

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COBIA COMMITTEE

**The Beaufort Hotel
Beaufort, North Carolina**

December 5, 2023

Transcript

Mackerel Cobia Committee

Tom Roller, Chair
Spud Woodward, Vice Chair
Robert Beal
Dr. Carolyn Belcher
Mel Bell
Gary Borland
Tim Griner
Judy Helmey

Kerry Marhefka
Jessica McCawley
Trish Murphey
Robert Spottswood, Jr.
Andy Strelcheck
Laurilee Thompson
Skip Feller

Council Staff

John Carmichael
Dr. Chip Collier
Myra Brouwer
Julia Byrd
Dr. Judd Curtis
John Hadley
Kathleen Howington
Allie Iberle
Kim Iverson
Meisha Key

Kelly Klasnick
Dr. Julie Neer
Ashley Oliver
Michele Ritter
Dr. Mike Schmidtke
Nick Smillie
Suzanna Thomas
Christina Wiegand
Meg Withers

Attendees and Invited Participants

Rick DeVictor
Monica Smit-Brunello
Dominique Lazarra
Ira Laks
Dr. John Walter
Tim Sartwell
Michael McDermott
Jamal Ingram

Kristin Foss
Shannon Cass-Calay
Shep Grimes

David Hugo
Geoff White
Sonny Gwin
Miles Dover
Michelle Masi

Observers and Participants

Other observers and participants attached.

The Mackerel Cobia Committee of the South Atlantic Fishery Management Council convened at The Beaufort Hotel, Beaufort, North Carolina, on Tuesday, December 5, 2023, and was called to order by Chairman Tom Roller.

MR. ROLLER: Thank you, Madam Chair. I just want to welcome everybody this morning, and first introduce myself. My name is Tom Roller, and I'm a council member from North Carolina. I'm a fulltime for-hire operator in my day-to-day life, and I do want to take a couple of moments here, first to welcome you all to my beautiful home of Beaufort. I hope you guys enjoy yourselves here this week.

Second of all, I also want to take this moment to do, as I do in every committee meeting, is just remind the council how important king and Spanish mackerel are to our region and our stakeholders. Of all our managed finfish species commercially, they are first and second in pounds landed and first and third in ex-vessel value, and, recreationally, they are second and third in directed trips, following only dolphin. With that, I am going to call the December Mackerel Cobia Committee to order, and the first order of business is an approval of the agenda. Do I have any modifications or any changes? Seeing none, I'm assume we can pass that by consensus.

Second is we have the approval of the minutes, if everybody has looked over those, and do I have any modifications? Seeing none, I think we can pass that by consensus, and the first order of business is we're going to do our Mackerel Cobia AP report, and so, with that, I will bring up our Mackerel Cobia AP Chair, Ira Laks.

MR. LAKS: Good morning, everyone. The Mackerel Cobia Committee met in Charleston, South Carolina on November 7th and 8th, 2023. We started out where the chair of the committee, Tom, gave a report updating us on what's going on within the fisheries and the amendments that were coming up, and he thanked the members for their work on the AP, and we all appreciated that.

Then we jumped right into it, and we had an update on CMP 34, and we moved right onto a citizen science update. We got to find out about the different programs, and I know some of the members were very interested in becoming involved in some of them, especially the FISHstory, and just getting all involved, and we appreciate the opportunity to join in with some of the collaborative information that we can provide.

We also have a briefing on a What It Means to Me outreach project, and I believe we had two or three people that signed-up to be part of that, and it was also on the best fishing practices. We did have a few recommendations for the What It Means to Me participants to be focused on the area where they fish and live, and we wanted to see that there was a balance of both commercial and recreational and for-hire. We didn't want it to seem like there was just one group doing this, and we wanted to see that it was buy-in from everybody, and everyone thought the video format was a really good way to proceed. If anyone has any questions while I'm going on, please don't hesitate to stop me.

After that, we jumped right into the CMP Framework Amendment 13, and we discussed the Atlantic Spanish mackerel catch levels. We had a pretty good conversation on that. You know, we understood that the allocation is going to have to be discussed at some time in the future, between the Northern and the Southern Zone and the commercial fishery, and also about the total

recreational fishery, and we had a pretty extensive conversation, and we hope that some of that information can be fleshed out in port meetings that are coming up.

As far as specifics, the AP did not think that there should be a buffer between the ABC and the ACL, and the commercial guys on the thing realize that the commercial fishery has got a more reliable reporting system for Spanish mackerel, and AP members were also concerned how early closures in the fishery, both commercial and recreational, can affect discards in the future and that, if the fisheries were to shut down, and have a high closure time, that there would be some serious discards. There was also a discussion of the effort in the recreational sector for Spanish mackerel, and I think we heard, from most of the panel members, that the for-hire industry is growing, and the overall recreational fishery.

Then we got into a conversation about recreational reporting, and I will elaborate on that a little bit further, but we sort of went around on that for a while, and we talked about the permitting of private recreational fishermen, and it needs to be something that we can really set up for the future of reporting.

I know the commercial and for-hire guys had some issues with getting their permits, and some difficulty, in that it's a process that's a little harder than it should be, and that, if you all go to private recreational reporting, that's something to consider. There was also talk about, if you do require permits for any of the fisheries recreational, it's something that the states are going to have to enforce. Especially in the state where I fish in southern Florida, 95 percent of your intercepts for law enforcement is going to be at the dock, or inside the inlet, and, if you're not required to have it inside the inlet, nobody is going to get it, and so we just thought that was an important detail that really has to be thought of when talking about this.

We moved on, and, in Motion 1, we selected Alternative 2, Action 1, and that was -- Action 1, to revise the biological catch, and then we selected Alternative 2, and that motion was approved by the AP.

We then sort of got back to the conversation we were having about recreational reporting, and there was a motion made for commercial and recreational landings to be tracked in a similar way. Before we got to have a second on that, we had a little conversation between the AP, and, with staff's help, we tried to inform those members of the AP that weren't sure on how the process is and where you guys are at with your recreational reporting, and so we kind of let them know that, you know, strict reporting is really not in the cards at this point, and the conversation we had was that we wanted to join in with the reporting amendment for the snapper grouper fishery, and we thought it was very important that we don't get left off the boat when it leaves the dock.

As Tom said earlier, these fisheries are very important, and, if you're going to do a permit, and you feel that it has value, why not just add a couple of extra boxes, and, for that matter, it should be dolphin and wahoo too, but so, after our conversation, we made another motion to request that we add mackerel and cobia species to the recreational permits, and that motion was passed nine to one.

After that, there was another conversation, where we got back to full-on recreational reporting, and we came up with a suggestion that you guys eventually get to the point where there can be

tracking of recreational catch, similar to the way that commercial fishermen do it. Any questions on that? Go ahead, Laurilee.

MS. THOMPSON: Thanks, Ira. You guys are suggesting that, while we're working on this permit for snapper grouper, that the mackerel and cobia and dolphin be added to that permit?

MR. LAKS: Well, we were more concentrated on mackerel and cobia, but absolutely, and that was the gist of it.

MS. THOMPSON: I think that's a great idea, rather than having to have multiple permits, and multiple reporting, and why not just have one big thing, and make it easy? Thank you.

MR. LAKS: Are there any other questions? Okay, and so, after that, we got into the conversations about the upcoming port meetings, and, being a part of the AP for quite some time, I was very happy to really see this as all coming about, and I know the AP members were very excited, and they thought this was a great thing. They did have some suggestions on how these port meetings can go smoother, and some of the suggestions were to keep it, you know, uniform all up and down the coast, and, you know, state and federal waters all be included, and have representatives from both of those agencies along at the meetings.

It's just going to be interesting, and everyone wants to see how much, you know, really fish are being targeted, and I think we have some idea in our own backyards, but not a great handling, because mackerel tend to get overlooked a little bit, and so it will be nice that, you know, we're going to get not only in our own backyards, but a little better information of the fishery, especially further north.

We're interested to see how weather, hurricanes, and climate, are going to affect the fishery, and some other conversations were how is the status of king mackerel limited access in the commercial fishery -- If these fish show up off say Maryland, or Virginia, and nobody has permits up there, and how are even fishermen -- Nobody even knows how their states get commercially permitted for a state license, if someone wants to even travel, and we don't even know if we have the opportunity to get a state license if those fish show up there, and vice versa. If the fish show up north, how are those people going to fish for them, if we have all the permits, and so that's a conversation that we want to see fleshed out. Of course, recreational reporting, as we've talked about, and just ask to see, you know, what they've noticed in both fisheries, king and Spanish mackerel, along the way.

Some of the specific things that we had were two hours, weekday evenings, would be just around the right amount of time, but, within that, we were, you know, flexible, and we almost would like to see a little more time built in, and it doesn't have to be, but we would hate to see, if there's a really good conversation going on, that it would be a hard stop and kick everybody out.

We thought breakout groups might be a really good way to get individuals to open up and give some, you know, good input on the process, but also understand that, if it was a very large meeting, that we're not going to be able to do breakout groups, and it's just not enough people to handle that. We suggested that the staff have some starter questions going, that, if you do have a meeting where people aren't really engaged, or just not wanting to jump in, you have some preset questions that can get the conversations started and open up the fishermen.

We think that, you know, we, as AP members, can help really populate some of these meetings with people, and get the word out, and I know, for my part, I will try, and I think everyone else on the AP is very anxious to help out. Also, that we have some briefing material handed out before, that they can either go online and look at, so that, when they come to the meeting, they know what it is, and it's not just a what am I going for, and send it out in a newsletter or whatever, that this is what it's about, this is what you can ask, this is what we want from you, and that might be helpful, to get some good, quality comments from people. Also, an online registration link. That way, you can sort of get an idea of how many people might be coming, but we all know that varies from day to day and weather conditions and fishing. Are there any questions?

You know, so, overall, we just thought that, basically, an introduction into the fishery management process, just a basic, you know, 101 into what's going on, just so you don't get the people that say, you know, I want a unicorn, right, and just so they know that there are constraints, and what they can get, and what can be done by this process, and, you know, put out the most recent stock assessment information and, you know, both the recent commercial and recreational trends of the fishery, so people can see. Often, your skew of the fishery is your backyard, and not what's going on up the coast, and so it would be important to have the trends, so that people can bounce that around.

We then got into a conversation about where we should have the meetings, and I'm not going to go into the specific details of what cities, but you can see there was some very good information, given by the AP members, of where to have these, and that pretty much sums it up for the port meetings, and I think we really fleshed out a lot of good recommendations for staff, and I think they're going to be very productive. Any questions on the port meetings?

We also had a wind energy briefing, and it was extremely interesting. We had several companies come and give their presentations, and explain to the fishermen how the process is going to work, and that it is an open process for them to be involved in, and we got pretty familiar with how their process is, and it was an interesting conversation, and it was a helpful conversation, and I believe that there are ways that we can work with that industry, and the fishing industry, to make it easier, and I know some of the members came up with suggestions, like that -- You know, especially myself, being from south Florida, I know that infrastructure is something in the fishery that's just disappearing, and, if these companies are going to have large facilities, they might be able to carve out a little of their space for offloading of commercial or for-hire docks. There's a lot of stuff going on, and that's something that can be looked at, so that, in the future, you can prepare for the lack of infrastructure going further in the fisheries that maybe their infrastructure can help out with.

There were some, you know, details about where they're putting their equipment, and how it will affect local fishing areas, and we also had a concern that access is going to be given, and that's the plan, but there wasn't concern that, if there's a bad incident, or a bad actor, and does that change everything, right, and does one person, you know, one bad apple, ruin the bushel, right, and so that was a concern, that, you know, something must have happened, and there was also a concern about how resistant they are to weather events, and to pollution and stuff, and a recommendation that, you know, dive boats maybe get involved with some of this, because I'm not sure they really, you know, but that was basically it for the wind conversation. Any questions?

After that, we moved on to the king and Spanish mackerel fishing tournaments, and we did have some public comment on some of these issues. It was an interesting conversation that we had with the panel, and I think that the main topic was that there was a time when tournaments had waned out, after a peak in the late 1990s, and early 2000s, but they seem to be coming back strong, and it seems to be events that are taking place more often.

There also seems to be a little change in the tournaments, and so there used to be a lot of local tournaments, where they were local charities, and local little tournaments, you would fish, and your neighbors would fish, small boats, and now there seems to be a trend towards much larger boats, and a professional fishery, almost, in the tournaments, and there is some fear that that's driving out the traditional neighborhood tournament, and I think some of the neighborhood tournaments have gone to distance limitations, to try and keep that where it's competitive for even the little boat, where I know, some of the bigger tournaments, you hear them running a hundred miles for a tournament, and so that was something that was interesting that we heard from the different areas.

Also, we had a presentation, and I think you guys got it at the last meeting, about the weights that were listed per pound of the fish weighed-in at the tournaments, and none of us felt that was at all viable, just to measure up what we would think a tournament would bring in for an average weight.

The real angst in our conversation was the sale of the tournament-caught fish, and that really seems to touch a nerve, especially with the commercial fishermen, and they just felt that that price is so fickle, in the king mackerel fishery, that even a decent amount of fish can adjust the price fifty-cents, or a dollar, almost overnight, and so, you know, if you have a fisherman that has 1,500 pounds of fish, or 3,000 pounds of fish, and it goes down fifty-cents a pound, that's a significant impact to a commercial fisherman. That's his week making it or not making it, and it becomes a de facto donation by the commercial fishermen to the charity, and not the tournament, right, because he's losing the money out of his check, because those fish are hitting the market, and so that was what we had people talk.

Also, the commercial fishermen were very concerned about the quality of the fish that are hitting the market, and the way the fish are being handled, and I know I sent Christina some pictures to send around, and there's TV shows now, and these tournaments are giant, big business, highly-sponsored, and they're laying the fish on the ground, where dogs, and people, are walking around, and they're throwing them in the back of trucks with no ice. If one of those fish were to make someone seriously sick, it's not the tournament that's going to hurt, and it's going to be the commercial fishermen that you've hurt, and so we just feel, at this point, that needs to stop.

Also, I remember being part of this conversation, when this rule went into effect, and we thought that they were going to have the same regulations to sell the fish as commercial fishermen, but somehow, in the CFRs, it got put to where they could sell it to state or federal dealers, and opening that up to state dealers kind of makes it a little harder for law enforcement to really get on, or be able, for some of these dealers, to handle that great amount of fish, and also report it, and so there was a lot of concern, and I believe that even the recreational fishermen thought it was, you know, a conservation issue, because I think there's some thought, in tournaments, that, if they're selling them, and donating to charity, they're doing good, right, and it is, you know, an honorable thing to try and do, but it also lets you go out there and put more fish in the boat, and not try to cull through small ones, because you think that.

You know, I know this council has done so much with best fishing practices and all that, but these tournaments are using double-treble hooks, and a single hook, and, you know, they just keep fishing and fishing, and there was concern that there's pre-fishing on these days, and all of those fish end up in the marketplace, and there's really not enough stringent measures to check how they go.

I mean, we have heard, from past council members at this table, that, you know, the way it was done in tournaments in the past is you just throw them in a truck with some guy with a permit, and he takes it to -- He takes it to the fish house and sells it, and then he gives the money back, and, well, that's just not what is intended to happen, and, from some of those pictures, and I'm not accusing anybody of anything, but you could see where that could happen very easily, and so we definitely made a motion that we end the sale of tournament-caught fish, and that passed eight to one and one abstention. Are there any questions?

MS. MARHEFKA: Ira, was there discussion about what tournaments would look like, or what would happen with the fish, if sale is prohibited?

MR. LAKS: I think we had some on-the-fringe questions about that, and we were kind of pressed for time, and we didn't really think that we were the right body to do that. I mean, personally, if they were smart, they would get a smoker there, and smoke the fish, and give it away, so that people would buy more -- I drink more beer when I eat smoked fish, and so people would buy more beer at the beer truck, and so that would be my personal suggestion, or, you know, there's organizations that take fish to food banks, or get in touch with church or local organizations that can take the fish. There are people that can figure that out, and, you know, that's a conversation in port meetings that can come up too, that it -- There are things that can be done with it, and, I mean, nobody wants to see fish wasted, but entering commerce, and hurting fishermen, is not a good thing either. Go ahead, Andy.

MR. STRELCHECK: Thanks, Ira. I guess a question for you would be, you know, are there some good actors, in terms of tournaments, that maybe do it well, and the thought I guess I have is I'm concerned about the waste of fish, and I'm also concerned about the illegal sale of fish, if we prohibited sales, but, you know, is there an opportunity for best tournament practices, you know, something that this council could do, working with tournaments, to kind of help improve the utilization of those fish that are being caught, and harvested, and reported, for that matter?

MR. LAKS: Well, I believe yes. If it's going to be allowed, there are regulations that could be put in place, or that are in place that need to be enforced, right, and that's always the tricky part. I mean, the HACCP regulations are regulations are not being followed now, and I don't know if any of those really address the actual loss to commercial fishermen, and so maybe they can donate the money to everyone with kingfish permit, and so, I mean, I just -- It just seems that law enforcement would be -- It's harder, the way the law is written now, to enforce it, because there's so much ambiguity in it, that it would probably be just better to find a way to donate these fish to a charitable cause than have them enter commerce. Robert.

MR. SPOTTSWOOD: I was starting to wonder -- I mean, we have sailfish tournaments, catch and release, and they have controls over that, and I wasn't wondering if tournaments couldn't consider some sort of, you know, additional class for clean releases or something, to try to encourage the

release of fish that aren't going to be weighed for trophy, but, you know, kind of cut down on what's just being thrown into the box. I don't know if, you know, the treble hooks, and the hooks, make that really difficult, from your perspective, but I'm just wondering if there's some way that we could try to get some of these tournaments to encourage that practice.

MR. LAKS: I guess that would get back to Andy's point too, and, you know, you could do something where the best practice is not to have multiple fish in a tournament, right, like a bag limit weigh-off, to see who catches the most, and I don't think -- You know, the king fishery, having been in it, and recreational, they're not going to like that you can't use treble hooks, and I would like to see that, right, and I've caught plenty of kingfish without ever using a treble hook. You know, as a commercial fisherman, the last thing I want to see is a treble hook on my boat, and so those are things that can be done. I would -- Sure. Maybe, you know, as best practices and all that, and we've limited hooks in other fisheries, and so I don't see why it couldn't be done.

MR. SPOTTSWOOD: I wasn't suggesting changing the hooks yet, but, you know, certainly trying to figure out ways to incentive people to, you know, achieve the goal of keeping more fish in the fishery, rather than coming back to the dock, and I do share Andy's concerns, and I hear the, you know, pressure on the commercial sector, but I also would have a lot of concern -- I think this probably ended up being what it is today, you know, these tournaments selling the fish, because of all the bad things that were happening with the catches when they came back, and so it's certainly a unique issue, but I understand where you guys are sitting.

MR. ROLLER: Based on that, you know, I had a couple of take-aways from this. You know, I kind of seesawed on this issue, questioning, you know, the general overall importance of it, and, you know, I'm definitely starting to get more along the lines of the comments of the AP, in terms of, you know, its impacts on the industry. A couple of take-aways that I had was the gist of it was that current tournament structure is actually encouraging more harvest, right, because there was the incentive to sell, and the second, kind of a philosophical question, and I think the AP touched on this a little bit, is, you know, there's a lot of different fishing tournaments, a lot of kill tournaments.

You know, we have a really big, you know, marlin and meat-fish tournament here, but we're not selling the dolphin and the wahoo and the tuna and the marlin. We're not selling the redfish, right, and so what makes king mackerel different, that we want to sell those fish, and that's kind of one of the take-aways that I had.

MR. SPOTTSWOOD: Do we have any information on the dollar amount that these tournaments are producing off of these contributions? I mean, is it tens of thousands, or is it a lot of money here that we're talking about, that these tournaments are able to produce off of the sale of these caught fish?

MS. WIEGAND: I certainly don't have that information right now, and I believe that's information that we would have to get from each of the individual states, depending on how they track those tournament landings, and what the tournament landings specifically are being sold for.

MR. SPOTTSWOOD: If possible, I think that would be good information to have, just to understand the magnitude of the issue we're dealing with, and, ultimately, if it's for charity, you know, maybe there are some other groups that would be willing to step in to help with that, for

example, a contribution to the fishing tournament that is supporting fishing for kids, and then the fish goes to the local soup kitchen or whatever, but the magnitude of that dollar amount -- You know, if we're talking five-thousand-bucks, or ten-thousand-bucks, and you've got, you know, these boats that are in these tournaments, and they're spending a lot of money, and so there may be some other way to kind of get to that, and solve that issue, and I would like to help dig into it.

MR. LAKS: Yes, and I could say that I can't give you an exact figure, but I know, in North Carolina a couple of years ago, there was over 50,000 pounds of king mackerel sold from tournaments, and, if I was to give you just an industry perspective of a conservative price at \$2.50, it's a lot of money, but exactly as you said. These are high-dollar tournaments, and the money they're spending on gas, with major sponsors, and there's other ways that they can generate that money.

As a Floridian, and so are you, we have the process where there's a state permit to do that, but I'm going to tell you right now that I think, last year, there was ten for both coasts, and so it's not being done, and it's incredibly hard to -- You know, law enforcement could be at every tournament, to see what happens to the fish, and so just the fact that the notion is out there that these fish can be sold, and people don't always know all the loopholes, and the regulations, they have to go through, and they think they can just throw them in the box and take them to the fish house, and I think that's what really upsets the fishermen, right, that we have to go through such rigorous methods to sell our fish, and such tracking and reporting, and then these fish just get thrown on the market without anyone handling it. I mean, I've seen it, and I know other people have seen it, and it's just -- I think one of the things that we just were talking about is, really, the only way to enforce it is to ban it, and it's just to get the mindset out that you can't do it, like in other fisheries that don't allow recreational sales. Kerry.

MS. MARHEFKA: So I'm sitting here looking at our workplan, and thinking about where we are, and we've talked about this issue now for the past two or three Mackerel Committee meetings, and clearly we're hearing something from the AP, and I think it's something we're all more interested in, and so now I'm moving forward to like where it goes from here. Obviously, it can't be in the Spanish mackerel assessment, and that's too far down the line. We have the port meetings coming up, and I'm sure that was said a minute ago, and I probably was answering an email and missed it, but can you just remind me of the timing of those?

MS. WIEGAND: So port meetings will be conducted throughout 2024. By the end of 2024, we would be wrapping them up, with a final report from those port meetings to you guys in March of 2025. Following that, the thought has been that you would then sort of embark on an amendment to address anything that was identified as being needed through port meetings, and so March of 2025 would be when you would be looking at starting an amendment, based on the port meetings.

MR. ROLLER: We'll go to Jessica and then Trish.

MS. MCCAWLEY: To that, I guess why wouldn't this be one of the discussions at the port meetings, I guess, because you want to get all sides of this issue. If there are people that are conducting these tournaments, I would hope that they would want to come out to the port meetings and be part of the discussion as well, and so it seems like that might be the best opportunity to gather a bunch of additional input on this, because I agree with Kerry. We've talked about this

multiple times, and the AP has talked about it multiple times, but just trying to find a mechanism to gather additional input to get ready for the amendment that would come after the port meetings.

MR. ROLLER: We'll go to Trish.

MS. MURPHEY: Actually, Jessica stole my thunder, but I agree. I think the port meetings would be a great opportunity to discuss both sides, because I think that we probably should make sure that we have tournament organizers also involved in these port meetings as well, to hear from them, and get more information from their side as well, just to have a balanced discussion, but, in my mind, I was thinking let's hear about it throughout the port meetings, get input from tournament organizers, and then we can address it when we address all the big issues in our big amendment that's going to be following.

MR. ROLLER: I'm going to go to Kerry and then Robert.

MS. MARHEFKA: Thanks. That works perfectly for me, and there's just two things that I want to make sure of. One, that the AP knows that they're heard, and it's not that we're kicking it down the road, but it's that we already have this mechanism to get public input, and if we can make sure -- I know there is some discussion about putting out maybe what the pre-topics, you know, some of the questions that are going to be asked, and, obviously, not just, you know, where do you stand on tournament sales, but, if you think that tournament sales should be banned, I would like people to come to the table with a solution of what it would look like, and what would happen with those fish, and that would be really important for me to hear, you know, but I'm saying on the record for the frustrated AP members, and the members of the public, who have brought this to us. For me personally, this is an item that I think I would like to move forward with, and, you know, at least get to the scoping stage, after port meetings, and really flesh this out.

MR. ROLLER: Thank you, Kerry, and I just want to say that I appreciate your comment there that you're just drawing attention to this so that the AP knows that we're discussing it, and I think that's really important for us to do sometimes, because we also have AP members in attendance as well, and so I'm going to go to Robert.

MR. SPOTTSWOOD: Just kind of thinking through these port meetings, and I'm just wondering if it wouldn't be more productive to maybe have a meeting with industry, the folks that run S-K and other, and sit down with them and say, look -- Tournament leaders, and say, look, we've got this growing issue, and we're looking for your help, and we're getting public input, and maybe, without fishermen being in the same room, which are going to be opposed to each other at first, get some thoughts from them, and it might be easier. They might be willing to say that we didn't really realize that we were creating this issue for you, and, if it's getting to be that big of an issue, let's try and solve it, and maybe they get creative with solutions.

I mean, thinking out loud, everybody that's got a boat that catches fish, maybe they get a tax deduction for the fish that's donated to the soup kitchen. If it's not a lot of money, they probably wouldn't even care, but you would still get the same function. The tournament gets the credit for doing something good, and giving the fish to somebody, and the fishermen aren't hurt, but I think there's got to be a creative solution to this, and I would just suggest that, instead of putting those two groups in the room at first, maybe you try and have a separate discussion with them.

MR. ROLLER: That's a good point, Robert. I'm going to let Ira address it, and then I'm going to go to Mel.

MR. LAKS: That is a good idea. The only thing I would say about that is there's a lot of fishermen, in those tournaments, that do hold commercial permits, right, and so they already know the impact of it, and they feel it. They're just, you know, what we would call, in the industry, double-dipping. If they're not selling them legally, and if they're selling them towards the tournament, and there are private-run for-profit tournaments, right, and some of these tournaments are an entity, as a business, and, even if they're donating that money, like you say, the business gets a tax write-off of the money, and so somebody -- The tournament will profit off that tax write-off, and so, like I said, there's the issue we have, and I think commercial fishermen would want to be in the room.

If you guys do put it out for the port meetings, there's a nuance involved in this, right? I mean, if I was to tell most of my family that do you want to see the ban of fish sales to tournaments for charity, you know, everyone is going to say of course not, and I don't want to see that, right, I mean, but, if you don't know the nuance of what it does to the fishermen, and just putting it out as do you want to see it, as a general poll, without some information of how it affects commercial fishermen, and I think it would be very important to add that.

I mean, I apologize, and the AP did talk about tournaments, and I don't know if I elaborated when I was talking about what we suggested, because I knew we were going to talk about this specific issue, but we did talk that tournaments should be included in the port meetings, and I apologize if I didn't go through that.

MR. ROLLER: Thank you, Ira. I'm going to go to Mel.

MR. BELL: Thanks. Not to belabor this any, and it's obviously something that -- We don't allow the fish to enter commerce in South Carolina, and that's just the way it's been for quite a while, but I would encourage -- You know, since, obviously, it's a big issue for everyone, I would, you know, cover it at the port meetings, like you're talking about.

Also, there are potential sort of work-arounds, maybe, where the fish do not technically enter commerce, and they aren't sold, or they wouldn't interfere with the market, and, you know, an option that I think has been explored in South Carolina is that the fish basically are donated to the tournament to use in a fish fry, and there is paperwork associated with that, to acknowledge that the tournament is in possession of greater than a recreational bag limit, and I think that law enforcement is happy with that, but, basically, there's a fish fry, and there's a fee for the fish fry, and that is how you can generate money within the context of the tournament from that fish fry, to sell, but it doesn't -- The fish don't leave, don't go out, don't compete in the market out there, other than, of course, there would be the removal of the fish from the -- You know, from the waters, which is the same stock that the commercial guys are fishing, but there may be some work-arounds, but you keep it clearly out of the commercial market.

There is no actual sale externally or anything, and it's just a mechanism that could be used within the context of the tournament itself, where they maintain all of the responsibility, liability, for the handling, the cooking, and, you know, the feeding of people, and the generation of funds, and that's how you could generate funds, and Amy Dukes is there with you guys, and, if you have any questions about how that's kind of been explored in South Carolina, I encourage you just to talk

to her, but, you know, there may be some work-arounds, but the point is that you want to keep -- You know, you don't want those fish to enter into commerce and compete.

Like we talked about earlier, you lower the price for the commercial guys, and that sort of thing, and that's just not -- I don't think that's right, but I would encourage you to explore this further, since people are definitely interested in it, in the port meetings.

MR. ROLLER: Thank you, Mel. I'm going to go to Trish, but, just as a quick reminder, we do have two more agenda items that are going to need considerable conversation, including port meetings, and so go ahead, Trish.

MS. MURPHEY: Okay, and this is touching on port meetings again, but I just want to reiterate that I think, in these port meetings, it would be important to have tournament organizers attend, so that, one, they can hear about the concerns, and, also, they too can present how things are -- How they actually do handle things in their tournaments, and maybe, you know, from that, we would come up with some solutions, but I just feel like it is important to have them attend.

Then just a second totally complete and different -- I know we were talking about HACCP concerns, and, whether they're sold or donated, we need to make sure that those -- That they've been treated correctly, whether they're sold or donated to a food kitchen, and so that was my only other thing.

MR. ROLLER: Thank you, Trish. Next on the list, I have Joe Grist, who is on the committee from the Mid-Atlantic. Joe, you can go ahead.

DR. BELCHER: Hold up, Joe. We're trying to figure out if you're muted on our end or your end.

MR. GRIST: There we go. Can you hear me?

DR. BELCHER: Got you now.

MR. GRIST: All right. Thank you. Just from the Mid-Atlantic, and from Virginia, from the earlier comments, for the port meetings, we just endorse that we can have one, at least, as far north as possible, such as Wanchese, and that would be helpful for our fishermen as well, and I will try and drive as much of them down there as possible, to participate in that port meeting. It's a little different fishery up here, but still we want to get them involved.

MR. ROLLER: Thank you, Joe. Ira, do you want to continue on with your report?

MR. LAKS: Thank you, Tom. One quick last thing about the tournament sales is that the AP made a motion to have the council's Law Enforcement AP take a look at this issue, particularly about maybe the illegal sales, or the issue that they're not being followed, even in the regulations that do allow sales, and a lot of the fishermen were concerned that some of these fish are ending up in the back of just guys with permits trucks, and not even going through the legal process of tournament sales, and so we did have a unanimous motion to approve -- To ask if you guys would have the Law Enforcement AP weigh-into this.

We did talk about the Atlantic king mackerel fishery performance report, which I believe that you guys are going to get in March, and so we just gave our observations of it, and then we got into Other Business, and, having listened to the Snapper Grouper AP, and they brought up limited entry in the snapper grouper fishery, and, again, we felt that, as mackerel fishermen -- We thought that was important that we bring that up for all the for-hire fisheries.

You know, the AP members thought that it would help control some expansion in the fishery, and also professionalize the for-hire fleet. I think your presentation on SEFHIER yesterday was a stark reminder of where we're at with the ability to curtail reporting, and even get a handle on what our for-hire fleet is doing, and so we definitely would like to see that. We then made a motion that the CMP for-hire permit be looked at for the limited-entry program, and that was approved unanimous.

After that, we made a recommendation, and I'm going to say that some of this is probably my recommendation, but I know there's talk about changing control dates, and all that kind of stuff, and the AP would just like that you guys really not do anything and first set up a working group, right, and we need to flesh this out, because I've talked about this issue, along with other fishermen, for years, and we don't really know the ins-and-outs, right, and it's a conversation that has to be had, and so we would suggest that you make an ad hoc AP, or a workgroup, with people who are for limited entry, people who are against limited entry, maybe members of the Gulf fishermen, the Gulf for-hire fishermen, that have the limited entry, so they can give their perspective. We need staff members and people who understand about permits.

There are things that can be done that doesn't kick anyone out of the fishery, right, and there's different ways of doing this, where everybody who is in the fishery can stay in the fishery, and there's ways you can have greenhorns, or new entrants, come through, through different programs, but, if you start changing control dates, and limits, now, those options will be taken away from you, and so we suggest that talking about it, and having a good conversation on how this can go forward, would be the first step, before any action was taken, and if there's any questions.

MR. ROLLER: Andy.

MR. STRELCHECK: Ira, I appreciate the comments on limited entry and involving the AP, and I guess a couple of comments. One is, if the council sets a control date, a new control date, it doesn't obligate us to absolutely use that, right, and so it's just setting a marker in time that we could decide whether or not -- Or how to use that date, in terms of regulations going forward, and my concern is, obviously, having the AP weigh-in, you know, and more and more discussion around this is that we might have then a lot of people wanting to apply for permits, right, and so what do we do with that? I think we need to think about, you know, the approach that you're suggesting, and balance that with other issues, in terms of an onslaught of additional permits potentially being requested as we figure out kind of the next steps for a potential limited-entry system.

MR. LAKS: You know, I think that was part of our concern, right, and we're not even sure if this is possible, but there could be a future control date, right, and I don't know if that's a possibility, where you can make people -- Okay, you've got a year to get into this fishery, and you can do things like transferable permits, or non-transferable permits, and so you can have a control date in the past, and a control date in the future, and, if you're in the fishery, and you're don't have a permit, this is your opportunity, and you have a year to get in it, and, if they don't, they're out of

luck, but there's just a lot of options, and we never really talk about all the options, and we just either say yes or no, or let's just do something, and then we don't have the ability to go back and really discuss what we want to do.

MR. ROLLER: Jessica.

MS. MCCAWLEY: Just a question, and so there's a separate Gulf and South Atlantic CMP permit, and the Gulf is already limited entry, and is that right? Okay. Thanks.

MR. ROLLER: Ira, I just want to say I really appreciated this conversation for its creativity, and you were right. A lot of times, when we have these discussions, as a council or an AP, it's a very yes or no question, and it doesn't have to be. When we discuss limited entry, we can be very, very creative with it, and we can learn from experiences of the past, with other regions, as well as other permits, and so I really appreciate this comment and the discussion of the AP.

MR. ROLLER: Well, if there's no other questions, that concludes the AP report. Laurilee.

MS. THOMPSON: Did you guys have any kind of discussion about the area closures from rocket launches impacting the fleet's ability to function normally off of Cape Canaveral?

MR. LAKS: I think we're going to have that in April. We did it the past April, and I don't know if it will come up again, but we were kind of pressed for time, and we were right up to the end with what we did.

MS. THOMPSON: There's way more launches now than there was last year.

MR. ROLLER: All right. Last call for questions for Ira. Jessica.

MS. MCCAWLEY: I just wanted to say thank you for all those great discussions that the AP had. I know that some of those discussions can be challenging, and so I just really appreciate all your work, and I just want to thank the whole AP for the discussions.

MR. LAKS: Thank you.

MR. ROLLER: Absolutely, Ira. Thank you for your dedication, and your work with the AP and the council process, and you're very much appreciated. We're going to close that agenda item and move on to the CMP framework, Amendment 13.

MS. WIEGAND: All right, and so, diving into Framework 13, I'm not going to go over the background in quite the detail I usually do, both in the interest of time and because you guys have heard me go over it a couple of times now, but this amendment is addressing Atlantic Spanish mackerel catch levels, updating them based on the most recent stock assessment, which was SEDAR 78, and that stock assessment indicated that Spanish mackerel was not overfished or undergoing overfishing, and the OFL and ABC recommendations that came out of the SSC are here in Table 1.

There's only one action in this amendment right now, and that action is to update the ABC, the OY, the total ACL, the sector annual catch limits, and the commercial zone quotas for Atlantic

Spanish mackerel to reflect that most recent stock assessment, and what we've got for you guys to do today is to review the annual catch limit analysis, consider whether or not you would like to set a long-term optimum yield, and then approve the range of actions and alternatives to be analyzed.

Real quick, here is the purpose and need statement. The purpose of this amendment is to revise the acceptable biological catch, annual catch limit, and annual optimum yield, and recreational annual catch targets for Atlantic migratory group Spanish mackerel based on the results of the latest stock assessment.

The need for this amendment is to ensure catch limits are based on the best scientific information available and to ensure that overfishing does not occur in the Atlantic migratory group Spanish mackerel fishery. You guys approved this language at your last meeting, and I will go ahead and pause briefly, to make sure you're comfortable with this purpose and need before moving into the meat of the amendment.

All right, and I'm going to take silence as we're still comfortable with this purpose and need statement, and so on to the proposed action and alternatives, and so, again, this is updating sort of a suite of catch levels for Atlantic Spanish mackerel, because of sort of the complex way that it's managed, but the real decision you have here, under Action 1, is whether or not you want to set a buffer between ABC and the total ACL, and so you've got your no action alternative, which would keep all of the information as it was set with the previous assessment, which again was using MRIP-CHTS, and the new assessment updated everything into MRIP-FES.

Alternative 2, and this is the alternative that was recommended by your advisory panel, would not set a buffer between ABC and ACL. Alternative 3 would set a 5 percent buffer between ABC and ACL, and then Alternative 4 would set a 10 percent buffer, and then I do want to sort of briefly go over, and I know I've talked about this also at a couple of meetings, but I think it's worth reiterating sort of the different catch levels that are going to be updated through these actions.

One is optimum yield, and the South Atlantic Council, for Spanish mackerel, and king mackerel for that matter, has historically been setting annual optimum yields. Prior to Amendment 18, you had your OY set equal to MSY, but then, when Magnuson was reauthorized, and you start setting catch levels for everything, in Amendment 18, you decided to start setting OY equal to ACL, based on the logic that this would make sure that OY was achieved, that overfishing would be prevented, and biomass would be kept at, or near, BMSY.

However, for some snapper grouper species, you've talked about sort of going back to that long-term OY, and so that's something you could consider doing here, and I just wanted to bring it up as something that the council could discuss, and so I guess I will sort of stop there, since that's one discussion point, before moving on to a couple of other things that we're going to need the committee to discuss.

MR. ROLLER: Shep.

MR. GRIMES: Thank you, Mr. Chairman. Well, as we have discussed before, optimum yield is the long-term average, right, and it's defined as the long-term average amount of fish. As I have repeatedly advised, the long-term average, long-term OY, is what you need to have. You can have an annual OY. The guidelines, the National Standard 1 Guidelines, discuss the concept of optimum

yield, and they define it as a long-term average, but they do say that a council can choose to have an annual OY.

While the guidelines aren't necessarily clear on this point, the way that the agency interprets it, through our discussions, is you really need the long-term OY, and you can choose to have the annual OY in addition to it, but you have to have the long-term OY, because that's the long-term average yield that must be achieved under the Magnuson-Stevens Act.

I guess I would just elaborate on this for a little bit, and I think, historically, you do have long-term OYs on the books for everything, and I would say you had that, and it wasn't until the changes to the statute that required annual catch limits that people started even considering, or talking about, annual OY values, and so there must be an OY on the books for Spanish mackerel, and the question is not, you know, establishing that, but looking at what you have and seeing if it's still appropriate, in light of the latest assessment, I guess. Thank you.

MS. WIEGAND: Well, and, if it helps, in digging through some very old mackerel amendments, what I could dig up, in terms of what might currently be established for that long-term OY that Shep is talking about, it looks like it was just set equal to MSY, which I believe is the ceiling for what you can set your OY at.

MR. ROLLER: Any other questions, or comments? Shep.

MR. GRIMES: Well, I would say, if it's just MSY, OY equals MSY, then we should be revisiting that and discussing whether that is appropriate. Thank you.

MS. WIEGAND: If it helps, for context for this discussion, I believe what you're looking at, in some of your snapper grouper amendments, is setting OY as a percentage of MSY, as opposed to setting it equal to MSY, and this would be meant to take in sort of other social and economic and management considerations, would be why you would be setting that buffer.

MR. ROLLER: Kerry.

MS. MARHEFKA: I'm struggling, but I'm trying, and so what I hear you asking us is do we want to change from what is currently -- What we have recently been doing, which is an annual OY, to establishing, in this document, a long-term OY, which is the advice we're given by counsel, and, if we want to do that, what is the buffer between -- Do we want to set an MSY, or have some sort of buffer between the two?

MS. WIEGAND: Yes, and so it seems like, based on what I'm understanding from Shep, and sort of digging through some of these very old amendments, is that the long-term OY is set -- So you have like a long-term OY and an annual OY, and your long-term OY right now is set equal to MSY, and so it's at the ceiling. That's as high as it can be, and so the question is do you want to reconsider that, which I believe we would then need to add an action to this amendment to consider that, and then what sort of range of alternatives would you like and what sort of buffers would you like to see.

MR. ROLLER: Kerry, do you have a follow-up?

MS. MARHEFKA: Yes, and I was going to say -- I mean, it sounds like what we need to do is make a motion to add an action to this amendment to have alternatives for a long-term OY, and I would presume that it would look something like OY equals MSY, OY equals 90 percent of MSY, OY -- So maybe some range, and so OY equals MSY for some range of maybe between 90, 95, and -- Sorry. If I'm pushing too far, but I just feel like I understand what's being asked. Then the only thing I don't feel like I have the knowledge to sort of put out there is necessarily what those buffers would be, and how we would justify them, but, based on what we do with -- Yes.

MR. ROLLER: Kerry, are you happy with this motion as it's worded?

MS. MARHEFKA: Absolutely.

MR. ROLLER: Okay, and so we do have a motion on the floor, and we'll be looking for a second, and I also have Shep in the queue that I will recognize for comments, but we'll take care of this motion first. Trish, are you going to second this motion? Okay. Trish seconds it. Is there discussion? Robert.

MR. SPOTTSWOOD: I'm not sure if this discussion point is relevant specifically to that motion, and so maybe I'll ask my question, and you can tell me if we need to circle back on it, but, when I was going through this, Andy, and trying to evaluate Alternatives 1, 2, and 3, I find myself -- I just went through the training, and so excuse me if I'm misapplying something here, but I was looking for the probabilities that any of these alternatives would result in a higher than 50 percent probability that we would cross the OFL line, and is that analysis done in here, or in the background somewhere, or am I missing it?

MR. ROLLER: Andy.

MR. STRELCHECK: I mean, there's no analysis that specifically points to what you're suggesting, right, and, obviously, the lower you set the catch limit, relative to the ABC or OFL, the higher the probability that you're going to prevent overfishing, right, and you could potentially estimate that, but you have to factor in, obviously, landings, catch, uncertainty, and so, when we get into, I think, reviewing some of the closure analyses, you can get a sense of will we bump up against the catch limit, what are some of the accountability measures we have to manage the fishery, and to control harvest, so that it may not exceed the overfishing limit beyond the catch limit.

MR. ROLLER: Shep.

MR. GRIMES: I guess I just wanted to add, you know, that there should be some discussion at the SSC level, and the SSC looks at the assessment, develops the ABC recommendations, develops their ABC recommendation to the council, and that is as reduced from OFL, which is the overfishing point, and so I don't think they discuss it as, you know, a probability of overfishing at any point, but it is reduced to reduce the probability of overfishing, and there should be some record in the SSC recommendation.

MR. ROLLER: Andy.

MR. STRELCHECK: Just quickly to that point, if you go to page 2 in the document, it shows the ABC being less than 200,000 pounds different than the overfishing limit, and so it's probably about a 2 or 3 percent difference between those two values, and so we're charged, obviously, not with setting the ABC, and that's the SSC's determination, but where we set the catch limit, at or below that ABC value.

MR. ROLLER: Robert.

MR. SPOTTSWOOD: Right, and so, as I'm thinking about further, you know, handicapping, or putting buffers in, at least from my perspective, it is important to understand, you know, how much of a, you know, buffer we're really adding there, and what is the probability that we're going to create overfishing, and so I don't know if, in the future, that's something we can include, but that was information that I found myself looking for.

MR. CARMICHAEL: The way the SSC gives your ABC, it's explicitly based on the probability of overfishing. It's right there in the table. The ABC Control Rule adjustment is 10 percent, and so they set the MSY at the 50 percent chance of overfishing occurring, and that's what the law allows. In the top table there, you see the ABC Control Rule adjustment of 10 percent, and then you see, below that, the P* of 40 percent, and so they're basing their OFL on a 50 percent chance of overfishing occurring. They're basing their ABC on a 40 percent chance of overfishing occurring, and so this is how we do all of them in our region, and they're all explicitly based on a probability of overfishing occurring.

This created some of the problems though with what we're dealing with the MSY versus OY, because they are intended, when they set up, to be equilibrium values, and the MSY is the limit, and it's the most you can catch, and the F associated with that is the highest F you can have, and the MSY is the yield that you get from whatever you think your average stock size is going to be in that F, but the fishermen can't expect to fish at that level when the stocks rebuild to an equilibrium and long-term. You know, you have to be somewhat conservative, and you have to account for uncertainty. The Magnuson says that is OY, and that is the target that accompanies the limit, MSY.

The Magnuson says you reduce it from MSY to account for the greatest benefit of the nation, social and economic concerns, and, honestly, I've been sitting around these tables for thirty years, and I've yet to hear many social and economic concerns that come out and say catching less fish is better for the fishermen, but, nonetheless, that's how the law is actually written. You know, it's better for the fishermen to have stability, but usually catching more fish is the case, but, nonetheless, you have to account for the uncertainty, and you have to set some target to go with your limit, and that's where the MSY and OY is -- As Shep was saying, it's a long-term thing.

We got a bit askew, I feel, in this council for a while, of setting OY equal to these annual levels, and that was never the intent of OY, and that's not in any of the guidance that you see, and there's not how -- There is various figures that show how these different things progress, and it was never intended to be equilibrium. What was intended to be the annual values is where we're dealing with the OFLs and the ABCs, and they're a matter of essentially the same F rate, and so OFL is the F rate that you would have at fishing at FMSY, but, instead of using the ideal hypothetical stock abundance that you would have for a rebuilt equilibrium stock over the long-term, you used the actual abundance of the stock every year, and so that's what the projections show.

For example, you could have an OFL that exceeds your long-term MSY if your stock was above it. If your stock was having great recruitment, and was more abundant than you would expect long-term, you could have an OFL for a while that exceeds MSY. If you fished at that, you're going to drive your stock down, and we've been in situations where we've done that, and so the OFL, and the ABC, are very similar, in terms of the rate of fish removals, as what you should have for your FMSY and your FOY, but they're just simply applying that to the annual abundance of the stock each year, and that's really the key difference.

The OY is critical, as Shep has been making the case, because it does tell the fishermen that this is the most you're actually going to catch. If your MSY is, you know, two-million pounds, your OY is going to be somewhat lower, and, ideally, it is based on a fishing mortality rate. It could be based on -- In the case of the annual levels, you could use the P^* to calculate that, and you could say, well, if I fished this stock at equilibrium, with only a 40 percent chance of overfishing occurring, what yield would that give me, and that would be a much more, I think, scientifically-defensible approach than just picking say let's cut it back by 25 percent.

You may find, in many cases, you're not reducing it by nearly that much, because, when you fish a little less, there's more fish in the population, and so that lower F can give you a bit more fish than you might expect, and so, in our common example, where we fish at 75 percent of FMSY, you get 90 percent of the yield that you would get at MSY, and you don't get -- It's not a one-to-one reduction when you reduce fishing mortality versus you reduce stock yield, because, if you fish lighter, there's more fish in the population, and, well, that's more yield for a given removal rate, and that's the magic of all this stuff coming together. So, I mean, I'm encouraged by the council doing this, and I think it would be good, and, you know, you have sort of a path forward for doing this right there in the tables for our OFLs and ABCs.

MR. SPOTTSWOOD: So, you know, based on looking at this, I tend to agree with the AP's selection of Alternative 2, and I think there's enough safety in that number, and so my question is so would that -- Would the motion be added onto, under Alternative 2, to add an action to the Framework Amendment 13? No?

MS. WIEGAND: This motion would add a brand-new action to the amendment that would just address the long-term OY, and so it would be a separate action from the action that's already in there looking at the buffer between ABC and ACL.

MR. SPOTTSWOOD: Okay. Thank you.

MR. ROLLER: Shep.

MR. GRIMES: Thank you, Mr. Chairman. Well, that's a great segue from John Carmichael there, but I think, along the same lines, I would recommend getting rid of annual OY from Action 1. Let's stop it with the annual OY, and focus on our long-term OYs, and adjust those accordingly. Thank you.

MR. ROLLER: Thank you, Shep. Go ahead.

MR. GRIMES: There is one other issue that I would just mention, in terms of buffers, right, and so the buffer between OFL and ABC is to account for scientific uncertainty. The guidelines explain what they envision by that scientific uncertainty, and they also discuss management uncertainty. The council's purview is to consider whether to set a buffer between the ABC and the annual catch limit, to account for management uncertainty with this, and this is a stock managed, you know, by the federal government and then all of the states, across multiple jurisdictions.

When we close harvest, harvest does not end in state waters, and it continues for some recreational fishermen, and so there seems there's a lot of management uncertainty in the ability to control harvest of this stock. Historically, or at least in my history, it hasn't been a problem, because we haven't been exceeding catches, but, as we'll discuss as we move through this amendment with the new catch levels, they are -- The sectors are anticipated to reach their catch levels now, and, given management uncertainty with it, it seems like there's a pretty strong case that this one could use a buffer between the ABC and the ACL. Thank you.

MR. ROLLER: Go ahead, Robert.

MR. SPOTTSWOOD: To go a little bit further with the management uncertainty, because it seems that it always slants one way, right, and the uncertainty is always, you know, that, hey, we're going to accidentally take too many fish out, if we make a mistake, rather than we're going to leave too many fish there, and that's something that I struggle a little bit with, when I try to look at -- You know, my read of Magnuson was pretty much that the OFL is something that we should be flirting with, effectively, and, you know, sometimes going over, and sometimes under, but having some kind of -- Trying to ultimately stay pretty close here, and that's why I asked the question, and I'm trying to understand these uncertainties and continue to kind of -- From a management perspective, I get it. As a manager, I would probably say, well, if I made a mistake, my concern is that I've, you know, overestimated the population, but, you know, that's just a comment.

MR. ROLLER: Go ahead, Shep.

MR. GRIMES: Thank you, and just one response to that. I would say the OFL is not something that you should be exceeding half the time, and the OY is your long-term average. You should exceed -- Maybe you can make the argument that you should exceed that half the time, and be under it half the time, and achieve it on the long-term, but overfishing is something to be avoiding, and so exceeding the overfishing limit, even once, is a bad thing, and it is not something the law technically -- Well, it's something we are to avoid. Thank you.

MR. ROLLER: Thank you, Shep. You know, as we have this -- Go ahead, John.

MR. CARMICHAEL: That's what I was going to say, because you're right that uncertainty can go either way, but, as Shep said, under the law, overfishing is something to be avoided, and so we look at the exceeding aspect of the uncertainty and not the other side of it, which has a big influence on it.

MR. ROLLER: I was just going to point out, you know, that I think, philosophically, when we think about OY in regard to this fishery, you know, we have some very -- It's an extremely important fishery to our recreational and commercial stakeholders, right, but, recreationally

speaking, we need to figure out what the optimal yield is, because it's such an important fish to have access to, right? Do we have any other discussion on this motion? It's been seconded by Trish. **Is there any opposition to this motion? Seeing none, the motion carries by consensus.**
Jessica.

MS. MCCAWLEY: So then do we need to go back to Action 1 and talk about removing the annual optimum yield?

MS. WIEGAND: So this action hasn't been like approved for formal inclusion in the amendment, and so we can still edit as needed, and we can remove the annual optimum yield from this. All right, and so there are a couple of other things that I wanted to go over, to provide some context for discussion of Action 1.

The first is sector and regional allocations. Again, since we're sort of -- With this amendment, you guys indicated that you did not want to modify sector allocations, or regional allocations, and that Action 1 will sort of update the catch levels for all of those, based on current percentages, and so, right now, your allocation between the commercial and recreational sector for Spanish mackerel is 55 percent to the commercial sector and 45 percent to the recreational sector, and those were set via a 1998 framework action that was effective in September of 1999.

It's not based on a landings stream, and so it is not affected by the switch from CHTS to FES, and then you've also got your regional allocations for the commercial zone quotas, and those are set on a landings stream, based on the 2002-2003 fishing season through the 2011-2012 fishing season, and it resulted in what is approximately 20 percent to the Northern Zone, which is the North Carolina/South Carolina line north through the Mid-Atlantic Council's area of jurisdiction, and then 80 percent to the Southern Zone, which is, again, that North Carolina/South Carolina line south to the Miami-Dade/Monroe County line.

The other thing you will be updating through this is the recreational ACT, and that's based on the same equation that's used for king mackerel, adjusting the ACL by 50 percent, or one minus the five-year average PSE, which, in this case, is 13.8 percent, and so it creates that 13.8 percent buffer between ACL and ACT, and this is important, because the ACT is utilized in the post-season recreational accountability measure for Atlantic Spanish mackerel, and so there is no in-season accountability measure for the recreational sector. The post-season accountability measure for the recreational sector is that, if recreational landings exceed the recreational ACL, and the commercial and recreational landings exceed the total ACL, the RA can reduce the bag limit, the following fishing year, by the amount necessary to ensure that that ACT is met, but that the ACL is not exceeded, and so that's your current post-season accountability measure for Spanish mackerel.

Then Ira went over the advisory panel comments earlier, and, again, the advisory panel recommended no buffer between ABC and ACL, and then the next thing I want to go over with you is the annual catch limit analysis that was conducted, and there's a full summary of how this was done in Appendix A and B for each of the sectors, but it essentially looks at sort of three different options, looking at the highest single year of landings in the last five years, and you can see what years those were for the commercial northern, commercial southern, and recreational sector, the three-year average landings, and then five-year average landings, to look at when we

might expect to see a closure, if it's the commercial sector, or the ACL met, if it's the recreational sector, because, again, there is no in-season closure for the recreational sector.

Looking at the result of that, the commercial Northern Zone is predicted to close, in federal waters as early as August 21, or as late as September 12, based on which of those three types of analyses you're using. The Southern Zone is not anticipated to close. However, they do have a trip limit system set in place, where they have an adjusted quota that is 250,000 pounds less than their full quota, and, when 75 percent of that adjusted quota is met, their trip limit drops. When the full adjusted quota is met, the trip limit drops again, and then, when the full quota is met, federal waters are closed to commercial harvest, and so, while no closure is expected, they are expected to start seeing drops in the trip limits, based on that step-down system. They occur as early as January 5, to as late as January 17, and that's late in the fishing year for this fishery, and this fishery starts in March and runs through the end of February, and so, while January is early in the calendar year, this is actually late in the fishing year.

Then last, but not least, the recreational sector is predicted to meet their ACL as early as August 10, or as late as October 20, again depending on which sort of scenario you use, and, again, no in-season closure, but that is a bag limit reduction the following year. When we saw this analysis, we did ask the Regional Office staff, that is helping us with the analysis for this, to run a quick bag limit analysis, and it wasn't ready in time for the briefing book, but I do have it, if that's something you guys are interested in seeing, and so, with that, I will scroll back up to the actions and alternatives for discussion.

MR. ROLLER: I've got Kerry first.

MS. MARHEFKA: I'm just trying to find it, and so, in most of our snapper grouper species recently, as we've gone through those amendments, and we've looked at accountability measures, we separated the post-season accountability measures for the recreational sector from whatever was happening with the total ACL.

In other words, what we said is, whichever sector, if you exceeded your catch limit, regardless of whether the other sector exceeded the total -- Whether or not you collectively were exceeding the total catch limit, if your sector exceeded your catch limit, you were going to have whatever your accountability measures were, and I don't remember if we've had this discussion here, and I don't want to cause a problem by having this discussion here, at this stage of this document, but, seeing as there is some discussion about this, I don't know if it's appropriate to have that discussion now.

MS. WIEGAND: So I will say that, when you guys saw this document in September, you indicated that you didn't want to address accountability measures in this amendment, and you wanted to wait until after port meetings. However, you did not have the ACL analysis in front of you then, and so it's certainly possible that you might want to discuss whether or not you want to revisit that, having seen this analysis.

MR. ROLLER: Go ahead, Kerry.

MS. MARHEFKA: I don't feel super strongly that it has to be discussed here. What I do kind of feel more strongly about is that, as a body, we're sort of consistent in how we look at these things across species, and whether we -- It doesn't mean that we always do it the same way, but that we

consistently have a discussion about that, and so, whether that's here or after the port meetings, I will defer to people who are wiser than me, but I think, at some point, I would like to have that discussion for this fishery.

MR. ROLLER: Thank you. Is there any comments on that specifically, if anybody feels that we need to be having that discussion about accountability measures, seeing this analysis that we have in front of us? Well, I mean, it's because this framework does have the potential to really change this fishery, right, and so I think it would be helpful, and we've had a lot of discussions, you know, in our preparation for this, of what that would look like. Go ahead, Andy.

MR. STRELCHECK: So, weighing-in on the recreational accountability measures, I don't believe we've ever triggered the accountability measure to reduce the bag limit, right, over time, and this has the potential to do that, and potentially also where we would have a season that would run considerably longer the year prior, and we would have to do a significant adjustment to the bag limit the next year, right, and so I think we should be looking at potential changes to recreational accountability measures in this amendment, just for the sake that there's potential for closures.

The other thing that I would mention is it strikes me that closure for the northern part of the commercial sector, but not closing the southern portion, and I think this is an opportunity, in light of climate change, warming temperatures, to maybe look at the allocation between northern and southern and evaluate whether or not we could better maximize the utilization between the northern and southern portion.

MR. ROLLER: Thank you, Andy. A question that I have is, when we look at accountability measures on this, if this framework continues, currently, once that commercial fishery hits its limit, they continue fishing under a 500-pound limit, and is that going to still continue to go on in state waters?

MS. WIEGAND: That's not a question for me, because that's a state-waters issue, and that's not something we allow in federal regulations, and so that would be a question for, I guess, Bob, or anyone around from the states.

MR. ROLLER: Trish.

MS. MURPHEY: I would say most likely in North Carolina. I mean, we do have that discussion before we open, you know, set the 500 pounds, but it's a possibility, and I would say it's a pretty strong possibility that would continue, and another question is, if we do talk about -- If we want to look at recreational AMs, how much time will that add to this, because I wonder if it is something we should look at.

MS. WIEGAND: So adding recreational accountability measures wouldn't add too much time, and I will say that accountability measures tend to be a fairly complex discussion, and so it may add -- I would optimistically guess maybe a meeting, if even. If we were to look at allocations, this would need to become a plan amendment, which would mean we would also have to start involving the Gulf Council as well, and so that would add a significant amount of time to this amendment.

MR. ROLLER: I mean, personally, the way I feel about it, that is a concern to me, that, if we're going to continue down this current path, where state waters stay open, yet the recreational community is going to be subjected to big bag limit reductions for the following seasons, that's something I'm scratching my head with a little bit. Do we have any other comments? Bob.

MR. BEAL: Thank you, Mr. Chair. Just to comment a little bit on the state-water fishery, you know, what happens in state-water fisheries, after the federal quota is closed, is one of the issues the commission was going to take up in an amendment. We were assuming the assessment was going to work out a little bit better than it did, and the council was going to move forward with an amendment, and wouldn't have to go through this framework process, and we would, at the commission, kind of move forward in lock-step with the council on an amendment, and so the commission still has that on their list of things to tackle, once we have some clarity on where the council is going, kind of big-picture, with Spanish mackerel, and so it's an issue that the states want to talk about, but they're just kind of -- They didn't want to get out ahead of the council on management.

MR. ROLLER: So I've got Kerry and Andy, and I am going to have Christina pull up the bag limit analysis.

MS. MARHEFKA: I will defer to Jessica, because I think she actually had her hand up before me.

MR. ROLLER: I'm sorry. I missed you, Jessica. Go ahead.

MS. MCCAWLEY: I was trying to answer the question that you asked earlier about the states, and remaining open, and so I think that Florida would intend to do the same thing. I mean, we're willing to have the discussion, but the intention would be to keep it open at that lower level in state waters after it's closed.

MR. ROLLER: Thank you, and so did you want to go, Kerry?

MS. MARHEFKA: I was just thinking about a path forward, and maybe we have these port meetings, and we know that, you know, there are some things that we're already turning on, moving, that would have to be a plan amendment, I assume, which, from what I understand, a plan amendment means the Gulf gets involved, and it gets very complex, and so would a path forward be to consider the -- If there were to be some northern and southern allocation discussion, all the things that come out of the port meetings, those all happen in a plan amendment that can happen then with the commission, you know, and sort of not with, but going together, and then we could consider looking at accountability measures still in this framework, and, to me, that would work, in my mind.

MR. ROLLER: Thank you, Kerry. I'm going to go to Andy.

MR. STRELCHECK: I like that approach, and I think there's some information that maybe we can at least start looking at preliminarily, to understand how the fishery is changing from north to south, and a question for Bob, as well as staff. In terms of recreational regulations in state waters north of North Carolina, are there size limits, and bag limits, in place that align with the South Atlantic Council for state waters, but also federal waters, and I don't think there are for federal waters, but I'm not sure for state waters.

MR. ROLLER: Bob.

MR. BEAL: I raised my hand so I can say that I don't know. That's really important. I'm not sure, Andy, and the states do have regulations in place, and I'm not sure if they're consistent with what's going on, you know, south of -- From North Carolina south, the jurisdiction of this council, and so I can look that up and get back to you.

MR. ROLLER: Andy.

MR. STRELCHECK: Well, and the reason I raised that is, at least with our existing accountability measure, if the option is to reduce the bag limit, and some states don't have bag limits, or don't want to go consistent, or there isn't a federal waters bag limit north of North Carolina, right, and it's only going to have limited utility with accountability measures, and so we have to double-check, I guess, all those regulations. **I would like to make a motion to add a new action to the framework amendment to review -- Well, to include in-season and post-season accountability measures.**

MS. WIEGAND: I'm sorry. Can you repeat that, Andy?

MR. STRELCHECK: **To include in-season and post-season accountability measures for the recreational sector.**

MR. ROLLER: We're going to address this motion first, and we've got several hands in the queue. Is there a second for this motion? Kerry, you're going to send this motion. We do have the ability to look at this bag limit analysis, which I do think pertains to this, and, if it's okay with the committee, I would like to address this, really quickly.

MS. WIEGAND: So, you know, when staff say that ACL analysis, and noticed that the recreational sector was going to be -- Was anticipated to meet their ACL sometime in the fall, we did sort of last-minute ask Mike Larkin to look at how many Atlantic Spanish mackerel were being landed per person, given that the current post-season accountability measure was to reduce the bag limit, and so that's what I have here, and I know Mike Larkin is online, if you guys have sort of detailed questions about what was done for this.

MR. BEAL: Just a follow-up, and I looked up the regulations, and all the states from Virginia north have a fourteen-inch size limit in place for the recreational fishery, and ten to fifteen-fish bag limits, and so they do have regulations in place, excluding Connecticut, but I don't think there's a lot of Spanish mackerel fishing going on in Connecticut, and so there are regulations in place for the recreational fishery.

MR. ROLLER: Thank you, Bob. Now I do want to recognize that, before this motion, Laurilee had her hand up. Do you still have a comment you would like to make?

MS. THOMPSON: Yes, and not to keep beating up on the space industry, but, if something isn't done to resolve and get back the ability for people to fish out of Port Canaveral, and get to where the fish are on the north end of the Canaveral shoals, that could impact -- You know, we would

not be reaching our allocation in the southern sector, and you may wish you had more in the northern sector. I mean, I think that this is a big deal. Thank you.

MR. ROLLER: Thank you, Laurilee. I do have -- As we discuss this motion, I would like to go into detail of this bag limit analysis, and so I do believe we have Mike on the line, if he wants to provide some further detail, or comment?

DR. LARKIN: Thank you, and so my comment is a little bit late, but it's more about the Northern Zone, and I just want to make a quick point. When I looked at the Northern Zone commercial landings over the last five years, when there's a federal closure, the landings go up, which I found really interesting, and they don't go down, and I think the reason for that is the majority of those Northern Zone commercial landings are in state waters, and so you're making this federal closure, but you're not really doing much there, and so, anyway, I just thought it was interesting that, in the Northern Zone, when you make a federal closure, the landings go up, and they don't go down, and I just wanted to point that out for the commercial. Thank you.

MS. WIEGAND: Mike, while we've got you, would you mind going over a little bit about this bag limit analysis that you did for us, looking at the amount of Spanish mackerel that was being kept on recreational trips?

DR. LARKIN: Sure. I just broke it up by MRIP and the headboat, and just, you know, looking at the harvest of Spanish mackerel per person there, and so you can see, you know, a lot of them, the majority of them, are one Spanish mackerel per person, and I think -- I can't remember, Christina, and did I give it to you by vessel too? That's what it looks like in this case. Thank you. I guess I broke it up by number of harvested per trip and how much were harvested by vessel, and so I broke it up by MRIP and headboat, if you guys have any questions on that.

MS. WIEGAND: So what this really gives you guys an idea of, and I will scroll back up to the per-person, and so, right now, the Spanish mackerel bag limit is fifteen fish per person, and so this gives you sort of an idea on, if that post-season accountability measure were to be triggered, the type of reduction in bag limit that you might expect in order to get harvest down to the point where the ACT would be met, but the ACL wouldn't be exceeded.

MR. ROLLER: I guess my question is, you know, you look at the analysis, and it's safe to say that we would probably see a pretty big reduction in bag limit, given that most of us don't really harvest that many. Go ahead, Tim.

MR. GRINER: I mean, that's quite surprising, that chart there. If 80 percent of the trips are only catching one fish per person, I mean, there's not a lot less that you can do than that. I mean, I don't -- I mean, I'm guessing it's correct, and it's there, but, you know, it just seems, to me, that - - I would expect that 80 percent of the trips would be somewhere closer to the middle of the fifteen, and not at one, but, if in fact it's only catching one fish per person, on 80 percent of the trips, you could reduce the bag limit, but it really doesn't, in real life, do anything for you, does it?

MR. ROLLER: I guess the real question is, if we hit the accountability measures, under the new estimates, that we would have to reduce the bag limit exceptionally, and, I mean, I think back to bluefish, when we went from fifteen to three, right, because not really many people are keeping fifteen. I can speak for my own experience, as a for-hire operator, and I would say the value of

this fishery is in its availability, its abundance, and many of my customers choose to not keep anywhere near fifteen, and they choose to keep a couple for dinner. Jessica.

DR. LARKIN: Could I make a quick point about that data?

MR. ROLLER: Go ahead, Mike.

DR. LARKIN: The difference between these two figures are really just the denominator, and so meaning, if you're on a trip, and if there's four people, and they harvest two Spanish mackerel, really -- I mean, the data that I have is two and four, right, and so it comes out to half-a-fish per person, which is kind of silly, and so I just kind of pooled those all into one, and so, anyway, you may be on a trip where an individual catches, you know, five Spanish mackerel per person, but the data I have is how many people were on the boat and how many fish were harvested on that boat, and so I don't know -- Anyway, you know, if you have three harvested, and three people on the boat, that comes out to one fish per person, just to clear that up.

MR. ROLLER: Thank you, Mike. Jessica.

MS. MCCAWLEY: Thanks, and so it sounds like what we're talking about, with this discussion, and it's a little bit challenging to follow, is doing a recreational bag limit step-down, in-season, and so I'm fine continuing to talk about it, but the Gulf did this with Gulf red grouper, and it did not go well, and so, with the state of the recreational data these days, is this even really feasible for us to really consider this? I'm not saying that I'm going to vote against this motion or anything, but I guess it's just a word of caution here about what is actually feasible, and realistic, to do, given the data constraints.

MS. WIEGAND: So, just to clarify a little bit, so, right now, that bag limit reduction isn't in-season, and it's the current post-season accountability measure that is on the books, and so this motion that Andy proposed would add an action to this amendment to look at in-season and post-season accountability measures for the recreational sector, and so it would be looking at changing what we're for accountability measures away from that post-season bag limit reduction.

MR. ROLLER: Is there any further discussion on this motion, or any comments? I would just point out that, under this framework, without looking at allocations, which would have to be a full plan amendment, that the recreational sector could see some big changes. Go ahead, Spud.

MR. WOODWARD: I mean, we started this process of doing a framework to make it expeditious, and I see that we're fixing to bog this down, because this is going to become a very complicated, and controversial, thing for us to have to deal with, given, like Jessica said, about the data and all this kind of thing, and so are we defeating the purpose of having a framework amendment approach to deal with what was a real simple thing, which was to deal with a new ABC and a new ACL? If so, is the juice worth the squeeze here, or are we better off just stopping this and waiting until we have port meetings, and deal with this thing comprehensively, and there's the possibility to -- Like I think we talked about offline, of having maybe some updated stock status determinations in 2024, and that's a SEDAR thing, and there may be some empty space there, and so I think that's -- You know, we need to really look at the totality of this thing now, and what are we getting for our effort?

MR. ROLLER: Thank you, Spud. That's an excellent point, because a lot of the issues, and the conversation here, does seem to be revolving about big-picture issues in this fishery, that really need to be addressed through port meetings, as well as potentially a plan amendment, and I still grapple with the fact that, you know, obviously, we want to prevent overfishing, right, and we have to, but, at the same time, we seem to have the discussion, at least on the commercial side of things, that state waters will continue to stay open, and so what is the pleasure of the committee with this motion? Shep.

MR. GRIMES: Thank you, Mr. Chairman. I would just like to comment that I think, you know, if you move forward with this amendment, or this framework action, as it's set up, and we don't address accountability measures, based on the information that's in it, you're setting yourself up for a big reduction the year after this goes into effect, because this shows us that the recreational sector is going to reach its annual catch limit, and we don't have any in-season accountability measures for this, right, and everything is post-season, and so we're going to allow that overage to blow up, the first year that it's in place, and then the Fisheries Service is going to get blamed, when it implements the accountability measure the following year, and has to really rein-in harvest the next year, because we didn't do anything in-season.

MR. ROLLER: Thank you for that clarification, Shep. That puts this in a little better perspective for me. Any other comments? Go ahead, Andy.

MR. STRELCHECK: Well, and I was going to say everything Shep was going to say, because what happens, unfortunately, is this gets dumped in my lap, as the Regional Administrator, and I have to make tough decisions, and, ultimately, I'm the villain, because I am abiding by the accountability measures that the council has established for this fishery, and so that's why I made the motion, and why I want to look at this.

I guess I also want to challenge the comment about, well, state waters will continue to remain open, and I realize that, from the standpoint of differences between federal and state regulations, but why not take the opportunity then to work with Atlantic States, to work with each of the individual states, to come up with some solutions that better address the kind of dynamics, and problems, that we're experiencing in this and other fisheries? I agree that I think the port meetings are going to help inform this process, but there's a number of other avenues that we can communicate and work through as well.

MR. ROLLER: Thank you, Andy. Is there any other discussion on this motion? **If not, I'm going to ask if there's any opposition to this motion. I am not seeing any opposition to this motion, and the motion carries.** We're going to continue moving on. Go ahead, Christina.

MS. WIEGAND: All right. That brings us sort of to the conclusion of the discussion for Framework Amendment 13. We'll sort of revise the current action that's in the amendment, to remove that annual OY, and then we'll look to add an action that will address long-term optimum yield and then add an action that will address accountability measures for the recreational sector and look to bring you guys that back in March.

MR. ROLLER: Is there any other discussion on this amendment? Is there anything else that anyone would like to bring up? Go ahead, Spud.

MR. WOODWARD: Just a question. Given what we're now dealing with, what is a realistic projection of us getting to a finish point on this amendment? I mean, I know that's a hard question to answer, but I think that's what we're dealing with, is now we've taken a framework amendment approach and complicated it, and so what are we realistically looking at?

MS. WIEGAND: I would say, best-case scenario, we're probably bumping this back one meeting. In March now, you guys wouldn't be reviewing analysis to select preferreds, necessarily, and we're going to bring you those additional actions for you all to discuss, and then we'll do analysis on the suite of things, and so, really, you're looking at bumping it back one meeting, and so final action, I would say best-case scenario, but I think the best-case scenario is relatively reasonable in this scenario, would be final action in September of 2024, and so, pairing that with port meetings, you would be taking final action on this amendment right around the time you were wrapping-up the last of your port meetings, and then getting ready to start seeing some results of that, by March of 2025, and so final action for this amendment in September of 2024 and the port meetings report in March of 2025. Is that helpful?

MR. ROLLER: Go ahead, Jessica.

MS. MCCAWLEY: This is a question for Bob Beal. So then what would be the timing for ASMFC to consider Spanish mackerel? Would they wait until after the port meetings are concluded before starting to take this up?

MR. BEAL: I've got the good fortune of sitting next to the chair of our Coastal Pelagic Committee, and so I think that will be the case, Jessica, and we'll get the information that comes out of all the port meetings, and see where -- And I think the commission wants to get some insight as to where the council is going as well, and I think the commission doesn't want to get out ahead of the council on this one, and I think they want to, you know, be kind of reacting to what's going on at the federal level, so that the state-water regulations don't -- They mirror, or at least complement, what's going on in federal waters, and so I think we'll probably set a pace that is sort of half a step behind the council.

MR. ROLLER: Thank you for that. Go ahead, Spud.

MR. WOODWARD: But I think it's safe to say that the commission is not going to consider taking action in response to this framework amendment, and it's going to wait until the big-picture solution to these issues is dealt with, because there's a lot of states, in the Mid-Atlantic and north, that are looking at what is this future going to be like, you know, and we want to make sure that there's opportunity for fishermen up here, and, you know, this framework amendment doesn't contemplate that, and it doesn't really provide any additional advice, or insight, into the way that future is going to be.

MR. ROLLER: That's a very good point, Spud, and I appreciate that, and I'm going to go to Jessica.

MS. MCCAWLEY: To follow-up on that, I mean, I agree with Spud, and I think that ASMFC -- It would be most beneficial if it's a step behind, and not just a step behind this amendment, but a step behind the port meetings and all of these things, because it does feel -- I understand why we're doing it, but it does feel a little premature on this amendment, while we have port meetings going

on, but I understand why we're doing it, and that we're just looking at a couple of limited actions in there, but I wouldn't want ASMFC to respond to this, and I would want ASMFC to work with the states after the port meetings are concluded.

MR. ROLLER: Thank you, Jessica, and, you know, I go back to Spud's comment on the previous motion, regarding all the needs of this fishery, right, that we can't really address under the framework, and how this is butting-up against now the end of the port meetings, and I'm just wondering, given the profound changes this seems to implement on the recreational fishery in particular -- I understand why we're doing it, but I'm starting to scratch my head a little bit more, as it's going to kind of correspond, in parallel, to the end of port meetings. Any other comments here? Seeing none, I think we can move on to the next agenda item, which is port meetings.

MS. WIEGAND: All right. Next up is port meetings, and, in the interest of time, I will try to be brief and get us down to what we really need to discuss. You guys are familiar with the sort of background on why we're doing port meetings, and the idea came from the advisory panel, and the goal is to get sort of a comprehensive understanding of these fisheries, especially given that king and Spanish mackerel are undergoing quite a few changes and could use some pretty big overhauls in their management structure.

You guys have established port meeting goals and objectives, and you have established specific discussion topics for port meetings, and I want to note that fishing tournaments is something that's included in here. Ira gave you the update on additional things that the AP would like to have discussed, and I will say that they already align pretty well with what you all have identified as key discussion topics for these meetings.

I have already talked about the tentative timeline a little bit, but we would be sort of finalizing a plan for conducting these in March, and so, at your next meeting, and we would be conducting meetings all throughout 2024, and then, by the end of 2024, we would be working on a report to hopefully present to you guys in March of 2025. Again, this is a quick process, looking to sort of get these port meetings done within this grant cycle.

Here's the meat of what I really want to dive into today, and that's the sort of draft port meeting structure, and this port meeting structure was developed both with sort of the port meetings planning team that the states helped populate, and so it's got input from ASMFC and the Gulf Council, as well as representatives from each of the state divisions, and then we also had the advisory panel review this specific structure, and provide input on it, which Ira discussed earlier.

We're thinking of, again, in-person meetings that would be held from approximately 6:00 p.m. to 8:00 p.m. We would provide materials, similar to what the AP discussed, to members, both available online and available in the room, as well as perhaps some charts, and tables, around the room, to spur discussion, and we would start out -- Again, these are meant to be discussion-driven, as opposed to sort of your typical staff gets up and makes a presentation and takes comment. We're really trying to have stakeholders be discussing with council members, as well as discussing with each other, these issues in the fishery.

One of the things we'll start, maybe at 5:30, as people slowly start to filter in, our sort of places for them to interact, with, you know, clipboards, where they can write on, or put notes, talking

about one thing they hope comes out of port meetings and one, you know, key thing that they feel like the council needs to know about king and Spanish mackerel.

Then we would dive into a very brief introduction, sort of introducing port meetings, what the council's goals and objectives are, and explaining how the night will operate, and then, like Ira noted, we're going to do breakout groups, and so we'll have a series of breakout groups to elicit discussion from smaller groups, and the idea would be sort of three groups, and each group would rotate to each one of these stations, and so every individual that's attending the meeting would have an opportunity to comment on these three things, the goals and objectives of the CMP FMP, since that was one of the things you all are looking at revising through this process, environmental conditions, and so species movement and expansion, and then a station talking about changes needed to the current management structure.

Then there would be, you know, an extended period for a break, to allow for some informal conversations, and you heard Scott Baker mention perhaps putting up a timeline that is available to attendees to put up when they started with the fishery, good years, bad years, different sort of pulses or things of note within the fishery over a period of time, and then perhaps an opportunity to, you know, look at the goals and objectives again, just keep or remove, something interactive that people can do during the break, in addition to informal discussions.

Next would be sort of two separate breakout groups, and one of the things you guys had in your goals and objectives and discussion topics were really understanding the complex dynamics of the commercial fishery and the recreational fishery, and so looking to sort of break attendees out by fleet and have them discuss dynamics of their sectors, and then, finally, a quick wrap-up, to recap goals and objectives and what the next steps are, in terms of port meetings and what the council ultimately intends to do with this information, and so that's a very quick overview of how we were intending to structure these meetings.

I will note something that came up both with the advisory panel, and with the planning team, is that there will need to be a sort of Plan A, as you see here, but also a Plan B, and a Plan C, if there is hopefully a ton of attendance, and we have to sort of adjust, based on there being more people there than we anticipate. Also, options for if they, unfortunately, don't get as much attendance as we hope and dream, and then sort of options especially for the sector dynamics part, if we end up in a situation where we're dominated by one sector or another, and sort of how we would modify this. The intent is to have backup plans for that, and we'll discuss those with the planning team, and so what you see here would be considered Plan A. I wanted to bring that to you all for discussion, and see if you had any input, or thoughts, on how we're planning to structure these meetings.

MR. ROLLER: Go ahead, Trish.

MS. MURPHEY: I was wondering if it might be beneficial to add a fourth breakout group addressing community and social benefits, EEJ-type stuff, and that also may be a place where the tournament discussion could happen as well, and so just a suggestion, and I'm good either way.

MR. ROLLER: That's a good point. I see some nodding heads on that. Any other comments on that? I think community importance can look like a lot of different things, right, and that's a really good point, and it may be good to capture that in each individual area, because I'm willing to be

that the value, and the participation in these fisheries, is going to vary greatly from one area to the next, or even one county to the next in the individual states, and so, Trish, did you have a follow-up?

MS. MURPHEY: Yes, and I just also -- Looking at our goals and objectives, we do discuss, you know, to define underserved communities, the EEJ concerns, and so I think this will roll into our objectives very well.

MS. WIEGAND: I guess I will say, related to that, and so that would be a fourth breakout group, and we already have three on there. Do you feel like those four would encompass everything, and also keep in mind that we're trying to keep this to two hours, and not asking stakeholders to spend too much of their time, and so, the more breakout groups, the less time people will be spending at each individual station, but I still want to make sure that those breakout groups accurately capture what you think sort of the key broad topics are and that they align with the goals and objectives that you've established.

MR. ROLLER: I guess the question I would have is would it be possible to address some of that under one of the current breakout groups, like Number 3, or would that dilute it?

MS. WIEGAND: I would say that it could fit a little bit under everything, and I know there is some community-focused goals and objectives, environmental conditions as species move, key communities change, and then, of course, changes to current management structure will affect communities, and I think staff could work to make sure some of the discussion questions that we have posed to members that are at these breakout groups specifically address EEJ and the need to identify underserved communities.

MR. ROLLER: Andy.

MR. STRELCHECK: I mean, I would encourage giving staff the flexibility to decide here, in terms of breakout groups, and, I mean, I look at it from logistics and manpower, and, you know, how many staff are going to the port meetings, and how many will facilitate, you know, these breakout group sessions. One question that I had for you, Christina, and so, with the prelude, it says, you know, ask a couple of questions, and I really like, you know, what's one key thing that the council needs to know, but you also have what is one thing that you hope comes out of the port meetings, and, to me, for someone to answer that, they have to have a lot of relevant information in advance of the meeting, and so you may want to -- You're either going to have to provide that to them in advance or consider maybe an alternative question.

MR. ROLLER: Thank you, Andy. Trish, did you have your hand up?

MS. MURPHEY: Yes, and I get the manpower issue, and it is a fourth breakout group, but, if we don't have a fourth breakout group, we need to make sure we have it somehow captured in the three, because I'm just looking at our goals and objectives, and there's -- I mean, maintaining the integrity of fishing communities under climate change, equitable management under climate change, underserved communities and the EEJ, and, I mean, a lot of our objectives are actually going there, and so, you know, if we can at least make sure we get it in the other three groups, but I almost wonder if it is important enough to have a separate group, but I do understand manpower,

and I get it, and so, again, I'm not -- As long as somehow we get it addressed, I think that's the most important thing.

MR. ROLLER: Thank you, Trish. Ira, would you like to make a comment there?

MR. LAKS: I think one thing we discussed at the AP is that you're going to have different constituents at different meetings, right, and so some of these breakout groups might not be appropriate for some of the meetings that are going to be heavily dominated by a commercial fishery, or a recreational, and so I think you have to be a little flexible without what breakout groups you have, depending on the audience that shows.

MR. ROLLER: I would also point out that one of the discussions brought up is some of these meetings are going to have really big attendance, and some are going to have really little attendance, right, and so, when you have maybe six or eight or ten people, it's going to be harder to have breakout groups, and it might just be one discussion amongst the group. Any other further discussion here? That was some good comments, and I'm going to hand it back to Christina.

MS. WIEGAND: So the next thing to talk about is timing, and sort of the draft locations, and so we'll start with the locations we have for each area, and then we can go into sort of -- You can see here what month we're tentatively planning to do those. Starting with North Carolina, the intent is to have a meeting in Wilmington, Morehead City, and Hatteras.

I do want to note that the AP had a pretty big discussion about Hatteras versus Wanchese, and they ultimately wanted to recommend to the council that you hold both a meeting in Hatteras and in Wanchese, and anyone from North Carolina knows that travel between Wanchese and Hatteras is not necessarily easy, and so, if you have one in Hatteras, you're likely not capturing people in Wanchese, and vice versa, and so the advisory panel's preference would be to do four meetings in North Carolina and not three. It shouldn't add too much, but it would be a slightly bigger expense, and so I wanted this group to have a little bit of discussion on whether you felt it was appropriate to have a meeting in both Hatteras and Wanchese for North Carolina.

MR. ROLLER: So I will make some comments on this first, and I really appreciate our AP members for bringing this up. Personally, I think the most important thing, for North Carolina, is that we do have at least three meetings. That's something I raised previously, because, between Wilmington, Morehead City, and northern Outer Banks -- They are three very different communities, and three very different fisheries. I do appreciate the comments regarding whether or not there should be both a Wanchese and a Hatteras meeting, and I would point out that that fishery seems to be -- You know, the northern Outer Banks fishery does seem to be more of one cohesive community, but there is some real travel concerns, and I would like to hear some more comment about what we think about that, or if Wanchese may be more appropriate than Hatteras, or vice versa. Trish.

MS. MURPHEY: If it is doable, I think it would be great to have it at Wanchese and Hatteras, to be honest. I know it adds a burden, but I think the travel -- I think, from what I heard the AP, and in talking to other folks, that Wanchese folks are not going to go to Hatteras, and Hatteras folks are not going to go to Wanchese, and so, if it's doable, I would definitely support that.

MR. ROLLER: I see some nodding heads there, and I would point out though, and I brought this to the AP, and I hope that any of the fishing community listening, is that, at the dolphin meetings, that nobody RSVP'd to them, and then they had like a hundred people show up, and so RSVPs would be appreciated. Any further comments on the North Carolina meetings? Seeing none, go ahead, Christina.

MS. WIEGAND: All right, and just a note that we would be looking at having those meetings in April, and so they would be sort of our first go-out for these port meetings. Next, we've got New England in May. One thing that I do want to note here is that we'll probably be changing Montauk to Newport, based on input that we received from ASMFC's Coastal Pelagics Board, and they recommended switching that to Freeport, and so Newport, New London, Newport, and Barnstable, Massachusetts. That's as far north as we were intending on going. I know that this council is not made up of individuals from New England, which, again, is why we solicited input from the Coastal Pelagics Board at ASMFC, but I did just want to pause and see if there were any questions, or thoughts, on those locations.

DR. BELCHER: I just had a question over to Bob, because I was wondering, with Newport, and, I mean, I just -- Growing up in Rhode Island, I think about the Narragansett/Point Judith area, and that's really where a lot of those heavy docks are, and, I mean, I know it's semantics, and Rhode Island is not huge, but I just think about Newport, and, I mean, I don't think of Newport as a traditional fishing area, and it's kind of Barnstable too, and I'm not as familiar with that area. I know where Provincetown is, and Barnstable is kind of in the arm there, but I still think New Bedford and all of that, and so I'm just curious what the reasonings were for picking places like Newport and Barnstable.

MR. BEAL: Barnstable, I think -- You know, when we do most of our hearings, at the commission, in Rhode Island, we do go down to the Narragansett area, and the University of Rhode Island, Point Judith, and so I think moving -- Like you said, it's Rhode Island, right, and everything is within a half-hour, but, you know, we do seem to get a better turnout, moving it a little bit south, down toward the Point Judith/Narragansett area, and, you know, Barnstable or -- You know, I think, in Massachusetts, any Spanish mackerel fishery that's going on would be south of the Cape, the New Bedford area, and so those folks in Massachusetts will travel, you know, that south shore area, and anywhere in there is almost equal, and so we can work with the states on sort of refining those a little bit more as we get closer, and we're happy to help do that.

MR. ROLLER: Thank you, Bob. I'm going to go to Trish.

MS. MURPHEY: I just got a note from Joe Grist, who makes the -- He is giving a comment that, if North Carolina port meetings are in April, we need to avoid the week of the Mid-Atlantic, and so just the --

MS. WIEGAND: (Ms. Wiegand's comment is not audible on the recording.)

MS. MURPHEY: All right. It's on the calendar, Joe, but thanks.

MR. ROLLER: Thank you, Trish. Any other comments here? I see none.

MS. WIEGAND: All right. Next up would be July, sort of skipping June, because we would have the June council meeting, and so, in July, we would be looking to stay a bit more local to South Carolina and Georgia, going to Darien, Hilton Head, and Georgetown. I do want to get some input on the Hilton Head location, and some AP members suggested that Savannah would be a more appropriate area, and so I wanted some input from South Carolina and Georgia council members on whether you felt that Hilton Head or Savannah would be a more productive location for port meetings.

MR. ROLLER: Judy and then Kerry.

MS. HELMEY: Not because I live in Savannah, but I really do feel like Savannah might be better, because Hilton Head is hard to get into, and it's hard to get out of, and, if you're in Savannah, going to Hilton Head is -- There's no easy way to get there. Traffic is terrible, and that's my suggestion.

MR. ROLLER: Thank you, Judy. I'm going to go to Mel.

MR. BELL: Actually, Judy is right on the money, and I had some issues with Hilton Head in July, and she's absolutely right, and it's horrible to get on and off of, and so I was thinking almost like Pooler, Georgia would be better than Hilton Head, and we've done some things in Pooler before, or Savannah, and it's easier, but, yes, I had some issues with Hilton Head myself, and so I think she covered the issues there.

MR. ROLLER: Thank you, Mel. I've got Spud.

MR. WOODWARD: I think Pooler would be -- The Mighty 8th Airforce Museum, and we've used it before, and it's a nice venue, and it's easy, and it's right off the interstate. You know, you could pull that Beaufort and Bluffton, and some Hilton Head folks, and it's probably easy enough for them to hop on 95 and be down there, and that's what I would probably recommend, is to look at Pooler, and then maybe even, you know, bump up -- I mean, if you want to, back to Charleston, or North Charleston, you know, for the next one in South Carolina, instead of just Georgetown, but, I mean, that's my input.

MR. ROLLER: Thank you, Spud. I'm going to put a pin in that and come back to that in a second, but I would let Judy go ahead.

MS. HELMEY: I agree too that Pooler would be good, and that's central, and everybody would come, from all the areas, and there's lots of parking, easy access. Thank you.

MR. ROLLER: Thank you, Judy. Some of the comments from the AP, regarding -- They were why isn't there a Charleston location, and we just heard that from Spud, and I would like to hear some rationale from staff on that, just because there were some comments made on that.

MS. WIEGAND: I will say that we bounced back and forth a lot between holding one in Charleston, Georgetown, or Murrells Inlet, and where would be best to try to get crowds from all of those, and we ultimately landed on Georgetown as being sort of central between all of that, but we would certainly welcome input from the rest of the committee, especially those from South

Carolina, on whether they feel like that should be moved or if there should be a port meeting for South Carolina/Georgia.

MR. ROLLER: Kerry.

MS. MARHEFKA: I am hoping that Mel is going to speak up, or even maybe Amy might have a better idea than I do. I mean, if I think commercially, I would move it north. If I think recreationally, I feel like Charleston makes sense, and so I think that, you know, that's a problem. I guess I just wonder, and not to put more work on your plate, but it's local, and you don't have to travel, and do I kind of make your life a little harder and say, you know, do both, and I don't know. That's a tough one, and, you know, I trust your judgement, I think, ultimately. The only -- I can only think of a couple of commercial guys really even in Charleston, and Paul, and is that? Is there anyone else? So like, you know, recreationally, are more guys going to show up?

MR. ROLLER: Thank you, Kerry. I've got Mel.

MR. BELL: Kerry had a good point there, and there's not -- We don't have a huge commercial fishery, but, if you want to have more of a chance of catching some of those folks, then Georgetown, Murrells Inlet, and I'm not sure about Charleston, and, again, I would refer to you all to Amy, and Amy Dukes is there from our office, and she's got good knowledge of kind of the lay of the land, and so I would definitely kind of key-off at her at some point in deciding this, and, also, there is a tournament schedule and all that we're aware of, and so, you know, that would help with coordinating the timing, maybe, and the locations as well, but, yes, you might want to -- It kind of depends on what who we're trying to capture at the specific meetings, and I do agree with everybody that Pooler is a good choice for one of them.

MR. ROLLER: Thank you, Mel. Do we have any other comments here? I think that was some good feedback.

MS. WIEGAND: So I guess I would sort of put the question to you, as those that will be attending these meetings, and using the information that comes from these meetings, and is your preference to sort of stick with Georgetown, as sort of centrally located between Charleston and Murrells, or to do two meetings, one in Charleston and one in Murrells Inlet?

MR. ROLLER: Kerry.

MS. MARHEFKA: Can we give you all some discretion, and some time? I mean, as far as I'm concerned, it's not a hundred-thousand-dollar ask, right, and like I feel like you all are professionals, and I trust you. We can certainly have a side discussion, you know, with Amy, but do we have to like all decide right now between those two things on this one issue?

MS. WIEGAND: (Ms. Wiegand's comment is not audible on the recording.)

MS. MARHEFKA: I trust the heck out of you, personally, and so yes.

MR. ROLLER: I agree with Kerry on that, and I trust the heck out of you, Christina. Go ahead, Mel.

MR. BELL: If you go up to Murrells too, you're going to pick up recreational as well, and so -- Yes, I will second the trusting the staff to kind of work through this, but you can get, you know, kind of both, if you move up to say Murrells or something, and there is an easy place there to access that we've used before for meetings, but staff knows all of that, and, again, we'll just kind of work out the details, and I don't think we need to do that right this second.

MR. ROLLER: Thank you, Mel. Do we have any more comments here? Go ahead, Christina.

MS. WIEGAND: All right. Next up is the Mid-Atlantic, and we would be looking at heading up there in August, to Virginia Beach, Ocean City, Lewes, and Cape May, and, again, these are based on recommendations from the ASMFC's Coastal Pelagics Board.

MR. ROLLER: Go ahead, Trish.

MS. MURPHEY: So are there marlin tournaments that you've got to avoid? Is that on your massive calendar?

MS. WIEGAND: Marlin tournaments are not on my massive calendar yet, but they're about to be.

MS. MURPHEY: Well, passing that on.

MR. ROLLER: That's a very good point, Trish, and I would also point out that this answers some of Joe's comments from earlier, regarding his comments on port meetings in the previous discussion. Okay. I am not seeing as many comments -- Go ahead, Bob.

MR. BEAL: Just commenting on the New Jersey meeting, and, you know, Cape May is the southern end of New Jersey, and you may want to work with that state a little bit and consider moving it to the midcoast somewhere in New Jersey, so that you can kind of split the difference, though a lot of the fishery is in Cape May, but there also is a fair amount going on in mid-New Jersey, and so I don't have a good suggestion right now, but we may want to think about that one a little bit.

DR. BELCHER: I was going to say the other thing, and like you've been going to the Northeast, you know, and thinking that you're right on the beginnings of their height of their summer season to start kicking in, and so I'm just thinking that the more local you are to those beachy areas, the harder it may be to find a venue too, and so maybe even potentially inverting how you approach your area.

MR. ROLLER: That's a good point. Any other further comments on the August meetings? Seeing none, go ahead, Christina.

MS. WIEGAND: All right. Then, again, skipping over September, because we have the September council meeting, last, but not least, we would head to October, pushing Florida to be the last meetings we do, based on advice from the advisory panel that holding it in April or May would be really inconvenient for fishermen. Also, trying to understand that this is a lot of port meetings over the span of the year, and so, inevitably, we will probably be in some locations where it's a little inconvenient, due to tournaments, Mid-Atlantic Council meetings, our council meetings,

ASMFC meetings, and so we're sort of doing our best to schedule these, but that's sort of why Florida ended up being last on the list. We would be looking at going to Fort Lauderdale, Stuart, Canaveral, and St. Augustine.

MR. ROLLER: Jessica.

MS. MCCAWLEY: So I think I saw that the AP was concerned that there wouldn't be attendance in Fort Lauderdale, and then why are there no meetings scheduled south of there? I'm just asking questions about why we are stopping there.

MS. WIEGAND: So we certainly could go further south than Fort Lauderdale. Our intent was not to go past that Miami-Dade/Monroe line, because, once you get into the Keys, that's technically the Gulf's fishery, and they will be doing sort of a series of webinars, looking at soliciting more input from mackerel fishermen during normal public comment opportunities, but we were sticking within the Atlantic range, and so certainly there's room to move further south from Fort Lauderdale, but we wouldn't be moving further south than that line.

MR. ROLLER: Jessica.

MS. MCCAWLEY: I don't know that Fort Lauderdale is a bad place to be, over West Palm. The last few times that we've had some public workshops in West Palm, on various species, they weren't necessarily well attended, and so I don't know that Fort Lauderdale is a bad city, but maybe Robert has some things to add.

MR. SPOTTSWOOD: It takes me about as much time to get from Fort Lauderdale from Key West as it probably takes you all to get from Georgia to North Carolina, and so just to put that in perspective of the distance which they're asking people from the Keys to get to Fort Lauderdale.

MR. ROLLER: Some good feedback. Do we have any more discussion here on the October meetings? Laurilee.

MS. THOMPSON: It's not about just the October meetings, but a suggestion for, as you're trying to get the word out about all of the meetings, is there is six national seashores that are within this range of where the meetings are going to happen, and they probably all have friends groups that have newsletters, and things like that, and so you may want to try to coordinate with the National Parks Service too, and I know that Canaveral National Seashore, and Hatteras, would probably have heavy, heavy beach fishing for Spanish mackerel.

MR. ROLLER: That's a very good point, and I would point that we have, you know, Cape Lookout right here behind us as well. Any other further discussion here? Seeing none, we can move on.

MS. WIEGAND: So sort of the last thing I want to note on port meetings is that we'll be working with advisory panel members that live in these communities to find locations to host these port meetings, and the hope is to sort of move away from the traditional hotel environment and host these at, you know, tackle shops, if they're available, community centers, sort of anywhere where, you know, fishermen would regularly hang out and would feel, you know, comfortable participating in this type of meeting, and so we'll be working with AP members, but certainly, if anyone around this table has suggestions for specific locations within these communities to hold

meetings, please let me know, because the next step after this is going to be to start booking places, and so I would love any input that anyone has, and that is all I had for port meetings.

MR. ROLLER: Thank you, Christina. Is there any other further discussion here? I think we have one more item on the agenda, which would be topics for the AP, and so, seeing no more discussions on port meetings, we need to go -- Okay, and so we don't have topics for the Mackerel Cobia Advisory Panel, and so we're not going to do Item 4. Is there any other business to come before this committee? Seeing none, I will then conclude the Mackerel Cobia Committee meeting and pass it over to our chair.

(Whereupon, the meeting adjourned on December 5, 2023.)

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Certified By: _____ Date: _____

Transcribed By
Amanda Thomas
February 7, 2024

Dec. 5, 2023

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
2023 COMMITTEE MEMBERS continued

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- ✓ Spud Woodward, Vice Chair
- ✓ Robert Beal
- ✓ Carolyn Belcher
- ✓ Mel Bell [ONLINE]
- ✓ Gary Borland
- LT Cameron Box
- ✓ Tim Griner
- ✓ Judy Helmey
- ✓ Kerry Marhefka
- ✓ Jessica McCawley
- ✓ Trish Murphey
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- ✓ Laurilee Thompson
- Mid-Atlantic: Skip Feller; Joe Grist
- ✓ Staff contact: Christina Wiegand

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Mel Bell
Tim Griner
Kerry Marhefka
Jessica McCawley
Andy Strelcheck
Staff contact: Chip Collier

SHRIMP

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Carolyn Belcher
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LT Cameron Box
Jessica McCawley
Trish Murphey
Andy Strelcheck
Spud Woodward
Staff contact: Allie Iberle

SNAPPER GROUPER

Jessica McCawley, Chair
Kerry Marhefka, Vice Chair
Robert Beal
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Gary Borland
LT Cameron Box
Tim Griner
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Tom Roller
Robert Spottswood, Jr.
Andy Strelcheck
Laurilee Thompson
Spud Woodward
Mid-Atlantic: Michele Duval;
Earl "Sonny" Gwin
Staff Contact: Mike Schmidtke

SPINY LOBSTER

Jessica McCawley, Chair
Robert Spottswood, Jr., Vice-Chair
LT Cameron Box
Tim Griner
Kerry Marhefka
Tom Roller
Andy Strelcheck
Laurilee Thompson
Staff: Christina Wiegand

(MAFMC Rep)

Michelle Duval
Michelle@mellivoraconsulting.com

Scott Lenox
fishinoc@hotmail.com

Earl "Sonny" Gwin (MD)
sonnygwin@verizon.net

Skip Feller
Sfeller3@verizon.net

Dec. 5, 2023
Mackerel Cobia
Committee

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
COUNCIL STAFF

✓ **Executive Director**
John Carmichael
john.carmichael@safmc.net
843-302-8435

✓ **Deputy Director - Science**
Dr. Chip Collier
chip.collier@safmc.net
843-302-8444

✓ **Deputy Director - Management**
Myra Brouwer
myra.brouwer@safmc.net
843-302-8436

✓ **Citizen Science Program Manager**
Julia Byrd
julia.byrd@safmc.net
843-302-8439

Habitat & Ecosystem Scientist
Roger Pugliese roger.pugliese@safmc.net
843-302-8434

✓ **Admin. Secretary/Travel Coordinator**
Michele Ritter
Michele.ritter@safmc.net
843-571-4370

✓ **BFP Outreach Specialist**
Ashley Oliver Ashley.Oliver@safmc.net
843-225-8135

✓ **Quantitative Fishery Scientist**
Dr. Judd Curtis
Judd.curtis@safmc.net
843-302-8441

✓ **Fishery Scientist II**
Dr. Mike Schmidtke
mike.schmidtke@safmc.net
843-302-8433

✓ **Fishery Economist & FMP Coordinator**
John Hadley
john.hadley@safmc.net
843-302-8432

✓ **Communication and Digital Media Specialist**
Nicholas Smillie
Nick.Smillie@safmc.net
843-302- 8443

✓ **Habitat and Ecosystem Scientist**
Kathleen Howington
kathleen.howington@safmc.net
843-725-7580

✓ **Staff Accountant**
Suzanna Thomas suzanna.thomas@safmc.net
843-571-4368

✓ **Fishery Scientist I**
Allie Iberle
Allie.iberle@safmc.net
843-225-8135

✓ **Fishery Social Scientist**
Christina Wiegand christina.wiegand@safmc.net
843-302-8437

✓ **Public Information Officer**
Kim Iverson kim.iverson@safmc.net
843-224-7258

✓ **Citizen Science Project Manager**
Meg Withers
Meg.withers@safmc.net
843-725-7577

✓ **Administrative Officer**
Kelly Klasnick kelly.klasnick@safmc.net
843-763-1050

SEDAR

✓ **SEDAR Program Manager**
Dr. Julie Neer
Julie.neer@safmc.net
843-302-8438

✓ **SEDAR Coordinator**
Meisha Key Meisha.Key@safmc.net
831-588-4811

online

online

online

online

Other Attendees

Rick DeVictor

Monica Smit-Brunello

Dominique Lazara

Ira Laks

John Walter

Kristin Foss

Shannon Cass - Calay

Shep Grimes

David Hugo

Geoff White

Tim Sartwell

Sonny Gwin

Michael McDermott

Miles Dover

Jamal Ingram

Michelle Masi

Attendee Report: SAFMC December 2023 Council Meeting (12/4/23 - 12/8/23)

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Registered

169

Attended

135

Staff Details

Attended

Yes

Interest Rating

Not applicable for staff

Last Name

Council

First Name

South Atlantic

Email Address

administrator@safmc.net

Attendee Details

Attended

Attended	Interest Rating	Last Name	First Name	Email Address
Yes	42	Addis	Dustin	Dustin.Addis@myfwc.com
Yes	34	Alhale	Sydney	sydney.alhale@noaa.gov
Yes	45	Bailey	Adam	adam.bailey@noaa.gov
Yes	52	Barrows	Katline	katline.barrows@icloud.com
Yes	61	Beal	Bob	rbeal@asmfc.org
Yes	73	Bell	00Mel	BellM@dnr.sc.gov
Yes	40	Bianchi	Alan	Alan.Bianchi@deq.nc.gov
Yes	90	Brantley	William	william.brantley@deq.nc.gov
Yes	99	Brouwer	Myra	myra.brouwer@safmc.net
Yes	37	Bublely	Walter	bublelyw@dnr.sc.gov
Yes	56	Bunting	Matthew	matthew.bunting@myfwc.com
Yes	90	Burgess	Erika	erika.burgess@myfwc.com
Yes	43	Byrd	Julia	julia.byrd@safmc.net
Yes	90	Caine	Ashley	ashleycaine8@gmail.com
Yes	32	Calay	Shannon	Shannon.Calay@noaa.gov
Yes	53	Cathey	Andrew	andrew.cathey@noaa.gov
Yes	42	Cermak	Bridget	bridget.cermak@myFWC.com
Yes	35	Cheshire	Rob	rob.cheshire@noaa.gov
Yes	39	Clarke	Lora	lclarke@pewtrusts.org
Yes	50	Clinton	Haley	haley.clinton@deq.nc.gov
Yes	57	Curtis	Judd	judd.curtis@safmc.net
Yes	44	DeVictor	Rick	rick.devictor@noaa.gov
Yes	64	Dukes	Amy	Dukesa@dnr.sc.gov
Yes	33	Emory	Meaghan	meaghan.emory@noaa.gov
Yes	33	Fandel	Amber	amber.fandel@noaa.gov
Yes	76	Feller	Skip	sfeller3@verizon.net
Yes	41	Finch	Margaret	walkermf@dnr.sc.gov
Yes	51	Flowers	Jared	jared.flowers@dnr.ga.gov
Yes	98	Foss	Krisitn	Kristin.foss@myfwc.com
Yes	40	Franco	Dawn	dawn.franco@dnr.ga.gov
Yes	42	Gentner	BRAD	brad@gentnergrouop.com
Yes	33	Gentry	Lauren	lauren.gentry@myfwc.com
Yes	66	Glazier	Ed	Edward.Glazier@noaa.gov
Yes	92	Gore	Karla	karla.gore@noaa.gov
Yes	70	Green	Matthew	matthew.e.green@noaa.gov
Yes	53	Grist	Joseph	joseph.grist@mrc.virginia.gov
Yes	48	Guyas	Martha	mguyas@asafishing.org
Yes	98	Gwin	Earl	sonnygwin@verizon.net
Yes	41	HILDRETH	DELAINE	DELAINE.HILDRETH@DNR.GA.GOV
Yes	66	Harrison	Alana	alanaharrison22@gmail.com
Yes	49	Hart	Hannah	hhart@mafmc.org
Yes	92	Harth	Emily	emily.harth@noaa.gov
Yes	38	Heffernan	Katie	katie.heffernan@mail.house.gov
Yes	42	Helies	Frank	frank.helies@noaa.gov
Yes	93	Helmey	Judy	judyhelmey@gmail.com
Yes	74	Hemilright	Dewey	fvrtarbaby@embarqmail.com
Yes	57	Hudson	Joseph	jhud7789@twc.com
Yes	92	Hull	Jimmy	hullsseafood@aol.com
Yes	41	Iverson	Kim	Kim.Iverson@safmc.net
Yes	90	Joyner	Woody	woodyncwu33@gmail.com
Yes	98	KLASNICK	KELLY	kelly.klasnick@safmc.net
Yes	33	Karnauskas	Mandy	mandy.karnauskas@noaa.gov

Yes	39	Kellison	Todd	todd.kellison@noaa.gov
Yes	33	Keppler	Blaik	kepplerb@dnr.sc.gov
Yes	37	Key	Meisha	meisha.key@safmc.net
Yes	67	Klibansky	Nikolai	nikolai.klibansky@noaa.gov
Yes	52	Knowlton	Kathy	kathy.knowlton@dnr.ga.gov
Yes	42	LARKIN	Michael	Michael.Larkin@noaa.gov
Yes	86	Law	Alexander	alaw@asmfc.org
Yes	38	Lazarre	Dominique	Dominique.Lazarre@noaa.gov
Yes	40	Lee	Max	maxlee@mote.org
Yes	32	Lettrich	Matthew	matthew.lettrich@noaa.gov
Yes	35	Long	Stephen	longs@dnr.sc.gov
Yes	80	M Borland	Gary	gborlandsafmc@gmail.com
Yes	54	Malinowski	Rich	rich.malinowski@noaa.gov
Yes	97	Marhefka	00Kerry	kerryomarhefka@gmail.com
Yes	33	Matter	Vivian	vivian.matter@noaa.gov
Yes	45	McCoy	Sherylanne	sherrim@wildoceanmarket.com
Yes	37	McDonough	Chris	mcdonougnc@dnr.sc.gov
Yes	94	McFee	Daniele	danielemcfee@gmail.com
Yes	37	McGovern	Jack	John.McGovern@noaa.gov
Yes	43	Mehta	Nikhil	nikhil.mehta@noaa.gov
Yes	36	Mendez	Natasha	natasha.mendez@gulfcouncil.org
Yes	33	Merrifield	Jeanna	jeannam@wildoceanmarket.com
Yes	39	Moore	Jeff	jeffrey.n.moore@deq.nc.gov
Yes	51	Muffley	Brandon	bmuffley@mafmc.org
Yes	68	Murphey	Trish	trish.murphey@deq.nc.gov
Yes	42	Neer	Julie	julie.neer@safmc.net
Yes	91	Newman	Thomas	thomas.newman03@gmail.com
Yes	82	O'Malley	Rachel	rachel.omalley@noaa.gov
Yes	51	Oliver	Ashley	ashley.oliver@safmc.net
Yes	33	Pace	Sara	sara.pace@deq.nc.gov
Yes	36	Perkinson	Matt	perkinsonm@dnr.sc.gov
Yes	39	Ramsay	Chloe	chloe.ramsay@myfwc.com
Yes	45	Rawls	Kathy	kathy.rawls@deq.nc.gov
Yes	53	Records	David	david.records@noaa.gov
Yes	100	Ritter	Michele	michele.ritter@safmc.net
Yes	99	Roden	Rodney	cltfishcomcfm@gmail.com
Yes	71	Roller	00Tom	tomrollersafmc@gmail.com
Yes	90	Runde	Brendan	brendan.runde@tnc.org
Yes	46	Sartwell	Tim	tim.sartwell@noaa.gov
Yes	36	Sauls	Beverly	bevsauls1@gmail.com
Yes	77	Schueller	Amy	amy.schueller@noaa.gov
Yes	34	Sedberry	George	george.sedberry@gmail.com
Yes	67	Seward	McLean	mclean.seward@deq.nc.gov
Yes	43	Sheridan	Sean	seanfish5@gmail.com
Yes	33	Shertzer	Kyle	kyle.shertzer@noaa.gov
Yes	92	Shervanick	Kara	kshervanick@gmail.com
Yes	41	Smart	Tracey	smartt@dnr.sc.gov
Yes	50	Smit-Brunello	00Monica	monica.smit-brunello@noaa.gov
Yes	90	Spurgin	Kali	Kali.Spurgin@MyFWC.com
Yes	43	Stemle	Adam	adam.stemle@noaa.gov
Yes	37	Stratton	Elizabeth	elizabeth.stratton@noaa.gov
Yes	52	Strelcheck	Andy	andy.strelcheck@noaa.gov
Yes	93	Sweetman	CJ	Christopher.Sweetman@MyFWC.com
Yes	44	Takade-Heumacher	Helen	helen.takade-heumacher@noaa.gov
Yes	39	Torres	Jashira	jashira.torres@noaa.gov
Yes	43	Travis	Michael	mike.travis@noaa.gov
Yes	35	Turley	Brendan	brendan.turley@noaa.gov
Yes	48	Vaz	Ana	ana.vaz@noaa.gov
Yes	43	Vecchio	Julie	vecchioj@dnr.sc.gov
Yes	43	Walia	Matt	matthew.walia@noaa.gov
Yes	50	Walsh	Jason	jason.walsh@deq.nc.gov
Yes	34	Walter	John	john.f.walter@noaa.gov
Yes	64	Wamer	David	dwameriii@bellsouth.net
Yes	48	Waters	James	jwaters8@gmail.com
Yes	81	Whaley	Dave	dswhaley@hotmail.com

Yes	44	White	Geoff	geoff.white@accsp.org
Yes	41	Whitten	Meredith	meredith.whitten@deq.nc.gov
Yes	38	Williams	Bryan	capt_bryan_williams@yahoo.com
Yes	40	Williams	Erik	erik.williams@noaa.gov
Yes	41	Willis	Michelle	willisc@dnr.sc.gov
Yes	48	Withers	Meg	meg.withers@safmc.net
Yes	87	Woodward	00 Spud	swoodward1957@gmail.com
Yes	39	collier	chip	chip.collier@safmc.net
Yes	44	dover	miles	miles.dover@noaa.gov
Yes	56	moss	david	david.moss@tnc.org
Yes	91	poston	Will	willposton5@gmail.com
Yes	39	sandorf	scott	scott.sandorf@noaa.gov
Yes	67	stephen	jessica	jessica.stephen@noaa.gov
Yes	99	thomas	01suz	suzanna.thomas@safmc.net
Yes	66	thompson	laurilee	00thompsonlaurilee@gmail.com
Yes	47	vara	mary	mary.vara@noaa.gov
Yes	92	young	Jerome	young_jerome@hotmail.com
Yes	93	zales	bob	bobzales@sfaonline.org
No	0	Anker	Shari	sranker@mac.com
No	0	Atkinson	Sarina	sarina.atkinson@noaa.gov
No	0	Berry	James "chip"	chip@chipberry.com
No	0	Bodnar	Gregg	gregg.bodnar@deq.nc.gov
No	0	Box	Cameron	boxcameron06@gmail.com
No	0	Brooke	Sandra	sbrooke@fsu.edu
No	0	Cox	Jack	dayboat1965@gmail.com
No	0	Czanderna	Andrew	amfdrew@gmail.com
No	0	DeFilippi Simpson	Julie	julie.simpson@accsp.org
No	0	Gillum	Zach	zach.gillum@noaa.gov
No	0	Gravitz	Michael	michael.gravitz@marine-conservation.org
No	0	Griffin	Aimee	aimee.griffin@myfwc.com
No	0	Hessong	Ryan	ryan.hessong@myfwc.com
No	0	Kelly	William	KeysKelly@aol.com
No	0	Laks	Ira	captainira@att.net
No	0	Larsen	Ron	ronlarsen@searisksolutions.com
No	0	Lazo	Sarah	sarah.lazo@noaa.gov
No	0	Machernis	Abigail	abigail.machernis@noaa.gov
No	0	Medders	Paul	paul.medders@dnr.ga.gov
No	0	Meehan	Sean	sean.meehan@noaa.gov
No	0	Merrifield	Mike	mikem@wildoceanmarket.com
No	0	Ostroff	Jenny	jenny.ostroff@noaa.gov
No	0	Pierce	Brett	Brett.pierce@bluefindata.com
No	0	Puglise	Kimberly	kimberly.puglise@noaa.gov
No	0	Reed	John	johnkreed48@gmail.com
No	0	Simmons	Carrie	carrie.simmons@gulfcouncil.org
No	0	Smillie	Nick	Nick.smillie@safmc.net
No	0	Stewart	Mark	mstewar@gmail.com
No	0	Thompson	Kevin	kevin.thompson@noaa.gov
No	0	Wallin	Matthew	matthew@ccanc.org
No	0	White	Shelby	shelby.white@deq.nc.gov
No	0	Wilber	Pace	pace.wilber@noaa.gov
No	0	marinko	jeff	putridinnarda@hotmail.com
No	0	yopp	garland	garland.yopp@deq.nc.gov