

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **MACKEREL COMMITTEE**

**Hutchinson Island Marriott  
Stuart, FL**

**June 12-13, 2013**

### **SUMMARY MINUTES**

#### **Mackerel Committee**

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Roger Pugliese  
Dr. Mike Errigo

Gregg Waugh  
Myra Brouwer  
Dr. Brian Chevront  
Anna Martin  
Amber Von Harten  
John Carmichael

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

Monica Smit-Brunello  
Dr. Bonnie Ponwith  
Otha Easley  
Pat O'Shaughnessy  
Robert Johnson  
Lt. Morgan Fowler

Dr. Jack McGovern  
Jennifer Lee  
Dr. Luiz Barbieri  
John Sanchez  
Dick Brame  
Michael Larkin

Additional Observers Attached

The Mackerel Committee of the South Atlantic Fishery Management Council convened in the Plantation Room of the Hutchinson Island Marriott, Wednesday morning, June 12, 2013, and was called to order at 11:35 o'clock a.m. by Chairman Ben Hartig.

MR. HARTIG: I would like to call to order the meeting of the Mackerel Committee. The first item of business we have is to approve the agenda. Are there any additions to the agenda? There are a couple of things we are going to discuss; but I think when I looked over this, they can be incorporated under the agenda items we have existing, so I don't think we need to change that.

Is there any opposition to approving the agenda? Seeing none; the agenda is approved. The next item of business is approval of the March 2013 South Atlantic Mackerel Committee Minutes. Are there any changes to the minutes? Is there any objection to approving the minutes? Seeing none; the minutes are approved. All right, that takes us down to Item Action 3, status of commercial and recreational catches versus ACLs for Atlantic group king mackerel, Spanish mackerel and cobia.

DR. McGOVERN: These are data through May 23<sup>rd</sup>. The table was put together by Sue Gerhart. The first four columns are cumulative landings. We see that the 2011 fishing year landings are lower than in previous years, and then the 2012 fishing year only 45 percent of the quota was met. Thus far in 2013, 7.3 percent of the quota has been met.

Moving down to Spanish, the cumulative landings in the 2012 fishing year the quota was exceeded by 4 percent, and the rest of that table might be down below that. Yes, there it is. The adjusted quota was exceeded by 13 percent. The trip limit was reduced in January. Because 75 percent of the adjusted quota has been met, it was reduced to 1,500 pounds. Thus far in 2013 about 19 percent of the quota has been met. Then moving down to cobia, we see that we are right at the quota for 2012. Thus far in 2013 we are at 40 percent of the quota.

MR. HARTIG: All right, that was commercial. Are you going to go ahead with the recreational?

DR. McGOVERN: Yes Mr. Chairman.

MR. HARTIG: Thank you very much. Are there any questions about the commercial landings before we go ahead? Seeing none; thanks, Jack.

DR. McGOVERN: Okay, we can go ahead and move down on the slides there. The notes here are the same as for the snapper grouper. This presentation was put together by Andy Strelcheck's staff and Dr. Ponwith's staff, and the data do not include headboat landings for 2013, but the 2012 data are complete including headboat. I had provided a separate presentation for mackerel, but we can go ahead and do that.

Cobia thus far 70 percent of the quota – well, 70 percent of the quota was met last year; actually the recreational ACL was met last year. Moving down, these are the landings by year and by sector for king mackerel. Most of the landings are from the private sector and the total landings have decreased with the lowest value occurring in the most recent fishing year.

We see that 27 percent of the recreational ACL was met in the 2012 fishing year. Moving down to Spanish, again most of the landings were from the private sector. Landings for the 2012 fishing year are lower than they were back in 2008 and 2009, and the last slide here shows about 52 percent of the recreational ACL was met.

MR. HARTIG: Are there any questions for Jack about the recreational landings? Seeing none; thank you. I just would add we will look at these landings and keep them in mind going ahead with Spanish in particular, because the new ABC is considerably lower than recent landings. That is something we will have to get into a little bit later. The next item of business we have is SEDAR 28, Spanish mackerel and cobia; Attachment 3A and 3B, SSC report from Luiz Barbieri.

DR. BARBIERI: As I discussed briefly yesterday during the presentation of the general SSC report, we left the cobia and Spanish mackerel assessment review comments from the SSC to be presented today at this committee. Here is a summary of the cobia stock assessment. The stock was found to be not overfished nor undergoing overfishing.

The assessment, despite some of the lack in data streams, was actually a very good assessment, we thought. Steepness could not be estimated; however, it was fixed at 0.75. Without going too much into the weeds, I just wanted to point this out about steepness; because when the SSC applied the ABC Control Rule, that issue there caused a little bit of a penalty on how we assess the P-star approach.

We ended up with a P-star of 0.4 or 40 percent. The ABC projections then for P-star 40 percent you can see down here. We have the total yield ABC in landings plus discards at about 8.1 million pounds. The SSC recommends the assessment be updated in 2017. You can see the projection stream that we have here goes through 2016.

The committee felt that given the uncertainties in the assessment, it would be preferable to not extend the projections beyond four years. I'm sorry, 815,000 pounds – I said 8.1 million pounds, my mistake. You can see here the yield stream that goes through 2016. The committee recommends the assessment be updated in 2017; but we point out that given the life history and population dynamics characteristics of cobia, we don't think that this is a high vulnerability, a high-risk type stock

Getting this assessment updated in '17, we don't see that as a high priority. We just want to let you know that having an assessment in '17 would be a good idea; but considering the extended projected SEDAR schedule, there are some species there for 2017 that you might want to consider as higher priority than cobia. It is one of those things if we can get it done in '17, great; but we didn't want to send the message of this being a priority. Mr. Chairman, I think since we're going to switch now to Spanish mackerel, should we go ahead and get any potential questions for cobia?

MR. HARTIG: Sounds like a great idea. Are there any questions of Luiz about the cobia assessment? Gregg.

MR. WAUGH: I don't know if Luiz made this point, but this is for the Atlantic for Georgia north is what these results are. We've got projections just through 2016. Similar to black sea bass, I would assume that from the Center's perspective we would not have an OFL after 2016.

Something would have to happen such that the SSC could look at something to respecify an OFL that we could have implemented for 2017. Otherwise, the OFL or the overfishing level, similar to black sea bass, would just be unknown, which would be a little strange for a stock that we have assessed.

DR. BARBIERI: Yes, thank you, Gregg, great point. The Florida east coast, the Southeast U.S. south of Georgia was actually assessed jointly as part of the Gulf stock, the stock structure. What came out of the data workshop evaluation of the stock structure actually tied Florida east coast with the Gulf, and because of that this recommendation. That is an excellent point, because I forgot to mention that, Gregg; that these recommendations are for cobia northward of Florida.

MR. HARTIG: Any other questions? Seeing none; Luiz, we'll move on to Spanish.

DR. BARBIERI: The Spanish mackerel assessment, which was done as part of SEDAR 28 as well and used the same types of methodologies and some of the choices in terms of parameter estimates and all were fairly similar and consistent. Stock was also found to be not overfished nor undergoing overfishing.

Like we observed for cobia, steepness of the stock-recruitment relationship was not estimated by the assessment, so they fixed that at 0.75. In this case, there might be a little bit of a discussion of this issue; because as we go forward looking at the recruitment and its relationship with spawning stock, I know Mr. Chairman had some questions regarding this, and we are going to address those as we go through the presentation.

Like what we saw for cobia, application of the ABC Control Rule actually produced a P-star of 40 percent. You can see here the ABC projections through 2015. Like what we saw for cobia, the committee felt that having short-term projections was the best course of action here given the uncertainties in the assessment.

These projections that we have here, the table, are actually already the updated projections that we received from the Center that separates ABC in thousands of pounds for landings from the dead discards. As Chairman Hartig pointed out, the ABC for 2013 and onward actually represents a significant reduction from the current observed level of landings.

Based on the projections – and I double checked this here in our report, and I don't know why the committee recommended 2017 when we have actually projections only through 2015. My impression is that there might be a miscommunication in our request for projections, the timeline of projections. One way or the other, the committee has recommended that the assessment be updated in 2016 or '17. In this case, since we only have projections through '15, an update in '17 would be recommended.

MR. CARMICHAEL: Luiz, at the time the SSC was looking at this we didn't have the P-star projections done. We had the more deterministic projections that do carry out a longer period; so when we got the P-stars, they were only done for the three years.

DR. BARBIERI: Yes, thank you, John, for the clarification. In this case, even though our report and my presentation here is mentioning that the SSC recommends an assessment update in 2017, we should correct that for 2016 because we only have yield streams going through '15.

DR. CRABTREE: What is the OFL and how much buffer is there between the OFL and the ABC?

DR. BARBIERI: I did not include the OFL. We have projections – just like for the ABC, we have projections of yield with a P-star of 0.5, which would give you the yield stream for OFL. I don't have that here in front of me.

MR. CARMICHAEL: It's in the SSC report. There have been some updates of this that Luiz is showing. The original ones that the SSC received were landings and discard combined, but the overall yields that are estimated at the P-star levels, it is the same, which is good.

But the separation is about 500,000 pounds or about 10 percent of the OFL, which is pretty consistent with what you see. In most of these cases you don't get as much reduction in yield as you do in the exploitation rate when you start fishing below your MSY level. Back in the days when we were looking at things like F over 0.1, that was considered a plus.

DR. MacLAUCHLIN: The SSC report is included under the mackerel tag as well as Attachment 5.

DR. BARBIERI: Does that address your question, Dr. Crabtree?

DR. CRABTREE: Yes, thank you.

MR. HARTIG: It is 500,000 pounds between the OFL and the ABC; but if you looked at the stock rebuilding over time through the entire time series, and if you look at the last 12 years of landings where management has been under 7.04 million pounds and 5.69 million pounds; the average through that time series is 5.3 million pounds. The average of the catches is still about a million pounds lower than what the ABC is for a "healthy defined fishery." But there will be answers to these.

DR. CRABTREE: The average catches are higher than the ABC; that is correct.

MR. HARTIG: Yes, it is about a million pounds higher.

DR. CRABTREE: Were we overfishing during those periods?

MR. HARTIG: No.

DR. CRABTREE: Presumably we had high recruitment or how do we account for –

DR. BARBIERI: Actually, Dr. Crabtree, I do have some additional slides here that will not provide complete answers to those questions, but I think will provide some good hypothesis for us to discuss and some scenarios that might explain why we are seeing the dynamics of the stock changing substantially from what the landing series seem to indicate.

This is basically the slide that provides the bottom line of the assessment. In terms of the exploitation status, as John mentioned, this stock has been fished sustainably under the overfishing level for quite a while. Right now the latest estimate – well, let's say if we estimate here an average of the last three years, we are just slightly above half of  $F_{msy}$ .

The exploitation level for this stock has been relatively low for quite a while relative to our benchmark. In terms of the biomass status – and we have here a trajectory of spawning stock over time, starting in 1950 going through 2012 or '11, actually is the time of the assessment, and you can see that since about '99 or 2000 the biomass of the stock has been progressively increased and the stock has not been in an overfished state for quite a while.

Now note here, however; that over the last couple of years there is some change in that trend that does not put the stock in any dangerous situation as far as the stock status being overfished, but shows that the dynamics of the stock seems to be changing according to normal fluctuations.

MR. CARMICHAEL: Just one little take-home message of these two figures, because it is going to play into what comes later, you have a population that has had pretty low  $F$ , and you have a big biomass; what has happened over time is a lot of that biomass has moved out into the older age classes. That is usually a good thing. It is a lot of spawning stock biomass, a cushion out there, but it is going to affect what we're seeing as our realized fields. Just keep in mind now because of what we've just seen; there is a lot of biomass that has moved out into, say, five-plus fish.

DR. BARBIERI: As John pointed out, that would be a good thing for us to have. Usually rebuilt spawning stock biomass is money in the bank basically that will be generating all the interest there that we have; but as we see going forward, there are some uncertainties here that we need to discuss.

MR. WAUGH: Just to clarify; the bottom dashed line there is the minimum stock size threshold, right, and that is what we use to measure overfished. From this, looking back the stock has never been overfished. The upper dashed line is our spawning stock biomass. Since 2000 we have been above the spawning stock biomass.

MR. CARMICHAEL: Above the spawning stock biomass at  $MSY$ .

MR. WAUGH: At  $MSY$ , yes.

MR. CARMICHAEL: It is roughly our biomass target.

MR. WAUGH: Right. Okay, thank you.

DR. CRABTREE: Are we assuming, what, for selectivity; dome-shaped, flat-topped, mixture?

DR. BARBIERI: In a little bit we can get into more of those. I don't have here in my presentation of getting into the assessment details, because usually those discussions don't come up. We can pull up the actual assessment and go over the selectivities. Most of the selectivities that were used for this assessment were dome-shaped with the exception of the gillnet fisheries.

DR. CRABTREE: Some of these old fish could be moving out of the sweet spot in the selectivities?

MR. CARMICHAEL: Yes, you're kind of a spoiler, Roy, yes. In particular, I have been looking at this closely the last couple of days to understand what is going on and why the yields aren't where they would be expected given the stock status. The cast net fishery and the private recreational fishery, the recreational fishery overall, tends to select relatively young fish.

The recreational fishery is ones and twos; the cast net fisheries is threes, fours, and fives. Those together are 40 percent or more of the overall yield recently. What that means is then as this biomass moves out past age two for the recreational at 20 some percent, age five for the cast net at another 20 some percent, you've got nearly half of what your fishery components are contributing to your yield; having a big population; a big portion of biomass that is really not accessible to them.

That really plays a role in the kind of yields you realize at any particular time from the fishery. The MSY is under the idea; you know, recruitment at MSY and a good biomass, and availability across all the age classes; but in reality recruitment varies, availability of age classes varies, and that is having a big impact on the realized yields in this fishery.

DR. BARBIERI: Think about this as a compound effect where the selectivities are – actually those narrow dome-shaped selectivities are interacting with some waves of what could be considered lower recruitment. When you look here, this is the end of the year, the SEAMAP recruitment index that was used in the assessment, and you have a time series here going through 2011.

It is fairly flat in general; but if you break this down, it looks like how the model is actually interpreting this recruitment dynamics. You are going to see there is a slight uptick here and then a decrease as the model is seeing this. I am just eyeballing here what the difference in trends could be.

Those things are going to be actually interpreted by the model as we are going through a period where recruitment is not being maximized. You can think of this perhaps as the opposite of what we saw with black sea bass. While we had some good waves – and fish dynamics actually works like this where you have fluctuations in years class strengths and you have what they call episodic recruitment events for this species.

From time to time they are going to have good waves of recruitment, but there will be times when they go through lower recruitment periods, and that is going to actually translate into some of your yield. Now looking here, this is as estimated by the model; the estimated recruitment of age zero fish. Think about this as the influx, as how the model is estimating the influx of those recruits. The Rmsy here is the level that would maximize your recruitment to produce the MSY.

You can see that recruitment has been variable over time, but just fluctuating around that line there; and then over the last few years is actually below as estimated by the model, below what would be that R at MSY. The model is looking at the data and seeing what the expected recruitments will be in the next few years and making those assumptions translate into lower yields.

MR. CARMICHAEL: I want to say this is where you get when you have these narrow selectivity patterns. Some of those familiar with the Gulf are seeing some of this in the Gulf red snapper. You get some interesting things with your yield and then how it translates into things like overall OFL and equilibrium MSY.

In those periods there when you have high recruitment; that means you are going to have maybe a year or two where you have a lot of availability to different sectors of the fishery. You have a lot of availability to the recreational fishery a few years ago, and now lower availability to that fishery right now.

This is something I have to acknowledge a comment that Ben made about having very high recreational landings, peak landings at a time when the fishery was at kind of a low biomass. You see that big spike of recruitment there in the eighties, and that corresponded to a time of the peak availability of the year classes that the recreational fishery selects for them.

You had kind of low biomass, but you had a big spike at that time in the recreational landings because of what was going on with recruitment. This is the kind of thing that could have an impact when we consider ACLs and accountability measures. You might have a situation where the recreational catch could be very high possibly even over an ACL when things were applied with sort of equilibrium expectations, but really isn't resulting in overfishing.

It is just a function of the increased availability due to a year class, which may occur over a short time. I know this is a point that Roy has made quite often in dealing with recreational fisheries and how they respond to availability. We're seeing some of that now when we are seeing the impact as we looked at our projected yields in the future.

The impact of those low year classes there in the terminal point of this stock assessment is, I believe, why we're not really realizing yields at or above MSY over the next couple of years. It is because of that lower abundance moving through the availability periods of these different portions of the fishery.

MR. HARTIG: Before you leave that, I appreciate that makes perfect sense from that one question I asked about that time series, but what doesn't make a lot of sense to me is the highest landings of the time series are in the last two years. How do you explain that with recruitment being lower based on that survey; and then we have the highest landings combined – now that is recreational and commercial for that timeframe.

DR. BARBIERI: Well, it has to do with the selectivities again. Here you are talking about recruitment of age zero. You are talking about something that is coming in, but it is going to take a couple of years for them to be realized into actual yield. John said given the selectivity of the fisheries, you coincided to have some good year classes going through that point where they were being selected; the yield is expected to be higher. There is a little bit of disconnect, but the disconnect is not nonsensical. Really, it has to do with the dynamics of the stocks.

MR. CARMICHAEL: Exactly. You look at there and you look back in time, you have like five out of seven years with recruitments approaching; well, not the first, but the second, third and fourth highest years. In 2011 with the last year landings in the assessment, those ages would have been very available to the commercial fishery components. Those ages would be working



just past the cast net fishery components over the last few years. I think some of the peak landings you are seeing in the recent history are because of that good recruitment that was occurring.

MR. HARTIG: Well, to corroborate that, the year that we don't have the landings numbers for was this past season and landings did go down, so it is matching this pretty well.

MR. WAUGH: Did the SSC discuss – I know you didn't have a lot of the projection results, you had some of them. But to me it seems like what we're seeing here is an artifact of our sampling that is reflected in the selectivity. We're missing a portion of the stock, the larger fish, older fish that presumably are out there. We're not sampling them so how are they being account for; and is this ABC more an indication of what the fishery can produce and not of the population?

MR. CARMICHAEL: It is not a matter of sampling or anything. It is a matter of what the fishery is able to capture. It is not saying the fish are not there. The fish are in the population. The model thinks the fish are in the population, and that is why we get a biomass which is well above the minimum stock size threshold. But due to the selectivity patterns, a lot of the fish are not available and are not being captured by the fishery. They are there but they are not vulnerable to the gears and the way the fishery operates, so they don't get to contribute to the yield.

DR. BARBIERI: That is the key difference between what we consider biomass of the stock and the biomass of the spawning stock versus the biomass that is actually vulnerable to the gear, which is defined by the selectivity pattern in this case. Because the fishery concentrates on those younger age classes, having all those older fish out there is a plus and it should help with the resilience of the population; it should increase the probability that future recruitments are going to be higher, but it doesn't really in the short term help you with the yield as is going to be realized in the fishery.

DR. JOLLEY: Okay, so if we've got a group of older, bigger fish; do we have any idea of where those bigger, older fish are? Are you seeing them, Ben, in some places? Are they seeing them up the line off Carolina and Virginia?

MR. HARTIG: The hook-and-line fishery targets the biggest animals. They are a lot harder to catch. We have to go through herculean efforts to catch them. We have to have live chum and fish with specific gear in order to catch those fish, but we catch some of them. But the hook-and-line fishery is one of the lower components of the landings, so you don't get a full accredited through this process. But the other thing is that there is another group of Spanish, John, that acts like king mackerel. They move down in the deeper waters. They are separated entirely from the migrating stock.

This mixed group that we fish on; these fish are 6 to 12 pound average fish. I don't know where they go. We see them maybe once or twice every three years, four years maybe, but then they move on. I don't know if they go to Miami and stay down there or what, or go to the Keys, but we do get to see them and they are in 110 feet of water. They stay in the same areas the king mackerel do, but we don't catch many of them.

MR. JOLLEY: There ought to be some tag return evidence from previous tagging programs on those bigger fish.

MR. HARTIG: I don't know that we have much tagging in Spanish at all to inform us on that.

DR. BARBIERI: Continuing here, you can see again – and I am eyeballing this and this is just to show you some trends that overall the recruitment had been increasing. Over the last several years the tendency, the trends of those actually translate into lower recruitment, which brings us to the key question that Mr. Chairman sent me, right?

How can recruitment be declining in recent years when the last two years of the total landings are the highest in the recent time series even with the decline in recreational effort? Basically it is what we've been discussing a lot. You know we have a high biomass out there. It is above MSY, it is definitely above MSST, and we have a good age composition that should keep this population in a resilient state as far as future recruitments.

What we cannot account for is the fact that due to natural causes, populations do change, do vary over time, so there would be some periods of lower recruitments. There is no indication that this is going to be a continuing trend. There is no indication that this is bad news propagating into the future, but for the recent future that seems to be the case.

As you can see, we have some additional hypothesis also that could be explaining, and those are documented in the assessment report. There is a lack of a strong relationship between the spawning stock and the subsequent recruitment. Even though the assessment analytical team had fixed that steepness at 0.75, you can see here that the relationship is not very strong. We have the highest recruitment in the series associated with the lowest stock biomass.

That itself would say that even though having a large biomass of females out there, having a full age composition is a good thing; it will not guarantee that your recruitments in the short term are going to be maximized. Then another point that I thought was interesting in the assessment is that there is a suggestion of density dependence in the egg production and the recruitment of Spanish.

If you see at the number of recruits per spawner and you find this inverse relationship here that suggests the recruitment actually is somewhat being decreased as you reach these levels of high spawning stock biomass, so there is a population regulation process that might be taking place. We don't know this for sure, but it is a viable hypothesis to explain why. Now that we have this stock at its fully rebuild stage, we have the age classes out there, there will be a little bit of that carrying capacity effect going on and the stock might be self-regulating its abundance through lower recruitments.

MR. HARTIG: Before I get to John; that has answered one of the pressing questions I have had about this stock, because the observations I had – I got back into fishing in about '93. There was tremendous numbers of small fish with a low population size of Spanish. As this stock continued to rebuild, recruitment actually declined from those very large abundances that we saw, and the bait mackerel were harder and harder to catch, which doesn't make a lot of sense to most fishermen saying, hey, we got so many more fish; why isn't recruitment up there?

But that explains exactly what I have observed since the early nineties is that inverse relationship there, so that is pretty cool. We've explained a heck of a lot of questions that I have had about this stock today. All the fishery observations that I have mesh with what you all have tried to put forward. I'll have another question at the end. John.

MR. JOLLEY: We haven't seen any evidence of senescence in the older mackerels, have we? I don't think it occurs commonly in most fishes, but we aren't seeing any of that in the biology of the fish, are we?

DR. BARBIERI: Not with the mackerels. Senescence has been fairly well documented with some of the tunas. There are some other species that are being looked at in terms of increased natural mortality due to senescence in lower reproductive capacity; but in terms of mackerels, I haven't seen anything that suggests senescence to be an issue.

DR. CRABTREE: I think when Alzheimer's sets in on fish, they get eaten real quick. The recruitment phenomenon you are talking about sounds like it would be more consistent with a Ricker stock recruitment relation rather than Beverton-Holt, right? Did you look at that? It seems like that could substantially change the reference points.

DR. BARBIERI: Actually, Dr. Crabtree, good point. I was delighting myself over this assessment document last night, and that thought definitely came up that we should investigate – I mean we have not for a lot of species at least in our region here really been able to see this density dependence that would suggest that a Ricker function for the stock recruitment relationship might be better than Beverton-Holt.

But this is something that definitely we are going to be recommending the assessment team next time around look into, because this evidence of density dependence seems to be fairly strong. I mean their relationship is stronger than a whole lot of the other ones I have seen before.

DR. CRABTREE: I would think that would have a substantial impact on the reference points and Fmsy potentially.

MR. HARTIG: Well, to that point, they ran the Ricker as the review asked for it, and I don't know how far they got or I can't remember if there were problems with that, but I am pretty sure they did, and I don't think there were substantial differences. It looks to me like there should be.

DR. BARBIERI: I just wanted to add Dr. Crabtree that one of the CIE reviewers actually brought this up as well, looking at this density dependence here, indication that we explore the Ricker. Since this didn't come up until the actual review process, it was too late to kind of redo the whole thing, but it is something that we are going to be exploring for next time.

MR. HARTIG: That helps me; that is interesting. My question then comes to be looking at mackerel, short-lived mackerels, most of the fishery takes place on younger ages; are we at the appropriate benchmark to actually be setting our ABCs? Should we be setting our ABCs closer to MSY based on what we're seeing from these population outputs?

MR. CARMICHAEL: I think it definitely raises a lot of questions about the tool and the difference in MSY and what the P-star projection analysis give you. MSY gives you what could

be realized if you had recruitment at that Rmsy and you have availability to all the different fisheries, and they can take them out based on their selectivity, and then the P-star is really giving us what you can expect to take right now.

I think the risk would come in when you get that really good year class. If the OFL/ABCs are set down lower and you get that really good year class – there could be one coming along right now and we wouldn't know it – you could have a situation where suddenly the recreational fishery goes way high like it has whenever there has been good year classes.

You might say, oh. Man, we're over our ACL, but in reality it is the abundance. I think that is sort of where the risk lies in using that P-star tool, which is saying, okay, recruitment has been kind of down; that is going to keep on; it doesn't know when the next good year class, 25 percent above recruits at MSY will happen; it is going to tend to put abundance and recruitment right about the MSY level. If you look at the recruits in the projection tables, you see that.

You see them come out of the 25 million fish, whatever, around the MSY. The model is not really going to give you those really good ones. I think that is where the risk lies, because you could have quite a bit more yield available to that fishery. You could have those landings come in and not result in a high F, which is ultimately what we're trying to do is present the F.

We use the OFL and the poundage and stuff as a metric between assessments. I think that is where maybe this one requires maybe a little different approach than what just our basic rule of thumb is and run the P-starts at 50 and 40. Maybe we should consider how we might deal with a spike in recruitment, which leads to some higher landings, and if we can work that into our system in some way.

DR. BARBIERI: Right; and to just add to what John pointed out, yes, looking at a different stock-recruitment function will influence or should influence those benchmark estimates. That would change the scenario of that equilibrium MSY that is being estimated and that we are using.

You might be able to do something that allows you to actually harvest higher levels for this, and we're going to be looking at that for the next assessment. But one thing is given all of this, it is advantageous that we have a shorter time series of projections that the committee felt that since we have all these uncertainties about future recruitment, that going with just a three-year projection would be the best way, and we reevaluate this and we address it in more detail after this next update.

MR. HARTIG: It is just the problems I have, when you get that year class; you were talking in terms of the recreational fishery, but the commercial fishery as well – and the cast net fishery in particular, which utilizes those young ages, that yield is going to be foregone on those years of high recruitment for several year periods.

You are going to be foregoing a substantial amount of yield from a year class and it is eventually going to go off into the older ages. Because of selectivities you will be losing it, well, to future recruitment, but the fishery is not going to be able to get much of it. The hook-and-line fishery does get some of it.

DR. BARBIERI: This is where the benchmark estimate changes. It will give you a different scenario.

MR. CARMICHAEL: One way to look at these projections, too, Ben, is to consider that maybe if the council took no regulatory changes; what this is saying is you might see a reduction in yield in the next couple years as opposed to the couple years just prior simply because of the changes in abundance across the age classes. You may not have to do anything regulations wise, no changes whatsoever and this could come to bear; and you'll see the next increase when we get a good class, and it will just show up in the fishery.

MR. HARTIG: Yes, it is just we know we get good year classes. Like you say, there could be one in the pipeline now and next year we could be in the situation where based on the regulatory way it is set up now, you could have substantially shortened – the season could be half as long, easily. Easily the commercial fishery could lose half its production.

DR. CRABTREE: Didn't you have a SEAMAP; I think it was recruitment index? Does it do a good job of predicting year class strength?

DR. BARBIERI: Not really. It helps. This assessment is less uncertain than the previous one for which we couldn't even really determine the biomass stock status. The review panel thought the last time around that the lack of a recruitment time series was compromising those benchmark estimates. This informs recruitment somewhat, but it is a little bit noisy.

I'm saying this going through the CIE report, the reviewers' reports and their comments. They looked into this into more detail I guess than anybody. They felt that having some additional recruitment index would be favorable and improved one. Considering the selectivity pattern of the fishery, too, you don't get a whole lot of older ages into the fishery that are being sampled in a way that you can actually help use the age comps to guide your recruitment time series, not efficiently as it could be.

MR. HARTIG: Okay, what you have shown to me is that it is going to be critical to do another Spanish mackerel stock assessment at the end of this time series, at the end of the three years projections; and that in order to use the Ricker approach what type of assessment would we need to be able to do that?

MR. CARMICHAEL: We can use the same assessment; you don't need to change. Well, it is just a matter of stock-recruitment parameters. I think one thing to think of is if there is some way that with the recreational fishery getting the fish at a relatively young age, if there is some way to factor maybe an increase in recreational catch into looking at the population and trying to decide if there is actually a year class going on at that time which might affect how you guys respond to that in terms of accountability measures.

It could be very helpful. When I looked at this, one thing I noticed is you see the terminal year there, it is being pulled down by that low SEAMAP, but we see in the past that a lot of SEAMAP CPUEs that are that low didn't really translate into year classes that bore in the fisheries. That is ages that aren't really recruited. The terminal year being 2011; those are age zero fish.

They are just slightly recruited to a couple of gears. I am kind of optimistic I guess in some ways looking at it thinking that maybe that terminal drop in recruitment that we see isn't going to be as severe, because it just doesn't seem like it has been in the past. Then again it could be, and that is why you see what you see in the P-star projections, because they consider what if it is and what if it isn't.

I think trying to work this into accountability measures would be helpful for the next couple years and doing an assessment as we're going to need to do in time to respond to the three-year projection window we have now certainly should be in our plans and looking at the Ricker should be part of that.

MR. HARTIG: Are there any other questions? I found this fascinating from my perspective; I really did. I mean, talking the questions out and the observations of what I have seen over the years, we actually are almost spot-on to the way that the analysts answered the questions, which was great. I sincerely appreciate that.

The only problem I have is that if we know that using the Ricker is going to probably change the outputs, why aren't we doing that sooner? Maybe that is just me. Foregone recreational and foregone commercial harvest based on something like that; I know these assessment schedules are getting pushed around and things of that nature, and it may just be a fact of life that is how that fits into that three-year average and we see how the fishery goes.

We know landings were lower this year in particular, so it is matching that exactly right. Maybe we just let it go, but I certainly would like to put this on the schedule as soon as we can. I think that this is a pretty good case. We've got one assessment parameter in particular that we are going to change that will probably make a difference in the assessment.

I'm sorry that I pulled you from your luncheon schedule to go through that, but to me it was fascinating, and I hope some of you all also thought so, too. To me it was really a great explanation of why we are having lower catch limits in the current fishing years so thank you. When are we coming back, Mr. Chairman? What time is it?

MR. CUPKA: It is 12:30; so normally it would be 2:00 o'clock.

MR. HARTIG: Okay, thank you, 2:00 o'clock.

The Mackerel Committee of the South Atlantic Fishery Management Council reconvened in the Plantation Room of the Hutchinson Island Marriott, Wednesday afternoon, June 12, 2013, and was called to order at 2:00 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: All right, it looks like everybody is here and raring to go. I think we will reconvene the Mackerel Committee. Thank you for being back here on a timely fashion; I appreciate that. What I would like to do right now is after that discussion we've had – and I did a poor job trying to encapsulate what I wanted to see out of this coming forward – I think Michelle has got a motion to make for the committee to consider.

DR. DUVAL: Just given all the discussion that went forward, I think trying to act on the SSC's advice for an ABC recommendation right now might be a little bit premature just given the

conversation that we had around the table earlier today, and so I would like to – difficulties; hone on.

DR. MacLAUCHLIN: Okay, we just need like five minutes to restart this computer.

MR. HARTIG: I'm looking at if we can do something else without the computer; I'm not quite so sure. Is there any other business to come before the committee? All right, we're back online. Michelle.

DR. DUVAL: As I was saying, based on the conversation that was had around the table earlier today, it seems that it might be a little bit premature to move forward with any modifications to ABCs and ACLs based on the current Spanish mackerel assessment just due to some of the revelations that we had earlier.

**My motion is to request that the SSC review the Spanish mackerel projections and revisit recommendations for OFL and ABC. The SSC is asked to consider basing OFL and ABC on equilibrium projections of MSY in light of the effects of selectivity and recruitment patterns on short-term yield estimates.**

MR. HARTIG: We've got a motion on the board; second by Anna. Discussion? Is there any objection to this motion? Seeing none; **that motion is approved.**

DR. BARBIERI: I don't have any concerns at all. I think this is a good thing. The SSC came up with a recommendation that was based on the information that we had at the time. After our discussion, we have a reassessment of work to go. I just think that it would be helpful to the committee to have a little more explicit statement from the council regarding the direction they would like to go.

I think the committee will have some concerns about the risk factor that might come into this decision. I think I would have to think a little bit and discuss with John Carmichael later how we could phrase this, but perhaps Michelle as our SSC Council Liaison could come prepared at the October meeting to address those issues if we don't go explicitly here right now. I know that the committee will have questions, and we will want to stay within our side of the fence and not step too much into that risk factor that we deferred to the council. I just wanted to make that note.

MR. HARTIG: I appreciate that. Sometime between now and full council we could probably come up with the wording that you're looking for and have that; but as far as that motion is phrased now, would that prohibit that with the additional wording later or not?

DR. BARBIERI: No, I think the motion is very well phrased, and I think that it is clear enough to the SSC what the intent is. I just think that it would benefit the committee to have a little more background and to have an explicit council statement that would go a little more in detail on that risk factor.

The fact that the council perhaps is trying to say here that it can afford to be a little more risk prone or a little less precautionary in setting catch levels given the stock status, that the stock is way above both MSST and biomass at MSY, that having those catch level recommendations

based on the long-term equilibrium yield is not seen as any unwarranted risk, perhaps; something of that nature.

MR. CARMICHAEL: Yes, I think that is very good, and I think having the council have some discussion of it to give some guidance that goes along with the motion is a good way to handle it. It lets the motion be pretty clear but concise that you want some reconsideration and we can add more details.

The other risk factor I think the council is directed to have some role in is the separation between OFL and ABC, and some guidance here would be very helpful as to what type of buffer should be applied in this circumstance, because we don't really have maybe a lot to go on in that case. We could look at the separation in the P-star runs in yield that you get between 50 percent and 40 percent maybe as a starting place. There may be other ideas that we could look into for that; but I think some sense of your risk tolerance will really help the SSC.

MR. HARTIG: Okay, this is something I think we need to have some conversation on before we discuss it. For me, it would be helpful to sit down with John and see exactly what we are looking at. I would be comfortable with John coming up with a risk tolerance evaluation for this stock in particular based on the new parameters that we are going to be coming up with and how the council could factor that into their decision-making.

I don't think we're ready to discuss that right now; I don't think we are. I may be wrong, but I'm not. We had a motion on the floor which is passed. Between now and either Full Council or in directions to staff to try and develop something on risk tolerance, hopefully by the time we get to Full Council we will have this flushed out more and then we can bring this back.

Then I could actually talk to the committee about how this would address differently what the risk tolerances are that we have now. Yes, I think that would be good. We've got a motion that is passed with some continuing discussion with staff to bring back at Full Council our risk tolerance evaluation for Spanish, so that would be good. All right, that takes us to cobia and the numbers, the ABCs – how do we do this anymore? Do we just accept the SSC's recommendation for setting ABC and that goes right to staff and the numbers are calculated?

DR. MacLAUHLIN: Well, with cobia it is a little different, because it is actually an action in Amendment 20 because the boundary moved. You also will have to discuss the Florida east coast allocation of the Gulf cobia ABC. We can wait to talk about that when we get to Amendment 20 if you like.

MR. HARTIG: That would be great. Next on our agenda is the Mackerel Advisory Panel Report; Attachments 5A and 5B.

DR. MacLAUHLIN: The Mackerel AP met in April, and there is an AP report and then also the minutes in there. I have their specific recommendations for each action in the three amendments that they reviewed in the decision document. I'm not going to go through all of this right now, but I just wanted to let you know that they were there. Then also there were 11 AP members in attendance and then 5 not in attendance.



MR. HARTIG: Of those five, I think four of them were from Florida, and we didn't have much representation from our commercial fishermen at all in Florida at this AP meeting. That put us in a precarious state, because a lot of these recommendations that were coming forward were coming from the Florida contingent, and that made a big difference.

That is the reason why we included in these – you will see you have two SSC – you have meetings where you have a resulting vote for an option. That is predicated on the fact that there were so few Florida attendees attending this last AP meeting and the fact that in some cases the vote was very different.

I don't know how you process that in going forward. I was just disappointed in our Florida group for not being able to attend that meeting. All right, that takes us to 19. The decision document for Amendment 19, Attachment 6B; there are three actions in that amendment.

DR. MacLAUCHLIN: Okay, we are down to three actions. The expected schedule is for approval for public hearings at this meeting. July and August we'll have our public hearings, and then in September you will give final approval. In October the Gulf Council will give final approval.

The first one is the sale of king and Spanish mackerel. There are four alternatives in this one; no action. Alternative 2 would prohibit the sale of bag limit caught king mackerel and Spanish mackerel. Then it has the options under the South Atlantic and Gulf Council's jurisdiction. Alternative 3 – I'm sorry I mixed those up.

Alternative 2 would prohibit bag limit sales of king mackerel except for for-hire vessels on for-hire trips that have the commercial king mackerel permit. Alternative 3 would prohibit all bag limit sales of king and Spanish mackerel. Then Alternative 4 would prohibit sale of king and Spanish mackerel except for the tournaments; state-permitted or state-licensed tournaments.

What has happened, at the Gulf Council meeting they selected Alternative 3, Option B and Alternative 4, Option A as the preferreds. You can see that the Gulf is preferring that in the Gulf Council, in their jurisdiction that all bag limit sales are prohibited, including tournament and sales from for-hire trips; and then allow the tournament sales in the South Atlantic's jurisdiction. The Gulf Mackerel AP met and they supported the Gulf's preferred Option B.

The South Atlantic Mackerel AP supported no action under this. I added in the boxes underneath the action in your document that have the recommendations -- I have AP recommendations from this year and last year. Ben asked me to include what they discussed last year. When they did discuss an action, I included it in there.

Of course, you have different points of view; either recreational fish should be sold or not be sold; and reducing waste of fish and allowing those for-hire crew that depend on it to get that extra money; the same arguments that we've talking about this whole time. In the end they did pass supporting no action as their preferred with six in favor and three opposed.

I think that is all we have. We had some law enforcement AP recommendations we talked about in February where they expressed that they would like consistent regulations between the South

Atlantic and Gulf. They then expressed concern about quality control of the fish caught during the tournaments as it would be challenging to monitor and enforce.

Then the SSC recommended allowing bag limit sales of recreationally caught fish. From a socio-economic perspective it is better to utilize other methods to mitigate negative effects of the bag limit sales on the commercial sector. You also have in here some tables that show the percentage of king mackerel and Spanish mackerel harvest and sales with a federal commercial permit. These were included last time. I am not going to go through these but if anybody has any questions we can talk about it. Then we just get into the committee actions; if you want to add, remove, modify alternatives, or change your preferred alternatives.

MR. HARTIG: Any questions of Kari? Michelle.

DR. DUVAL: Kari, did the SEP have any specific recommendations with regards to what other methods should be used to mitigate those negative effects? That is kind of a broad statement.

DR. MacLAUCHLIN: It was more that there could be a way when they are reporting for that to be counted towards the commercial. That was mostly what they were talking about; that it would be counted towards the commercial ACL instead of the recreational ACL.

DR. DUVAL: Bag limit sales are already counted towards the commercial ACL.

DR. MacLAUCHLIN: Sorry, the other way; they counted towards the recreational ACL instead of the commercial. That's what I meant, sorry.

MR. HARTIG: All right, what does the committee wish to do, accept the Gulf's changes?

MR. JOLLEY: I think everybody knows my views. I certainly respect what you're trying to do here. I won't belabor it, but I feel strongly that bag limit sales should remain for various reasons. Quite frankly, I am not aware in my entire life of anybody getting poisoned from Spanish mackerel in the recreational fishery, and with dolphin either, although I know that has been brought up; the histamine problem. I'm not aware of it ever happening, and I've never been made sick from it.

MR. BELL: I've been pretty consistent, too, and I respect John's opinion. I have issues with crossing sectors and I've gone over that ad nauseum before. This morning we were talking about dealing with sector allocations and things. There are clearly defined sectors as established in the MSA. When you start mixing and crossing the cross-sectors, it just creates a ton of issues and confusion.

Perhaps it is maybe because of the size of our fishery where I am; but if you have capacity within the legitimate commercial fishery to allow commercial fishery to expand, you don't want folks within the other sector sort of taking that potential away from them. It just seems like unfair competition. My personal opinion would be to clearly define the sectors, stay on your side of the sector. I'm not really in favor of anything that kind of allows stuff to cross like that for any kind of recreational sale. I guess I've been on record before.

MR. CUPKA: I don't have any problem at all with at least approving the alternatives and preferreds the way they are for purposes of public hearing. I will say at the last Gulf Council meeting we had discussion on the tournament sales, and they did sort of change their initial thinking on that and agreed to go along with our preferred to allow it in the South Atlantic, but they don't want it in the Gulf. They have come around a little bit to allow us to move ahead with that, but I don't have any problem with them the way they are now at least for purposes of going to public hearing.

DR. DUVAL: No and I don't either, and I guess probably all we need is **a motion from the committee to also select Alternative 3, Option B as a preferred to allow this to move forward so that we can also be supportive of the Gulf's preferred.**

DR. MacLAUCHLIN: I think that you would also need to select Option A under Alternative 4.

DR. DUVAL: Very good reminder, yes. I would **also add Alternative 4, Option A as a preferred.**

MR. HARTIG: A motion by Michelle; second by Anna. Discussion? Charlie.

MR. PHILLIPS: As it has been mentioned, this has been talked about a lot. We finally got here and I am ready to take it to public hearing, and let's get this behind us.

**MR. HARTIG: The motion was to select Alternative 3, Option B and Alternative 4, Option A as preferred. Is there any more discussion? Objection to this motion? Seeing none; that motion is approved.**

DR. MacLAUCHLIN: Okay, the next one is elimination of inactive king mackerel permits. We have four alternatives here. Alternative 2 would eliminate any permits that were designated as inactive. Then you have four options with different poundage between 2002 and 2011. Alternative 3 would designate any permits that were inactive; would no longer allow them to be transferred, except if immediate family members.

Then we also added Alternative 4 at the March meeting, which would allow a two-for-one permit reduction in the king mackerel commercial fishery similar to the system for snapper grouper unlimited permits. There are a couple of tables in here that give you some information about how many would qualify to either keep or stay transferable and how many would not qualify; and then a percentage under each option.

This is for Alternative 2 and 3 that would either be eliminated or restricted depending on which alternative you selected. Then Table 9 gives you the state level estimates so you can look at the specific states. Then in Appendix A is the community level analysis if you want to take a look at that.

MR. HARTIG: We've got some IPT wording that needs to be modified in this one?

DR. MacLAUCHLIN: Yes; at the last meeting the councils removed a lot of the alternatives. It was this kind of combination style the way that they were worded. After you removed the ones

that you were not interested in, we were able to rewrite the language that was used. I have that as one of the committee actions, but let me run through the recommendations really fast.

In April the Gulf Council just tracked all of everything that you guys said in March, so the alternatives and options are the same. The AP this year recommended no action as the preferred alternative. Mostly they decided that because there wasn't – they felt like even if all inactive permits fished, that it would not hurt the king mackerel stock, and so there wasn't sufficient reason to eliminate or restrict any of those king mackerel permits.

In 2012 the AP had recommended adding the alternative that allows for no transfer instead of just eliminating them and then also to look at the two-for-one passive reduction. The Gulf AP also recommended Alternative 1, no action, as the preferred. Then the SSC, which they base their recommendations on input from the Socio-economic Panel, who looked at that; did not recommend eliminating latent permits without SEDAR-documented evidence of a biological decline in the stock of king mackerel.

They felt that it did not justify the economic loss that would be incurred by fishermen who lose their limited access permits. Going into committee actions, if there are no questions, the first thing that we would need you to do is to approve the way that we have reworded these alternatives.

In March you approved these options that are either on Page 9 of your document or projected up on the board. It was kind of this combination style. It is the same thing; we just rewrote them to make analysis easier for the writers and for people who are reading it. We are proposing this style of options.

**DR. DUVAL: I would move that we accept the IPT's proposed wording changes for the alternatives under this action.**

MR. HARTIG: Second by Charlie. Discussion? Are you all happy with the way they have been changed and worded? Is there any objection? Seeing none; **that motion is approved** without objection.

DR. MacLAUHLIN: The next is so if you want to add, remove or modify any alternatives and if you would want to select any preferred alternatives.

MS. BECKWITH: I just want to have a little bit of discussion on Alternative 3. I'm trying to pragmatically look at this and think about how this is going to reduce latent efforts. If we are allowing all those inactive commercial permits to be transferred to an immediate family member, then I guess my assumption would be every permit would be transferred that is latent. No one is going to kind of willingly put them down.

How is that going to translate to potentially 26 percent reduction or whatnot? After we have that discussion, really think through what it means to be able to transfer potentially that permit to a vessel. Is the permit still tied to an individual; does that mean that the permit is kind of incorporated and we run into some of these same issues that we had in the snapper grouper fishery with those permits?

I'm just kind of looking at this from a really pragmatic perspective, because the option I don't see in here is simply not allowing these permits to be transferable and letting them kind of go with whomever they were originally attached to so they still have it as a tool in their toolbox until they are no longer there.

MR. HARTIG: Alternative 2 actually does remove those permits. Alternative 3 allows you to keep them and transfer them to your immediate family. To me, why I see value in this is that we have a lot of king mackerel permits on the South Atlantic side in particular that come in and out of this fishery over time. They only participate when there is a lot of fish around.

They don't come in when fish are hard to catch. It is going to take some time; but as these people may not qualify for the transferrable permits, over time those people will do other things and they may transfer it to their family member; that is a possibility. I don't know how in the scheme of their businesses – I mean, most of these people aren't generational fishing families, per se.

They are kind of recreational/commercial people who jump in and out of this fishery. How that would translate to their family over time, I am not sure. My thoughts are that probably their family members are probably not going to look at this as a means to make income in the future, from my perspective, anyway. I do see some value in this. That is the one part of it.

The other part of it is catching those people who fall through the cracks, who have had this permit for insurance purposes in the lobster fishery I've mentioned before in particular. Michelle has indicated a number of instances in North Carolina and I'm sure you are aware of them as well where people haven't used it for a number of years.

They are afraid they are going to lose it and they don't want to lose it. Making it nontransferable would still allow them to have the value if they wanted to get back into the fishery again. Now they would lose the value of the permit, which is not insignificant, but from the conversations I've had with different fishermen, real fishermen see more value in having the permit than in the value of the permit when they sell their vessels.

I think Tom had talked to that point at our last meeting and corroborated that. I just see a way of really getting – so we don't have people fall through the cracks. I do think in time it will have a significant reduction of the number of people involved in the fishery, and those permits will just go away.

I think it was one way to really address two of the needs in the fishery that we needed to have at this time is trying to get some reduction of permit numbers in this fishery. Just keep in the back of your mind as you're going through these things; we've had the presentations on landings over the last two years. There are some issues with Atlantic king mackerel. It does not look like there has been any significant recruitment in the last five or six years.

That could change in a year, but right now we have a top heavy fishery that has got a lot of big fish similar to the Spanish mackerel fishery. There are still quite a few numbers of those big animals; but because of selectivity of the fishery, they are harder to catch. They are harder to catch for the commercial fishery.

The trolling fishery has a really difficult time participating in that fishery, because those fish just – they have seen that gear over the number of years, they get used to it, then they are not caught very actively on it. The live bait fishery, even that fishery has been having trouble catching these fish. What I have seen on my machine this year in particular has been encouraging. This is the first in the last three years that I've seen a number of those big fish on my machine, which is an important factor, too. That is not figured in the assessment, but those qualitative things that you see are important over time. That is my explanation if it helps.

DR. DUVAL: I am definitely supportive of this alternative as a means of allowing people to keep a tool in their toolboxes. I think maybe it sounds like Anna's concern is if it just gets transferred from family member to family member to family member over the years, you won't see that gradual attrition that you are hoping to get as painlessly as possible; also potentially a concern about corporate permits, I'm not sure.

I have to say I was certainly disappointed that we weren't able to come to some resolution at our last Mackerel Committee meeting with the other option that I had brought forward of using basically your commercial fishing record or some parameter of that in order to determine who are the bona fide commercial fishermen, like you said, who are keeping this as a tool but not using it as frequently. I am bummed about that, but that is why I would like to keep Alternative 3 around. I guess a quick question for Kari before we move on. It doesn't look like the Gulf chose a preferred for public comment.

MS. MacLAUHLIN: They are actually meeting next week, and that is when they will approve.

MR. BELL: When you were talking about folks falling through the cracks, it is just the nature of our fishery the way it is designed is it is not so much a directed fishery. It is mainly the snapper grouper guys that are holding this permit. In that survey that we did that I mentioned this morning, we also asked him about other permits; and just of those respondents, I think over 60 percent of them held a permit that would allow them to pursue this fishery.

They just kind of use it as a way of rounding out their catch or increasing the value of their trip. We want big players in terms of the numbers or whatever. Our whole fishery might amount to anywhere from 7 to 15,000 pounds a year. That is the entire fishery, but again it is important to those folks.

It is an additional thing that the snapper grouper guys primarily have to bring in to just help them keep going. If a lot of them fall sort of through the cracks depending on what option we end up with, it is just another one of those – it is the death by a thousand cuts. It is just another cut. I am just sensitive to that and I want to make sure they have that capability if they want to keep that capability.

MR. CUPKA: Yes, and there have been discussions at the Gulf Council meeting about this, too. I think they have some of the same concerns about it provides kind of a form of insurance for some of the people. The fact they haven't used it for a couple years doesn't mean they aren't going to use it.

Also the idea that some fishermen use this as part of their portfolio; they may not be principally mackerel fishermen, but it is a part of their year-round portfolio to make a living. The Gulf does

have some interest in this alternative, too, and we'll see what they come up with next week. I think that there was concern, too, that this was a way for people to kind of keep those permits but yet not put a value on them.

In other words, if they are going to transfer it to a family member, they aren't out selling it. There was some concern about how to keep these permits and still not allow people to sell them. They didn't want them to sell them so much as to allow them to keep them, and they saw this as one way to do that.

MR. HARTIG: Thanks for that from the Gulf perspective. Do you want to select a preferred?

MR. PHILLIPS: First of all, if you do Alternative 3, you have got to figure in there is probably going to be some corporate permits to deal with somehow, so it may not be very clean. The second point is both APs obviously have chosen no action, thinking there is not going to be a problem with the extra permits; because as David and Mel say most of those fishermen, they don't use them. They are doing something else. It is almost like a bycatch fishery for them.

The third point is we've got an assessment coming up right now, and I don't know that we want to move somewhere until after we do the assessment and we've got a better idea on what the picture of the fishery looks like. I would be inclined to say no action if we need a preferred, but I'm not even so sure I would even want to send a preferred out to public hearing. I just wanted to bring those three points up.

MR. HARTIG: Well, you can certainly make a motion. If you want to take this out of the document; that is certainly something you can do. If you want to offer up Alternative 1 and see how the rest of the committee members feel, that could be something you could do.

**MR. PHILLIPS: Mr. Chairman, I think I'll make the motion that we make Alternative 1 the preferred and then go out to public hearing and see what the public says.**

MR. HARTIG: I was with you until your last sentence; because if we vote on this and choose Alternative 1 as the preferred, then it really in my mind drops out of the document and we don't get any public response on it at all.

MS. BECKWITH: I'm struggling with this one because I feel like if there is a problem, then Alternative 2 is the solution. It is taking a number of permits and letting those guys live out those permits, and that is the way you reduce the fishery. If there is not a problem, then Alternative 1 is the solution. If you kind of want to do a version of a feel-good move that may or may not fix the problem, then we set on Alternative 3.

I'm struggling with this one as just a practical long-term viewpoint. I'm not going to put this as a motion, but I would say if we were going to take this out to public comment and really look to see what people think, I would make Alternative 2, Option D the preferred in order to – this is not a motion – see if we can get some feedback and some reaction from folks, because that is the potential solution to an issue; but I am not going to make that as a motion.

MR. HARTIG: Okay, point of order, we've got a motion by Charlie. Do we have a second? We had a second to the motion by Martha.

MR. CUPKA: I don't think by choosing this necessarily it drops it out of the document; and don't forget it is a joint plan so the Gulf has got to take action on it, too. I think it sends a signal what our current thinking is, but it doesn't necessarily have to eliminate it. I don't think we can anyway until we see what the Gulf is going to do.

MR. HARTIG: Okay, thanks for that clarification. Go ahead, Kari.

DR. MacLAUCHLIN: We've had a little bit of input lately about people like right now that are trying to make a decision of whether or not to buy one. Obviously, this is complicating their business decision at the moment. I would recommend not selecting an alternative as a preferred for a reaction, because I think people that are watching this and they are thinking about it when they are trying to decide about buying or selling a permit.

MR. HARTIG: Well, we've got a motion and we've got a second. Martha.

MS. BADEMAN: I was just going to say I think Charlie brings up some good points. I don't know how the corporate permit thing works and how that shakes out, but I will say on the Gulf side, on the west coast of Florida we do get in the situation because we have all the different subzones where there are people that are shut out from year to year, because the fish aren't there when their zone is open or whatever. They can't make it out and they are fishing for other things. We could have some unintended consequences with that or maybe some intentional consequences, depending on where you're coming from; so just some food for thought.

DR. DUVAL: I guess this is complicated a little bit by the fact that the AP recommended in 2012 to add this new alternative – our AP did, the South Atlantic AP – to simply allow transfer to family members if we were going to be considering latent permits. My vague recollection of that AP meeting and the minutes was that they were maybe not so much in favor of necessarily eliminating some permits; but there was discussion of effort in the fishery, and Alternative 3 would be that way of keeping the tool in the toolbox.

I am certainly struggling with this as well. We have an ACL that is going to constrain the harvest if it works appropriately. By that right, we should not exceed it. I think where there could be issues is if there is more directed effort in the fishery in one year, and you are going to have some people whose business plans perhaps rely a little bit more on mackerel maybe being at a disadvantage because of the number of people actively participating. I don't know.

MR. HARTIG: The way I see it working is the transfers are dynamic in this fishery. When fishing is good and there is a good year class, we get a lot of transfers. Some people have already changed their business plans and want to sell the permit. That is a great time because the fishery is getting better and they are going in a different direction, so they want to sell that permit, and the permit has value at that time, because fishing is good. That happens a lot. These transfers will in time. Well, now I'm talking around in circles. But not allowing transfer of a number of permits would take those dynamic permits out of that process. That is the point I was trying to get at. That is the value; that alternative does that.

MS. BECKWITH: Ben, can you speak a little bit to how you foresee the transfer to vessels and where the corporate permits – I assume when we discuss entities transferring to another vessel



owned by the same entity, that is referring to the corporate permits. How do you kind of envision that portion of it working?

MR. HARTIG: I can't really speak to the corporate part of it, because I don't know that I really understand in snapper grouper why the corporate permits weren't transferred two-for-one in the first place. I think I understand that if you have a corporate permit, when this goes into effect now which I think we have 1,100 permits that are unincorporated and 400 that are incorporated?

DR. MacLAUCHLIN: There are 1,309 current permits; currently 1,390 king mackerel permits and then 408 of those are corporate right now.

MR. HARTIG: Okay, so we have a definition of that universe now, which in this option whether it is a corporate permit or not, what difference does it make? Are you speaking Alternative 3 or are you speaking Alternative 4?

MS. BECKWITH: Three.

MR. HARTIG: Three. Give me your thought process on what you're --

MS. BECKWITH: Well, under Alternative 3 you would still be again allowing transfers to immediate family members. That is okay; but then the allowing transfers to vessels owned by the same entity, I'm trying to think of potential loopholes. If you have a corporation that has an asset as a permit and an asset as a boat, obviously, the boat is attached to the permit. If the boat is damaged or changed, the permit can be transferred to a different vessel underneath that corporate umbrella. Is that what the intention of this is?

MR. HARTIG: Well, the intention is not to be able to transfer a permit to a different vessel owned by someone else. But if it is transferred to a corporation and you have different corporate officers in that corporation, how does that complicate it?

DR. MacLAUCHLIN: Okay, I kind of see Alternative 3 as basically setting up two types of king mackerel permits where you have your normal one that is transferable and then another one that is nontransferable; kind of like the snapper grouper 1 and 2. Like snapper grouper 2 is that 250 pound limit one, and those are nontransferable. I guess the question is if those are corporate, are those snapper grouper 2; the snapper grouper limited permits? Does anybody know if those are corporate; are they transferable?

DR. McGOVERN: Two twenty-fives are nontransferable.

DR. MacLAUCHLIN: If a corporation sells and they have, let's say, a king mackerel permit and a limited snapper grouper permit; they can't sell that limited snapper grouper permit?

DR. McGOVERN: They can't sell the 225 permit at all. That is nontransferable. That just goes away.

DR. MacLAUCHLIN: That is how I am envisioning Alternative 3 is that it is going to create just another class of king mackerel permit that is nontransferable, including if it is part of a corporation. Is that how you are seeing this?

MR. HARTIG: I think as you have talked us through that, I think we have arrived at that. I wasn't quite sure, to be honest with you, but I think your explanation was very good and talking to Jack about the 225s and that helps, too. We've still got a motion by Charlie to select Alternative 1 as the preferred and it has been seconded.

MR. PHILLIPS: To that point; the stock holders can change in the corporation, but the ownership of the permit is not changing. You can change stockholders; and if somebody wanted to keep 1 percent of one part of the stock, it is going to be a rat nest is what I see coming. I think maybe we might be better off just go ahead and vote this up and down. If it passes and then we get our assessment and we know we need to change something, we're going to change this stuff anyway once we get an assessment more than likely, and then we can work on it after the assessment.

MR. HARTIG: All right, anymore discussion? All those in favor of the motion raise your right hand, seven in favor; opposed. **The motion passes seven to two.** Okay, David, let me ask you a question. If the Gulf makes their preferred the same as ours, will this drop out of the amendment?

MR. CUPKA: Well, it could, yes, if we both had the same preferred. I don't know what they're going to do. We'll find out next week. Yes, we could probably drop it out if that is what they want to do. I'm not sure they will, but we'll see.

MR. HARTIG: All right, Action 3; modify income requirements for Gulf and South Atlantic coastal migratory pelagic permits.

DR. MacLAUCHLIN: This one has four alternatives; no action, which will keep the income requirements of at least 25 percent of the applicant's income or at least \$10,000 must be from commercial or charter fishing during one of three calendar years preceding the application. The Gulf selected a preferred of Alternative 2, which eliminates income requirements for commercial king and Spanish mackerel permits.

These were also the South Atlantic and Gulf Mackerel AP preferreds. Then we have Alternative 3, which would modify the income requirements to allow the Gulf or South Atlantic to recommend suspension of the renewal requirements by passage of a motion specifying the event or condition triggering the suspension, the duration of the suspension, and the criteria establishing who is eligible for the suspension.

The affected council would then request that the Regional Administrator suspend income requirements according to the terms outlined in the motion. Then Alternative 4, which was added at our March meeting, to obtain or renew a commercial permit for king or Spanish mackerel, at least a percentage defined below of the applicant's earned income must have been derived from commercial fishing or for-hire fishing during one of the three calendar years preceding the application. Option A 75 percent; and B, is 50 percent.

This is an increase on the status quo. Again the AP recommended Alternative 1, eliminating all income requirements. In 2012 the AP recommended Alternative 1 as the preferred, just keeping the 25 percent. The Gulf AP recommended eliminating the income requirements. You can add, remove or modify alternatives and/or select preferred alternatives.

**MR. SWATZEL: I move that Alternative 2 be our preferred.**

MR. HARTIG: Motion by Tom Swatzel; second by Charlie. Discussion? Charlie.

MR. PHILLIPS: Well, I would ask Roy to do it, but I don't see him over there. If I recall what he said, they hadn't denied an application to anybody and they had a really difficult time proving income requirements. It was just they say they've got it and they don't check. Maybe somebody else from that side can verify that, but I do remember that in the discussion.

MR. CUPKA: Yes, and that is correct, Charlie. I think there is a box they have to check on the application and NMFS I don't guess can get income tax returns and things like that to check it, so they take them at their word on it. The Gulf, this is their preferred, because as we all know there are a lot of ways to get around this income requirement thing. They get more and more away from having income as a requirement to get a permit for that reason.

MR. HARTIG: Any more discussion? Michelle.

DR. DUVAL: I am just looking through the Attachment 5B, which are the Mackerel AP minutes.

DR. MacLAUCHLIN: They did, because at the time Alternative 3 was eliminate income requirements and Alternative 2 was adding income requirements for a cobia permit. That alternative had to be taken out. The document that they saw had that; and I have it in the AP report where it says note this alternative has been changed to Alternative 2 in the current version.

MR. HARTIG: Anymore discussion? All those in favor of the motion raise your right hand, ten; all those opposed. **The motion passes.**

DR. MacLAUCHLIN: I need the committee to approve for public hearing the document.

**DR. DUVAL: I move that we approve Amendment 19 for public hearing.**

MR. HARTIG: Second by Doug Haymans. Any discussion on the motion? Is there any objection on the motion? Seeing none; **that motion is approved.** The next item is Amendment 20.

DR. MacLAUCHLIN: Okay, there are seven actions in Amendment 20. The first one the Gulf Council removed so you will review that in a minute. The same schedule, approve for public hearings, we'll have those in August; a final approval in September and the Gulf final approval in October.

The first action is modify the subzones and allocations of Gulf migratory group eastern zone king mackerel. This action was moved to the considered but rejected appendix at the Gulf Council meeting in April. First, does the committee want to remove this action?

**MR. HAYMANS: Mr. Chairman, I would move that we move Action 1 to considered but rejected.**

MR. HARTIG: A motion by Doug; second by Mel. Is there any discussion? Any objection? Seeing none; **that motion is approved.** That takes us to Action 2; modify the commercial hook-and-line trip limits for Gulf group king mackerel.

DR. MacLAUCHLIN: This has several alternatives for different hook-and-line trip limits in the different subzones in the Gulf side. The Gulf selected a couple of preferred alternatives; Alternative 5, Option A; Alternative 5, Option C, which puts the hook-and-line trip limit at 3,000 pounds with no step-down for the western zone and the eastern zone southern subzone. I am missing an alternative.

MR. CUPKA: That's in your box; they added alternatives.

DR. MacLAUCHLIN: They added it. Okay, so in April they removed a couple alternatives. They added Alternative 6, and then they selected their preferred alternatives, which include Alternative 6, Option B. The South Atlantic AP recommended the South Atlantic should just track Gulf decisions because those changes would affect Gulf fishermen.

In 2012 the AP recommended supporting a trip limit of 3,000 pounds in the eastern zone southern subzone. Then the Gulf Mackerel AP, when they met last month, recommended no action as the preferred. We would need you to remove Alternatives 2 and 3 that would track the Gulf actions; add Alternative 6 that would track Gulf actions; and then you could add, remove or modify and select preferreds and options.

**DR. DUVAL: I move that we remove Alternatives 2 and 3 to the considered but rejected appendix.**

MR. HARTIG: Second by Doug. Discussion on this motion? Are there objections to this motion? Seeing none; **that motion is approved.**

**MR. HAYMANS: Mr. Chairman, I move that we add a new Alternative 6.**

MR. HARTIG: Motion by Doug; second by Charlie. Is there any more discussion on that motion? Any objection to that motion? Seeing none; **that motion is approved.**

**DR. DUVAL: Mr. Chairman, I move that we select Alternative 5, Options A and C and Alternative 6, Option B as preferreds.**

MR. HARTIG: Motion by Michelle; second by Doug. Discussion? This does do what the fishermen in the Keys had wanted to do in the past. It does what we've heard before. Objection? Seeing none; the **motion passes without objection.** Action 3; change the fishing group for Gulf group migratory king mackerel for the eastern and western zone.

DR. MacLAUCHLIN: Yes, the Gulf has a couple alternatives in there. They selected a preferred and then they removed Alternative 4; selected Alternative 2 as a preferred and removed Alternative 4. The AP recommendation, this at the most recent meeting, recommended Alternative 1; also in 2012 the AP did the same.

The Gulf AP recommended Alternative 1 for the western zone and eastern zone southern subzone, and Alternative 3, Option B for the northern subzone. For committee actions you get to track the Gulf actions, remove Alternative 4; and then you could select add, remove, modify alternatives and select preferreds.

**DR. DUVAL: I move that we remove Alternative 4 from Action 3 to the considered but rejected appendix.**

MR. HARTIG: All right, motion by Michelle; seconded by Mel. Discussion? Is there any objection? Seeing none; **that motion is approved.** All right, another motion for a preferred.

**DR. DUVAL: I move that we select Alternative 2 as our preferred alternative under Action 3.**

MR. HARTIG: Second by Charlie. Discussion? Is there any objection? Seeing none; **that motion is approved.** For those of you in the public who are listening and we're going through these pretty quickly, we're going through these quickly because these are Gulf actions and we have no control over those actions. That is why we're going ahead in a fairly quick manner. If you had any questions about that; I just thought I would put that out there for you. You see us, we had some significant discussions in previous actions, but we're moving rather quickly now, because they don't affect us.

DR. MacLAUCHLIN: Action 4 is the transit provision for travel through areas that are closed to king mackerel fishing. There are several alternatives. Alternative 2 allows transit through the Florida west coast northern and southern subzones when these zones are closed for vessels possessing Atlantic king mackerel that were legally harvested in the EEZ off Monroe County.

Three establishes a provision to allow transit through Collier County when the Florida west coast southern subzone is closed for vessels possessing Atlantic king mackerel that were legally harvested in the EEZ off Monroe County. Alternative 4, which you selected as the preferred at the last meeting, establishes a provision allowing transit through Collier County when the Florida west coast southern subzone is closed for vessels possessing Atlantic king mackerel that were legally harvested in the EEZ off Monroe County.

Alternative 5, which the Gulf selected as a preferred, establishes the transit provision through all areas closed to king mackerel fishing for vessels possessing king mackerel that were legally harvested in the EEZ off areas open to king mackerel. Then 6; the transit provision is through the Florida west coast northern subzone when that area is closed for vessels possessing king mackerel that were legally harvested in the EEZ off Collier County.

Then we have a couple conditions for 2, 3, and 4 that would only apply between April 1st and June 30<sup>th</sup>; and for Alternatives 2 through 6, the vessels must be in direct and continuous transit with gear stowed. It is for fishermen holding a federal commercial king mackerel permit. The Gulf Council removed Alternative 3 and selected Alternative 5 as the preferred.

The South Atlantic Mackerel AP recommended Alternative 5. This was reviewed in 2012 as well by the AP, but the alternatives are different, but they did support a transit provision. Then the Gulf Mackerel AP recommended Alternative 5 but only for vessels with VMS. Your first

committee action would be to discuss if you want to move Alternative 3 to the considered but rejected appendix.

MR. HAYMANS: Mr. Chairman, are there any pitfalls in Alternative 5? That is very general, very vague language that would allow transit through an area. Where are the hang-ups?

MR. HARTIG: I didn't really know, and Martha may have more insight on this, because I wanted to talk to Jessica and Martha both about this before we got here. I didn't have a chance to, but they were the ones initially who brought this before us and were looking at the preferred that we have as Alternative 4. I don't know if they have heartburn or not going ahead with Alternative 5.

MS. BADEMAN: We've talked about it a lot in our office. I mean one thing with Alternative 5 is most of these alternatives are just about Florida, and 5 I think applies to everybody; just one thing. I think we're okay with Alternative 5 at this point. John can help explain the whole situation with why we have allowed transit through. Collier and Monroe is open and we've gotten requests to open other counties because of where the fish are and in relation to what is open and transit times and getting in and out of ports. Here, you take over.

MR. SANCHEZ: Yes, depending on the weather and how far south the fish come, they may be fishing north. Even though they are lawfully caught, they might have to make a ridiculously long run back to port or their port, what have you, just because Everglade City has a very shallow draft. They can maybe go to Fort Meyers, but unless they have some continuous transit provision, depending on when the boundary line moves, they may be precluded from doing that.

It doesn't make sense when you are trying to talk about quality of fish and all of these types of things. Having this and certainly there precedent in transiting through closed areas with your gear stowed. And if you are in the Keys, obviously, you deal with it every day if you are catching lawfully caught fish in the Gulf, but your port is on the south side in the Atlantic, you are going to be in violation unless you have a transit provision. It is not like we are reinventing the wheel, and there is some utility to this.

MR. HARTIG: Thanks for that clarification; I appreciate that.

MR. BELL: I just say I understand. The reason for that makes perfect sense, but kind of the devil is in the details of any kind of transit provisions. Particularly I think from a law enforcement perspective, it needs to be kind of clear how that is going to be executed, and is it enforceable and all those sorts of things? That would just need to be worked out.

MR. HARTIG: In my mind, this is one that we may approve the Gulf's alternative; and if we see problems going ahead, address those then. Right now I don't see any big problems in a more generic transit provision.

DR. DUVAL: My only problem right now is it looks to me like Alternative 3 and the South Atlantic Preferred Alternative 4 is exactly the same words. Am I seeing things?

MR. WAUGH: I think that is why one of the actions here is to remove Alternative 3. I don't know why we got both of them in there, but removing Alternative 3 that doesn't have the preferred wording in front of it.

MS. BECKWITH: Why does that April 1st to June 30th date restriction not apply to Alternative 5?

MR. HARTIG: Because that is when in the area – the Collier/Monroe County line all the way around to the other side of the Keys and on up through the entire Atlantic coast, the stock becomes Atlantic stock on April 1. There are net prohibitions on that stock, and I think that is probably one of the reasons why they have that in there. I'm seeing some heads nod so maybe I was right.

MR. PHILLIPS: I guess John can tell me; the king mackerel, why would the AP want a VMS? I didn't think they had to have VMS on king mackerel in the Gulf.

MR. SANCHEZ: I wouldn't be as bold as to say people want it. If it comes down to transit, VMS or none, then you might have to do what you have to do, but I wouldn't say that they would be happy to have a VMS on their boat if they don't have to.

MS. BADEMAN: I'm guessing that the Gulf AP recommendation comes from the fact that the reef fish guys have to have VMS and a lot of them have kind mackerel permits, but that is not the case for everyone.

**MR. HAYMANS: Mr. Chairman, I make a motion that we remove Alternative 3 to the considered but rejected.**

MR. HARTIG: Motion by Doug; second by Charlie. Is there any discussion on that motion? Any objections to that motion? Seeing none; **that motion is approved.** All right, as far as a preferred. Doug.

**MR. HAYMANS: Mr. Chairman, I make a motion that we change our preferred to Alternative 5.**

MR. HARTIG: Motion by Doug; second by Charlie. Is there any more discussion? We had some pretty good discussion on this. Any objection? Seeing none; **that motion is approved.** All right, we're going to take a break here, about ten minutes, because the next one is the North Carolina state-by-state quota action item. We'll do that when we come back, and I will have some discussions.

MR. HARTIG: All right, Action 5, establish state quotas for Atlantic migratory group king mackerel and Spanish mackerel for North Carolina. Kari.

DR. MacLAUHLIN: Okay, we have four alternatives under this. Alternative 2 would separate the commercial quota of Atlantic group king mackerel for North Carolina based on some different averages through different time periods for four options. Alternative 3 uses the same four options to establish the separate commercial quota of the Atlantic Spanish mackerel for North Carolina.

Then Alternative 4 allows for a transfer of quota between the general Atlantic group king mackerel and Spanish mackerel ACLs and the North Carolina king mackerel and Spanish mackerel ACLs. We have an example for you to review and approve the language for below. First, Table 1 shows you the expected allocations for king mackerel under each option.

Then you have some further tables that break it down based on the current ACL; what the poundage would be. Then it has a comparison of landings from the past 10 years for North Carolina. Then for 3 it does the same thing for the general king mackerel commercial ACL and then South Carolina, Georgia, Florida king mackerel landings, so you can compare those.

Then Table 4 presents the expected allocations for Spanish under each option. Then in that revised decision document that I sent out, I had added; under here under Table 5 where it says pounds under the current/possible ACL; that was a possible ACL based on those ABC recommendations from the P-star that you guys just decided to return to the SSC.

For now you can just look at the pounds under the current ACL. I have this example process for transfer that we wanted to get some text on. I got this summer flounder regulations, and here those are in the gray highlight, and then I just basically took that language and tweaked it for how this would work for the quota transfer.

South Carolina, Georgia and Florida could request approval from the RA to transfer part of its annual quota to the North Carolina quota, and vice versa North Carolina can request approval from the RA to transfer part of its annual quota to the General Atlantic Group quota. All states must request approval to combine their quotas.

Some of this I don't know if you want to keep in there or not, but we can tweak that. Then the request must be signed by individual or joint letter signed by the principal state official. The letters must certify that all pertinent state requirements have been met and identify the amount of quota to be transferred or combined.

Then kind of the breakdown of how that would work; here is what I wrote for king mackerel, and then underneath is the example from summer flounder. The transfer would be valid for the calendar year for which the request was made. I guess we could change that to fishing year for that. Let's go ahead and do that. Then the states may not submit a request to transfer or combine quotas if a request to which it is a party pending before the RA.

Then if the North Carolina quota and General Atlantic quota is combined and there is an overage at the end of the fishing year in addition to the stock status designated as overfished and if the total ACL commercial and recreational has been exceeded – that is the king mackerel and Spanish mackerel AMs that are in place right now – the overage will be deducted from the following years total commercial ACL.

The deduction will be proportional based on the relative share of the total commercial ACL for the previous year from the North Carolina quota and the General Atlantic Group quota. A transfer of quota or combination of quotas does not alter the percentage share of the total commercial ACL selected under Alternatives 2 and 3 in this action.



Then I also pulled the same language from summer flounder and wrote it out an example process for the accountability measures. The RA would close the EEZ off South Carolina, Georgia and Florida to fishing for king mackerel or Spanish mackerel by commercial vessels for the remainder of the fishing year by publishing a notification in the Federal Register if he/she determines that the General Atlantic Group ACL for king mackerel or Spanish mackerel has been exceeded or is expected to be exceeded.

That would stay the same; there would just be an in-season closure. The RA will monitor the General Atlantic commercial quotas for king and Spanish based on dealer reports and other available information and shall determine the date when the General Atlantic commercial quota will be harvested and publish the notification in the Federal Register that effective upon a specific date the General Atlantic commercial quota have been harvested and notifying vessel and dealer permit holders that no commercial quota is available for landing king or Spanish in South Carolina, Georgia and Florida.

For North Carolina, North Carolina will monitor the North Carolina commercial quotas for king and Spanish mackerel based on dealer reports and other available information and shall determine the date when the North Carolina commercial quota will be harvested. When this date has been determined, North Carolina will notify the Regional Administrator.

The Regional Administrator shall publish notification in the Federal Register that effective upon a specific date the North Carolina commercial quota has been harvested and notifying vessel and dealer permit holders that no commercial quota is available for landing king or Spanish mackerel in North Carolina. Is that what you were –?

DR. DUVAL: Yes, this is reflective of what is done in the Mid-Atlantic Region for the state-by-state quota shares that are in place for summer flounder. The Regional Administrator, until the entire coast-wide ACL has been reached, if a particular state's ACL has been reached, then the RA publishes a notice, as Kari indicated, just stating that the state is not open for landings of that particular species. The EEZ does not close until the entire coast-wide quota has been harvested. That is generally the way that works.

DR. McGOVERN: I have a question about the process here. It says South Carolina, Georgia or Florida may request to transfer quota or combine quotas, but only North Carolina is being allocated part of this. How does this request happen? Also, it seems like all the states would have to get together to make a request, I guess. But then there is also a portion of the ACL that is north of North Carolina all the way to New York, so how does that work? That is kind of not clear to me.

DR. DUVAL: Yes, that is a good question, Jack. I'm not sure in terms of the quota north of North Carolina. I was thinking it would just be a General Atlantic quota as opposed to specifically South Carolina, Georgia, and Florida. I mean that is what it is. It is just what we have looked at is extracting some sub-ACL for North Carolina based on past proportional landings and then landings everywhere else along the coast. I don't know; I would have to look at that again. I hadn't thought about that.

MR. HARTIG: No, but that is an interesting question. How many states are in the Mid-Atlantic? How many do you know offhand, Jack? I'm sure Michelle does.

DR. DUVAL: Well, the Mid-Atlantic Region officially for the council goes through the state of New York, but I don't know how far up we measure quota. Is it through New York?

MR. HARTIG: I think it is through the Mid-Atlantic Council's jurisdiction.

DR. DUVAL: Yes, so then that would be the state of New York.

DR. MacLAUCHLIN: We could just put all of the states right here. I guess that is a question that the committee would have to answer. This is just a draft, because the summer flounder was different, because it is any state can request. I didn't know if you wanted all of the states to request as a group or if any of the states could make the request to move North Carolina quota into the General Atlantic quota or vice versa.

DR. DUVAL: I think the way the Mid-Atlantic regulations are written is so that if a couple of states like if Maryland and Delaware wanted to combine their allocations of summer quota into one sub-regional quota, they could do so, and that is when they would group together to ask for that permission.

Most of the time what happens is you have one state or another requesting a transfer of quota to cover what is going to be an overage by another state. This is a slightly unique situation that I hadn't quite thought about.

MR. HAYMANS: Mr. Chairman, would it be appropriate to do a strawman of the states to find out whether or not Action 5 even may go through before we really dig into the transfer, because I don't know that it is a done deal?

DR. MacLAUCHLIN: The AP took a similar approach where they kind of got in the weeds with the allocations and everything. They decided that first they would take a vote of who would support it – if they were even supportive of allocating North Carolina king and Spanish mackerel. Then once that went through, then they went through and looked at all the allocations.

MR. HARTIG: Who gets to vote from the state? All the state representatives will be able to vote for each state whether or not we want to go forward.

MR. HAYMANS: I'm not singling out individual states. I'm talking about the members of the committee. If I said "by state", I'm sorry, but I mean take a straw vote of the committee to see whether or not there is enough votes to move forward with allocating North Carolina its own quota.

DR. DUVAL: Well, I think you all certainly know where I stand. I see this as something that is a tool that would allow for greater flexibility in management. Given that we're at the northern end of the range, yes, pretty much the northern end of the more populous range of these two species, and it is not a dependable – particularly in the case of king mackerel, there is not a dependable frequency of the fish occurring in state waters.

Having the ability to manage that quota to the benefit of our fishermen, we see that as a useful tool. We see that as something that could potentially benefit other states or be used in other fisheries even. We've talked about the idea of regional or sub-regional allocations like lumping

the Carolinas for black sea bass versus Georgia, Florida just to try to account for seasonal differences and distribution of the fish and regional differences in how our fisheries operate.

I would at least like to see the concept go out to public comment, to get the public's input on that. I would hate to see it trashed at the committee level, but I understand that there is a lot of consternation from some of the other states in regards to how this would work. I would throw out that something like this is much easier and less confusing than all of the sub-zones and eastern, western, northern sub-zone, blah de blah de blah, that goes on in the Gulf side. I mean to me that is incredibly confusing. That is just my pitch, but I understand if you are not supportive of it. I would love to see this at least go out for public comment. Thanks.

MR. HAYMANS: That is my hesitation is that it is the tip of the iceberg. It is the first thing to come along; what is next? I don't know that we're prepared to go state-by-state species-by-species. I am very cautious with it.

MR. HARTIG: Caution is noted.

DR. DUVAL: Just to respond to that, Doug, if we were to take this out without a preferred alternative, we could certainly do that. I think that probably indicates to the public that this is something that we are considering; it is a tool. We haven't necessarily made any decisions about which alternative or sub-alternative may be chosen. But I think it puts it out there that this is something we have been talking about.

I don't know about you, but I have heard – you know, there have been comments made by fishermen in the past about some of their frustration with our region-wide management not necessarily meeting their needs. Some people get a shot at the fish, others don't. I appreciate your hesitation that some states in the council may not be prepared to go in that way, but I would put forward that I don't think it means we should be afraid to explore it.

MR. HAYMANS: Sure, and I heard that ad nauseum from the recreational angler with regard to black sea bass and red snapper off the coast of Georgia. We wanted our own quota. The problem is they don't understand the MRIP process, and the fact that for us it doesn't take very many intercepts to blow through whatever small quota Georgia will be given.

That is where my caution lies. If it does wind up being state-by-state, some of the states would wind up with small quotas. In the current method of counting those quotas, it doesn't take much for us to reach those quotas. The case in point is red snapper from the mini-season. There is no way we caught what the estimate says we caught.

DR. DUVAL: Just to that point; I'm not proposing this for recreational management. I think that is a much different beast when you're talking about – and I agree with your comments when you are talking about how we estimate recreational harvest. I think when you have a commercial quota that is monitored by dealer reports – daily, in some instances – that makes it a much easier thing to deal with.

MR. HAYMANS: Again, it is just the tip of the iceberg. The door is cracked open, whatever you want to say, it is just that first step.

MR. HARTIG: How would you move forward doing that strawman vote?

MR. HAYMANS: I guess in reality the better option may be let's take it out without a preferred. I would be willing to do that and not take a strawman. What we did yesterday I think with a strawman was we just had a show of hands on who was in favor of not, but we can forego that if we're willing to go forward without a preferred to public comment.

DR. DUVAL: I think if people have reservations, spit it out. We've had some pretty frank conversation around here and I think that is fine. I'm throwing out an option to take it out to public comment to see what the public thinks about it as a tool without a preferred.

MR. BELL: I guess one of the concerns I would have – and we take it to public comment, that is fine, but it sort of seems to play into some of this recent discussion with some of the states about doing their own thing. This is in federal waters, but I'm just real sensitive to that issue right now.

I know some states have a greater capacity in terms of their management agency to kind of deal with things, but we're pretty small, really, and don't have much in the way of necessary assets to manage our own fishery. It just kind of seems to if you take it one step further, like Doug was saying, what's next, what's next, but it kind of plays into that process that the public is sort of chewing on right now about, well, each state can kind of do their own thing.

MR. HARTIG: Yes, I understand what you're saying. There has been interest in states in the Gulf and on our side – in fact, South Carolina with black sea bass. There are some things coming from states that talk about their own regulations for species. That is something that is certainly coming forward, but this is something that has been around for a lot longer time than that.

We've been talking about this for a considerable amount of time. It is not the first time it has come before this council. My major concern is that if we do not do this and the king mackerel assessment comes back worse than anticipated, North Carolina would be possibly facing a closure, an imminent closure for king mackerel.

This is one way to get ahead of that; one way to get ahead of that now before the assessment comes out. I can't tell you what the assessment results are going to be. I just know from my past history in the fishery for 40 years that we're missing some year classes. We've got some big fish, yes. We've got an insurance policy that they will be producing a lot of eggs; and, yes, that is similar to Spanish mackerel. It is dome-shaped selectivity for the larger fish. They are harder to capture; the catchability is much higher for those animals than it is for the smaller fish.

We don't have those year classes coming up behind us. I don't know how the assessment is going to exactly come out based on that. I have had some serious concerns about Atlantic king mackerel, as you have expressed from your fishermen as well, your recreational fishermen saying, hey, where is the king mackerel? The fish that are normally available to those fishermen at that size range are not available right now.

The fish that are the easiest to catch are not available, so that is why you are having those questions. But there are still, especially in this year we've seen some bigger fish. I do see a way

to get ahead of this now and not have to deal with it after the assessment in a longer-term timeframe that might shut North Carolina up for a season or so before we get done.

MR. PHILLIPS: Well, I guess my question would be the goal is try to protect North Carolina fishermen to get a share of the fish. Is there another alternative, changing in trip limits or something, that would kind of guarantee some of those fish get up there? Is there another alternative, any other alternative other than this? If we're going to take stuff out to the public, I would like to take out all the possible alternatives.

MR. HARTIG: Michelle says no. In the South Atlantic we've given up a lot. We have the lowest trip limits of anywhere in the region, because we catch the propensity of the landings or the largest part of the landings, so we have given into the conservative rebuilding of the stock. I don't think that reducing those limits, although they may will have to be reduced after the assessment, but now I don't know.

I'm just thinking about Jack's question this whole time that he brought up about all the other states north of North Carolina; how do we handle them? Reasonably, I am looking at drawing a line for a region at the North Carolina/South Carolina Boundary. You have two regions, you have the North Carolina/Mid-Atlantic Region and you have the rest of the southern states and Florida Region.

That regional aspect would give North Carolina and the states to the north that portion of the quota, and then you would have the southern region that would do it. That way it takes care of Jack's question about how are all these other states going to be incorporated? They would all be incorporated under that broader region basis.

You would have a region between New York and the southern North Carolina boarder, and then you would have South Carolina northern border all the way through the Atlantic Migratory Group line on the other side. That is another way we could possibly do it. It would solve North Carolinas dilemma and what they are trying to do.

It may be a little bit easier, and it would answer Jack's question about how do we deal with the states. I am looking at this – essentially if we want to do a quota transfer, now we're going to have to do South Carolina, Georgia, Florida; all right, that is sounding good. Well, then we go to all the other states to the north, and I don't know them all, but New York, Connecticut, Virginia..

MR. HAYMANS: Delaware.

MR. HARTIG: Delaware, okay, they are all coming to mind, but would we have to have all those states concurrence to try and to do a quota transfer? I think that is a fair question from Jack. It may be easier now just to look at it as a regional allocation, drawing another line in mackerel, but it will accomplish what Michelle wants and it will also help with that question that Jack has. It will simplify the transfer problem. Well, you wouldn't have it. You would have a quota and then you would have – well, you could have a transfer.

MR. CUPKA: I am not speaking for or against Action 5, but I did want to make one comment. I don't mind taking it out to public hearing with no preferred to get input, because I think this is

one we particularly need input on. My only comment was in fact that our mackerel plan is the most complex plan that we have due in part to the fact it is a joint plan with the Gulf.

It is a shame that we can't find some way to make it less complex, and this is just going to make it more complex; but if it accomplishes what the council wants to do, that is fine. It is certainly not going to make it any less complex than it already is.

MR. HARTIG: Well, to that point, the complexities of the plan actually deal with the individual needs of each area. I think that is a really good thing and it has worked. It really has worked. It has helped rebuild this stock once already. I think the lower trip limits in the mixing zone and things of that nature have all accommodated problems that we've had in the past of getting fishermen access to those fish in their areas.

I think it has worked very well. I know it is relatively complex, but the fishermen are well aware of those complexities and have had to deal with them over the years. They have benefited from that complex management system. In mackerel in fact were trying to simplify the trip limits somewhat to get some of that complexity out of there, where at least the limited season isn't needed anymore. We are making a little bit of headway.

MR. CUPKA: Yes, and I don't disagree with that; and I say if it accomplishes what we are trying to accomplish, that is fine. I just point out the fact that it is a very complex plan. Recently the Gulf has taken actions I think to reduce the complexity at least in the Gulf. As long as it is a joint plan, it is probably going to be complex; it will always be complex. I'm just pointing out this is going to make it even more complex.

MR. HARTIG: Complexities on many levels.

MR. CUPKA: Again, I am not speaking for or against it. I am just pointing out the fact that it is not going to streamline it any; that is for sure.

MR. HAYMANS: On the surface, your idea of a new subzone works for me. I am not sold on state-by-state yet; but as a subzone similar to what we have in the Keys and eastern/western zones, I could listen to that.

MR. HARTIG: Where does that leave us, Dr. Michelle?

DR. DUVAL: Given Jack's very excellent and insightful question as regarding transfers, I am wondering – you know, Kari, suggested that we may just want to take the alternative on transfers out right now until we could modify it to address that question. I don't know; I think a transfer provision is a fair thing. I think it is a matter of fairness, but what we have written in here doesn't address Jack's question.

Like what you have suggested, having another zone would make that process easier, certainly. I think the way that the analysis has been done for looking at the different allocations; right now all those landings north of North Carolina are just lumped in with the Georgia, Florida, South Carolina landings, if I am correct.

DR. MacLAUCHLIN: I would suggest first –

MR. HARTIG: Okay, thanks. I was thanking you for having a suggestion. I was sincere on that.

DR. MacLAUHLIN: Okay, I would suggest first deciding if you are going to instead of do a North Carolina quota, just establish a new zone, northern and southern zone or whatever you want to call it, make sure the committee is on board for that and getting rid basically of your current Alternative 2 and 3 and replacing them with new alternatives that establish the zones and then talk about if you want to keep a transfer. We can work out the transfer thing. You can just give direction to staff about how to write that process. I can ask you the questions right now that I would need to know to fix it.

DR. DUVAL: Yes, so my hesitation in eliminating our existing alternatives and just going with a zone approach is it has already been a lot of work to get to this point, and the idea was to be able to actually not change any of the other regulations, but be able to open and close the fishery when it is most advantageous for our fishermen.

I think if you lump everything into a northern zone, I have to think about that a little bit. My brain is a little mushy. Certainly, even if everything was in a northern zone, I guess North Carolina could still issue a proclamation to open our fishery to landing. That is where I am not prepared to think very much on the fly about that; and I apologize.

MR. HARTIG: Well, basically if we just did the zones; that would leave you out of the open and closure process. That would be the Regional Administrator when that was administered. To me if you just transfer it to zones, we just move the state by state and just do zones, and pretty much everything is going to follow except for the northern states and the difference between the two zones now. I don't see this changing a whole lot except for your ability to open and close your fishery.

DR. DUVAL: That was the whole point; that is what I'm saying. I might get flogged when I get home. I mean, I am certainly willing to explore that.

MR. HARTIG: Well, I thought the point was to make sure North Carolina didn't close out of the fishery. That was my point. That is why I want to go forward with this. My point is not to have North Carolina on whether they can open or close their fishery. That to me doesn't make any difference to me.

My difference is to make sure that you have enough fish for your fishermen in that timeframe, because you are at the end of the king mackerel quota. That is the critical thing. And we're at the end of the Spanish. That is why both species are being considered, because Florida is on the back end of the Spanish and you are on the back end of the kings. We can each benefit from doing both species at the same time.

DR. DUVAL: Then it would be my preference that it just be add an alternative that creates those zones. I wouldn't want to take away the alternatives that split out the allocations the way they are currently listed in the document, but present that as another alternative. I realize that makes it longer and more complicated.

MR. HARTIG: Kari, is that more complicated for you?

DR. MacLAUCHLIN: No, because I still feel like the end product will be the same. I don't feel like the affects analysis – I mean it is going to be, well, it is the same for either of these, because they are almost the same outcome as far as effects on fishermen. It is really just the ability of North Carolina to open and close versus the RA.

MR. HAYMANS: Mr. Chairman, what about this action, if it were to go through it would allow the state of North Carolina to open and close the king mackerel fishery. All it has done is allocating a portion of landings to that state; not the ability to manage the fishery.

DR. MacLAUCHLIN: That is in the example of accountability measures. The way we have it written right now is North Carolina will monitor the North Carolina commercial quotas for king and Spanish based on dealer reports, other available information and shall determine the date when the North Carolina commercial quota will be harvested. When the date has been determined, North Carolina will notify the RA and the RA shall publish the notification in the Federal Register.

MR. HAYMANS: I see that in the example of the southern flounder back here, right, but that is not in the action. What alternative would that fall under? Doesn't that have to be an alternative?

DR. MacLAUCHLIN: If you have other alternatives to consider differently from that like a North Carolina quota – that is really complicated, Doug. That is managed with some options of who monitors it and who makes the determination and when it is closed. Is that like adding options for who monitors and closes it?

MR. HAYMANS: Yes. I don't see in these limited alternatives – I see the example but I don't see it in the alternatives.

DR. MacLAUCHLIN: Well, unless you want to consider other things besides North Carolina monitoring it, then usually we just put it in the discussion of the action and explain exactly – now if it is something that you want to consider other ways like the RA monitoring it or North Carolina, then we would have to put it in there.

MS. BADEMAN: Yes, I had similar questions that Doug had after listening to Michelle explain it and reading this. My question I think is maybe for Monica. Does this fall under the scope of delegation, kind of the situation we have in the Gulf? I know it is not exactly the same, but do we have to get the three-quarters vote and all that stuff?

MS. SMIT-BRUNELLO: I don't think at this point this falls under the delegation yet. I do think that is a good question, Martha, but some other good questions were asked by Doug as to whether we need in the action the ability for North Carolina to monitor the quota. It is a good question.

Right now the Regional Administrator closes when he gets the information from the Center that the ACL is going to be reached. In this case the Regional Administrator would still be closing. He would just get that information from the state somehow. I don't know how the state works that out with the Center.



I can see some potential issues there trying to figure out where the information comes from, so we'll have to work it out. If this would go through, you would have to figure out how that is going to work. The regulations right now I think for the ACL and then the accountability measures state that – and I'll look that up real quick right now, but they state that the Regional Administrator closes when the ACL is met. I think that would still continue.

The Regional Administrator would still close. North Carolina is not issuing a proclamation that closes federal waters when they reach their quota. They are just monitoring the quota. I'm not so sure that it needs to be an action, but it definitely should be in the discussion.

DR. DUVAL: Yes, we monitor our quota daily and we issue a proclamation notifying our fishermen that it is no longer legal to possess southern flounder in state waters; that the quota has been reached and the fishery is closed. It is a possession limit in state waters. The Federal Register Notice that would go out is that the North Carolina state allocation of summer flounder has been reached and no summer flounder are available for landing in North Carolina.

That is the language that is used in those Federal Register Notices. The EEZ does not get closed until the entire coast-wide ACL is reached. Until all those Mid-Atlantic States have reached their quota, the EEZ remains open. If you're a vessel in the EEZ, you have your summer flounder on board, you are legal. If you go into state waters to land, you have to make sure that state is open for landing.

MS. SMIT-BRUNELLO: As I'm looking at the accountability measure in the ACL, it does state for Atlantic migratory group king mackerel, if commercial landings as estimated by the SRD reach or area projected to reach the quota, the AA actually will file notification with the Federal Register to close the commercial sector for the remainder of the year.

Maybe it wouldn't hurt to have an action. Certainly, there is no problem with putting an action in that – and maybe even within one of the existing actions that North Carolina will monitor the quota and report to the Fisheries Service when that quota is reached. That is probably a good idea.

MR. HARTIG: Monica, you are just suggesting adding an additional option that the AA would actually close it, but North Carolina would report to the AA their landings?

MS. SMIT-BRUNELLO: Yes, and I don't know that it is an option. I guess it is an option. You might even want to just write it right into the action. I don't know that it has to be a sub-option, let me put it that way. It could be if the council feels more comfortable with the Science Center monitoring that and estimating when that portion of the quota would be caught, that is fine. If you don't have a particular heartburn about it, then you could just put it into the action instead of making sub-options.

DR. DUVAL: Yes, Science Center is going to get all the landings, anyway. This does not impact North Carolina's submission of landings' information in any way, shape or form. Anytime the Science Center wanted to query the landings, they would be able to see them. It doesn't impact that at all.

MS. SMIT-BRUNELLO: I'm just thinking what about the situation when your estimation of the date the ACL is to be reached is different than the Science Centers estimation. Maybe you all want to take the Science Center out of it, I don't know, but there could be competing projection methodologies – thank you, Jack – competing projection methodologies. I don't know, I guess this is something that we're going to have to think about down the road if you continue with this particular action.

MR. HARTIG: All right, where are we? We've had discussions about the transfer not being able to be accomplished due to the complications of states to the north. Michelle has indicated that she thought maybe we could remove the transfers and go ahead. We've had another idea maybe that maybe we do a regional-type allocation for king mackerel. Charlie, you had something?

MR. PHILLIPS: Yes, I guess two things, and one probably doesn't matter, but I'm guessing the fact that North Carolina doesn't have a Memorandum of Understanding is not going to matter on law enforcement. Two, I agree, I think that whoever is monitoring the quotas, it probably needs to be Bonnie so everybody is monitored on the same process. Maybe Bonnie can just call them and say you have gotten there, you need to close it. That may not be a problem either.

MR. HARTIG: Staff has said that the regional aspect doesn't complicate it that much more, and you could put maybe both of those options in this document if you want to. The question I have is somebody might make a motion to do that.

DR. MacLAUHLIN: Sue is here with me virtually, and she suggested that maybe we could work something up and bring it to Full Council to separate these into two actions; one for king and one for Spanish; so Action 4, whatever, would be King Mackerel North Carolina Allocation and we could have the current alternative.

Then we could have the alternative that does like the zones that includes all the other states. Then we could have any kind of monitoring and closing options that you want. Then the next action would do the same for Spanish. We could address I guess like transfer, how to close it down or anything under each one separately.

MR. HARTIG: That is a way forward, and it is more work for you, for sure. Mel.

MR. BELL: I just have a question in the mechanics of this. When we say it closes, what actually closes is the ability to land fish in a certain state? I mean, the waters don't close or possession in those waters doesn't close, what closes?

DR. DUVAL: It is a possession limit, so the state closes to landing. You are not allowed to land. When we issue our proclamation for summer flounder, closing the fishery, you can't land anymore fish. The state is closed to landing; that is what it is. You could be in the EEZ. We don't close the EEZ. We don't have the authority to do that. You can be in the EEZ and have those fish; but if the commercial fishery is closed and you are a vessel in state waters and you have those flounder on board, you are going to be apprehended.

MR. HARTIG: Yes, and under the regional aspect, we have had some conversations back and forth on who would be in control of closing the waters; but in a regional aspect the entire EEZ

would close when that region's ACL was met. I know Roy had some concerns before about that but that would take care of that one that he had. Monica.

MS. SMIT-BRUNELLO: Ben, asking a question then on what you just said, in this situation, if North Carolina was allocated in some fashion a piece of the quota; when they reached that quota, then federal water off of North Carolina would be closed to harvest of king mackerel.

MR. HARTIG: In the regional approach; not in the state-by-state approach that Michelle has put forward before. It would just close landing in North Carolina and the state waters would remain open. Excuse me, federal waters off of North Carolina would remain open.

MR. HAYMANS: I was just looking to establish a northern and southern subzone for king and Spanish mackerels with the boundaries being a North Carolina/South Carolina Border. Then picking up for the quota for the northern boundary would be based on one of those Options A through D; just pick those same options up and drop them below that next alternative. Would that be reasonable for a motion?

MR. HARTIG: Well, the question that I would have of Kari is the Mid-Atlantic landings of those two species probably weren't used in this analysis?

DR. MacLAUCHLIN: We got those, because, remember, we did have that one option that had unused. Then we wanted to make sure – and they were minimal even for Virginia, like 1 percent or below, usually below 1 percent for all of the Mid-Atlantic states.

MR. HARTIG: Okay, so we could get those; you have those percentages. We could do it. Do you want to make a motion?

MR. HAYMANS: Mr. Chairman, I would make a motion that we establish separate northern and southern subzones for king and Spanish mackerel with the defining boundary being the North Carolina/South Carolina Line, and we continue Options A through D under that alternative. That would be a new alternative under Action 5.

DR. MacLAUCHLIN: Before you get a second on it, I would recommend that these be at least two other alternatives; not one alternative together.

MR. HAYMANS: That is fine, one for each; take out the Spanish mackerel out of that one and copy it for the next motion.

MS. SMIT-BRUNELLO: Doug, just for the record; when you talk about northern and southern subzones, you mean the northern zone is just North Carolina or do you mean North Carolina up to New York?

MR. HAYMANS: North Carolina to New York.

MR. HARTIG: I need a second to that motion. Seconded by Charlie. Other discussion? Is there objection to that motion? **Motion is to establish separate northern and southern subzones for king mackerel with the boundary at the North Carolina/South Carolina State**

**Line; continue Options A through D under the new alternative.** Is there any more discussion? Is there any objection? Seeing none; **that motion is approved.**

**MR. HAYMANS: Mr. Chairman, I would make a similar motion with Spanish mackerel. Mr. Chairman, I would make a motion that we establish a separate northern and southern subzone for Spanish mackerel with the boundary at the North Carolina/South Carolina State Line;, continuing the Options A through D under the new alternative.**

MR. HARTIG: Motion by Doug;, second by Charlie. Is there any more discussion? Is there any objection to this motion? Seeing none; **that motion is approved.**

DR. MacLAUCHLIN: No, what we were suggesting was actually splitting it into two actions and then addressing everything for king in one and then everything for Spanish in the other. She and I can get that together for Full Council if that is something that you would be interested in seeing. I think we would need a minute to look at it and to split it into two actions. We could just do that and make it as an IPT recommendation to split it into two actions. It doesn't lose any of the alternatives in there.

MR. HARTIG: All right, is there any more discussion on this action? What else do we need to do?

DR. MacLAUCHLIN: Do we want to talk a little more about the transfer process? I can clarify some of the concerns I have come up with. The one question would be if you want to keep the transfer process in there, then I need you to say do all the states – when it is just a North Carolina allocation, do all the states have to come together and make the request? If it is a northern and southern boundary, do all the southern boundary states have to make a request and all the northern boundary states have to come together and make a request; that kind of stuff.

MR. HARTIG: Well, you could have a couple options. You could have one where all the states are; one where the primary area of landings North Carolina is responsible for the quota transfers, or you could do the same thing with the other three states; South Carolina, Georgia and Florida. Florida is the primary fishery for that particular species, and you could designate Florida as the one who actually asks for a quota transfer. That would be the simplest and the best way if we can do that under law that I think would work. Jack, did you have something?

DR. McGOVERN: I had a question about the discussion about closure off of North Carolina and how that was going to work and if that had been resolved. I also thought there is also a trip limit for Spanish when you meet the adjusted quota. Somehow that would have to be – you know;; the projections for that as well, just like they are for a closure, and that would have to be dealt with as well.

MR. HARTIG: Well, depending on which way you go. Go ahead, Doug.

MR. HAYMANS: I was going to suggest why would there be a difference between those zones as far as trip limits? Why wouldn't they be the same?

MR. HARTIG: No, I didn't have that concern either. I mean, yes, there are changes in trip limits in Florida and if you went to the zone aspect, it would still all be monitored under the AA, and those would continue to be projected as such.

MR. HAYMANS: I would also consider rejecting Alternative 4 until we see that there may be a need for that down the road.

MR. HARTIG: I see a need for it now, I really do. North Carolina, depending on the weather, they either catch their Spanish or they don't. The Spanish, in October where it blows really hard, the fish move through really quick and they don't have much access to them, they won't have much catch.

In other years they will probably catch their quota without any problem when the weather is right. In the years that they don't catch their Spanish, I would like to have them transfer their Spanish to Florida pretty quickly, because they are not going to get those fish in that fishing year again. That is the thing with Spanish.

It is a little bit different with kings, because the king mackerel fishery we do have seasonal times when we interact at the same time, but Spanish we don't. Once Spanish make the southern migration and leave North Carolina, they don't come back until the late spring and early summer. After March 1st is when that fishery changes the fishing year. To me for Spanish it is critical that we transfer Spanish mackerel to the Florida fishery after the North Carolina season is done.

DR. MacLAUHLIN: If there are some different options that you want to consider about how a transfer happens, then we need to – yes, we'll probably expand out that Alternative 4 and add the options of who has to make the request, if it is just North Carolina and Florida or if it is everybody. Is that what the committee is looking for with the transfer provision?

MR. HARTIG: I see some heads nodding; I think so. I think we can do that. I've got an idea as far as the states are concerned.

DR. MacLAUHLIN: I think that if that is the intent of the committee and the council approves it also that it is just North Carolina and Florida that make the request, then we can just put that in the discussion. As long as there are no options – if there is not a range of options, then it doesn't need to be in the alternative, right. It can just be in the discussion.

MS. SMIT-BRUNELLO: Ask me that question again.

DR. MacLAUHLIN: If the committee is not interested in any other options to having North Carolina make a request or Florida makes a request and that is it, those are the only states that can make the request for a transfer, then can we just have that in the discussion and not have to put it in the alternative since there are not options. It is just North Carolina and Florida?

MS. SMIT-BRUNELLO: No, that to me sounds like an action, not a discussion. If I understand your question correctly, to me that sounds like an action.

DR. MacLAUHLIN: It needs to be in Alternative 4?

MS. SMIT-BRUNELLO: Is this the Alternative 4 of the current document or

DR. MacLAUCHLIN: Yes.

MS. SMIT-BRUNELLO: – not a new one? Okay.

MR. HARTIG: I think if Roy and Jack and all can buy into the principal state of landing, who actually asks for the transfer, I think that would really simplify everything tremendously and it would work. Do you have any thoughts on that, Jack? I see we wore you out, also. Monica.

MS. SMIT-BRUNELLO: Yes, I think, Kari, those should be sub-options under Alternative 4.

DR. MacLAUCHLIN: Then what are the options, principal state or all the states?

MS. SMIT-BRUNELLO: If I understood you correctly, and maybe I misunderstood, so let me just repeat what I think I heard is that under Alternative 4 where you allow for the transfer of quota; I thought you said the only states that could transfer quota would be Florida and North Carolina

DR. MacLAUCHLIN: Request.

MS. SMIT-BRUNELLO: Request. Okay, so you can either build that right into your alternative, I guess, or you can have them as sub-options; one being Florida, one being North Carolina. Either way I think it has to be part of the action in some fashion. Now you asked me then again I think do we need other alternatives; South Carolina, Georgia or whatever. I'm not sure why only two states. You are probably going to tell me because most of the king mackerel is harvested off those states, so maybe we can build in some sort of rationale in the discussion as to why that is the only reasonable alternative.

DR. MacLAUCHLIN: Well, I think it was to simplify it instead of one state making a request or all the states having to come together and make a request as a group. Then what about the Mid-Atlantic States, that it would just be the principal states with the landings in that zone, which would be Florida for either the General Atlantic ACL or the southern zone ACL – that is the new alternative – and it would be North Carolina for North Carolina ACL and the northern zone ACL.

MS. SMIT-BRUNELLO: You have a national standard that says conservation management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be, A; fair and equitable to all such fishermen,

B; reasonably calculated to promote conservation, and C; carried out in such a manner that no particular individual, corporation or other entity acquires an excessive share of such privileges. It sounds like you are going to allow some special privileges to Florida and to North Carolina to ask for transfer, right? I'm not saying that is wrong or this wouldn't be allowed, but I'm saying that you are going to have to build a record for why it is okay to do that.

DR. DUVAL: I think what Kari is trying to say is that North Carolina or Florida would be the coordinating states so they would have to work in consultation with the other states that would be in each of the subzones to get their concurrence.

MS. SMIT-BRUNELLO: So the devil is in the details and we just need to write this up and figure it out. I'm sure there is a way to do it.

MS. BADEMAN: I was just going to say for the states that are not North Carolina; why wouldn't we want one of the other states to maybe take the lead if they have to on a letter? To me, it is smart to not just lock ourselves into having Florida to write the letter.

Not that I know that is going to be a problem, but maybe not all four of us have to send a letter, but one of the states can request a letter. Yes, any of them, they would be working together. I understand that Florida has most of the landings, but why would we lock ourselves in that way?

DR. DUVAL: I see your point in that Georgia or South Carolina could say, hey, Florida, we think it is time to request a transfer; can you guys knock a letter out?

MR. HARTIG: And we can word it that way.

DR. MacLAUCHLIN: I think that it would be most likely that it would be Florida or North Carolina that would make the request, anyway, right?

DR. DUVAL: Probably; I would imagine. I feel like we should let staff have a chance to process this. I think we're trying to do a little too much on the fly.

MR. HARTIG: Okay, I agree. Mel.

MR. BELL: I was just going to say you don't want to set the process up where it appears that we're somehow being left out in the dark or excluded, as Monica was pointing out. In a practical sense, the two big fisheries are north and south of us and I don't see a problem with us cosigning or agreeing or consenting either way it goes, because we have very, very minimal to nonexistent in some cases fisheries. But, don't set it up to where we could be questioned that somehow we're getting totally left out, in the dark. I don't think that would look good.

MR. CUPKA: I think Michelle's point was well taken. To me, what she said was different from what was originally said. If Florida was to take action in consultation, which is what Mel is getting at, the way you were talking about it originally looked like Florida was going to be making the decision that could affect the other states. I'm not in Mel's seat now but if I was, I wouldn't want that appearance of things. I think Michelle's wording is very important that you include it in there.

MR. HARTIG: Okay, my vice-chair has said that we have beat this cat a little bit too long, or flattened this cat or whatever. I think what we ought to do is have staff bring it to us at Full Council, and then we'll look at it again. We had a lot of good discussions. I think we made a lot of headway on the regional difference option. I appreciate the committee's work. All right, we'll leave that action; and we'll move to Action 6, modify the framework procedures.

DR. MacLAUCHLIN: This just updates the framework procedure. It was updated in Amendment 18, and this will do some further modifications. Then also in Amendment 18, some of those changes that went through removed the jurisdictional – that the South Atlantic has jurisdiction over the South Atlantic side and the Gulf has jurisdiction on the Gulf side.

Alternative 2 just adds in some measures that can be changed through a framework. It lists these in-season AMs and post-season AMs. This is the South Atlantic and Gulf preferred. Alternative 3 has fewer in-season AMs and post-season AMs that you can do through a framework. Four modifies the current framework procedure to include designation of responsibility to each council for setting regulations for the migratory groups for each species.

Then we have how this will change is that it will put in recommendations with respect to Atlantic migratory groups of king mackerel, Spanish mackerel and cobia will be the responsibility of the South Atlantic Council, and those for Gulf migratory groups of king mackerel, Spanish mackerel and cobia will be the responsibility of the Gulf Council with the following exceptions.

The South Atlantic Council will have responsibility to set vessel trip limits, closed seasons or areas, gear restrictions for the eastern zone, east coast subzone for the Gulf group king mackerel and the east coast of Florida, including the Atlantic side of the Florida Keys for the Gulf group cobia. Because of that change after SEDAR 28 with the cobia, where the biological boundary was shifted, the Florida east coast will be fishing on Gulf cobia.

This will put back into place that the South Atlantic can make changes through a framework and not a plan amendment. For stocks where the stock assessment indicates a different boundary between the Gulf and Atlantic groups, then the management boundary, the portion of the ACL for one group may be apportioned to the appropriate zone.

This is what we're doing with cobia, and right now this is in Amendment 20, which is a plan amendment, but this modification will put that back in as a framework. We can do it in a framework.

Then we have Alternative 5, which just allows to make editorial changes to the framework procedure to reflect any changes in council advisory committees or panels; for example, updating the name of advisory committee to advisory panel; just editorial changes. Right now the Gulf and South Atlantic have the same preferreds; 2, 4, and 5. The AP recommended those as the preferred alternatives for the South Atlantic AP and the Gulf AP. You can leave this, add, whatever you want to do.

MR. HAYMANS: A statement that both councils agree, both AP's agree, let's move on to the next action then. I don't think anybody wants to change.

DR. DUVAL: Amen; all right moving on, Action 7.

DR. MacLAUCHLIN: Okay, this is where we are going to talk about the cobia ACLs and ACTs. We have our new numbers that Luiz presented today. I e-mailed around the P-star projections, so we plugged them in here. Alternative 2 sets the ACL equal to ABC for each migratory group. You have a table in here that shows you what those are; those are in millions of pounds, by the way.



What this doesn't do is allocate part of the Gulf group cobia to Florida east coast, which you need to do. In Alternative 3 that is what we're going to do. You are going to have an ACL equals ABC for each migratory group, and then the different options will be what is allocated to Florida east coast.

First, though, we were advised that we had incorrect language in Alternative 3, and so we need to update the language. That is the highlighted part there where it says Alternative 3 needs to be revised as, and you can see where things are struck out. Basically, instead of giving a part of the Gulf ABC to the Atlantic, we can't do that. We just have to allocate a portion of the Gulf ABC to the Florida east coast. That is just fixing that language so that is legally correct. I would like to just go ahead and get that out of the way by approval of the committee to change that.

DR. DUVAL: Gregg has some input for us.

MR. WAUGH: Just one minor item; Option C and where this occurs; we are trying to get away from using Boyles' Law because that is an actual law. We want to come up with some council allocation formula or something like that. If you could either do that here or give staff direction, editorial license to craft a different way of describing that, that would be great.

DR. DUVAL: I think that would be good. Is there any objection from the committee to finding a different phrase, such as Comp ACL Allocation Formula? Doug has another comment that is going to have to make me say a naughty word, I know, but go ahead, Doug.

MR. HAYMANS: Well, Mel, and I were going to suggest Roberts Rules, but that is already taken, too. (Laughter)

DR. DUVAL: All right, so the first thing that we need to do, and, Kari, I guess this highlighted language that you have up here so that is –

DR. MacLAUHLIN: Page 22. This is what we need it to be revised as, so I just need the committee to approve those language changes.

**DR. DUVAL: Is there someone willing to make a motion to approve? A motion from Charlie to approve the IPT language changes for Action 7; seconded by Anna. Is there any discussion, any objection? Seeing none; that motion stands approved.**

DR. MacLAUHLIN: The Atlantic cobia ACL will be set equal to the ABC. In this table that is projected up here; that is what is going to be the Atlantic group cobia ABC; and then the breakdown of commercial and recreational; and then there is an ACT. We have an ACT for recreational. This is for Georgia, South Carolina and North Carolina; everybody is clear on that.

MS. SMIT-BRUNELLO: Do we have it?

DR. DUVAL: Is it in the actual amendment?

DR. MacLAUHLIN: Some stuff I added late or it came late and so Mike sent out an updated today. It was Updated Decision Document, so it is in that one. We were down to the wire with the projections coming in and plugging them in. That is what the Atlantic cobia will be for

Georgia, North Carolina and South Carolina. There is Figure 1 in here that kind of shows the range of the ACLs compared to the landings for cobia north of the Georgia/Florida Line.

That is under Alternative 2 and Alternative 3 with those projections, because they are for the next three years; that is what those are going to be. Then you have the options that will take part of the Gulf ABC and allocate it to the Florida east coast. It is based on all kinds of different scenarios.

You can see in Table 5 the percentage of the Gulf ABC that the Florida east coast would get under each of the options. I also will need you guys to clarify under Option A. I think this was a typo in my notes last time, and it was supposed to be ten years. I need to clarify do you mean to include 2002 or is it just 2003 through 2012? I think that doesn't need to be a motion; it is just clarification for us on the record.

DR. DUVAL: Yes, so in that table –

DR. MacLAUCHLIN: Yes, A and C. The ones with the star is what we think it is, 2003 through 2012; but just in case you wanted to include 2002, Brian had run it with both of those. If you could clarify for me under Option A and Option C for the 10-year period; do you mean to include 2002 through 2012, which would make it an 11-year period actually; or is it just '03 through 2012?

DR. McGOVERN: I have a couple of questions before you get to that. One thing Monica pointed out to me in Alternative 2 it talks about the jurisdictional area. The way it is worded it doesn't really apply to the South Atlantic jurisdictional area there, does it, because that is the area from Florida/Georgia north; isn't that correct?

DR. MacLAUCHLIN: Yes, I think that we can take out the "South" before the Atlantic in that sentence.

DR. McGOVERN: I have another question, too. On Action 3; that is allocating the Florida east coast ACL portion of the Gulf group and assigning it to the Atlantic, right; is that what that does?

DR. MacLAUCHLIN: No, it is basically making like another zone out of the Gulf group. It doesn't go towards the south. The Atlantic is only going to apply to Georgia north. Then Florida east coast gets their own allocation, but it is coming off the Gulf group.

MS. SMIT-BRUNELLO: I have a question. When they monitor ACLs for the Gulf group, will they be including the east coast subzone in that group?

DR. MacLAUCHLIN: As far as will the Florida east coast shut down when the Gulf ACL is met?

MS. SMIT-BRUNELLO: Yes, that is really my bottom line.

DR. MacLAUCHLIN: My understanding is that it will be its own state quota, and just the Florida east coast will be closed when that ACL is met. Just like the zones in the Gulf; so when the western zone is met, it has its own ACLs and AMs. It is the same thing.

DR. DUVAL: I'm so glad Kari said that because I was going to have to make that comment at some point or another.

MR. HAYMANS: I'm sitting here thinking it and wondering should I ask for a southern subzone of the Atlantic for cobia; and it's out there.

MR. WAUGH: Monica, this is doing exactly what is done for king mackerel now. It takes a portion of the Gulf migratory group that includes the entire state of Florida and the Gulf. That is the unit stock. It takes a portion of that and allocates it to the Florida east coast in a subzone. Then those two ACLs or those two quotas are monitored separately and would be tracked separately and closed separately.

MS. SMIT-BRUNELLO: That is what I was kind of wondering, if it followed that track. It will be monitored separately and it will not necessarily be closed when the rest of the Gulf ACL is hit, right, because that portion of the ACL will be carved out and monitored separately.

MR. WAUGH: That is correct; and in fact the management that applies on the Florida east coast will be very different than the management that applies in the Gulf.

DR. MacLAUCHLIN: In the Gulf they only have a stock ACL or ACT actually. They manage everything together. We have separate commercial and recreational ACLs. It will stay the same. That will stay the same allocation-wise. We have a recreational ACT and we have their AMs, and those will all stay in place for the Florida east coast.

DR. MacLAUCHLIN: First, I want you guys to tell me if you want to use 2003 through 2012 for ten years.

MS. BADEMAN: Ten years sounds great, and by ten years I mean real ten years, not eleven years.

DR. MacLAUCHLIN: Starting with 2003. Okay so we are going back to the allocation of the Gulf cobia to the Florida east coast. We have a table and it shows you percentage of the Gulf ABC that would be allocated to the Florida east coast; that is Table 5. Then we have another table that gets into the poundage that would go to the Florida east coast.

I like figures so I made this one that shows the landings. This is total recreational and commercial together; total cobia landings just on the Florida east coast over the years, and then each of the options where they would go in there. You can kind of see it goes above; it goes below.

Then Ben asked me to put this together and this is in the document that was sent out today to update the decision document. I put these together and they show the poundage of the Florida east coast cobia landings broken down, also, and then compared to the poundage that the Florida east coast would get, because he likes numbers more than figures.

I am going to get into the recommendations the AP recommended. We didn't have the numbers when we had the AP meeting so they didn't get to see any numbers at the time. They recommended setting ACL equal to ABC and to use the longest time period available when

determining allocation of that Gulf quota to the Florida east coast, so whichever was the longest; 15 years, I think it is. Then the AP recommended Alternative 2, and they were going to have a web meeting, but I think that it was canceled; I'm not sure what for. I don't think they have anymore recommendations.

MR. HARTIG: That was the Gulf AP.

DR. MacLAUCHLIN: Okay, so here are your ABC values for 2014 through 2016 for the P-star at 40 percent, and that will go into the Atlantic migratory group cobia to set the ACL. I have another question in there. Would you want to add the alternative to set the ACL equal to yield at 75 percent of F at MSY? However, if you look in the attachment that has the projections, those are all lower than the P-stars so those are not options for you any longer, because they were a lot higher.

Then we can talk about any other alternatives that you would like to add or change and then select, and then if you would like to select a preferred alternative or option. This one is going out to public hearing so you may want to consider preferred alternative and option for the hearings. You can also get rid of any options under Alternative 3 that you are not interested in and that would be great.

MR. HARTIG: First, did we approve the revisions to Alternative 3? Those are done?

DR. MacLAUCHLIN: Yes.

MR. HARTIG: Okay. Are there any alternatives you want to remove? Did we put in Gulf's Action 7?

DR. MacLAUCHLIN: In April they added this action back in because they didn't do it in March.

MR. HARTIG: Are you happy with the alternatives we have going forward?

MR. HAYMANS: E and F based on yellowtail; that is from the yellowtail plan or based on mutton; that is the way yellowtail and mutton was set up? That is what that means?

DR. MacLAUCHLIN: Yes, those were some examples that were thrown out as what you could look at, showing examples of how that was allocated for those two species and how far back they went.

MR. HAYMANS: But would those actually be the years, '06 through '08, that we would look at?

DR. MacLAUCHLIN: Yes. At the time we had put some options forward, the IPT, and those were just some options; and then when you were presented those, you said, yes, keep them in for now. They actually used the same years as yellowtail and mutton.

MR. HAYMANS: I would think we would either change those to update them or get rid of them, but not stop at 2008.

MR. HARTIG: Say that again.

MR. HAYMANS: I would either update them to bring that year 2008 to 2012 or I would get rid of those two, but I don't know that I would stop at year 2008. That is a more historical look, right, reaching back into 1990 to 1993.

MR. HARTIG: No, I agree with you.

MR. HAYMANS: But I wouldn't curtail it at 2008.

MR. HARTIG: Do you want to make a motion to change the years?

MR. WAUGH: I don't want to put Mr. John Sanchez on the spot here as our Gulf liaison, but divvying up the pie within one council is challenging enough; and you get into doing it with another council, it is like exponentially more difficult. Our suggestion was to keep these alternatives in here, because that is exactly what was done with mutton and exactly what was done with yellowtail to increase the Gulf's comfort at being able to pick one of these and do a split.

I think it would be more useful to look at what the resulting allocations are from all of these. I don't think they differ a whole lot. I think it may be better to leave these alternatives in here the way they are to go out to public hearing. The Gulf is going to be looking at this next week. We'll have to resolve these two before we finalize the amendment.

I would just urge some caution in changing these alternatives, updating them. The idea for the mutton and Spanish was that is exactly what was done for those two species, and so that should increase the Gulf's comfort. You change years, you are going to change the numbers, and you don't know what that is going to do to their comfort level.

MR. HAYMANS: My question would be that plan was done this year or last?

MR. WAUGH: That was our Comprehensive ACL Amendment, so 2011.

MR. HAYMANS: Right, which was probably the most recent data available at the time. The Gulf wouldn't be comfortable with updating to the most recent data we've got now?

MR. WAUGH: I have no idea. The reason we chose it was that is exactly what was done then and the Gulf could look at it and say, oh, okay, cool, that is what we did for mutton and that worked there, or that is what we did with the yellowtail.

MR. HARTIG: You could add a sub-option underneath those to incorporate the most recent years in landings as a sub-option underneath those two alternatives if that is something that you're interested in.

MR. WAUGH: What is the difference in the allocation; is there much? Kari, can you walk us through that and see what we're talking about.

DR. MacLAUCHLIN: Okay, for Option A, that is just the average of 2003 through 2012. That would give the Florida east coast 36.6 percent. This one is the one we're not using anymore. B is the last five years, and that gives 43.9 percent to the Florida east coast. C is the Boyles' Law using ten in five years, and that gives 40 percent.

D gives an average of the last 15 years, and that gives 36 percent. Then E is the yellowtail and that gives 32; and F, it gives 32.4 using long periods and short periods of time but going back that far. If you are interested in having some kind of consideration of a longer time period than 15 years, that is your Option D. If you want to go back 20 years or more, we can do that and tweak EMF. We would love no more options. I think you could also look at are there percentages that would go to the Florida east coast that you definitely are not interested in or you think are not fair.

MR. HARTIG: Well, Option B is only five years. Do you think that is a reasonable period of time to calculate allocations on? Doug.

**MR. HAYMANS: No, sir, I don't. But just not to belabor it but let's get to a point, and I would make a motion that we take Options E and F; we change the '08 to 2012. That is the end of my motion; change 2008 to 2012 in Options E and F. If I get a second, I will go on.**

MR. HARTIG: Seconded by Charlie.

MR. HAYMANS: We're trying to use the most recent data. We've got four more years of data that we can include. We can still state that it is similar to the way that yellowtail and mutton was done except we've included new years in it. I don't think we should take something out that has got four-year-old data in it.

MR. HARTIG: I am sensitive to both camps on that. Gregg said that was the same way, but I certainly would like to see at least a sub-option under those to use the additional years. Martha.

MS. BADEMAN: I definitely hear what Gregg is saying; but, Doug, if we do this, wouldn't we also want to bump up the lower end years as well just so it is the same formula as yellowtail and mutton?

MR. HAYMANS: That would be fine.

MS. BADEMAN: Maybe that would be kind of a compromise; not that it doesn't make less work for Kari, sorry.

MR. HAYMANS: Changing 1993 to 1997 in each instance, and go from '97 to 2012.

MR. HARTIG: You want to modify your motion.

**MR. HAYMANS: Based on Martha's comment, I would modify my motion to change '93 to '97 and '08 to '12, so it would be the years 1997 through 2012; same number of years, just updated it by four years.**

MR. HARTIG: Is that all right with the seconder? Okay.

DR. MacLAUCHLIN: Can I maybe make a suggestion to this motion and maybe it would be better to say, okay, under Option E, just modify Option E to say this, and then you guys can just say the years that you want and then modify Option F to say this, and say the years that you want. I think this is confusing, and then there is also like '90 and 2006.

MR. HARTIG: Do you know what Kari wants?

DR. MacLAUCHLIN: Or you can just add another Option G and H and then tell me the years you want in there.

MR. HAYMANS: You said you didn't want any more options.

DR. MacLAUCHLIN: Well, I know that Gregg is about to say keep E and F.

MR. WAUGH: This is the last thing I'll say on this; and then I promise I won't say anymore. What we are doing is we are asking the Gulf Council to give us a portion of their fish. They have this document. They have already been looking at it. They meet next week. My way of thinking is if we're asking someone to give us something, let's not throw a lot more stuff at them in the last minute. Let's look at what we want; what we would like for them to give us, look at the percentage and pick that alternative; and try and make their job as easy as we can make it and not tick them off with new alternatives and stuff.

MR. HARTIG: That sounds like good advice.

**MR. HAYMANS: Mr. Chairman, I will withdraw my motion.**

MR. HARTIG: Thank you. Do we have a preferred? Michelle.

**DR. DUVAL: Well, just to get us off the dime, I will go ahead and make a motion that we adopt Alternative 3, Option D.** I'll just say I think that was the AP's recommendation was to use the longest time span of years possible. I think it would hopefully encompass sort of boom-and-bust years.

It seems to kind of fall out sort of in the middle of all of those different percentage ranges. Now I'm not from the state of Florida, so I don't know what kind of consternation that might cause, but just for discussion purposes let's at least get a preferred motion out there. I think I need a second.

MR. HARTIG: Okay, seconded by Anna. Discussion? Martha.

MS. BADEMAN: I think I'm comfortable with that for a starting point. I know a lot of people haven't seen this in terms of APs. This is going to go out to the public so we can change it if we need to. Honestly, the span of these isn't really that great. It might not even have an impact; I don't know, so we'll see. I'm good.

MR. HARTIG: Okay, anymore discussion? Is there any objection to this motion? Seeing none; that motion is approved. Would somebody like to make a motion to approve?

**DR. DUVAL: I move that we approve Draft Amendment 20 for public hearing.**

MR. HARTIG: Second by Doug. Discussion? Is there any objection? Seeing none; **that motion is approved.** All right, that takes us to framework.

MR. CUPKA: Ben, we have a public comment session schedule for 5:30y, which is like in three minutes.

MR. HARTIG: We can do framework in three minutes.

MR. CUPKA: I don't think you'll make it. What I was going to suggest is that we wait until after the Law Enforcement Closed Session in the morning and come back and try and do the framework at that time.

MR. HARTIG: I'm going to be removing one option from the framework so that should expedite it along, so we will only have two options remaining. We should be able to tie this up fairly rapidly, Mr. Chairman.

MR. CUPKA: Okay, I would like to do that in the morning, but after our three closed sessions.

MR. HARTIG: I hear you loud and clear.

(Whereupon, the meeting was recessed at 5:27 o'clock p.m., June 12, 2013.)

The Mackerel Committee of the South Atlantic Fishery Management Council reconvened in the Plantation Room of the Hutchinson Island Marriott, Thursday morning, June 13, 2013, and was called to order at 11:13 o'clock a.m. by Chairman Ben Hartig.

MR. HARTIG: All right, I would like to reconvene the Mackerel Committee meeting. We got through Amendments 19 and 20 yesterday. We have the framework items left. There are three actions in the framework. Action 1 in the framework is to modify the Atlantic migratory group kind mackerel minimum size limit.

That is one of the actions that have been around for some time, but I will tell you that based on all the discussions I have had with fishermen over the last few months about the concern about Atlantic king mackerel, I think it probably would be the wrong direction for the committee to go to reduce the size limit at a time when the stock is not looking so good. If this did come back before the committee, it would come back at a later date with a real specified region where this would be applicable. I would entertain a motion to remove Action 1.

**DR. DUVAL: I move that we remove Action 1 from the Framework Amendment for Mackerel.**

MR. HARTIG: Second by Anna. Discussion? Anymore discussion? I just think it sends the wrong message out. Many fishermen have come before us saying that we're – go ahead, Michelle.



DR. DUVAL: The other thing I would add to that, Ben, is just that with the benchmark stock assessment coming up, it might be more appropriate to wait until after we have those results in.

MR. HARTIG: That was my other concern that if you put a regulatory action in where they are going to have to redo some of those analyses based on a size limit, I don't think it was worth the trouble they would have with that. I think holding off on this is very appropriate; so, thank you. Anymore discussion? David.

MR. CUPKA: I was just going to note for the record that the Mackerel AP for the last two years had recommended no action, also.

MR. HARTIG: Thank you; I appreciate that. I neglected to bring that forward, but you are right, you are absolutely right. Is there any more discussion? Is there any objection to this motion? Seeing none; **that motion is approved**. All right, that brings us down to the Action 2, which is the transfer at-sea provision for Atlantic Spanish mackerel.

DR. MacLAUCHLIN: We had split the alternatives here to address the two different components of being able to allow transfer at sea for Spanish mackerel for the gillnet fishermen when one pull of gillnet – one set exceeds the daily trip limit. We had split it up into two alternatives.

One would be to modify the gear specification for Atlantic Spanish mackerel, and we had the four options underneath, because basically you wanted to somehow allow more than two gillnets on board for the vessel that is receiving. Then Alternative 3, we had put in the exemption from the prohibition on transfer at sea for species under commercial trip limits.

Then we had these specific conditions under there that you revised and approved. Well, then I found that the Mid-Atlantic had an amendment in 2003 for their scup fishery that was the exact same thing. It was a provision to allow transfer at sea for scup that was harvested with otter trawls for the same reason. Sometimes the otter trawls will pull more and go over their trip limit.

Instead of wasting those scup, they are allowed to transfer at sea to do this. I sent that to Monica, and one thing about that was they only had two alternatives in there and basically laid out when this could happen. They just had, yes, we will have this provision to allow this under these conditions and no.

I wanted to present that to you as maybe possibly combining these alternatives just into two. Now, if you wanted to keep the options of the different ways that you could go over two gillnets, you had some different options. But if there are some of those options that you know that you don't want to consider and you really just only want to consider one way for them to do that, we can do that and get really specific with it, which is what they did with this Mid-Atlantic action.

I also contacted the Mid-Atlantic staff to see if there had been any problems with anybody taking advantage of this provision in the scup fishery; and to their knowledge there has been no abuse of the provision, like we had talked about runner boats or something like that coming up and people trying to get around it.

That is good to know; that they put this in place and it has helped reduce waste on those trips where this happens. The South Atlantic AP did recommend Alternative 1, no action, as the preferred for this one. They weren't sure if there would be anyone taking advantage of a provision like this.

I have the language that I thought I would throw out that would basically just take Alternative 2 and 3 and put them together. On the board I have the current 2 and 3 or in your decision document. Then I have the suggested; so it would just be Alternative 1 and Alternative 2. This I took exactly from the language from the Mid-Atlantic Amendment.

It says, "Alternative 2 applies only to commercial harvest of Atlantic migratory group Spanish mackerel with gillnet. This alternative recognizes that the current biomass levels of Spanish mackerel may result in catches of Spanish mackerel in excess of the commercial trip limit by using gillnets." We could probably fix that.

"Specifically, even with very short tows, these gillnets may exceed the daily trip limit. As such, the regulations would be modified to allow for the transfer of Spanish mackerel at sea. Any amount of Spanish mackerel less than the commercial trip limit could be transferred between two vessels given the following conditions.

"Transfer is allowed if directed harvesting gear used to harvest the Spanish mackerel being transferred is allowable net gear. Spanish mackerel harvested with other than directed allowable net harvesting gear shall not be transferred. Transfer shall only take place in the EEZ between vessels with valid Spanish mackerel commercial permits.

"The receiving vessel may possess no more than three gillnets on board after the transfer is complete. The Spanish mackerel removed from the directed harvesting gear aboard the harvesting vessel shall be isolated aboard the vessel and shall not exceed the applicable daily vessel limit specified in this subsection.

"All fish exceeding the applicable daily vessel limit shall remain entangled in the meshes of the net until transfer. The quantity of fish transferred to any single vessel shall not exceed the applicable daily harvest limit. Call-in required for both vessels engaged in the transfer." That was one that the Law Enforcement AP recommended and you guys put in.

Then we could get really specific; and in the Mid-Atlantic Amendment they actually described how the transfer at sea may occur. I could get with Ben I guess if we wanted to get very specific. However, if you feel like this alternative captures it or we can revise it here; but I wouldn't mind at first before we get into this, Monica, speaking about only having the two alternatives.

MS. SMIT-BRUNELLO: I think Kari set it out very well. When I look at the need in this document, one of the needs is to minimize dead discard. The question is, is this the only reasonable alternative that can minimize discard mortality. Are there other alternatives? Right now you have three alternatives. Kari suggested one way to deal with this is to use the example of what the Mid-Atlantic did for scup, and really have action/no action. An action would be this new way she is proposing that the Mid-Atlantic dealt with a similar kind of issue in the scup fishery. However, I'm not sure if that is the only way – is it scup?

DR. MacLAUCHLIN: The Mid-Atlantic is scup, yes.

MS. SMIT-BRUNELLO: Yes, the Mid-Atlantic is scup. I am not sure if that is the only reasonable way to deal with discard mortality, and so we should have some discussion about that.

MR. HARTIG: Well, specific to that fishery, it is the only way. That is why scup only had two alternatives, because it was specific otter trawl gear where this was allowed to happen and where they had those problems with extra scup being caught. It is specific to the bycatch for that particular gear. Now I don't know if that addresses your concern about bycatch in the entire fishery; but for that gear, that is the only way that we could –

MS. SMIT-BRUNELLO: Is that the only way to deal with it here, then? That becomes the question. That is good to know they followed the law, and for NEPA purposes the Mid-Atlantic was fine. Then the question is what about here? Is that the only way here? I mean, you have another alternative right now that states that you could remove the maximum number of gillnets.

I don't know that you want to do that, but I am just trying – like Kari said, we should have some discussion from the committee members about the reasonableness of these alternatives and then whether you want to even add something else. I'm not sure.

DR. MacLAUCHLIN: Well, I think with this provision, you have to have those two components like what is holding up any kind of transfer at sea is that you can only have two gillnets, and then that there is a prohibition on transfer at sea for Spanish mackerel, because it is under a commercial trip limit.

To address this very specific problem of gillnet harvest of Spanish mackerel going over; you have to have both of those components. In some way you have to let them transfer at sea' and at some way you have to let them have more than two gillnets on board. That was the way that they are set up now, Alternative 2 and Alternative 3, you have to select both of those to allow for this provision to happen. In that way, there is not really a range.

Now, if there is another way to address only two gillnets on board and a prohibition of transfer at sea; I understand what you're saying, but that is what the committee would have to discuss is if there are other ways that you would have to consider as alternatives to what we have set up here.

MR. HARTIG: Basically the way I see it, we can leave Alternative 2 and 3 in there. You have a Preferred Alternative 2, Option D, and then you would approve Alternative 3 as well. Then you've got that additional wording that I don't think really is appropriate to belabor today. I think what I would like to do is come back to Full council.

I haven't talked to Kari about the new wording for the Mid-Atlantic. I think what I would like to do, with concurrence of the committee, is to go ahead and talk to Kari about this, clean it up as much as we can and bring it back to you in Full Council when we can make some determinations with Monica. We'll bring that before you as well.

MR. CUPKA: I know we always try to have a range of options; but for this to work, as Kari has pointed out, you need both components. It seems to me in regard to transfer, you either allow it

or you don't. I don't know how you get a range. Maybe you can only allow it on Wednesday afternoon or something, but that is crazy. It seems to me it is an either/or type thing.

DR. MacLAUCHLIN: This is also a little bit for the analysis of the effects of this. When we were doing these, because we have them split into two alternatives, we have to analyze the alternatives separately when really it doesn't make any sense. I don't know if anybody read the effects analysis that is in there, but it is hard to write and it is hard to read, because you have to have those two things together.

We have to write about, well, if this happens, this is what this means to allow more than two gillnets on board, but it still doesn't address the real problem if Alternative 3 is not in there. It is just the way that we have to write it. I think that it will be easier for us to write, but also for easier for the public and for you guys to understand if it is altogether in one alternative, and it is just action and no action. That is why I am bringing this up; but if you want to keep it in there, you will have to select both of those to get there, but it will still have the same outcome.

MR. HARTIG: Okay, I don't have a problem with that as long as we allay Monica's concerns. But still I haven't gone through the additional wording that you have done, and I would like to review that before we take action on a committee level and then we will review it at Full Council with the concurrence of the committee. I see heads nodding. That brings us to Action 3, which is the last action in this framework. Two more, okay excuse me.

DR. MacLAUCHLIN: Okay, Action 3 modifies the king mackerel commercial trip limit for the east coast Florida subzone. This is the Flagler/Volusia County Line south to the Miami/Dade/Monroe County Line. It is just November 1st through March 31st. Alternative 1, we show the commercial trip limit in A and B.

November 1 through January 1 it is 50 fish; and then February 1st through March 31st if 75 percent or more of that Florida east coast subzone quota has been taken, it stays at 50 fish; but if less than 75 percent of their quota has been taken, it goes up to 75. This is to allow the fishermen to – if they are only at 75 percent at February 1<sup>st</sup>, those last two months, they have a chance to meet their ACL.

Some of the problems here have been coming in as changes after February 1st. You have a table in here that will show you the years that there has been a step-up in that trip limit. We have Alternative 2, which would just keep the commercial trip limit at 50 for that entire season. Alternative 3 would keep it at 75 the entire season; and Alternative 4 was one that Ben put in and tweaked it a little bit, which would allow the step-up to occur only in the last month, so it would have to be March 1st.

Then if 70 percent of the quota has been taken, then it will stay at 50; but if less than 70 percent has been taken, it will have that step-up to 75. The AP reviewed that this year and they recommended Alternative 4. When the AP looked at it in 2012, they recommended Alternative 2, the 50 straight across. In Table 2 you have several fishing seasons; and then if there was a step-up to 75 fish, and then if that made the fishery close early, and then a summary of the effects. You can add, remove, modify alternatives and select preferred. This one will also be going out for public hearing if you approve it, hopefully.

MR. HARTIG: We've got an option that came out of the fishermen's meeting there last – whenever it was, a couple of meetings ago. We've got the AP concurrence of this meeting, which is important, because at the last meeting, the meeting before that the AP didn't have the information from the fishing season this year in which they were actually able to fish all the way through the season. I think it would be appropriate if we get a motion for Alternative 4 as a preferred. Michelle.

**DR. DUVAL: Thank you Mr. Chairman. I'll move that we select Alternative 4 under Action 3 as our preferred.**

MR. HARTIG: Motion by Michelle; second by Charlie. Anymore discussion? Is there any objection to this motion? Seeing none; **that motion is approved.** Action 4 is to modify the system of quota and trip limit adjustments for Atlantic migratory group Spanish mackerel. I don't know; we are going to send that catch level back to the SSC to see what they have to say about it.

At this time it may be premature to go ahead and make the trip limit changes when you don't have the benefit of what the real numbers for the fishery is going to be in that year. We can do these frameworks at anytime, basically, based on the information we have. I think it would be my preference if the committee wanted to wait until we see the actual landings from what the SSC comes up with for this reevaluation of the P-star analysis based on the conversation we had yesterday.

MS. BADEMAN: Yes, I would support that as well. I guess my question is do we need to remove it from the amendment or can we just keep it in here and take it out to public hearings and deal with it later, but keep it in the amendment? I don't know what the best way to proceed is.

MR. HARTIG: That is a good point. We may leave it in here. The only thing I thought of was there may be another way given that the quota is going to be about a million pounds lower for the ABC. Another way would be to look at each sector's participation in the fishery. The gillnet, the hook and line and cast net; I would keep those together and just do an across-the-board trip limit reduction for each of those fisheries.

That way everybody gets reduced a fair amount and an even amount based on their participation in the past. My real fear in this fishery is that in our area in particular we have a number of fishermen who depend on this fishery in the winter months as the only income that they get. If the gillnets fisheries participate on the front half of the season, which they do both in the Carolinas and in Florida, you could have a situation where that second half of the season could be substantially impacted.

DR. MacLAUHLIN: The schedule for this amendment is public hearings in August and then final approval in September, and the SSC would not meet until October to review that.

MR. HARTIG: Can you make a motion?

**MS. BADEMAN:** In light of that information, I would like to make a motion to remove Action 4 from this Framework Action – I don't know if it has a number or what – Framework Action 2013 for I guess a future document.

MR. HARTIG: Motion by Martha; second by Charlie. Discussion? I think this is a good move. I think that there will be other alternatives to look at once we find out the number that comes out of the SSC. It may be the same number, I have no idea. Is there any objection to this motion? Seeing none; **that motion is approved.** That takes us to the framework options, I believe, Kari. The ACLs, yes

DR. MacLAUCHLIN: We had a potential Action 5, and that had to do with the Spanish mackerel, adding this into the framework to get the new Spanish mackerel ACL in place. However, you passed a motion to wait and let the SSC review that, so my guess is that you don't want to add this action at this time.

MR. HARTIG: Martha, do you want to make a motion to that effect?

MS. BADEMAN: Well, yes, do we even need one? Let's just not add it.

DR. MacLAUCHLIN: I do want you to look over the purpose and need. Because you removed a couple of these, then we will need to – I guess we could do this at Full Council – revise the purpose and need and then have you approve the purpose and need at Full Council.

MR. HARTIG: That would be great.

DR. MacLAUCHLIN: Okay, we'll do that, but would the committee like to approve the document with just the two actions that are left for public hearing.

MR. CUPKA: Since you have got to finish your work on Action 2 at Full Council, you might want to wait and approve for public hearing after that as a part of that.

MR. HARTIG: Thank you, Chairman Cupka, for your wisdom. Kari, is there anything else? Is there any other business to come before the Mackerel Committee? Seeing none, this committee is adjourned.

(Whereupon, the meeting was adjourned at 11:40 o'clock a.m., June 13, 2013.)

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

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July 3, 2013

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### Mackerel Committee

Wednesday, June 12, 2013

1:30 P.M. to 5:00 P.M.

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### Mackerel Committee

Wednesday, June 12, 2013

1:30 P.M. to 5:00 P.M.

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Sharon McCay			
York McCay			

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### *Mackerel Committee*

Wednesday, June 12, 2013

1:30 P.M. to 5:00 P.M.

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ORGANIZATION

AREA CODE &  
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Thursday  
Wednesday, June 13, 2013  
1:30 P.M. to 5:00 P.M.

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70	w, m	<a href="mailto:matthew.walia@noaa.gov">matthew.walia@noaa.gov</a>	1 min
59	raine, karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	117 min
44	Austin, Tony	<a href="mailto:redress@ec.rr.com">redress@ec.rr.com</a>	179 min
43	gerhart, susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	145 min
34	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	54 min
31	pugliese, roger	<a href="mailto:roger.pugliese@safmc.net">roger.pugliese@safmc.net</a>	52 min
30	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	150 min
30	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	74 min
30	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	183 min
28	Baggins, Bilbo	<a href="mailto:kari.maclauchlin@safmc.net">kari.maclauchlin@safmc.net</a>	124 min
27	Neer, Julie	<a href="mailto:julie.neer@safmc.net">julie.neer@safmc.net</a>	59 min
23	Eich, Anne	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	33 min
23	Abeels, Holly	<a href="mailto:habeels@ufl.edu">habeels@ufl.edu</a>	5 min
52	DeLancey, Larry	<a href="mailto:delanceyl@dnr.sc.gov">delanceyl@dnr.sc.gov</a>	5 min
51	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	24 min
47	Stump, Ken	<a href="mailto:magpiewdc@gmail.com">magpiewdc@gmail.com</a>	1 min
46	Abeels, Holly	<a href="mailto:habeels@ufl.edu">habeels@ufl.edu</a>	24 min
42	gerhart, susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	13 min
40	Neer, Julie	<a href="mailto:julie.neer@safmc.net">julie.neer@safmc.net</a>	1 min
26	raine, karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	24 min
20	Package, Chrisitna...	<a href="mailto:christina.package@noaa.gov">christina.package@noaa.gov</a>	24 min
16	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	24 min
14	Gore, Karla	<a href="mailto:karla.gore@noaa.gov">karla.gore@noaa.gov</a>	24 min
11	Eich, Anne	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	0 min
11	Baggins, Bilbo	<a href="mailto:kari.maclauchlin@safmc.net">kari.maclauchlin@safmc.net</a>	23 min
11	Baker, Scott	<a href="mailto:bakers@uncw.edu">bakers@uncw.edu</a>	7 min
11	steele, phil	<a href="mailto:phil.steele@noaa.gov">phil.steele@noaa.gov</a>	13 min
10	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	14 min

10	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	24 min
10	Ballenger, Joseph	<a href="mailto:ballengerj@dnr.sc.gov">ballengerj@dnr.sc.gov</a>	23 min
6	pugliese, roger	<a href="mailto:roger.pugliese@safmc.net">roger.pugliese@safmc.net</a>	9 min
59	gerhart, susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	4 min
59	Davis, Greg	<a href="mailto:burlynomad@yahoo.com">burlynomad@yahoo.com</a>	4 min
58	steele, phil	<a href="mailto:phil.steele@noaa.gov">phil.steele@noaa.gov</a>	4 min
57	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	4 min
48	Eich, Anne	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	4 min
38	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	4 min
27	DeLancey, Larry	<a href="mailto:delanceyl@dnr.sc.gov">delanceyl@dnr.sc.gov</a>	4 min
24	Abeels, Holly	<a href="mailto:habeels@ufl.edu">habeels@ufl.edu</a>	4 min
9	Mahood, Robert	<a href="mailto:robert.mahood@safmc.net">robert.mahood@safmc.net</a>	4 min
60	Austin, Tony	<a href="mailto:redress@ec.rr.com">redress@ec.rr.com</a>	140 min
41	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	100 min
37	steele, phil	<a href="mailto:phil.steele@noaa.gov">phil.steele@noaa.gov</a>	113 min
36	raine, karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	91 min
33	gerhart, susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	3 min
25	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	99 min
23	Package, Chrisitna...	<a href="mailto:christina.package@noaa.gov">christina.package@noaa.gov</a>	63 min
19	Mahood, Robert	<a href="mailto:robert.mahood@safmc.net">robert.mahood@safmc.net</a>	48 min
14	w, m	<a href="mailto:matthew.walia@noaa.gov">matthew.walia@noaa.gov</a>	45 min
14	pugliese, roger	<a href="mailto:roger.pugliese@safmc.net">roger.pugliese@safmc.net</a>	101 min
13	Eich, Anne	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	121 min
11	Knowlton, Kathy	<a href="mailto:kathy.knowlton@gadnr.org">kathy.knowlton@gadnr.org</a>	80 min
10	brennan, kenneth	<a href="mailto:kenneth.brennan@noaa.gov">kenneth.brennan@noaa.gov</a>	18 min
8	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	95 min
8	Gore, Karla	<a href="mailto:karla.gore@noaa.gov">karla.gore@noaa.gov</a>	95 min
8	Strelcheck, Andy	<a href="mailto:andy.strelcheck@noaa.gov">andy.strelcheck@noaa.gov</a>	89 min

8	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	103 min
6	Ballenger, Joseph	<a href="mailto:ballengerj@dnr.sc.gov">ballengerj@dnr.sc.gov</a>	95 min
5	Abeels, Holly	<a href="mailto:habeels@ufl.edu">habeels@ufl.edu</a>	70 min
5	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	69 min
3	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	54 min
1	g, a	<a href="mailto:andrea.grabman@safmc.net">andrea.grabman@safmc.net</a>	25 min



62	Bresnen, Anthony	<a href="mailto:anthony.bresnen@myfwc.com...">anthony.bresnen@myfwc.com...</a>	255 min
56	DeLancey, Larry	<a href="mailto:delanceyl@dnr.sc.gov">delanceyl@dnr.sc.gov</a>	135 min
56	Malinowski, Rich	<a href="mailto:rich.malinowski@noaa.gov">rich.malinowski@noaa.gov</a>	172 min
53	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	323 min
53	MacLauchlin, Bill	<a href="mailto:billmac@charter.net">billmac@charter.net</a>	146 min
49	raine, karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	424 min
49	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	312 min
43	gerhart, susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	35 min
41	brennan, kenneth	<a href="mailto:kenneth.brennan@noaa.gov">kenneth.brennan@noaa.gov</a>	287 min
40	steele, phil	<a href="mailto:phil.steele@noaa.gov">phil.steele@noaa.gov</a>	200 min
37	Powell, Jessica	<a href="mailto:jessy.r.powell@gmail.com">jessy.r.powell@gmail.com</a>	136 min
34	Clemens, Anik	<a href="mailto:anik.clemens@noaa.gov">anik.clemens@noaa.gov</a>	451 min
33	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	111 min
31	Buckson, Bruce	<a href="mailto:bruce.buckson@noaa.gov">bruce.buckson@noaa.gov</a>	400 min
31	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	357 min
31	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	448 min
30	c, m	<a href="mailto:mec181@yahoo.com">mec181@yahoo.com</a>	436 min
30	pugliese, roger	<a href="mailto:roger.pugliese@safmc.net">roger.pugliese@safmc.net</a>	264 min
29	sandorf, scott	<a href="mailto:scott.sandorf@noaa.gov">scott.sandorf@noaa.gov</a>	328 min
29	Neer, Julie	<a href="mailto:julie.neer@safmc.net">julie.neer@safmc.net</a>	333 min
29	Eich, Anne	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	261 min
27	McCoy, Sherri	<a href="mailto:sherrim@wildoceanmarket.c...">sherrim@wildoceanmarket.c...</a>	332 min
27	michie, kate	<a href="mailto:kate.michie@noaa.gov">kate.michie@noaa.gov</a>	33 min
27	holland, jack	<a href="mailto:jack.holland@ncdenr.gov">jack.holland@ncdenr.gov</a>	29 min
27	Gore, Karla	<a href="mailto:karla.gore@noaa.gov">karla.gore@noaa.gov</a>	325 min
26	Mahood, Robert	<a href="mailto:robert.mahood@safmc.net">robert.mahood@safmc.net</a>	26 min
25	Stump, Ken	<a href="mailto:magpiewdc@gmail.com">magpiewdc@gmail.com</a>	205 min
24	Herndon, Andy	<a href="mailto:andrew.herndon@noaa.gov">andrew.herndon@noaa.gov</a>	150 min

23	g, a	<a href="mailto:andrea.grabman@safmc.net">andrea.grabman@safmc.net</a>	151 min
21	FARMER, NICK	<a href="mailto:nick.farmer@noaa.gov">nick.farmer@noaa.gov</a>	31 min