue. My experience hasn't been as positive as John, and I've had some very in-depth conversations with certain officers regarding about what counts as an illegal-sized fish, and I think -- Unfortunately, there's too much gray area there, at least in our state.

MR. LAKS: Does anyone want to make any motions for the council considering the recreational fishery, a motion to look at increasing the east coast Florida bag limit for king mackerel or anything you guys can think of?

MR. SWANN: **I will make a motion to increase it to three per person.**

MR. LAKS: Is there a second?

AP MEMBER: I will second that.

MR. LAKS: Is there any more discussion that we want to have on this?

MR. SWANN: I will just say, one more time, that I think it's keeping up with the rest of the states, just from a consistency perspective. Personally, I'm not going to keep three per person. Most of my friends, even charter captains, they don't want to clean them, but I think, from a consistency perspective, and, if I wanted to, it would be nice to be able to.

MR. LAKS: If there is no other comments, I think we're going to vote on this. **All those in favor, please raise your hand. It's unanimous. The motion passes.** Is there anything else, any other recommendations, for the recreational fishery? Then I guess we're going to move on to citizen science.

MS. WIEGAND: Next up on the agenda is citizen science, and I'm going to let the wonderful Julia and Allie come up and tell you about that and the new FISHstory project they're working on.

MS. BYRD: Hi, everyone. For those who don't know me, I am Julia Byrd, and I'm the Citizen Science Program Manager. I was very excited to hear your earlier conversation. What we're trying to do with the Citizen Science Program is get fishermen more involved in helping collect the data that's used to manage their fisheries, and so I gave a little bit of an update when you all had a meeting via webinar in the spring, and so what I wanted to do is provide a quick update on some activities that have happened since the spring meeting, and then I'm going to turn things over to Allie Iberle, who is a Project Coordinator for our FISHstory project, which is looking at recreational historic photos, and she's going to run through a demo of that project for you.

The first thing I wanted to kind of update you guys on is, back in the spring, we asked for a couple of volunteers to serve on the Citizen Science Projects Advisory Committee, and what that committee is made up of is representatives from each of the different species APs, and so one of the main focuses of this group is to kind of update the citizen science research priorities, and those priorities are kind of what steer the program. They help us figure out what projects we're going to pursue, and so Steve Donalson and Tom Roller were the two kind of folks from this AP that

served on that committee, volunteered to serve on that committee, and so a big thank you to you guys.

We had our first meeting last week via webinar, and what we did was kind of run through the current citizen science research priorities, which you can see, but they're very small on the screen, and hopefully you can pull it up on your computer, and so they provided really great feedback and input, and what we really asked them to do was to kind of give a reality check on some of these projects, what are fishermen able to collect when they're out doing their normal fishing activities, and so what we're going to do is we'll kind of update the citizen science research priorities based on feedback that they gave us, and then we'll be presenting those to the council at their December meeting.

I made a note of the issue with kind of shark predation as something that may be good to look into in the future, but, if you guys have other kind of ideas that don't fall into these topical areas that you think that -- That you're seeing out on the water that would be important for scientists or managers to know, and you may be willing to help collect that sort of data, please reach out to us and let us know, because we want to make sure that -- You guys are out on the water every day, and you're seeing things that may be really important, but scientists may not know yet, and so, if you have any ideas along those fronts, we're kind of all ears for hearing that.

The other thing that I wanted to give a quick update on is we launched our first pilot project this June, and that is a project that collects information on scamp grouper releases via a free mobile app that you can download on your phone, and we launched it in late June, and so, right now, we're kind of recruiting commercial, for-hire, and recreational fishermen to participate in this program.

The app is pretty kind of simple and straightforward and streamlined, and it was put together and designed by a group of kind of fishermen and scientists and app designers to try to collect the data that might be useful for kind of stock assessment and management, and so a few folks around the table are signed up as participants in this project, and so a big thank you to those of you who are, and, if any of you others encounter scamp and might be willing to help us collect information, I would love to chat with you afterwards, or, if you know fishermen in your area that might be interested, please kind of reach out and let me know, and I'm happy to contact folks and give them more information about the project.

Now on to what we wanted to concentrate on and show you all today. There is a project that we're doing, another pilot project, called FISHstory, and it's basically using these old historic headboat photos to try to get information on kind of species composition and the length of those species from the for-hire sector prior to when kind of fishery-dependent data collection programs got underway.

What we're trying to do is kind of fill this historic data gap, and so the headboat survey, logbook survey, that's in the South Atlantic region started in the 1970s, and so these pictures are from the 1940s, 1950s, 1960s, and early 1970s, and so we're trying to kind of get information where we can project the data kind of back in time, and so, for the species composition analysis, we're using a crowdsourcing kind of website called Zooniverse, which I will talk about in a few more minutes.

We're hoping to get fishermen and scientists involved in helping kind of validate some of the information from these photos, and then we're also looking to develop a method to get length

analysis from the species that are found in these photos, so we can look at things like changes in length over time, and so I also have to give a shout-out to Rusty Hudson. He's the one who provided all of the photos for this pilot project. They are from his family's headboat fleet in the Daytona Beach area in Florida, and he has provided 1,300-plus photos and can provide kind of the metadata that goes along with them, kind of who was the captain and dates and that sort of information, and so all of that is really helpful to us in kind of analyzing the photos.

I want to talk a little bit about Zooniverse, and so, for the species composition piece, we're using an online website called Zooniverse, and it's a crowdsourcing platform, and so it has an interface that allows you to create a project online, and so we can add these historic photos online and develop tutorials and training methods, so that any kind of member of the public or citizen scientist can go on to Zooniverse and select our project and help us kind of analyze these photos by identifying the species in the different photos. Then what we want to do is get a validation team, made up of scientists and fishermen, to help validate the species identification that these citizen scientists are making.

The Zooniverse website is really awesome. They have all different kinds of projects, and some are fisheries-related, and some are from different kind of camera traps, so you can help them identify different African species on the Serengeti on this website, and you can also do a lot of work with birds, and there is kind of social scientist projects, where you're kind of helping, I guess, find the language in old kind of documents from the 1800s and things like that, and it's a really cool website to check out, and it's a really cool program, where you're able to kind of build these projects, where you can take advantage of kind of citizen scientists around the world kind of helping you analyze information.

The second part of the project is we're looking at species identification. For the second part of the project, we're looking at lengths, to see if we can get good length measurements from the fish in these photos, and so we're doing this using kind of opensource, free software called ImageJ, and the idea is, on the leaderboards for these kind of headboats, you can see that they are made up of either two-by-fours or two-by-sixes, and so the idea is to use that kind of two-by-four or two-by-six to scale the measurements in the photo and to hopefully get a rough estimate of the size of the fish overall, and so the idea is that, hopefully, we can come up with a method to get sizes for the fish that you can track over time, so you can see if there's a shift in like the maximum size of the fish over time or can get information on the population that way.

We were really excited to be able to hire Allie here in July, and she's been doing a ton of work on this project, and it's really gotten to kind of take off after we brought her onboard. She just finished her master's, and she actually did her capstone project under Chip, Dr. Chip Collier, and so Rusty has finished scanning all of his 1,300-plus photos for us, and we have a design team together, and it's made up of fishermen and scientists and kind of outreach specialists that are helping us as we kind of develop the project.

So far, we have kind of worked on the Zooniverse piece of the project, where we kind of developed training materials and developed kind of this information workflow, where citizen scientists will be providing information to us, and Allie is going to walk you through that in a few minutes.

Then the other thing that I wanted to mention here is we really need species identification experts for our validation team, and so, as Allie is kind of walking through things, if you would be

interested or willing to kind of help us validate kind of the different species found in these photos, and there is a wide range of species, all kinds of -- We see a lot of mackerel, and a lot of snapper grouper species, and there is sharks, and there's a wide variety of species, but what kind of participating in the validation team would -- It wouldn't be a ton of work for you.

You would get emails where you would look at images and say I think there are X number of these different species in the image, and then you would send that information back to us, and we really think it's important not to just have scientists do that, but to have fishermen do that, because you guys -- I know we were down at ICAST this year, and Ira was looking through some photos with us, and he was getting -- Some of the grouper species are hard to identify in these photos for me, but he could get it just like that and immediately tell me what characteristics I needed to be looking for. If any of you guys are interested in kind of finding out more information about being on the validation team or are willing do it, please talk to Allie and I afterwards, but now I will let Allie take it away.

MS. IBERLE: This is the Zooniverse platform that we have started to construct for this fishery test project. This is the main page that you're going to be introduced to as soon as you click on the FISHstory project, and this is kind of where we're hoping to really hook the user and give them that introductory information, so that they can start classifying these photos.

We have the background image here, and the Get Started Section shows what we're going to start calling workflow, and so these are the tasks that we're posing for these citizen scientists, and I will go through those individually for you guys. There are some statistics, and this is a little dashboard section and a little bit of an about blurb, and so we're building this as we go and just adding in any information that's going to help get people interested and stuff like that.

Next, I want to go into the About Section, and so here is where we're kind of giving people a little bit more detail on the project and giving them information and, again, trying to get people's interest, using that nostalgia of these photos and introducing them to the location of where the fleet was leaving out of and some of the places that they were fishing, and, again, Rusty has been really kind in helping me and providing information and guiding me in the right direction for giving people the best and most accurate information for this time series.

Then, next, we have kind of a Meet the Captain Section, and so introducing you to the people behind the fishing, and so not everyone is going to be a scientist that's going to be participating in this project, and some of these people are going to be very interested in meeting the captains and reading about the vessels, and so, obviously, we have Rusty here, and he's very important to this project. This project wouldn't be possible without you. Then some of those captains, the three main captains from his fleet, and so Jack Stone, Bob Stone, and Frank Timmons. We have some really great articles that explain some of their life history and then their vessels as well, and so all of this information is listed on the About page.

Then, getting down into the actual work that the citizen scientists will be doing, once you hit "classify", that's going to put you into the -- Really where you're going to be doing the work, where the citizen scientists are going to be doing the work, and so we have two main workflows. The species composition data, we're really trying to think about the best way to get the most optimal data. Not everyone is a fish expert, and these photos can be quite difficult.

The first workflow focuses on the species composition, and so you are provided with a photo that you can zoom and toggle, and then, on the right side here, you have options of species that could be present in the photo, and so we're asking the user to mark if certain species are in the photo. They don't need to be marked if they're not, and so the user is going through and saying, okay, this is the photos that I am given of gag grouper, and, if I see this species present in the photo, then I will mark it present and give an approximate count, and so counting the fish is something that we think -- How many fish were caught, it's an easy thing to do, but not necessarily with some of these photos. It can be quite difficult with overlapping fish and people overlapping with fish, and so the fin count has made it much easier, because people can ballpark, and they aren't as worried about getting the answers wrong. The reference photos that we have included, we're trying to give people a wide range of images from the photos, because it can be hard, especially if you're not a fish expert.

We have tried to create some groups, and so you will see here scamp and yellowmouth and stuff that is very similar, and keeping the list as short as possible, and I know it seems long, but jacks other, snapper other, kind of grouping these so that it's easier for the user.

The other workflow that we have is the mark species workflow, and, in this workflow, we are asking the user to kind of use a point-and-shoot tool to identify four species in a group that we have narrowed it to kind of the heavy-hitters of amberjack, grouper, king mackerel, and red snapper. Any other species, they are not identifying in this picture. We're only identifying those four.

In this workflow, we were not able to give you a ton of pictures and species descriptions. However, we have built some educational and training materials within the platform to help people train and hone-in their knowledge, and the tutorials are going to help people, and so, once you get put into these workflows, the tutorial will walk you through how to use the platform and how to optimize and get help and optimize viewing the picture.

The important kind of area for education is going to be the field guide, and the field guide has things like basic fish structure, and we have had to try really hard to back ourselves out of the frame of mind of knowing what the fin names are, because some of the users may not know those fin names, and so helping people identify that language that I am using in the species description is kind of our first step.

We are giving people tools for working with black and white photos, kind of markers and clues to differentiate between really like species and just visual comparisons of gray snapper and red snapper, and that's a tricky one in this photoset, or it can be, and cobia and shark. Black-and-white pictures of cobia and shark can be very tricky, and some other things to look for, things like discoloration and things like that.

Then the meet-the-mark species is the accompanying training materials for that kind of point-and-shoot marker workflow, and so here we have those reference photos and species descriptions, and then, to help people even more, we have created practice runs of both of those workflows, and so, if you want to go in there and test yourself before you are actually contributing data, you can do that as well, and those are going to mirror the workflows to a tee in how you fill them out. However, you can check your answers side-by-side, and so here is the same photo that you are

viewing, and you can check how many amberjack were identified by the experts, how many people and so on, and so those practice runs kind of help the user hone-in on their fish identifying skills.

Then we have been working with teaching people about some of the markings that the captains and mates were doing at the time, and then Rusty and I have been, recently, working on kind of getting people more background on the people behind these photos, so that those interested in that aspect can read about that as well.

Then we have the top section, and so this is where people can get involved and ask questions and we can post announcements about the project, and then, last but not least, there is a collections tab, and the collections tab can allow users to kind of pool pictures that they thought were cool, they thought were difficult, and sharks are a large, charismatic species, and so, large sharks, people might want to pull that out. Fishermen might be interested in some of the huge red snapper you're seeing in these photos, and so I just threw some examples together for that, so the people can create collections to kind of reference.

We're excited about FISHstory, and hopefully the data that we can collect using this -- We are set to beta test next month, and so hopefully we can get some really good feedback from and gauge what people are able to do and identify, because we know it can be challenging with the photos and people's knowledge of the fishery.

MS. BYRD: Any questions about that?

MR. DONALSON: If we have a batch of photos like this, is there a place we can upload them, or do we send them to you as scans?

MS. BYRD: Right now, we're doing this as a pilot project, and so we're using Rusty's photos to test how this kind of crowdsourcing method works, but I am making a list of people who have photos like this, so that, if this works well, we can try to get more money to continue this project, and so I know there are a couple of people on the Snapper Grouper AP who have let me know that they have photos, and so I would love to chat with you about kind of what photos you have and if you might be willing to scan them, that sort of information, afterwards, Steve.

MR. DONALSON: Kind of be careful what you ask for, because, I mean, if you want pictures from the St. Augustine area, we totally will hook you up.

MS. BYRD: That's awesome, and I think that's one of the most kind of exciting things about this project, is, as we've been getting into it, so many fishermen have said that I have a lot of old photos from this area, and so what will be really cool is, if this works well, we could get a snapshot from many different areas along the coast, and that can help us kind of fill in this time period where there really isn't any information available, and so it's just kind of making this kind of anecdotal information that you're looking at in a picture kind of more kind of quantitative, and so it may be able to help be used for management, or maybe you can get, from this marker workflow that Allie was showing you, some sort of rough CPUE that may be really helpful kind of back in that time period where we're having to make a lot of assumptions or inferences about what's going on.

MR. DONALSON: I will volunteer to go down to Key West and scan the pictures at Sloppy Joe's. Will that be helpful?

MR. MALLETTE: Is there a certain, I guess, timeframe that you want to stay with? I noticed everything was pretty much black-and-white, and, I mean, is there a -- Obviously, it's easy to get pictures from now, but is there a certain -- I mean, is it that you don't want anything newer than the 1960s or 1970s or 1980s or something like that? I mean, I've got tons of pictures too, but I also ain't -- No offense, but I ain't as old as some of these dudes either, and so it ain't like I'm going to have any black-and-white photos of the fishery.

MS. BYRD: So this project, we're looking at kind of those older photos where there is no other information available, and so, I mean, I guess I would say, for this kind of project, those old photos are really helpful. They are not all black-and-white, but most of them are. There are some color, but I would guess that some more current sort of photos, or photos from the 1980s, things like that, could also be helpful, and so, if you have photos, I would love to chat with you afterwards, just to learn a little bit more about kind of what time periods you have and what the photos are of, that sort of thing, because I really feel like, if this works well, this project could grow a lot, and so, right now, we're focused on kind of that earlier time period, to help fill in that data gap, but I think you could glean a lot from kind of photos from today, too.

MR. PERALTA: Is there a criteria for the people that are going to be identifying? I ask in that it strikes me that this could be aligned well with elementary and high school class projects.

MS. BYRD: I think Allie can probably say a little bit more about this than me, but we've started talking about kind of who the audience would be for this project, and she's actually going to present at the South Carolina Marine Educators Association Conference in early November, because we think classrooms are one place that this project would lend itself really well, and so we're hoping to make some connections in classrooms, and we also think -- Hopefully some aquariums can get onboard with promoting this, and it seems like a lot of their users may be interested, and it's really interesting with Zooniverse projects.

People from all over the world kind of participate in these projects, and so we're trying to figure out kind of who our audiences are, and fishermen are another audience, and there's some kinds of fishing clubs and things like that that we want to promote to, and so those are kind of some of the main audiences, but, if you have any other ideas or any particular, like if you know some educators that you think would be interested in this, we would love to kind of get names of folks, because I think that would help us kind of target and reach out to folks individually.

MS. IBERLE: I would definitely like to take it in the classroom and have people use it in that regard, and we've been working -- Someone that's on the design team is affiliated with Coastal Carolina, and so hopefully we can take it there and have some of those marine science students definitely hop onboard, and so I would love to have it in the classroom setting, for sure.

MR. DONALSON: As this thing grows, there's a lot of other platforms that use something similar. One that we use is called Missing Maps, and that's the Red Cross, but it's a global building location service project, but it's very similar to this, and so, as this thing -- I guess my point is it's very scalable, and so, if it does take off, you might just want to go check out that website and how it works, and it's actually pretty cool, and companies like my company -- We don't have to do volunteer hours, but it's highly encouraged as part of your year-end goal plan, and so there's volunteer hours out if people want to help.

MS. IBERLE: Thank you for providing that.

MS. BYRD: I would say that Zooniverse makes you beta test it first, and so we were hoping to beta test it and work out some of the kinks this fall and then launch next spring, or hopefully in February, fingers crossed, but, once we launch, we can send it out to you guys, and so, if you guys know folks that you would be willing to kind of push out information about the project to in your community that you think would be interested in, we would love that, helping kind of spread the word about things.

MR. MALLETTE: I was just going to say, real quick, that I don't know where you ladies are from or whatever, but just something I noticed, in going through the old photos through your demonstration, I noticed that a lot of it is Florida and things of that sort, and I'm sure Thomas and a few other guys could vouch for this, but I think you would be remiss not to spend some serious time between Hatteras and Oregon Inlet, between the Albatross fleet and things like that, and there is already multiple -- It's literally worldwide renowned already the -- There is so much information, and you've got a lot of those old-school guys that are still alive today that love to talk about it, and they would probably -- I mean, I know they lost a few of them here recently, but it's just something to think about. For what you're trying to do with this project, I would really spend some time between Hatteras and the Oregon Inlet area for some of the old-school stuff, for some of the pioneers that actually started the charter industry.

MR. LAKS: I would echo that down for south Florida too, Riviera Beach and through the Keys.

MS. BYRD: What I would say is we would love -- Right now, we're kind of focused on getting this small pilot off the ground, but I would love to get names of people that may be good to reach out to in those two areas. Once we kind of get this off the ground and see how well it's working, so we know who may be good to kind of reach out to in those different areas.

MR. ROLLER: When I first started looking at these photos, the first thing that came to mind for me was, in my area -- In a lot of our coastal towns, we have little historical societies and small museums, and they are outside of the fishing community. In my area, we had this old little newspaper, and it went defunct a few years ago, but they were constantly posting photos, old fishing photos, from the 1940s and 1950s and 1960s, and they are very much outside the fishing world, and so that's something that I immediately started thinking about, is I've got to track that down and figure out what their database is, but my point is that in a lot of -- Particularly like Hatteras and Beaufort and areas like that, there is going to be other mechanisms to find these photos that aren't necessarily tied to the headboat fleets, and I think you might be surprised what you find.

AP MEMBER: Like Rusty's family -- Once they get a measurement that they can figure out the size of those fish, it will be really awesome, because you've got standard photographs that's been taken in that same place for thirty or forty years, and that's why they're focused on this group.

MS. BYRD: Yes, that's exactly right, and so I know -- A lot of headboats back in the day did this same sort of thing, where you're hanging up all your catch on these leaderboards, and the leaderboards are made up of certain-sized wood, and so it's that being able to scale in the photos is what's going to give us the ability -- We have to know something of known size in the photo in

order to be able to estimate a length, and so we're still kind of working on the methodology to do that, but, while I have you guys here, one of the other things we're looking for in this project is to see if any -- We want to try to find fishermen who may be willing to be on our validation team.

What that means is that, every so often, we would send you a batch of photos and say what fish do you see in these photos, and so it wouldn't be a huge amount of time. I think the idea is, before this would get underway, we would do kind of a webinar, where we would kind of train people on what kind of information and how we would like you to kind of collect the information and that sort of thing, but I think it's really important that we don't just have scientists kind of serving on the validation team. We want fishermen too, and so, if any one of you guys is interested in being on that validation team, or wants to know more information before signing yourself up, come chat with us afterwards, or now.

MR. LAKS: We're getting a little pressed for time, and so I personally want to recommend a project idea, and I want to build off of John's suggestion that we do a did-you-get-a-head app, and we take pictures of every fish that comes up that's bitten, because we know that this is passionate, and you hear, from North Carolina to Key West, that the shark problem is real, and, as John and John were discussing, that's a good metric, and just take a picture of every head you bring up. You will have an idea of what species are interacting with the sharks.

MR. HUDSON: I just wanted to comment on the fish marking, because, back in the 1950s and 1960s and 1970s, as you see, the bigger fish, the trophy fish in the center, at the top, but, when we had the valuable fish, like the red snapper or the groupers, we would mark them top tail, bottom tail, top and bottom tail, just depending on how many people were there, skinned head, one cut on the throat, one cut on the head, left fin, right fin. This way, when we got past the six-pack level, and we were in the ten or twenty or thirty people on the boat, that's how we did things until the mid-1970s, and then the stringers came in, and the smaller hooks, and all your vermilion and sea bass -- None of that got marked. It's generally just the red snappers.

Where he talked about measuring, of course, the scientists on our design team, they want everything, as far as data, that they can get. Two-inch boards across, and my granddad right there is six-foot-two, and so you can see the top board is just a little above his head, and then you've got three boards running there, and some of them in the other camps are two-by-sixes rather than two-by-fours, and that's a big deal, because, if you're going to measure, you've got to have a way to do that, and, Allie, I still have to send you those two documents, which I will dig up, and that will be a different thing that might be utilized in some capacity later, once we can start measuring fish, that we can feel good about, and so that was all I wanted to say.

MR. LAKS: All right, guys. Let's thank these two ladies for a wonderful presentation. I think we're going to move ahead into Other Business now. I know I've got a couple of things, real quick, that I wanted to bring up, and then I know Tom has something.

One thing I want to bring up, real quick, is with the commercial reporting. I know the council has been working a long time on trying to get electronic reporting, but, if there's a way that we can get a bridge to that, where we can get, perhaps, our logbooks sent to us in an electronic file, so we could fill it out on our computer and not have to fill out the redundant things over and over again, and then even print it out ourselves and send it in like we do now, and I think you would get better compliance, and I know the fishermen would appreciate not writing out the same things over and

over and over. I had talked to Clay Porch about it, and I never really followed up, but just a way that we could get that -- It would probably save a little money, from them having to send us logbooks, and we can use our own paper and just do it on our phones, or our computers, and then print it out.

Another thing that I wanted to bring up real quick, and don't be mad at me, Jessica, but, as we go further into the next assessment with king mackerel, we have struggled, as a fishery, and I think we're getting to where we want to in the king mackerel fishery commercially to get the right things, and we have made it a little complicated, because we are constantly changing it. I think there's a way that, in the future, we can clean up some of the CFRs if we get rid of the two seasons and just go to a date, say like November 1, where, if 70 percent of the quota isn't caught, we bump up to a hundred head.

You would clean up having to do the rollover, and you would clean up several things in the CFRs and make the fishery less complicated to the fishermen, and we know that's something in the future, after the assessment, but, if we could start looking at that now, I think it would be beneficial for not only the fishermen, but for everyone involved with the rules, and that's all I've got, and I know that Tom wants to say something, and, after Tom, anyone else.

MR. ROLLER: What I want to talk about here is false albacore, also known as bonita, little tunny, fat alberts, and I have a -- I have expressed a lot of concern over the years for the lack of management on this fishery, and this dates back to the South Atlantic used to have them in their slate of species. I can't remember the year exactly, but the mid to late 2000s, when they were moving them, and I called my council rep at the time, Mac Curran, and I spoke with him, and I said, what are you doing and why are you guys doing this, and he gave me the rationale for the impractical reasons to continue managing them, but he assured me that the states would pick up the slack and put in bag limits and trip limits and commercial limits, and I strongly told him that that wasn't going to happen.

Here we are ten or twelve years later, and not a single thing has been done. I do express concern, because this fishery means a lot of things to us coastwide, and what I mean by that is, in my area, they are a really important recreational species, and, for some of us, they're annoying. For some of us, they are bait fisheries, but, whether you're in Massachusetts or Cape Lookout, North Carolina, these are really important recreational fisheries, very valuable.

We have seen the commercial value go up over the years, and, for those of us in the CMP fishery, it is a component to our fishery, those of us who fish mackerel, whether it's king mackerel or Spanish mackerel, and I know, Ira, you commercial fish for bonita, correct?

MR. LAKS: It's bycatch.

MR. ROLLER: It's bycatch, yes, but we're seeing a lot more directed effort on them, and my concern isn't the current fisheries, but it's just the fact that they are important and not protected anywhere on the east coast, and, when the Mid-Atlantic Council did its unmanaged forage species, there was an early effort in that amendment to include false albacore as one of the unmanaged forage species, and that ended up not being included, but the amount of public comment, particularly from the recreational community, and as well as the commercial community, regarding that was pretty overwhelming, and that showed me that there was a lot of concern over the lack of

management of this species, and there is nothing to say protect them from a purse seine fishery opening up or some large directed fishery.

You're starting to see articles in the newspapers about eating them, and you're starting to see social media comments that people are starting to possess these guys, to eat them and do other things with them, and so I don't really know where I want to go with this, but I just want to kind of put it on the record that there's a lot of concern from elements of the recreational community, and the fact that they're unmanaged I just think is really negative.

DR. ELKINS: I would like to echo Tom's concerns. I know it's hard from offshore trollers to appreciate this, because they're a pain in the butt when all your lines go down with a bunch of albacore, but, near Cape Lookout, it's very popular, and there's an albacore festival coming up in a few weeks here, and people fly in from Australia to fly fish for them. I mean, that's the type of fishery it's developed into, and it's all up and down the coast, in New York and so forth.

The State of North Carolina is probably not going to do anything for a fish that's not commercially important, yet anyway, although it's expanding, and so I think it -- Eventually, we're going to have to deal with this, because there is a market developing, maybe not in this country so much, and, anyway, it's important coastwide.

MR. ROLLER: At certain points over the last few years, we've seen the commercial value of these fish eclipse \$1.50 a pound, at certain times of the year, and that's getting up there with Spanish mackerel, and we've seen kind of a lot of people start targeting them, and I guess my point is I want to see what we can do to get out ahead of this, because, when you're chasing something from behind in fisheries, it's a lot harder, and so, anyway, I am just open to ideas here, whether we talk about, in the future, adding them to an FMP or making them an ecosystem component species, but I am -- That's what I wanted to have this discussion about, if anybody else is interested.

MR. LAKS: From my perspective, I know that, years ago, we were never able to even sell them, and now we're getting a little bit of steady money. It's not anything like North Carolina, but we can handle selling a few of them, and I personally have disrespected them. I was able to take out a council member from the Mid-Atlantic, and we were catching kingfish, and the bonitas were showing up, and I'm like, okay, let's get out of here, and he was like, what are you crazy, and I could sell this charter for a thousand dollars a day, to catch these things.

Perspective is everything, and I realize that this fishery is definitely becoming more popular for people, and, if there is some sort of commercial increase in recreational demand, it should be something that's looked at on the table, and I'm going to let Christina explain how some of these things could go forward.

MS. WIEGAND: If anyone has been paying attention to the bullet and frigate mackerel discussion that they've been having with dolphin and wahoo, they're having a similar discussion, and so, for a species to be added to an FMP, it has to be considered in need of conservation and management, from the perspective of the Magnuson-Stevens Act, and there is a list of ten factors. I cannot remember those ten factors off the top of my head, but there's a list of ten factors, and what would happen is we would sort of go through those, in terms of false albacore, and see whether it met those. If it doesn't, it's possible it could be added as an ecosystem component species if there is

enough background to show that it is an important component of the mackerel life history and the mackerel fisheries.

The extent to which the council can then regulate the ecosystem component species, especially considering the jurisdiction of the South Atlantic Council versus the jurisdiction we currently have for the Coastal Migratory Pelagics Fishery Management Plan, is a little bit up in the air right now, and I'm going to look at John Hadley to correct me if I say anything wrong, but, currently, in terms of bullet and frigate mackerel, NMFS is looking into what exactly the council can and cannot do in terms of regulating an ecosystem component species, and so, if this is something that the AP is interested in recommending to the council, these are the sorts of things that the council would be thinking about and pulling together information on and looking to NMFS for more guidance, hopefully by June of next year, March of next year, early next year, on what exactly the council can do, in terms of regulating ecosystem component species.

MR. LAKS: Are there any other questions pertaining to bonita, albacore, little tunny, whatever you want to call them? If not, I think, Steve, you had something you wanted to bring up.

MR. ENGLISH: I just have one thing. On your talking about the logbook program and all, I think we need to -- The way the logbook program is, they can't seem to get it computerized, and it should be computerized by now. We shouldn't be filling out these papers and getting them sent back before we forgot to put a period at the end of mister.

Every year, every year, when we send our logbook stuff in, they hold our permit up for thirty days or forty-five days, and it doesn't matter. We go fishing without it, but that's not the point. We shouldn't have to. We need to untie them to be holding our permit up with the logbook program. We need to at least give one year, or something, and you've got to have it updated within the next year, and, that way, that will cure the problem. This year, we actually sent our stuff in, and they lost it. They lost it. We had to re-do it all, and that was a nightmare, and so I think we need to untie the you can't get your permit until you get your last little piece of paper in, and I think that's something we really need to look at.

MR. MALLETTE: Something that I've talked with my friends about a lot, and I think this would be a good time to bring it up, and I was thinking where, but, when you're talking logbooks and trip tickets, that's obviously all commercial, because this goes back to the other thing. Why depend on the fishermen so much for that information, because, when you're commercial fishing, we're not catching this to take home.

You've got dealers, and we're going to sell it. The exact same information, the dealers have to turn in anyway, and so why even come get the information from us? Why don't you just get it from the dealers? It's the same information. Then you're just making it more room for error, throwing a few people in there. If a fisherman fills out his logbook, and let's say he's going right back fishing and he forgets or whatever, and you have to unload somewhere, and so, when you unload your fish, all your federal dealers, and that's who is getting your trip tickets, and that's getting all your information, and there is all your information right there. Instead of relying so much on the fishermen for the actual info, get it from the dealers, and it's not going to be any different.

MR. LAKS: I really don't know the complete answer to that, but I would think it has something to do with having the fishermen tell the method he used to fish and the hours and crew and probably the fear that that's not going to transfer to a fish house, when you're rushing in and out.

MR. MALLETTE: Well, I mean, it's on there. You have your dates, your times, your gear used, the type of fish you got, how much it was. That's already on the trip ticket that the dealer has, and so it's right there. Do you see what I'm saying? There is not that much difference, enough to make that huge of a difference, that the fisherman is going to tell you that isn't already bound by law for the dealer to already have, is what I'm saying, and so, if you're having such an issue, and the fishermen are the ones that are going in and out and working around the weather, and you've got the fish house that ain't going nowhere, and most of them have secretaries or people handling the paperwork, and so they should have it available right there. They have to do it for marine fisheries anyway, and so that's just a thought.

MR. LAKS: I hear you. I'm not in favor of any paperwork. Can I just go back -- I failed to ask Tom if he wanted to make a motion or a recommendation or something formal about the little tunny thing.

MR. ROLLER: I would, but I'm trying to figure out what would be an appropriate motion to make.

MR. ENGLISH: Can I make a suggestion? Why don't you first see if it fits the criteria of the ten things that you need for a manageable fish? Why don't you do that first? That would be step one.

MR. ROLLER: **I am going to make a motion to consider the role of little tunny (false albacore) in relation to king and Spanish mackerel as a possible ecosystem component species or, if appropriate, adding them to the Coastal Migratory Pelagics FMP.**

MR. LAKS: We don't have a real long time here to discuss it. If there is anyone that has something that they would like to say, but it's got to be seconded first.

MR. DONALSON: Second.

MR. LAKS: Go ahead.

MR. DONALSON: I've just got a couple of quick things. One, Steve, to your point, and don't read anything into this, and I'm not volunteering, by any means, but the technology is there to do what you're talking about with your logbook. I mean, there is so much filesharing software out there, and you're not even coming close to reinventing the wheel. It's there. Somebody on the panel, or on the council, I would assume is in charge of technology and is looking into something like that, for what it's worth. We use one where I work, and we share files around the world on a daily basis, and it's updates real time. I can be in it, you can be in it, John can be in it updating it.

One thing is, at our last panel meeting, we had a representative from the FWC here for a session, to answer questions from the group, and I thought we were going to have that person back, like from law enforcement, or did I dream that?

MS. WIEGAND: In terms of law enforcement at the last AP meeting, we did have a Coast Guard representative from Sector Charleston come in to discuss issues with you, and that's not something we had planned specifically with him to do in the future, but, if that's something that the advisory panel is interested in, I am certain that the Coast Guard representatives would be interested in getting input from this AP, and so that's something that staff can work on organizing, if this AP is interested in it.

MR. DONALSON: When I'm talking to some of my peers in the fishing community, I get a lot of questions, along with the regular fishing questions, of what are they doing about this, and what's going on with this law, and I thought it was kind of neat to have that guy here, and that's all.

MR. MALLETTE: I will make this very quick. As far as the motion goes, I get it, and I understand it, and I will preface by saying that I do charters for false albacore, and, actually, the only time I have people that want to go fly fishing is for false albacore and amberjack, and so I get it. However, I think putting this stuff forward now, so premature, is setting a dangerous precedent, as far as fisheries go. You want to put forward and start the steps of protecting something that you have no proof that it needs protecting or anything like that.

I mean, what's the next one? I mean, we've already admitted that, ten years ago, nobody -- Well, I'm going to say longer than ten years, but, not that long ago, nobody really cared about them, but, now that it's become popular, and now that you see people holding up false albacore on magazine covers, and you see the pictures and all that stuff, now it should be more protected, but you have no proof that it needs it and to get started on it.

Let it work its course, and let it do its thing with the points they need to make it added before you jump to that level, because, just like we see in so many other things -- Like, just as soon as you propose something, that's when people start jumping to conclusions and stuff without having -- Let that happen before you start saying this, because then what's next? What is to stop somebody from saying, oh, this fish is fun to catch, and then, once that's in all the magazine articles, and there's plenty of them, what's to say, well, let's go ahead and start the process of looking at protecting that, too? Then it just goes on and on and on. I don't have a problem with it being protected, but just let it prove that it needs it and it needs to be done first.

MR. LAKS: Unfortunately, we don't have a whole lot of time left to discuss that, but I will say, because it is not in a fisheries management plan, we have no basis to see if it's being overfished, and there is no assessment for it, and there's no anything, and so having the council at least look at it, or have it on their radar as a species that can be looked at, it's possible. Right now, it's unregulated, and so I would love more discussion, but, Tom, super quick, since it was your motion.

MR. ROLLER: On that note, John, I know where you're coming from, but that's why I recommended this, because my fear is we don't even have the mechanism to even consider if anything is happening. There is nothing to stop a large-scale industrial fishery, and not to say it would happen, going after this fishery, and so this isn't necessarily about regulating this fishery, but this is just having the means to look at it, in case things change in the future, because it is important, and it's been important for more than ten years. I mean, for us up here, it's been a very popular fishery for everybody for two or three decades.

MR. LAKS: All right. If we could quick just vote on this motion. **All those in favor, please raise your hand, nine; all those opposed, two opposed; all those abstaining, two.** I might have counted wrong. Christina has to mention something about the National Sanctuary real quick.

MS. WIEGAND: Sorry we're rushing you guys a little bit, but we've got a hard-stop at noon today, because we've got a couple on this AP who have a meeting that starts at 1:00 in this room, and I don't want them to have to skip lunch. I did just want to mention, very, very briefly, and some of you guys in south Florida probably know the Florida Keys National Marine Sanctuary has proposed some changes to regulations within the sanctuary and new boundaries for the sanctuary.

They are going to be giving a presentation via webinar on October 29 at 1:00 p.m. I am going to send all of this information out to you guys. If you are interested in listening into that discussion and making comment on the proposed changes that we'll then take to the council in December, there will be an opportunity for you to do that at this meeting. It's going to be about a two-hour presentation from the Florida Keys National Marine Sanctuary, and then there will be an opportunity for you all to comment.

This isn't a mandatory meeting, and I know that the council considers attendance when they go to reconsider appointing AP members. Perhaps, if you're fishing in North Carolina, you're not super interested in what's happening in the Florida Keys, and you're not obligated to come to this meeting, but, if you're interested in learning about those proposed changes and commenting on them, I really encourage you to attend this meeting, and, like I said, you'll be getting an email from me later today or tomorrow morning with information on this webinar and attending.

MR. LAKS: Guys, I want to thank you all very much for great conversation and great discussion and great point of views, and I appreciate everything that you guys brought to the table here, and that concludes the Mackerel AP meeting. Safe travels, everyone.

(Whereupon, the meeting adjourned on October 8, 2019.)

- - -

Certified By: _____ Ira Laks _____ Date: ____11/2/2020____

Transcribed By:
Amanda Thomas
October 28, 2019

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