

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
MACKEREL COMMITTEE**

**Doubletree Grand Key Resort  
Key West, Florida**

**June 9, 2015**

**SUMMARY MOTIONS**

**King & Spanish Mackerel Committee:**

Ben Hartig, Chair  
Mel Bell  
Mark Brown  
Dr. Jack McGovern  
Doug Haymans  
Charlie Phillips

Anna Beckwith  
Zack Bowen  
Jack Cox  
Dr. Michelle Duval  
Jessica McCawley

**Council Members:**

Chester Brewer  
Dr. Wilson Laney

Chris Conklin

**Council Staff:**

Bob Mahood  
Kim Iverson  
Roger Pugliese  
Dr. Mike Errigo  
Chip Collier  
John Carmichael  
Julie O'Dell

Gregg Waugh  
Amber Von Harten  
Myra Brouwer  
Dr. Kari MacLauchlin  
Dr. Brian Chevront  
Mike Collins

**Observers/Participants:**

Sue Gearhart  
Monic Smit-Brunello  
Dr. Marcel Reichert  
Capt. Rob Beaton  
Karen Antrim-Raine  
Jeff Radonski  
Col. Chisolm Frampton  
Dr. Roy Crabtree

Rick DeVictor  
Dr. Nick Farmer  
Dr. Luiz Barbieri  
Erika Burgess  
Dr. George Sedberry  
Dr. Bonnie Ponwith  
Lt. Charlotte Delorey

Additional Observers Attached

The Mackerel Committee of the South Atlantic Fishery Management Council convened in the Tortuga Ballroom, Doubletree Grand Key Resort, June 9, 2015, and was called to order at 3:05 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: We're going to go ahead and start the Mackerel Committee meeting. The first item of business is approval of the agenda. Are there any additions to the agenda? Is there any objection to approving the agenda? Seeing none; the agenda is approved. The next item of business is approval of the March 2015 Mackerel Committee Minutes. Are there any changes, additions, deletions to the minutes? Is there any objection to approving the minutes? Seeing none; the minutes are approved. That brings us to status of commercial catches versus ACLs; and that is under Attachment 1, and Sue Gerhart is actually here to give us that update.

MS. GERHART: One thing I want to point out is since the last time you saw one of these reports, Amendment 20B was implemented. That was March 1st. Now there are two separate zones for both king mackerel and Spanish mackerel. You'll see on the report that there are quotas for each of these zones; and I've also included the totals as well compared to the overall ACL.

The northern zone is from North Carolina and states north, and that is 33 percent of the ACL. For king mackerel we're at only about 1 percent of the quota. Again it is early in the fishing year, and so that is as to be expected. The southern zone is 66.7 percent of the ACL. That is for Florida, Georgia, and South Carolina; and they are a little bit higher at 13 percent. Overall we're only 9 percent of the ACL.

One thing I want to point out is that these are very preliminary numbers. The Science Center uses statistical zones to sort out these landings; and the line between the northern and southern zones is not an east/west line along latitudinal lines. It is a little bit more difficult for them to parse out what should be northern zone versus southern zone.

They are very preliminary, beyond just the date-wise preliminary as well for May particularly. Spanish mackerel was also by the two different zones; different percentages here. The northern zone has 19.9 percent of the ACL and the southern zone has 80.1 percent of the ACL. We're a little bit higher here, but both zones have 7 to 8 percent of the quota taken at this time.

MR. HARTIG: Any questions for Sue?

MS. GERHART: Did you want cobia?

MR. HARTIG: Yes, I would.

MS. GERHART: Cobia is on the calendar year, so that is a little bit farther along and they are at 29 percent of the quota and are looking about where they have been in previous times.

MR. HARTIG: Any other questions? Are you going to do the recreational report? Okay, status of the recreational catches; Dr. Nick Farmer is going to give us the recreational status update.

DR. FARMER: I think you guys have seen this type of presentation a few times. These are landings summarized using MRIP or MRFSS, depending on which unit the ACL is specified in.

The landings are consistent with our SERO ACL monitoring protocols, so we're post-stratifying the Keys and dealing with regions and stuff in the same way that the ACLs were specified.

These landings are updated so they do include both the MRFSS/MRIP landings and also headboat. For cobia, king mackerel and Spanish mackerel, these are the 2013/2014 landings and ACLs, and you can see none of them exceeded the ACL in that season. Then here are the preliminary landings relative to the ACLs for the 2014/2015 season.

You can see that as of right now at least we don't have anything exceeding the ACL for cobia, king mackerel, or Spanish mackerel. Here is a breakout of the South Atlantic king mackerel recreational landings. These are landings in pounds whole weight; and what you have here is the fishing year on the left side of the table, and you have the landings broken out by the various modes; charter/headboat, private, shore, and total.

Recall that the king mackerel area covers from New York to east Florida. The fishing year is from March 1st through February 28<sup>th</sup>; and please note that the final row there, the 2014/2015 landings; the 2015 landings there are preliminary. Here is South Atlantic king mackerel, and this is a pretty noisy graphic; but I think you guys have seen this a couple of times in earlier presentations.

But basically on the left-hand side here you've got the total landings in pounds whole weight. This is a stacked bar graph, so what you're looking at is the top of the stack there shows the total landings and then the different color coding within the stacks show the breakout by the different modes.

For example, you can see for South Atlantic king mackerel the landings are predominantly coming from the private mode, followed by the charterboat mode, and there is a little bit of headboat smattered in there, and a tiny amount of shore-based landings at the top. You also have overplotted in this graphic the MRFSS angler trips times 100, and that is in red.

That is that red line there. Then also you have the headboat angler trips, and those are in orange. Hopefully you guys can see those, but the MRIP line, if you're colorblind, is the one on the top; and the headboat line is the one on the bottom. I don't mean that to be joking. My son is colorblind, so he wouldn't be able to see the difference between those two. But the ones on the top; that is MRIP, and it has been converted with 100. Then another thing that you can see there is the ACLs, and those are those three dots in the final three seasons there. You can see we didn't approach those.

The same deal for the South Atlantic Spanish mackerel here; fishing year going down the left-hand side and then you have the different modes and the total; same fishing area, same fishing season. A similar graphic for South Atlantic Spanish mackerel, you can see the ACLs there showing up starting in the 2012/2013 season. On the far right, those are the three dots for the final three years.

You can see that this fish is also predominantly landed by the private mode. There is also a fair amount of shore-based landings and a little bit of charter landings. Headboat landings are pretty minimal compared to those other modes. You can see the MRFSS angler trips trend through

time seems to be declining; and then you've got your headboat angler trips trend, which is the orange line below it.

MR. HAYMANS: The headboat angler trips are just that; there is not species-specific, they are not directed effort. That is the same on both graphs, right?

DR. FARMER: I believe that is true. I'll have to double check with the guy who prepared these slides; but, yes, the MRFSS angler trips are not directed trips in this. The headboat angler trips I would assume are also just angler trips. There are lots of different ways of treating that headboat effort.

We get files that provide us headboat angler days where they take into account that some trips are a half-day trip, some are multiday trips; so not all trips are created equal. That is another way that we could provide this information if you really wanted to get down into the details on it. We do have ways of looking at directed trips for these species both from MRIP and from the headboat perspective as well.

You can define those basically a trip that encountered the species or else you can go a step further and define it as a trip that encountered species, that are species encountered often on trips that target that species; kind of that Stevens and MacCall method that the Science Center uses often to define effort.

MR. HARTIG: Any other questions of Nick? I appreciate it, Nick. It is nice to see king mackerel at least in the recreational sense – now it is not a whole big jump; but at least it is starting in the right direction after four years of decline. Hopefully this new year class will help us out in the coming years. That brings us to status of amendments under formal review, and I believe Rick DeVictor will give us that presentation.

MR. DEVICTOR: Mackerel Framework Amendment 2 would modify a system of trip limits for Spanish mackerel in the southern zone. CMP-2 was approved by the council in September and submitted for secretarial review on November 5, 2014. The proposed rule published on April 9, 2015, of this year. The comment period ended on May 11, and the final rule package is under review in the region.

MR. HARTIG: Any questions? That brings us to our advisory panel meeting report, and that is Attachments 3A and 3B. That is Kari.

DR. MacLAUHLIN: The AP met in April, and it was a really productive meeting. We had several new members, because we had some old members term out. They did a great job. We had a presentation from Dr. Peter Barile, which you also were provided on Thursday with the package that Mike Collins sent out to you.

If you don't have that, you can also access it in the briefing book online under the mackerel tab. It is at the bottom, and I think Ben may speak about that when we get to Amendment 26. We went through Amendment 26 and they made recommendations for the council, but I'm going to just go through those when we go through that decision document.

We also went through the Charterboat Reporting Amendment, and they had a few motions that the council consider for-hire permits for CMP if they were going to do the for-hire electronic reporting. Dr. Mike Denson from South Carolina DNR also came and provided a presentation about the cobia populations in the southern part of the state and that the state is concerned with these populations, and they are considering some regulations to put in there.

He briefed the AP on that. We talked a little bit about Amendment 28. In general the AP was not supportive of separating permits or separating the fishery management plan. That is what they recommended in the form of a motion; just maintain status quo. We had some administrative business. Our AP Chair, Bob Pelosi, this was his last meeting as Chair, so Ben presented him a commemorative box to thank him for his service.

The AP selected Ira Laks as their Chair and Steve Swann as the Vice-Chair. I think that will be really good. Ira is one of our new members, but he was very involved and I think will be a great Chair. Bob Pelosi also brought up a topic under other business about the cast net users and the hook-and-line fishermen targeting Spanish mackerel in Florida.

He just wanted the council to be aware that there have been some user conflicts over fishing grounds, and the cast nets were bringing in large amounts of the Spanish mackerel and that can affect the price when the market becomes flooded. If there are negative effects, his recommendation was that the council look into that and see if the cast nets maybe need to be limited.

Then under other business we also had a couple other motions come up. One was to prohibit bag limit sales of cobia. This was approved by the AP, but we did have four opposed. Also in the motion was to attach the sale of cobia to king mackerel commercial permits. You guys had considered that in Amendment 20A, creating some kind of commercial permit requirement for cobia.

That is what the AP was recommending here, and in that way it would prohibit the bag limit sales of cobia; and then go to one per person recreational bag limit in the EEZ off Florida, so that it would be consistent with the Florida regulations; and then a commercial limit at four per boat or two per person, whichever is higher.

The AP also recommended that the council urge Florida to get a tournament system in place for the king mackerel and Spanish mackerel sales that are allowed through 20A, and that the tournament sales be tracked with a special code on the trip tickets so that we could go back and look at how those tournament sales are adding up for the commercial quota. Then some AP members felt that those tournament sales should not be counted against the commercial quota; they should come out of the recreational quota.

MS. McCRAWLEY: I was going to respond to that about the Florida tournament permit system. We're actually taking that to our commission meeting that is the week after next to see if we can get that approved. That is in the works.

MR. HARTIG: Any question of Kari about the AP report? Seeing none; we'll move right along into 26, I believe.

DR. MacLAUHLIN: I'm going to walk through our discussion document. There were a lot of changes to the language that we're suggesting for the alternatives; and basically what the IPT would like is at the very least to approve the actions and make sure all the alternatives are in there that you want us to get started on analysis and that the language is capturing what you are looking for.

Then we also with the ABC and ACL actions had to really reorganize those, so bear with me through that part. We'll get going here. I sent out with the second briefing book an agenda that had a revised attachments list, because we added a couple. You have for this one; you have Attachment 4A, which is called an options paper/Draft Amendment 26.

That is because the Gulf Council, who has administrative leave, called this an options paper until they've approved all their actions and alternatives; but it is like a half draft amendment for us. It has everything the decision document has in it except that it is going to have a longer explanation of the background and the history of management and everything.

What we're using right now is Attachment 4B, so that is the decision document that I made for you guys. That is what we're going to be going through today. Then you had Attachment 4C, and that is the Gulf 2015 scoping summary for 26, and then also their AP report; just so you guys have that. I'm not going to go through it; just reference so you can see what was coming in.

I do have those in Attachment 4B that we're going to go through. There are several actions in this amendment mostly to update the stock boundary and then all the actions around updating the ACLs based on the stock assessment. We also have an action to consider an incidental catch allowance for Atlantic king mackerel caught in the shark gillnet fishery.

Then we're going to work through the Florida east coast subzone management measures. Then the Gulf has four actions, which is updating their ACLs and revising their commercial zone quotas based on those; considering revising that recreational/commercial allocation for Gulf king mackerel, and then they are looking at modifying the recreational bag limit for Gulf king mackerel.

Here is the tentative timeline. As always, this is flexible and we'll see how everything goes at this meeting. Possibly in August and September is when you guys will approve for public hearings, and we'll have those in the fall; then right now December, South Atlantic final action; January, Gulf final action; that is the tentative schedule.

The Gulf Committee met yesterday and I have some of their motions in there. The IPT staff; the leads are putting together a draft purpose and need and so you guys will see that at your joint meeting after you decide all the actions that you want in here and we are clear on that. Getting right into Action 1, this is modifying the management boundary.

In the stock assessments they used a different approach in which the mixing zone was in the Florida Keys and the boundary did not shift. We want to update that. You have three or four alternatives. The first one is no action, maintaining that current mixing zone. Then we have one that establishes a permanent year-round boundary, and it will be at the – I have it in Figure 2 – it is going to be at the council boundary line.

What this would do is that the South Atlantic would manage the mixing zone. That striped area right there is the mixing zone that was proposed in the new stock assessment. The South Atlantic would manage that; and it would be permanent and year round. We also have the alternative that you approved at the last one; and then the IPT is going to recommend taking some of that out.

We'll get to that when we get to committee actions. Alternative 3 establishes that line at the Dade/Monroe County Line you can see in Figure 3. What that would do is that the Gulf Council would manage all of the Florida Keys all year. This was the recommended by both the Gulf and South Atlantic Advisory Panel.

MS. McCAWLEY: You might have said this already; is our goal today to pick preferreds in this document?

DR. MacLAUCHLIN: If you feel that you are ready to. We don't have any analysis; we only have scoping comments and AP comments. At the very least, we would like for you guys just to approve the actions and alternatives and language; but it is up to you.

MS. McCAWLEY: Did the Gulf approve preferreds?

DR. MacLAUCHLIN: They did on one of their actions. On this one they just approved the language that we have here for you guys to approve also.

MR. BROWN: Ben, are we going to discuss this on Thursday with the Gulf Council?

MR. HARTIG: Yes. You will get a refresher and we will talk with them, and we will have separate committee actions throughout that get-together; so you get two shots at this, basically. Kari; are you finished with your presentation on Action 1?

DR. MacLAUCHLIN: What I would like for the committee to do is approve the languages in Alternative 2 and Alternative 3; and that basically is the language you approved at the last meeting with that last sentence struck out about the way that it would be tracked. We don't need to have that in there. Then for Alternative 2 and 3, and then you guys if you want to add or remove, tweak anything.

**MS. McCAWLEY: I make a motion that we approve the new language for Alternatives 2 and 3 in Action 1.**

**MR. HARTIG: Second by Doug. Discussion? Is there an objection to that motion? Seeing none; that motion is approved.**

DR. MacLAUCHLIN: That is all staff needs.

MR. HARTIG: Normally when we talk about preferreds we have the analysis before us before we do that. I think that is probably a wise decision.

DR. MacLAUCHLIN: Action 2; the first part of this action is just language. There are no alternatives; you are just updating these biological reference points, the MSY, MSST, MFMT,

OFL, and so all we have is the language that will go into the amended FMP, updating everything. In the document that you received, there was a discrepancy between the table in the SSC report and then the text in the SSC report about that they did not recommend an MSY or an actual value.

But then later they did, because they recommended 30 percent of SPR as the proxy for MSY. We made a slight change here that when you approve this language; that this is what you will be approving in the first paragraph. Instead of where it says, "The SSC did not recommend a value for MSY, so the 10.4 remains in place" that is incorrect.

The SSC recommended a proxy for MSY at 30 percent SPR, which is 12.7 million pounds. Does that make sense? Then we will use the updated table to show that MSY value. In Table 2, the IPT suggestion is to revise to only specify the OFLs through 2019 and round to one decimal place, because the SSC gave you the recommendations that also included 2015.

But since this won't get into place soon enough, they provided you recommendations starting at 2015/2016 fishing year. But then they recommended that you not go beyond five years before reviewing again. But since this one is going to take a little more time, you really are only going to be able to set four years' worth of OFLs and ACLs before the SSC has recommended that you come back in and review that and make sure everything is working.

For now the IPT is recommending that we only go through the 2019/2020 fishing year and rounding it to one decimal place. For this, unless there is any language that you would like to edit, we just would need a motion from the committee to approve the language for the biological parameters.

**MS. McCAWLEY: I move that we approve the new language for the biological parameters in Action 2.**

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

DR. MacLAUHLIN: Then we have the next two actions broken out into sub-actions 2-1 and 2-2, and in 2-1 you are going to set the – these are the alternatives for the ABC based on the recommendations from your SSC. There was a little confusion on my part. At the last meeting I was showing you there were ABCs for high recruitment, medium recruitment and low recruitment; and then also an equilibrium yield value; then a 75 percent of that equilibrium yield value. Those were not ABCs.

The only ABCs that the SSC recommended were under the high, medium, and low recruitment scenarios. Then in Action 2-2; that is when we bring in the deterministic equilibrium yield values that they also recommended you guys can consider for the ACL. For here we have the language for you to approve.

Some of this is based on what you approved at the March meeting, so we will need you to review that and let us know if you have any edits or just approve those language changes. You have four alternatives, including the no action. Each one is just the high recruitment, medium



recruitment and low recruitment scenarios, which we have in Table 3. Then we're only setting those through the 2019/2020 fishing year. You do have some AP recommendations.

The AP recommended that the ABC be set at the high recruitment scenario with a review after two years to evaluate if it is the appropriate ABC level. They felt like this is a period of high recruitment; and then also because that high recruitment model wasn't the highest, it was an average for the projected landings, so they felt that there was even more of a buffer.

If you set it at the high recruitment and had a way to come back and review it in two years, if that ended up being not the right scenario to use; that you could go back and change that ABC through a framework amendment. Our scoping comments, in general commenters wanted the ACL set at the highest level possible so that would mean setting this ABC at a high recruitment scenario.

Then also that they felt there was an abundance of the small fish, and so there were these age classes coming in. There had also not been any hurricane events that would affect recruitment. Then in Gulf scoping most of the commenters supported increasing the ABC or ACL if they could, as long as overfishing did not occur.

Under the committee actions, we would ask if you edit and approve the language that we're going to put in Alternatives 2 through 4; if you want to add or remove any alternatives for the ABC; and if you want to select a preferred alternative, there is no analysis at this time.

**MS. McCAWLEY: I move that we make the suggested changes to Action 2.1.**

**MR. HARTIG:** Motion by Jessica; second by Doug. The one thing I'll say while we're getting the motion on the board is that this was rather confusing for me to go through this and really only at the last meeting did I figure out that the SSC gave us ABC and ACL recommendations. That was a confusing part of this; but now that it is straight, I hope you guys got it straight, too. It took me a while. Discussion. **Is there any objection to this motion? Seeing none; that motion is approved.**

**DR. MacLAUHLIN:** Okay Action 2.2 is the ACL, and then also the recreational ACT will be updated for this. We have a no action alternative. Then you have a lot of tables, because there are lots of different ways that this could work out. You have all the information that you needed with how this would work out under those different ABC scenarios and then under what we expect those southern and northern zone allocations to be.

I am not going to get into all the numbers; those are just there for your reference. Alternative 2 would just set ACL equal to OY equal to ABC; as whatever you selected in Action 2-1. That would all depend on high, medium or low recruitment. Alternative 3 is where the ACL would be set at the deterministic equilibrium yield at F at 30 percent SPR, which is 12.7 million pounds. This was recommended by the SSC.

Instead of setting your ACL based on just your ABCs, this sets it at this long-term equilibrium yield. This is not binding like an ABC. You cannot set the ACL higher than an ABC; but this is the recommendation from your SSC. We can probably get our SSC folks to talk about that or

Mike if you guys have more questions. This doesn't change like it does if you set the ACL equal to ABC. It would just be 12.7 million pounds.

We also have Alternative 4, which takes the same thing but sets a buffer of 75 percent of that. It is usually in the terms of references for the assessments, and so that is why we included it as an alternative here for you if you wanted to use that equilibrium yield but put a little more of a buffer in there.

Then we have Alternative 5 and 6. These are ones that you usually consider including; but if there are any alternatives that you're not interested in, this would set the ACL at 90 percent of your ABC that you selected in 2-1. Alternative 6 would set it at 80 percent of the ABC that you selected in 2-1.

Our AP recommended setting the ACL equal to the high recruitment ABC. There were some concerns that there would be negative effects on the stock if that ABC was not appropriate, but that the council should come back and review after two years; so if that is not correct, you can make that change in a framework amendment.

Then our scoping, in general commenters wanted to set the ACL at the highest level possible; a few people supporting the medium recruitment ABC; and the same for the Gulf scoping comments. What I would need from you guys is to edit and approve the languages in these alternatives if you wanted to keep all of them.

**MS. McCAWLEY: I move that we accept the changes in Action 2-2.**

**MR. HARTIG: Second by Doug.**

DR. McGOVERN: I wonder if I could throw a couple of additional edits into that motion. With Alternative 1, the no action; currently we set up in Amendment 18 that ACL equals OY equals ABC. I think that is the no action. Then Alternative 2 says establish ACL equal to OY equal to ABC, but that is already in place. I think we could change that to set or establish it to the new ABC or set ACL equal to OY to the new ABC. Those are just a couple of minor edits I think we could make.

DR. MacLAUCHLIN: Just to be clear on the record; this is to approve the language that I have here up on the screen. Particularly for Alternative 5 and 6; I added the part on the end that says based on the ABC levels in 2-1; and then also under Alternative 2 it would say set ACL instead of establish.

MR. HARTIG: Okay, are you good on that Jack? We've got all the wording in there. Discussion? **Is there any objection to this motion? Seeing none; that motion is approved.**

DR. MacLAUCHLIN: Moving on to Action 3; this is the incidental catch allowance for the Atlantic migratory group king mackerel caught in the shark gillnet fishery. Currently sale of the Atlantic kind mackerel caught with drift gillnet as incidental catch in the drift gillnet small coastal shark fishery is prohibited. This was the practice before 20A; that on the commercial shark trips the vessels had their valid commercial shark permit and a commercial king mackerel permit; but because gillnet is not an allowable gear for king mackerel in that area, they would

sell it under the bag limit. That would be two per person per day, and there is three people on the boat, so no more than six per boat.

Then after 20A they were no longer allowed to do that. You guys approved the language here. It was just basically action and no action; and you approved it in which the vessels fishing in the Florida EEZ no more than two king mackerel per crew member; and then in the EEZ north of the Georgia/Florida Line, no more than three.

That would just align it with what the current bag limits are. We took it to the IPT and there was some concern that you guys may want to consider a bigger range of alternatives, so that is why you have some suggestions in here; the IPT suggested alternatives. Then we did some changes do not allow retention and sale, and some others just to make sure that we had the language right for our regulation writers.

Alternative 2 would allow retention and sale when the vessel has a valid shark-directed commercial permit and the valid federal king mackerel commercial permit, and they would have to sell the king mackerel to a dealer with a southeast federal dealer permit. We have a couple options; one is to just set it to allow this in the EEZ off Florida.

I'm sorry, Option 2A is the one that captures what you approved for Alternative 2 at your March meeting; so the Florida EEZ would be 2; and then north of the Georgia/Florida Line it would be 3, and that would just align it with the current bag limits in place. Then we also included a possible option 2B.

This would set it for the whole southern zone. That is just if you guys want to be consistent throughout the zones, maybe move from using the state boundaries and really start using the southern and northern zone since they are set up. We could do something like that and set it at 2 all the way to that South Carolina/North Carolina Line.

Then in the northern zone, it would be 3, if that is something going on up there. Then we also included Alternative 3. We put this in there because instead of numbers of fish, it would use pounds. Sorry about this edit where they are exactly the same. I think one was supposed to say the southern zone, but we can tweak this.

If you guys want to add this alternative where it is exactly the same, except instead of numbers of fish it is pounds, and we can tweak this if you decide that you want to add it. Our AP was supportive of it. They were supportive actually of Option 3A in which it was 100 pounds per vessel per day.

They felt that it would reduce the dead discards, but it would still be low enough where no one would try to target this. One AP member preferred 50 pounds instead; and then they requested a little more information about the number of pounds per trip. The Gulf AP also supported this as long as the vessels had the federal kind mackerel permit and then also the commercial king mackerel season was open in that zone. Then in general we had support for this at the scoping.

MS. McCAWLEY: On this Action 3, the Alternative 3, I have some concerns about this 100 pounds partly because the other alternative is two fish; and I think that 100 pounds is maybe around 13 fish. It just doesn't seem to really go together very well. Maybe we need an

Alternative 3 that maybe we can that; A; change the pounds to numbers of fish and choose a different number of fish.

MR. HARTIG: I had the same concerns. To me from a law enforcement perspective, counting fish is much easier than counting pounds, and then you get into how many pounds is over the limit. It really puts a fisherman in a bad position, because he could be targeted for enforcement violation for not being very far over 100 pounds.

I think the way we had it before was the way I would like to see it continued. It was a two fish per person bag limit, and that I think you were speaking to. I don't think we ought to entertain the poundage requirement. I think we ought to leave it at the two fish.

MR. COX: On the range of alternatives I'm looking at here, it looks like the IPT suggests there be a criterion here where it has to be a directed-shark permit. It seems that the incidental shark permit would be just as valid in this situation because that is what we have it for.

DR. MacLAUHLIN: We'll add that back in there. The shark incidental permit is correct, also.

MR. HARTIG: Yes, we can add it in there; but realistically if you're going to use a drift gillnet, you are not going to be catching 12 coastal pelagics for sale. It is just not in the realm of what the business model is for the shark drift net fishery. I can't remember what the incidental allowance is for those small sharks.

MR. BROWN: If they are impacting kingfish – I mean if they are catching some kings in their net; after they've gotten a couple of them, should they be allowed to set it back out again?

MR. HARTIG: I don't think we need to get into that kind of specificity. It occurs occasionally. They have actually changed some of the way they fish. Some of them actually anchor the net now and they don't have near the king mackerel bycatch that they used to. It is going to be a problem, Mark, as this fishery wanes and then comes back again.

When you get a big year class of the small fish in the fishery, they're going to have more bycatch, unfortunately. Then as those fish move through the fishery, they get less and less bycatch over time. I don't think we need to add that in there. I don't think we really need it. It adds too much complexity to it; and then how do you enforce it? That is another thing.

MS. SMIT-BRUNELLO: I have a couple of questions and I'll start with Alternative 3. Maybe you've discussed this and I missed it; but in my version of the discussion document 3A and 3B look identical to me.

DR. MacLAUHLIN: Yes, that is a typo. I think that we were trying to come up with pounds or areas to suggest, and then somehow it slipped past us. Basically we put Alternative 3 in there for pounds instead of numbers of fish, and then the council could decide if they want to do 50 or 100 or something like that. It was a typo.

MR. HARTIG: Essentially, Monica, the option in Alternative 2, 2A and 2B would be the same for 3A and 3B. It would be I guess the Florida EEZ and then the southern zone. I think that is what that was trying to get at two different ways to look at that; I believe.

MS. SMIT-BRUNELLO: That was going to be my other questions, kind of, sort of, which is 2A and 2B are really more than two alternatives. To me they look like they are like four alternatives, right? They don't mirror each other, so what I wondered to give you more flexibility is, for example, with Option 2A; the first sentence talking about the EEZ off Florida would be one option.

Then the next sentence that starts for shark gillnet trips in the EEZ north of the Georgia/Florida Line; to me that seems like a separate sub-option. The same would be true for 2B; so really for example then under Alternative 2 you wouldn't have just Option 2A and 2B, you would have 2A, 2B, 2C, and 2D of which the council could choose very different alternatives.

MR. HARTIG: Let's go to Sue and you guys can hash this out.

MS. GERHART: The problem with that is the overlap is different. The two that are in A currently have to go together, and the two that are in B currently have to go together, or you have certain areas that would have two different things at the same time. It has to do with the geography, if that makes sense.

MS. SMIT-BRUNELLO: I'm sure it makes sense, although I do not understand it. Maybe when the document gets further analysis put in there – I mean if you are telling me that is the way it has to be, I can accept that as long as I understand it. Then I'll understand it once I read it with more analysis in it, I guess. A map is a great idea.

MS. McCAWLEY: Well, first I was going to say we delete all of Alternative 3. Maybe that is not the best plan, because I was wondering if we added more sub-options under Alternative 2, if we had a large enough scope; so if we needed to keep Alternative 3, then once again I suggest – I don't know what the magic number is, but I suggest that we replace those pounds with some other number that is in numbers of fish not pounds.

MR. HARTIG: Yes; and I had asked Kari to see if she could find the numbers of what they actually catch; what are the numbers of pounds that they actually land on an average trip? You could probably equate that to a number of fish and have another option if you wanted to do that. But those numbers are not easy to find, HMS observers and things of that nature.

Then you have to go right to the trip tickets for those specific vessels, so that is not something we could do in the timeframe that I had asked Kari. Yes, that is something we could look at if you would like. What are your druthers? I would like to see it go away; then you get rid of all that additional complexity and going to the poundage requirement.

MS. McCAWLEY: I guess I would ask Monica if we delete all of Alternative 3, do we have an adequate range in this action?

MS. SMIT-BRUNELLO: Well, I am still trying to wrap my brain around Option 2A and 2B, so preliminarily I'll say, sure, you do, although I may have to get back to you once I understand it more to see. I guess I need to think about this further and how we're breaking it out. I don't know though conceptually if Alternative 3 is just going to deal in pounds where Alternative 2 deals in numbers of fish.

You may have said this, so I apologize if I missed it. I am sure you could make an argument as to why pounds wouldn't be reasonable, and maybe you just need to state a reasonable alternative. Maybe you just need to tell me that again, if you already did; and if you didn't, would you please tell me why it is not a reasonable alternative.

MR. HARTIG: Well, from the enforcement perspective, if the Coast Guard or the Marine Patrol gets on that boat and he wants to know if they are within the bycatch limit, and it is 100 pounds; they have to go back to the dock to weigh 100 pounds of fish. If they are on the water and they intercept a boat and it is two fish, they can absolutely make a determination of whether that boat is compliance or not right on the spot.

It really helps law enforcement tremendously. Then the other thing is when you add a poundage requirement, you add another layer of complexity to the enforcement where you may be over that hundred pounds when you get back to the dock; and then that is a judgment call how much over 100 pounds is a violation by the officer who intercepts that particular boarding.

Then that is another possibility where a fisherman could get in trouble for something he inadvertently didn't want to do in the first place, didn't want to be over the trip limit. We face those with a number of different fisheries.

MR. BOWEN: Not only does it help the law enforcement, but in my opinion it helps the fishermen as well.

DR. DUVAL: Monica, I think we were just trying to allow for this incidental take that used to be allowed, but it was sort of an unintended consequence of the actions that we took in Amendment 20A, I guess it was, with the bag limit sales. These are dead fish so we're trying to not have them be thrown back dead but also trying to not create a directed fishery, so just trying to restore what was status quo prior to 20A.

MS. SMIT-BRUNELLO: Okay, I think that you've made some compelling arguments, so I think if you got rid of Alternative 3, I wouldn't see a problem with that.

MS. McCAWLEY: I move that we accept the changes to Action 3, including the deletion of Alternative 3.

MR. HARTIG: Second by Michelle. Further discussion? Is this considered but rejected stuff or not? Okay, Monica said yes. Can we change your wording?

MS. McCAWLEY: Sure.

MR. HARTIG: Is that all right with the seconder. I see heads nodding. **The motion is to accept the changes in Action 3 with Alternative 3 moved to the considered but rejected appendix. All right is there any more discussion to this motion? Is there any objection to this motion? Seeing none; that motion is approved.**

DR. MacLAUHLIN: Okay, this is the last complicated one, really. We have Action 4. It has three pieces in it based on some AP recommendations. Currently there is an area called the Florida east coast subzone in that it only exists in the winter because the boundary shifts between

the Atlantic and the Gulf. In the winter previously we had thought that they were fishing on Gulf king mackerel.

Well, now that we are changing that boundary in Action 1, really the Florida east coast subzone is not going to exist anymore, because that was set up under the Gulf zone system. You may have to establish a new area that you can call the Florida east coast zone or subzone. That is just what we've been calling it; maybe it needs a new name, because it is different.

Right now it is the Flagler/Volusia Line to the Dade/Monroe Line, so I have a little cutout here of Florida. When we went to scoping, we asked the folks that fish in the Florida east coast zone about do you want to establish a zone exactly the way it is now in the winter between these areas? Do you want a sub quota? Do you want to change trip limits?

Do you want to do anything, endorsements or anything like that? We didn't get a whole lot of feedback at that scoping meeting; they were focused on some other things. We took it to the AP and we have some of our new folks who came from this area of Florida; and we said please be ready to make some suggestions for how you want this managed that we can work with.

They did a great job and really laid it out. They had a plan. These are the Florida east coast contingent. Their first idea is that it would just be they would fish off the southern zone quota; there wouldn't be any kind of sub-quota for Florida. It would just be part of the southern zone quota, and it would be split into a first and second season.

The first part would be March 1st through September 30th, and it would get 60 percent. The second would be October through February, and it would get 40 percent. There would still be quota transfers if needed between the northern and southern zone. We would have to really think through how that would actually work with a split season for the southern zone, if that is something you want to consider.

Then they suggested setting up just the trip limits within the zones, which is 75 fish with a step-down to 50 fish on either date or you could set it up for just one day or for the whole summer. These were just some of their ideas. Then for that second season it would be 50 fish. This is their winter season.

It would be an increase of 75 fish if a certain percentage of the quota has not been met. That is how it is set up now for them in the winter. They have a step-up, so they still have the opportunity to max out their quota. Then the trip limit north of the Flagler/Volusia Line would be 3,500, which is what it is now.

Some AP members suggested looking into a trip limit that was pounds instead of number of fish for the Florida east coast subzone or some kind of combination of both. Then we also got some scoping comments. In general, people did not want the sub-quota for the Florida east coast subzone, but there were a few folks that thought that might be okay.

Some changes to the boundaries, wait put the new ACLs in place and then see if you want to do some management there and changing the fishing year. Then the Gulf scoping in April found that there was opposition to any kind of endorsement program, because they felt like it would exclude some fishermen, and then also the sub-quota could negatively affect the market.

What the IPT did, we took those AP recommendations and kind of broke them down into three actions for you guys to consider. The first one is what sets up the boundaries if you want to do that. Remember now we have northern zone and southern zone. Maybe that is how you want to manage king mackerel once we've set that new stock boundary, to simplify it, or you could set up this subzone within the southern zone.

Alternative 1 would be there would be no specific Florida east coast subzone. It would just be absorbed into the southern zone. Alternative 2 would set it up where the boundaries exist year round at the Flagler/Volusia Line to the Dade/Monroe Line; Volusia/Brevard; or Volusia/Brevard to the council jurisdictional boundary. That may be Dade/Monroe if you guys select that for the stock boundary.

Then we have Alternatives 3 and 4. These are what capture kind of that split season that the AP recommended, and then we have some potential options for you guys to put in there. Alternative 3 would set it up exactly the way that it is set up now where it exists from November to March and then one that exists the rest of the year.

There was a typo in the original document that you got in Option 3C and 4C where we had been playing around with what county lines to suggest; and so there were three boundaries in there and that was incorrect. It should just say Volusia/Brevard and the council boundary; but however you guys want to do that.

This action the staff needs some – let us know what it is that you are really interested in or what you want us to really work out for you for the next one. But to move forward, if there are options that you are specifically interested in; what the fishermen suggested was just setting up that split season and then having very specific trip limits in those areas.

MR. HAYMANS: I would ask you, Ben, is it really necessary that we have a subzone there? We haven't reached the ACL and we're bumping the ACL up.

MR. HARTIG: Yes, I think there are biological characteristics of those fish in the wintertime that are different than the fish that are caught throughout the rest of the time in that area. There are fishing techniques that are different during the wintertime. It is primarily a trolling targeted fishery; whereas, the summertime or the May/June fishery is primarily a live bait fishery, which we catch bigger fish.

I think having this and the split season in there allows the fishermen to look at both and to try and get a more simplified version of how they want to manage the fishery. I know it looks complicated now, but it could be simplified. I think the split season would get rid of a zone, if you just split the season. You would have some time/area restrictions, but you wouldn't have a specific zone.

I will say that Alternative 2 – first I'll say that the IPT did a great job with what the AP gave them to work with. They fleshed it out pretty well. Alternative 2 is one that we probably wouldn't want to do; because if you establish that Florida east coast subzone year round, that is where most of the fish are caught, anyway, and it doesn't do much for you. It is really getting at the wintertime versus the summertime fishery and the differences that occur in each of those.



MR. HAYMANS: I guess what I'm looking at is we're about to potentially establish an ACL of somewhere between 3.7 million and 5.2 million pounds; and we haven't touched that in the last five years. I really don't see the need to further zone it or split it by seasons.

MR. HARTIG: Yes; the problem is if you look at recruitment, the last five years have been low and then the fifth year was the lowest in the entire time series. We talked with the assessment scientists about that and looked at long-term recruitment trends. About every five to eight years you get a good year class of king mackerel.

Unfortunately, we didn't have one with the data that went into the assessment; but they bought into the long-term recruitment trends and gave us an ability to set a higher ACL based on if we saw some good recruitment coming into the fishery in the interim or during the five years between assessments or six years; however many years it is.

I very much appreciate it. Subsequent to that, I told them in 2012 that we have indications of a good year class that were not within the area of where the MARMAP sampling occurred, which is farther south where I am, which we normally don't see. That particular year in the area where those fish spawn, the Gulf Stream was 18 miles offshore of Jupiter for three weeks, which is an extraordinarily rare event.

The hypothesis is that the animals, when they spawn, the larvae weren't carried as far north as they usually are and weren't captured by that larval survey. Subsequent to that, these fish that we saw in 2012 are the fish that are supporting the fishery that we see in this year's catch. They are finally big enough to enter the fishery.

It looks like there is probably another year that is probably not quite as strong on top of that; and then actually this year again we saw some more recruitment, not at the highest level as we did in 2012, but there has been more recruitment into the stock since that time. I forget what your question was.

Do we need the subzones? I think we may be able to work through it and out of it after the fishermen look at what we have here for this and what we have for the split seasons. They may just go ahead and say, no, we'll just leave it at 75 fish throughout the entire range of the stock like we had it in the Atlantic stock to begin with, and we're done.

It is just that if you go to the high recruitment scenario initially, there are several ways to be conservative. The trip limits themselves limit the amount of fish caught where most of the fish are caught. You have that that limits your F; and whenever the stock goes down, F goes down. Current F is the lowest F we've had in 20-plus years.

That is just the way this fishery works. Then you're always waiting on the next year class, which seems to have come into the fishery. I'm pretty confident that we'll be able to do something. The first couple of years you still want to be a little bit conservative and we can always pull back in two years and look where the landings are, look at what the cohorts are going through moving through the fishery; because if you look at Peter's work, he shows those cohorts coming in.

Those should track through the fishery in time and we can look at that kind of information and make an informed decision on whether we may want to back off the high recruitment scenario.

Those are just my thoughts on a number of different things; but they all tie into your question about do we need a subzone.

DR. MacLAUCHLIN: First of all, would we need an action if you did not want to set up a subzone, because otherwise would it just absorb into the southern zone? Then my second point is that the AP recommendations are setting up the subzones not for a sub-quota but for a specific trip limit in that area, and they move the boundary.

You can create one or you can just in the trip limit action, which is 4-3, just set those at the county line instead. I guess if there are specific management measures that you want in a specific area; then you maybe would want to designate something as the subzone unless you wanted to just use the county line.

But I think my main question is – Sue, I don't know if you know this – if you decide here that you're not interested in looking into this; do we need the action at all or would we still need something and then it would just be no action?

MS. GERHART: I don't think we would need the action. You could set different trip limits for different areas without having zones. We have that already in the current regulations.

MR. HARTIG: The question I have for you, Sue, is if we did not set up any zone and not set up any split trip limits; for me it seems like the default position would be that the trip limit would be 75 fish. Is that right or not?

MS. GERHART: I think that is the tricky part; it is not clear. If that zone goes away, does it default to what the rest of the area is or is there no trip limit at all? That is I think something we would have to talk with Monica a bit when we have a little more time to work through it. These whole three Action 4 sections were very difficult to try to put together, and I'm not sure that we have them right now even as it is.

MR. HARTIG: No, but you're pretty close and you guys did a great job putting together what you did. It just brings up the question – I mean, you had the no trip limit in there; I saw that. I didn't see how that quite would work, but with the Volusia/Flagler, with the east coast subzone being, does that remain in the no action alternative? Is that part of the no action? That is what I'm trying to figure out.

MS. GERHART: Yes, and again that is what is complicated, because no action right now means the zone is still there; but if you take it in conjunction with Action 1, which eliminates that zone then it is not; so I think if we put some notes at the top that say this action is only appropriate if you choose this alternative in Action 1, then maybe that gets us out of the quandary of what is truly the no action. It would be in the case of whatever we picked for Action 1.

MR. HARTIG: Is everybody clear on that? I know exactly what she's saying, believe it or not. It is all good. All right, so what is the pleasure of the committee? Where are we Kari? What do we need to do?

DR. MacLAUCHLIN: What the IPT needs to know is do you want to add this action and then what alternatives would you want in there? We have some example alternatives that we could

work with but with moving the boundary around. These are just suggestions just so that there would be a range in there. If it is not something that you're interested in, then I think you could just not include this action. I guess we would move it to the considered but rejected since we suggested it.

MR. HARTIG: I think it would be good to keep this action in here and the split trip limit one as well and let the fishermen, during the public process, be able to sort it out into what they really want. If I was making the motion to include Action 4-1, I would put Alternative 2 to the considered but rejected based on it doesn't do what we want it to do from the fishermen's standpoint. But the rest of them would; you have the same as current in Alternative 3. Then you have a date change in Alternative 4 that was suggested by the AP, I believe.

DR. MacLAUHLIN: Maybe what we can do is looking at the decision document go through the alternatives. Maybe not Alternative 1, we may have to tweak that and bring that back to you once we figure out exactly how to write that no action. But for the rest of them we could go through, you guys will strike it right here; and then once we have how you guys want it, then someone can make a motion to accept the language as edited or something like that.

MR. HARTIG: Yes, I think so; I can go that direction. You want to go to the next action?

DR. MacLAUHLIN: No. Ben was saying that he didn't think Alternative 2 should be in there. I don't know if the committee – so we could take that out unless someone wants to keep it in there. For Alternative 3 and 4, these are kind of the way the Florida east coast subzone is set up now; we were just trying to play with dates and times.

But we could either add some more alternatives or replace these with the split season dates that the AP recommended. It maybe would be something like March through September. This would give you a no action alternative, an alternative that establishes – maybe we'll come up with a new name for this – the Florida east coast subzone; March 1st through September 30th with these different boundaries.

Alternative 4 would set it up – this one would exist October 1st through the end of February with different boundaries. Possibly they could be the same all year or they could shift in that first season and second season. This is completely based on the APs recommendation.

MS. McCAWLEY: Okay, so why is Alternative 2 not a valid alternative?

MR. HARTIG: Because most of the fishery occurs on that southern subzone; and if you make it year round, you are not really accomplishing the goal of what you wanted to do with splitting up the different parts of the season.

MS. BURGESS: I appreciate the opportunity to talk. The AP suggested changing the fishing year; this two period time period for the Florida east coast subzone. With the October 1 and March 1 start dates would set us off from the way the fishing year is managed on the Atlantic fishery, and I'm wondering what the reason was behind that; and if the council would like to consider that because it has ramifications that would cascade throughout the coast.

MR. HARTIG: I believe it has something to do with Lent in the end of the season. They want to make sure that March is open. If the fishery started March 1, they would always get the Lent market based on that date. I think the reasoning behind that one was the Lent market.

DR. DUVAL: But the fishing year currently starts March 1<sup>st</sup>, anyway. On the Atlantic side, it is March 1st.

MR. HARTIG: For Atlantic, but it doesn't in the Florida east coast subzone. It is a different start date.

DR. MacLAUCHLIN: Currently, though. You guys are going to completely reorganize the way that this is managed. The way that those guys' fish is winter and the rest of the year. That is their seasons, really, because the Florida east coast subzone only exists November through March. It overlaps actually with when they switch to Atlantic king, supposedly. What the AP suggested is going to line it up with the fishing year, so it is actually going to be a little cleaner, if you do or don't set up split seasons.

MR. HARTIG: Yes, Erika, that is what complicates it is that the wintertime fishery, November 1 through March 30th. Then the Atlantic group starts March 1st. There is a one-month difference in those two different seasonal, but that all goes away now. We can redo the dates.

DR. MacLAUCHLIN: The AP recommendations between the split seasons, they are recommending a boundary move, but it is just to set up different trip limits. It is not for a quota, and it is just moving the boundary north and south between Volusia and Brevard. I think we put in Alternative 2 in that if you don't want to move the boundary at all, you could set it up that way. It is really just one county where it is shifting back and forth or you can just do the whole southern zone.

DR. DUVAL: I think the fishermen worked really hard to try to put something together that would address their concerns in terms of how this region – where the majority of the southern zone quota is harvested. I think that we owe it to them to keep this in there in some form or fashion.

I think the IPT did an awesome job trying to break this out into setting up a zone, potentially setting up a quota; which I am not so sure I agree with. Then also I think scrolling through here, setting up – is there trip limits? Yes, so it seemed to me that the biggest concern from the AP was the zone and the trip limits not necessarily having a sub-quota.

Because when I look at the next action, which is 4-2 and I see Alternative 3, which says establish a split season for Atlantic migratory group king mackerel in which 60 percent of the quota would be allocated to March 1 through September 30th and 40 percent of the quota would be allocated October 1 through end of February; I strongly advise us not to go down that road, splitting the entire Atlantic migratory group king mackerel.

We've already split the ACL into sub-quotas for our northern zone and the southern zone to try to address the access issue that occurs seasonally. If you are going to superimpose a seasonal split on top of a geographic split, you are going to end up in a storm, which is what happened with spiny dogfish.

You had geographic splits superimposed with seasonal splits, and you ended up with one area sucking up the entire quota and disadvantaging another area. I would strongly recommend not superimposing a seasonal split on top of a geographic split. I don't know how you would work that out.

DR. MacLAUCHLIN: Let's get through 4-1 and then do you want to move on from this one?

DR. DUVAL: Yes, but I mean they are all related. I've voiced my opinion. I think we should keep 4-1 in there. The fishermen worked to set it up. I have no problem with it so let's move on and review the rest of the actions, because I think folks are starting to get brain dead.

DR. MacLAUCHLIN: Okay, so the alternatives that I have up on the screen included Alternative 2; and then in Alternative 3 and 4 I set it up to where the Florida east coast subzone boundaries, they would change and they would be based on the AP recommendations where this Alternative 3 would be that subzone March 1st through September 30<sup>th</sup>; and Alternative 4 would be the subzone from October 1st through the end of February. These would be the alternatives that you would be accepting in a motion.

**DR. DUVAL: I move that we accept the alternatives as proposed under Action 4-1.**

**MR. HARTIG: Second by Mark. Anymore discussion? Is there any objection to this motion? Seeing none; that motion is approved.**

DR. MacLAUCHLIN: Let's go through this and get yours. Remember that we have a joint meeting on Thursday; so if this gets to be where you guys just want to give direction to Sue and Ryan and me and Carla of what you are kind of thinking of and to bring it back to you; we don't have to wordsmith all of these right now; just so you know.

This is the one that could allocate quota to the Florida east coast subzone. That was not something that the AP recommendations included. They want to fish on the whole southern zone. They just recommended a split season for the southern zone. We wanted to give a range of alternatives that you may or may not want, and particularly Number 3.

Alternative 2 would set up some kind of sub-quota within the southern zone quota of X percent, and then we have some options for how you would make that decision based on historic landings. That is the sub-quota specifically for the Florida east coast zone. Three would be a split season that would go – I think that we wrote Alternative 3 thinking it was for the southern zone, but I see that the way that it is written it would apply to the whole thing.

We could, if you are interested in setting Alternative 3 up, which would be based on the AP recommendations; then we would specify that this would be split season for the southern zone Atlantic king mackerel.

DR. DUVAL: If that is what the intent was, then I am fine with that. What I'm not fine with is the entire –

DR. MacLAUCHLIN: That would be what Alternative 3 would be. It would set up 60 percent of the quota would go March 1st to that first part of this year; 40 percent to the second part of the

year. We have Table 8, which is the expected Florida east coast sub-quota, if you guys kept in Alternative 2, and then some examples of how the sub-quota would work under all the different ABC and ACL possibilities.

Sorry for all the tables; there is just a lot of possibility. I am not going to go through all these tables, but it is just to show all of these. What I am most interested in is making sure that we have the alternatives that you guys want us to start working on analyzing. Ben had asked me to look into where that 60/40 split came from.

That was recommended by the AP so I pulled, starting with the 1998/1999 fishing year through the 2013/2014 fishing year, the southern zone king mackerel landings based on what this new stock assessment would consider Atlantic king mackerel, and March through October and then November through February, and it basically works out to the average for those years is 64 percent in that first part and 36 in the second. I made it yesterday.

MR. HARTIG: Kari told me they knew what they were talking about; so they did.

MR. HAYMANS: I'm looking at the table that Sue presented for king mackerel landings cumulative 2010 through 2015, and I thought I was looking at the table that Kari just had up.

DR. MacLAUHLIN: I can explain this; I know what your question is.

MR. HAYMANS: Drastic differences.

DR. MacLAUHLIN: Sue presented current what we call Atlantic king mackerel landings based on shifting boundaries and everything. This is the Atlantic king mackerel landings considering a stock boundary in the Keys based on the new stock assessment. This used the stock assessment approach basically for the boundary of what is Atlantic king mackerel.

That hasn't gone through yet, so we're still counting some of the Gulf king mackerel as Atlantic. That is why they're different. Sue's is current standings; mine is the future standings and what these guys will be fishing on after this goes through.

MR. HARTIG: Why they are different, Doug, is that wintertime fishery was always considered Gulf, 50 percent Gulf/50 percent Atlantic. It wasn't always that way, but over time it evolved to that. When you partition those fish now into all Atlantic, the landings go up for Atlantic group stock.

DR. MacLAUHLIN: It is challenging to talk about, because we want to talk about the approach that the stock assessment used and what will be the reality after this goes through and what is still current in the law.

MR. HARTIG: Okay, are you comfortable with adding Section 4-2 to the document?

DR. MacLAUHLIN: Do you want Alternative 2? Alternative 2 is the one that establishes a sub-quota for the Florida east coast zone; and then Alternative 3 is the one that is the split season, 60 percent/40 percent for the whole southern zone.

DR. DUVAL: Establishing a sub-quota was not one of the things that was recommended by the AP in their proposal, correct?

DR. MacLAUHLIN: Correct.

DR. DUVAL: I'm all for simplifying this as much as possible; but if we get into a reasonable range of alternatives' problem, it is certainly a reasonable alternative to include is to have a sub-quota in there.

MR. HARTIG: I think my recommendation would be to leave it for now. Is really how the fishery has been managed on that side for quite some time.

**DR. DUVAL: I move that we approve the language and alternatives of Action 4-2.**

**MR. HARTIG: Second by Mark. Is there any more discussion? Is there any objection? Seeing none; that motion is approved.** Thanks for your patience, I know this is tough.

DR. MacLAUHLIN: The next one; there are lots of graphs and everything that we included to Action 4-3, potential Action 4-3. Again, the no action; we'll have to work that out exactly how the language will be for that. We have a couple alternatives. One sets up the trip limits in the Florida east coast zone with the 75 fish with the step-down to 50 fish on May 1st. This was part of the AP recommendations.

Then north of the Florida east coast subzone would be 3,500 pounds. Then we have a couple options based on the AP recommendations for just May, May through August. The commercial trip limit in the zone would be 75 fish all year and then everywhere else 3,500. Then we can set the commercial trip limit in the Florida east coast subzone would be 50 fish with an increase to 75 if X percent of the quota has not been met by a certain date.

Then everywhere else it would be 3,500 pounds. The way that it is set up now in that area is in the winter is when they have that 50 fish; and then if 70 percent of their quota has not been met the last month, then they get a step-up to 75, so they can have an opportunity to reach their ACL. That is what that one is based on.

If we wanted to put in some specifications about where the zone is in here or what time of year this would apply, we can do that. These are just ideas. If you guys want to accept these, you may want to give some direction for what you would want that percentage to be to trigger the step up and some dates that we could put in some options underneath that one.

MR. HARTIG: I think what the fishermen have brought forward to us so far; that was their recommendation before on those percentages. Then we just got those in place not long ago. We changed it from the 75 to the 70. I think that probably would be appropriate now. Under Alternative 2, I would have an Option 2C; April 15th to May 15th.

Basically, we get about three waves of fish in that timeframe. The first wave of fish are the largest fish in the group and to have a possible lower trip limit at that time seems to be warranted. Then you get past May 15th, you are into smaller animals that you could still catch at the 75 fish level.

DR. MacLAUCHLIN: May 15th through, what, August?

MR. HARTIG: No, April 15th to May 15th. This has been some concern for quite some time about that first wave of fish in that timeframe.

DR. MacLAUCHLIN: Would you like to add any options under Alternative 4? Currently it is 70 percent of the quota is the trigger; it used to be 75 percent. We could just provide a range in there and then a range for the date.

MR. HAYMANS: Just looking at the alternative; the May 1st occurs in the primary alternative; and that probably shouldn't if you've got something other than a May start date, which is the 2C.

MR. HARTIG: I see what you're saying. All right, to have a reasonable range of alternatives in the percentages, do you guys want to just work that out, how many you need to add to stay within that?

DR. MacLAUCHLIN: We can probably provide some at the joint meeting for you guys to approve.

MR. HARTIG: All right. If you are comfortable with the current alternatives under 4-3, we would need a motion to approve those as well.

**MS. McCAWLEY: I move to approve the modifications to Action 4-3.**

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

DR. MacLAUCHLIN: Okay, I think that was the hardest part. The next one is potential Action 5, modifying the ACL for Gulf king mackerel. Yesterday the Gulf Mackerel Committee approved a motion to accept the proposed alternatives in Action 5. You guys could do that or make any other changes to their alternatives.

MR. HARTIG: On these alternatives, Kari, since we're going to go through those with the Gulf anyway; can we just do those at the joint meeting, because we haven't really had much discussion about any of these items before? I think in the interest of time, and we may save some time going through all these; that we'll just wait until the joint meeting on Thursday and do them then. The next item of business is Amendment 28.

DR. MacLAUCHLIN: I have a couple of different attachments for this also. You have Attachment 5A, which is the South Atlantic discussion document, and 5B which is just for reference only. I am not going to go through that. That is the Gulf options paper that they reviewed yesterday.

Amendment 28 is separate permits or separate FMPs. We talked about this in March, and you guys decided to approve the motion to stop work on this amendment. The Gulf AP recommended continuing, and the Gulf is actually interested in continuing development of this amendment.



Even though at the last meeting you guys passed a motion to stop work, you may have to have that discussion at the joint meeting, so I wanted to be sure that everybody was on the same page here with what you guys are interested in moving forward with or if you're interested in maintaining that same position.

MR. HARTIG: And subsequent to that we had the AP meet, and what was their determination?

DR. MacLAUCHLIN: We also brought this up to the AP. In general they were not supportive of that. They felt like it possibly could exclude some of the Atlantic fishermen from access to the Gulf fisheries and so they did not want separate permits or separate FMPs.

MR. BROWN: I tend to agree with the AP, but also I would like to hear more about what the Gulf fishermen have in mind and the Gulf Council, too, before I can make any kind of a decision on this.

MR. HARTIG: Yes, that is a good point, and we'll have that discussion. We brought 28 up actually in 20A, I think it was, whatever amendment it was when we talked about – we had the same suite of options that the Gulf AP has now in that document. It is a little strange to go back and see – because the Gulf at that time didn't want to go forward, so we didn't.

Now we're on the other end of the stick. Our fishermen are saying we're scared to death of what the Gulf is going to do, so they don't want to move forward with this. I think the overarching fear factor is that how do you want to manage the king mackerel stocks going into the future? Now that we have a very small mixing zone, I think you could have separate management between – you could have a divorce.

You could have each council managing their stocks of king and Spanish mackerel separately. That is something to think about as well. I think that will all come out in the Gulf's discussion as well, and so something to chew on and something to think about and hear their discussions why they want to move forward; and also to have some idea of what they're thinking about dealing with the east coast fishermen going to their side, because that is the big fear on our side.

MR. BROWN: Well, do we have to make a decision on that right now?

DR. MacLAUCHLIN: Your current position of the South Atlantic Council is not to move forward at all, no separate permits, no separate FMPs. The Gulf still wants to move forward with both of those.

MR. HARTIG: I think we could change our position based on any discussions we have with the Gulf on Thursday, possibly, maybe not.

MR. BROWN: Would this end up in a standoff?

DR. MacLAUCHLIN: The Gulf AP recommended – they went through all the eligibility and everything and made all these recommendations. That is in the Attachment 5A in the decision document. Basically they said split the permits, split the FMPs, and then they laid out how to determine your eligibility to get a king mackerel or Spanish mackerel permit. The AP was on board. They have thought this out and made really detailed recommendations.

I'm sure tomorrow it will come up. My understanding is unless both councils say, yes, move forward with development of the amendment, it will not move forward.

MR. HARTIG: Yes, so they've got to convince us.

MR. BROWN: You mean Thursday or tomorrow?

MR. HARTIG: Thursday. All right, so that is where we are in 28 for now pending on the Gulf discussion.

DR. MacLAUHLIN: All right, that is all I have.

MR. HARTIG: Is there any other business to come before the Mackerel Committee? Seeing none; the Mackerel Committee is adjourned.

(Whereupon the meeting was adjourned at 4:50 o'clock p.m., June 9, 2015.)

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Signature

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Date

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July 2015

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**INFORMATION & EDUCATION**

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**KING & SPANISH MACKEREL**

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Wilson Laney  
Jessica McCawley  
Staff contact: Chip Collier

*(Continued)*

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
**2015 COUNCIL MEMBERSHIP**

**COUNCIL CHAIR**

Ben Hartig  
9277 Sharon Street  
Hobe Sound, FL 33455  
772/546-1541 (ph)  
mackattackben@att.net

**VICE-CHAIR**

Dr. Michelle Duval  
NC Division of Marine Fisheries  
3441 Arendell St.  
(PO Box 769)  
Morehead City, NC 28557  
252/808-8011 (ph);  
252/726-0254 (f)  
michelle.duval@ncdenr.gov

---

Robert E. Beal  
Executive Director  
Atlantic States Marine Fisheries  
Commission  
1050 N. Highland St., Suite 200 A-N  
Arlington, VA 20001  
703/842-0740 (ph); 703/842-0741 (f)  
rbeal@asmfc.org

Mel Bell  
S.C. Dept. of Natural Resources  
Marine Resources Division  
P.O. Box 12559  
(217 Ft. Johnson Road)  
Charleston, SC 29422-2559  
843/953-9007 (ph)  
843/953-9159 (fax)  
bellm@dnr.sc.gov

Anna Beckwith  
1907 Paulette Road  
Morehead City, NC 28557  
252/671-3474 (ph)  
AnnaBarriosBeckwith@gmail.com

Zack Bowen  
P.O. Box 30825  
Savannah, GA 31410  
912/398-3733 (ph)  
[fishzack@comcast.net](mailto:fishzack@comcast.net)

W. Chester Brewer  
250 Australian Ave. South  
Suite 1400  
West Palm Beach, FL 33408  
561/655-4777 (ph)  
[WCBLAW@aol.com](mailto:WCBLAW@aol.com)

Mark Brown  
3642 Pandora Drive  
Mt. Pleasant, SC 29466  
843/881-9735 (ph); 843/881-4446 (f)  
[capt.markbrown@comcast.net](mailto:capt.markbrown@comcast.net)

Chris Conklin  
P.O. Box 972  
Murrells Inlet, SC 29576  
843/543-3833  
[conklinsafmc@gmail.com](mailto:conklinsafmc@gmail.com)

Jack Cox  
2010 Bridges Street  
Morehead City, NC 28557  
252/728-9548  
Dayboat1965@gmail.com

Dr. Roy Crabtree  
Regional Administrator  
NOAA Fisheries, Southeast Region  
263 13th Avenue South  
St. Petersburg, FL 33701  
727/824-5301 (ph); 727/824-5320 (f)  
[roy.crabtree@noaa.gov](mailto:roy.crabtree@noaa.gov)

LT Morgan Fowler  
U.S. Coast Guard  
510 SW 11th Court  
Fort Lauderdale FL 33315  
[morgan.m.fowler@uscg.mil](mailto:morgan.m.fowler@uscg.mil)

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
**2015 COUNCIL MEMBERSHIP (continued)**

Doug Haymans  
Coastal Resources Division  
GA Dept. of Natural Resources  
One Conservation Way, Suite 300  
Brunswick, GA 31520-8687  
912/264-7218 (ph); 912/262-2318 (f)  
doughaymans@gmail.com

Deirdre Warner-Kramer  
Office of Marine Conservation  
OES/OMC  
2201 C Street, N.W.  
Department of State, Room 5806  
Washington, DC 20520  
202/647-3228 (ph); 202/736-7350 (f)  
Warner-KramerDM@state.gov

Dr. Wilson Laney  
U.S. Fish and Wildlife Service  
South Atlantic Fisheries Coordinator  
P.O. Box 33683  
Raleigh, NC 27695-7617  
(110 Brooks Ave  
237 David Clark Laboratories,  
NCSU Campus  
Raleigh, NC 27695-7617)  
919/515-5019 (ph)  
919/515-4415 (f)  
Wilson\_Laney@fws.gov

Jessica McCawley  
Florida Fish and Wildlife  
Conservation Commission  
2590 Executive Center Circle E.,  
Suite 201  
Tallahassee, FL 32301  
850/487-0554 (ph); 850/487-4847(f)  
jessica.mccawley@myfwc.com

Charles Phillips  
Phillips Seafood / Sapelo Sea Farms  
1418 Sapelo Avenue, N.E.  
Townsend, GA 31331  
912/832-4423 (ph); 912/832-6228 (f)  
Ga\_capt@yahoo.com

SUE GEARHART  
RICK DELVICTOR  
MONICA SMIT-BRONELLO  
NICK FARMER  
MARCEL REICHART  
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ROY CRABTREE

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
**COUNCIL STAFF**

**Executive Director**

✓ Robert K. Mahood  
robert.mahood@safmc.net

**Deputy Executive Director**

✓ Gregg T. Waugh  
gregg.waugh@safmc.net

---

**Public Information Officer**

✓ Kim Iverson  
[kim.iverson@safmc.net](mailto:kim.iverson@safmc.net)

**Fishery Outreach Specialist**

✓ Amber Von Harten  
[amber.vonharten@safmc.net](mailto:amber.vonharten@safmc.net)

**Senior Fishery Biologist**

✓ Roger Pugliese  
[roger.pugliese@safmc.net](mailto:roger.pugliese@safmc.net)

**Fishery Scientist**

✓ Myra Brouwer  
[myra.brouwer@safmc.net](mailto:myra.brouwer@safmc.net)

**Fishery Biologist**

✓ Dr. Mike Errigo  
[mike.errigo@safmc.net](mailto:mike.errigo@safmc.net)

**Fisheries Social Scientist**

✓ Dr. Kari MacLauchlin  
[kari.maclauchlin@safmc.net](mailto:kari.maclauchlin@safmc.net)

**Fishery Scientist**

✓ Chip Collier  
[Chip.Collier@safmc.net](mailto:Chip.Collier@safmc.net)

**Staff Economist**

✓ Dr. Brian Chevront  
[brian.chevront@safmc.net](mailto:brian.chevront@safmc.net)

**Science and Statistics Program Manager**

✓ John Carmichael  
[john.carmichael@safmc.net](mailto:john.carmichael@safmc.net)

**SEDAR Coordinators**

Dr. Julie Neer - [julie.neer@safmc.net](mailto:julie.neer@safmc.net)  
Julia Byrd - [julia.byrd@safmc.net](mailto:julia.byrd@safmc.net)

**Administrative Officer**

✓ Mike Collins  
[mike.collins@safmc.net](mailto:mike.collins@safmc.net)

**Financial Secretary**

Debra Buscher  
[deb.buscher@safmc.net](mailto:deb.buscher@safmc.net)

**Admin. Secretary /Travel Coordinator**

Cindy Chaya  
[cindy.chaya@safmc.net](mailto:cindy.chaya@safmc.net)

**Purchasing & Grants**

✓ Julie O'Dell  
[julie.odell@safmc.net](mailto:julie.odell@safmc.net)



**South Atlantic Fishery Management Council -  
June 2015 Council Meeting  
Key West, FL**

**Date: Tuesday, June 9, 2015      Committee: Mackerel**

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# Registration Report

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## General Information

Webinar Name  
SAFMC Council Meeting - Day 2 of 5 (Tuesday)  
Scheduled Start Date  
Jun 9, 2015  
Scheduled Start Time  
8:00 AM EDT  
Scheduled Duration (minutes)

Webinar ID  
156-169-035  
Registered

Opened Invitation

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540

## Registrants

| First Name | Last Name        | Email                    |
|------------|------------------|--------------------------|
| Joe        | Klostermann      | grkifk@cpmcast.net       |
| Ken        | Brennan          | kenneth.brennan@noaa.gov |
| Helen      | Takade-Heumacher | htakade@edf.org          |
| wayne      | Mershon          | kenyonseafood@sc.rr.com  |
| Peter      | Barile           | abaco711@hotmail.com     |
| Tony       | Lamberte         | tony.lamberte@noaa.gov   |
| Helen      | Takade-Heumacher | htakade@edf.com          |
| Joe        | Klostermann      | grkifk@comcast.net       |
| Joey       | Ballenger        | ballengerj@dnr.sc.gov    |
| Bill       | MacLauchlin      | billmac@adtrends.com     |
| Lora       | Clarke           | lclarke@pewtrusts.org    |
| rich       | malinowski       | rich.malinowski@noaa.gov |
| Rusty      | Hudson           | DSF2009@aol.com          |
| m          | c                | mec181@yahoo.com         |
| Holly      | Abeels           | habeels@ufl.edu          |
| Karla      | Gore             | karla.gore@noaa.gov      |

John  
I  
Julie  
Jessica  
Julia  
Susan  
Nicolas  
Anik  
scott  
Andrew  
mary  
Nikhil  
NICK  
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froeschke  
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Stephen  
Byrd  
Shipman  
Alvarado  
Clemens  
sandorf  
Herndon  
vara  
Mehta  
FARMER  
Duval

john.froeschke@gulfcouncil.org  
captaindrifter@bellsouth.net  
julie.neer@safmc.net  
jessica.stephen@noaa.gov  
julia.byrd@safmc.net  
susanshipman@att.net  
Nicolas.Alvarado@noaa.gov  
anik.clemens@noaa.gov  
scott.sandorf@noaa.gov  
andrew.herndon@noaa.gov  
mary.vara@noaa.gov  
nikhil.mehta@noaa.gov  
nick.farmer@noaa.gov  
michelle.duval@ncdenr.gov