

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COMMITTEE

**Charleston Marriott Hotel
Charleston, SC**

September 12-13, 2012

SUMMARY MINUTES

Mackerel Committee

Ben Hartig, Chair
Mel Bell
Dr. Michelle Duval
Doug Haymans
Charlie Phillips

David Cupka, Vice-Chair
Steve Amick
Anna Beckwith
Martha Bademan
Tom Swatzel

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John Jolley
Lt. Mario Gil

Dr. Roy Crabtree
Dr. Wilson Laney

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Julie O'Dell

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Myra Brouwer
Dr. Brian Chevront
Anna Martin
Amber Von Harten

Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Otha Easley
Anne Marie Eich

Dr. Jack McGovern
Dr. Pam Dana
Vince O'Shea

Additional Observers Attached

The Mackerel Committee of the South Atlantic Fishery Management Council convened in the Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, Wednesday afternoon, September 12, 2012, and was called to order at 2:40 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: We are going to convene the Mackerel Committee and the first item of business is the approval of the agenda. Are there any changes to the agenda? Seeing none, is there any objection to approving the agenda? Seeing none, the agenda is approved. The next item of business is approval of the June 14, 2012, committee minutes.

Are there any changes to the minutes? Is there any objection to approval of the minutes? Seeing none, the minutes are approved. That takes us to Item Number 3, status of commercial and recreational catches versus ACLs for king and Spanish mackerel and cobia. I guess we'll go to Jack first. That is Attachment 1 in your briefing book for the commercial and Attachment 2 for the recreational.

DR. McGOVERN: Okay, presented here on the screen are landings for king mackerel for the 2012 fishing year, and it compares it going all the way back to the 2008 fishing year. As of August of this year the landings are 849,000 pounds. That is probably not the complete month. It is probably through August 23rd.

They are lower than they are previous years. We're at about 22 percent of the quota. For Spanish mackerel, we're at 951,000 pounds, which is similar to the 2010 fishing year, but lower than 2009 and 2011, and we're at about 30 percent of the quota. Also, cobia – that is on our website – we're currently at about 75 percent of the 125,712 ACL.

MR. HARTIG: Any questions of Jack about those landings figures? Cobia, I don't know how more that you are going to get of commercial cobia landings. Most of that occurs for the spring and through the summer; and then by the time you get to September, the landings drop off dramatically. I don't if that is what you have seen in past years.

DR. McGOVERN: I haven't looked at the monthly distribution of them yet. That sounds okay to me but I can check and see what it has been and let you know.

MR. HARTIG: Yes; that would be interesting to know, but based on what I've see in fishing history, we don't see many of them at that time. I don't know about the Carolinas but I know we don't. All right, that takes us to Bonnie for the recreational reports.

DR. PONWITH: For king mackerel, in 2012 we've got about half a million pounds of whole weight in landings. If you go to the next page, you can see how that looks in terms of the amount of angler trips relative to the ACL. Then on the next page we have about 414,000 pounds whole weight; and there again on the slide you have got the effort and what that looks like relative to the ACL.

MR. HARTIG: Do you have the cobia one or not? As Kari said, it wasn't in that presentation so I guess we don't know what the recreational catch is on cobia. It would be nice to get those at

least in whole numbers by full council. Those bars going across, Bonnie, that indicates the effort of one MRFSS; and this is really MRIP now? No, we're still doing MRFSS so it would be. Then you have the headboat effort and then the general recreational effort. Well, headboat is pretty stable but MRFSS has definitely trended down as well as the landings.

DR. PONWITH: The caveat that I included in the first slide of the reef fish was we were reporting in MRFSS numbers because the ACLs were in MRFSS numbers, and so we didn't want to compare an apple to a kumquat. These are indeed the MRFSS numbers. Until we get the calibrations done and actually have the ACLs in terms of MRIP, then we'll start reporting the MRIP to the MRIP so that it is a fair comparison.

MR. HARTIG: Any questions about the recreational landings? Martha.

MS. BADEMAN: I was just going to say I have the SERO Website up right now, and for recreational cobia through June they say we were at 57 percent of the ACL; just FYI.

MR. HARTIG: Thank you very much for that. All right, any other questions or comments? The next item on the agenda is Amendment 19 and that is Attachment 3A in your briefing book. Actually the overview and update is 3B; 3B is the decision document and that is what we're going to be working off of. All right, I'm going to turn it over to Kari.

DR. MacLAUCHLIN: Okay, in this decision document we're going to go through each action and look at the alternatives. There is no analysis yet. We can't get an economic data update from Brian because he's waiting on the states. For this meeting we're going to look at what has happened at the last Gulf meetings. There have been two meetings since our June meeting.

There wasn't a public hearing or anything but I went on the road with everyone else in August and we did get some comment on Amendment 19 and 20. For each one, we want to clean it up, remove actions and alternatives that you're not considering, and make sure that we have all the alternatives that you want analyzed; so when we come back in December you can look at the analysis and select preferreds.

Just to go over the expected timeline that we're working with right now is we are reviewing the amendment, then in October the Gulf Council will review the amendment. There may be some analysis in there for them. In December we will review it, you will select preferred alternatives and approve for public hearings in January 2013. We will have those hearings and then in March 2013 or maybe June 2013 is when you will approve for submission to the secretary.

Okay, Action 1, sale of king and Spanish mackerel, so bag limit sales; we have no action, so this will allow for bag limit sales to continue for king and Spanish mackerel. Alternative 2 would prohibit the bag limit sales of king and Spanish mackerel except for for-hire vessels that have their state and federal commercial permits. Then we have two options under there for each council's jurisdiction. Alternative 3 would prohibit bag limits of king or Spanish mackerel, and this is the Gulf preferred.

MR. HARTIG: And I think the Gulf preferred is what we I think have talked about doing in the past. We would need a motion to approve Alternative 3. Doug.

MR. HAYMANS: Mr. Chairman, I just would like to have a discussion on how that affects one of the other alternatives before we – excuse me, Action 3 before we vote on that.

MR. HARTIG: What Doug is talking about, if you approve this motion and then tournament sales is removed from the document like the Gulf has asked to do, then you would have already prohibited tournament sales in this option. I guess we need to have that discussion on tournament sales; is that what you would like to do first? Okay, that is Action 3.

DR. MacLAUHLIN: So we're going to go there?

MR. HARTIG: Yes, I think that makes sense.

DR. MacLAUHLIN: We're going to jump to Action 3 and talk about tournament sales. For now we have a couple of alternatives. We have the no action alternative, which would continue to allow sales of king mackerel in tournaments. You selected a preferred alternative at the last meeting, Alternative 2 which would establish federal king mackerel tournament permit.

The Gulf selected Alternative 3 to prohibit the sale of tournament-caught king mackerel, but then they did remove the action from this amendment for a later amendment. You also have Alternative 4 which creates a set-aside of the recreational ACL; and then Alternative 5 which also creates a set-aside but allows that any sale provisions be left to the state.

Alternative 6 is if you create a federal permit, a state tournament permit that is comparable could be used in place, such as North Carolina's tournament permit. We had a couple of public comments specifically on tournament sales. Some people supported allowing them to continue. Some people thought they should be prohibited, like bag limit sales. Some people thought you should only – one commenter thought donations should be allowed only.

We also have an IPT recommendation and that is just to take Alternative 6, which is a state permit in lieu of a federal permit, and put those as options, and we can talk about that after you make the decision of what you want to do. I have gone through and a couple of things came up last time of the details of setting up a permit system to allow tournament sales, but my first question is if the committee wants to keep this in there to allow tournament sales. I assume we're going to continue with this.

MR. HARTIG: Yes, that is a logical step; does the committee want to entertain a motion to still continue the allowance of tournament sales in the South Atlantic? Charlie.

MR. PHILLIPS: Mr. Chairman, I so move.

MR. HARTIG: It is clearly stated now in a motion that Charlie made. Discussion on that motion? Doug, do you have any discussion? Doug seconded. Mel.

MR. BELL: I guess I want on record at the last meeting that I'm not a big fan of this idea. I would prefer that recreational be recreational and commercial be commercial. I understand the benefits of it and the desire not to waste fish. I understand the desire of the tournaments not to have to give the fish back to the people that catch them. It doesn't apparently work real well.

For our fishery in South Carolina it can present some problems I think in terms of injecting a lot of fish on to the market. I have talked to Charlie a little bit about this and I can understand this, but it seemed like it creates some problems for the legitimate or the actual commercial fishermen in the market there.

The only way I would personally even think about it I guess myself is if it were a very distinctive subset of the actual recreational allotment. It shouldn't be taken as actual commercial – out of the commercial side of the house. But if it doesn't present a lot of market condition problems, that is the only way I would personally support it. I just don't really like the idea myself.

MR. HAYMANS: Again, for this discussion I'm switching between Actions 1 and 3. The Gulf preferred in Action 1 is that those king mackerel be harvested aboard a permitted vessel. If we went along with that, does that mean that we can't do Action 3? If we don't go along with that, if pick another alternative in Action 1 does that automatically set this amendment back – send it back to the Gulf then, right?

MR. HARTIG: It is going back anyway so that is not the problem. The problem is the Gulf has removed that option from this amendment. The sale of tournaments; they have removed it as a stand-alone option. Now, my question about that is they prohibited sales of tournament-caught fish in their previous motions before.

Now, does that mean that they want to readdress tournament sales in the Gulf? David, you were at the meeting and we have Pam Dana here from the Gulf this week. We're glad to have you, Pam; and certainly as we go through if you have anything to add, we would certainly be interested. Mel.

MR. BELL: And just one more little thing; from our standpoint the way our state law is constructed the sale piece presents some problems from a law enforcement standpoint. Our law clearly specifies the path things have to follow if it is a sale and all. It has always presented a disconnect for law enforcement; you know, what do we do? We have to kind of overlook our law to allow it and that is not a good thing when law enforcement has to just kind of look the other way.

MR. HARTIG: Well, we're trying to get around to answering Doug's question but go ahead, Michelle.

DR. DUVAL: And just similar to what Mel has stated, we would prefer to just use our existing tournament which is why that option is in there. Presumably that is not mutually exclusive from the existing preferred that the committee chose previously. I would agree with Mel; I think from our perspective if tournament sales are allowed those sale proceeds should go to charity and those fish should come off some chunk of the recreational ACL.

I believe I went on at length at the last meeting about the analysis that we could do to sort of get at that. That deals with Action 1 as well in regards to bag limited versus non bag limited sales. It is all tied together and I know that Brian has been working hard to get those numbers from the states so that he can do the economic analysis.

MR. CUPKA: I'll ask Roy or Pam if they want to jump in on this, but when they made a motion to move that to the considered but rejected appendix, I don't think it was so much they were saying that they didn't want to do it. I think Roy talked to them and said there were a lot of things that needed to be worked out, and I think that is really why they moved it and. Not that they were opposed to the idea, but there were a lot of specifics on how that would operate and they didn't want to get bogged down in this particular amendment with dealing with those.

DR. CRABTREE: Yes, it was a timing issue and I think they were sort of recognizing that it would probably take a whole amendment just to set up tournament sales. You've got to define what a tournament is, how many permits are you going to issue, duration of the permits, who gets the permits, reporting requirements, limits on how many fish they can get and just a whole host of things. I think they saw that as really slowing this way, way, way down. I think they're okay with working on it. They just didn't want this to hold everything else back.

MR. HAYMANS: So does that then mean that if we select Alternative 3 under Action 1 and do the same and remove Action 3 – excuse me, remove Action 3 altogether, that we can still proceed status quo with regards to tournaments until we figure something out but that for-hire vessels, unless they had the proper permits, wouldn't be able to sell, then? I mean, in other words, tournaments can continue to sell if we select the same that the Gulf has or is that a temporary injunction until we figure it out?

DR. MacLAUHLIN: If you select that you prohibit bag limit sales of king and Spanish mackerel in Action 1 and you removed this action it will just prohibit all recreational sales, including tournament sales. I would think that you would just need to put in a – you know, if you wanted to allow tournament sales to continue while you worked on some kind of – worked out the details of this, if you don't want to do it today because I have a lot of it set out here where we can go ahead and define and everything; but if you do want to move it but you want to allow tournament sales to continue, it is conflicting with the language in Action 1. You would have to add something in there that specifies who is exempt from the bag limit prohibition.

MR. HARTIG: Essentially what Kari said, Doug, is that if we approve the first alternative – if we prohibit the bag limit sales, then we would need to have some kind of additional motion to allow tournament sales to continue until such date that define tournament sales. I agree with Roy with what they came up with in the Gulf and what Kari has put together is great.

There is a lot of information there, but I still don't think we can get it done in this amendment. Of course, the rest of the committee may feel differently than I do about it, that you think we can move ahead with tournament sales in this. We will have another shot at this in December. It is a lot to deal with. I was getting to the point where it was so much where I was wondering if whether it was worth to keep continuing tournament sales, but most of the people on this committee want to see it continue as far as what I've seen.

MS. BADEMAN: I was just going to say if we're okay with pulling Action 3 out to a separate amendment like the Gulf Council is addressing it; do we want to hold off on Action 1 as well so that we don't have a period where we have – if we end up shutting down recreational sale including tournament sales, we're not impacting tournaments – I don't know; it's food for thought. I don't know what people think about that.

MR. HAYMANS: I think I would like to go with Alternative 1 and that is basically status quo, isn't it, until we figure tournament sales out?

MS. BADEMAN: Yes, I'm good with that.

MR. HAYMANS: So I would make a motion, Mr. Chairman, that we select Alternative –

MR. HARTIG: Let's go back to the motion, and we have motion and a second. Doug made the motion to continue to allow tournament sales.

MR. HAYMANS: Right, but I think as the motion maker, that if I could withdraw that motion, then we would just continue.

MR. HARTIG: So you want to withdraw the motion with the committee's concurrence?

MR. HAYMANS: Yes, sir, thank you.

MR. HARTIG: Do I see heads nodding around? With concurrence, that motion is withdrawn from the committee. Doug.

MR. HAYMANS: Now, Mr. Chairman, if I may, under Action 1 I would make a motion that we consider Alternative 1 as the preferred motion.

MS. BADEMAN: Second.

MR. HARTIG: Second by Martha. Anna.

MS. BECKWITH: Mr. Chairman, I just want to go on record as saying I adamantly support as we move forward with this Alternative 2A. I think the bag limit sales of king mackerel for our for-hire industry is an important supplement to their income. We have not reached our ACL for king mackerel in the past many, many years and I just want to put that on record. I just think that for North Carolina it is important for our for-hire/commercial fleet to be able to sell those bag limits. It helps supplement the income and I feel strongly about that, so I just want to make sure that is on the record.

DR. DUVAL: I'm going to have to sort of respectfully disagree with my North Carolina colleague here. Anna, just so that you know, at the last committee meeting I talked about this at length. We do not support continuing to allow the bag limit sales because we have been on record in other fisheries as noting that the commercial ACL is for the bona fide commercial fishery.

Recognizing that bag limit sales of king mackerel in particular have contributed to the establishment of the king mackerel ACL through the years, what I had suggested and I think what staff has gone forward to do is to do an analysis of the permitted versus unpermitted sales of king mackerel specifically by the fishermen so that you could get a sense of what the contribution was of bag limit sales over the years to what has effectively contributed to the commercial ACL and to sort that out.

We can certainly look at – in that way you have a sense of what is the true proportion of commercial sales by the bona fide commercial fishermen as opposed to the bag limit sales. Then if you're going to discontinue bag limit sales, then you should take that average percentage of the ACL that has been attributed to bag limit sales and move that back over to the recreational ACL so as to be fair to some of the charter and for-hire guys that made that. We have gone down this road in other fisheries in terms of noting that the commercial ACL is for the bona fide commercial fisherman; and noting that we haven't reached that ACL but that is what the commercial ACL is there for.

MR. JOLLEY: Mr. Chairman, I'm not on your committee and I think you know how I stand on this bag limit sales for the for-hire fishery. To restate it for my colleagues, I didn't fight it very enthusiastically when dolphin came up; I was late to the fight, but it is so important throughout the state of Florida for these for-hire people.

I'm interested in how you're going to enforce this. I see this as an action that is almost unenforceable. One of our first responsibilities is to try not to dream up things that we can't enforce, so I'll be interested in what law enforcement would have to say. It happened with dolphin. I think we're going to force things underground. I think it is going to go just like prohibition goes especially in this economic climate. I have real reservations about whether or not this will work.

MS. BECKWITH: And just to that point, in my mind any fisherman in North Carolina who has a North Carolina commercial fishing license and is able to sell these king mackerel are bona fide fishermen; so when they sell and it is being allotted to the commercial ACL or not, it's properly placed.

DR. DUVAL: And just to sort of respond to that and some of the folks who were around when we did this for snapper grouper, I think in North Carolina we used to allow folks who had a standard commercial fishing license to sell their bag limit caught fish of snapper grouper species, but a lot of those folks were actually recreational fishermen. They were out fishing; they qualified for a commercial license, and they were selling their bag limit fish in order to cover their fuel, but it was actually taking away from the folks who are making a living from fishing as opposed to those who are fishing as a pastime. So, just a reminder.

MR. HARTIG: Well, how we got here, over the years the council has made a commitment to try and professionalize the commercial industry, and that is where this is coming from. We originally did it with snapper grouper and then we did it with dolphin and wahoo, and this is the last I guess of the ones that we're probably going to do. That is where this has come from. The council has made that commitment over time. Certainly, that could change as new people get on

the council, but the general consensus of moving forward with the council was to prohibit bag limit sales in all of our fisheries by each plan. Charlie.

MR. PHILLIPS: Mr. Chairman, if we pass this no action, I see it as a placeholder until we can do this right and get the tournament sales provision right and everybody is on the same page. I agree with you; I think this council has moved down that road to prohibit bag limit sales. I think that is where the Gulf is. Our only difference is in the tournaments, and I think it looks like we just want to do it all at the same time and have it comprehensive and clean instead of having to come back and do it again. I'm going to support the motion. I just like to see stuff done once and worth doing.

MR. HARTIG: All right, the only thing I would ask Roy and maybe Monica; is there a way to do this to continue with the Gulf preferred and we selected Alternative 3 – is there a way to do this by adding an exception for tournament sales specifically?

DR. CRABTREE: I think that is what the tournament sales permitting was; it was an exception you were creating. The problem you've got is you're going to have to go through a lot of work on figuring out – I know we've got a definition in here from HMS of a tournament, and is that what you want to do – and go through all those things. I think you're just going to have to deal with the details and complications of it if that is where you want to go.

MR. HARTIG: All right, like I say, we're going to get to see this again in December. Let's go ahead and take action on this one now, go ahead and vote on this one and then we'll go through the tournament sales and see how far we get and how far we may – if we may be able to tackle it in the timeline that this amendment is under; I'm not quite sure. **The motion is to select Alternative 1 as the preferred alternative under Action 1. Is there anymore discussion? Is there any objection to that motion? Seeing none, that motion is approved.** All right, moving right along, Action 2.

DR. MacLAUCHLIN: One more thing on Action 1 is just that the Gulf changed the language a little bit in Alternative 3. It says basically the same thing; just the language moved around. I have highlighted it and it is that last part of the sentence, "prohibit the sale of king or Spanish mackerel caught under the bag limit", and they changed that into its own sentence and we just need to get an approval by the committee and the council.

MR. HARTIG: **I would need a motion to approve the Gulf language "a king mackerel permit is required to sell king mackerel and a Spanish mackerel permit is required to sell Spanish mackerel", under Alternative 3. Motion by Charlie Phillips; second by Michelle Duval. Discussion? Is there any objection to that motion? Seeing none, that motion is approved.** Now Action 2, cobia.

DR. MacLAUCHLIN: Okay, Action 2 is sale of cobia. We have five alternatives. The Gulf Council selected the no action alternative, so no permit requirement and this would allow for any bag limit sales. Remember that the commercial and recreational possession limit is the same; it is two. Alternative 2 would create a new commercial cobia permit and you would have to have this to sell any cobia from the EEZ.

Alternative 3 would allow someone to sell cobia if they had either a commercial king mackerel or commercial Spanish mackerel permit. Alternative 4 would allow a person to sell the cobia if they had any of the southeast commercial vessel permits, so king mackerel, Spanish mackerel, Gulf reef fish, South Atlantic snapper grouper or South Atlantic dolphin and wahoo.

In June you added Alternative 5 to prohibit sale of cobia caught under the bag limit with the options for the jurisdictions. I think this is one where you may want to remove Alternative 5 if another alternative satisfies that. I had made this table because there are two things here that you want to think about; what do you mean for recreational and what do mean for commercial?

If your intent is to prohibit bag limit sales of cobia, so cobia caught on a recreational trip; if you would like that to be permitted, Alternative 1 allows that but all the other ones would prohibit that. And then for commercial; basically do you want some kind of commercial permit on the vessel on be able to sell the cobia, and that is in Alternative 5 where we're not really sure. I think if you would just clarify what you want for recreational and what you want for commercial, then we can work through the alternatives.

MR. HARTIG: All right, on cobia we have some significant differences between the Gulf that I don't think will be resolved. Roy, we could do our own cobia permit and prohibit the sale of bag limit cobia in the South Atlantic; correct?

DR. CRABTREE: I would think you could.

MR. HARTIG: Okay, I just was checking.

DR. MacLAUCHLIN: I think what I need clarified and the IPT is that I don't think you can prohibit recreational sales without creating some kind of commercial permit requirement.

MR. HARTIG: And that is great, Kari, because I agree with that; we can't do it without either creating a cobia permit or making it part of one of the other permits. I think really the cleanest way – and Roy said it didn't make that much difference to him in previous meetings whether you did the cobia permit or you added it on. I think it would be cleanest to do for a person to sell cobia they would need – in the South Atlantic they would have to have a cobia permit. You could do it in one motion or you could do it in two, however you would like. Martha.

MS. BADEMAN: I was just going to say – and I think Jessica said this before when we have talked about cobia, but in Florida we have a strict bag limit or a trip limit for commercial. It is two fish. You have to have the SPL and RS. We're fine with not having a federal permit for cobia. It is mostly a state waters fishery, so we're good with where the Gulf is on this one.

DR. DUVAL: I was going to echo Martha's comments. I can't give a percentage right now. I think we were getting the landings information, but a good percentage of our cobia harvest is also in state waters, and it is the same two-fish bag limit, so we would be fine without a cobia permit for commercial sale as well.

MR. BELL: Since we met last, our state legislature passed a law establishing cobia as a game fish in South Carolina waters, so cobia harvested in South Carolina waters may not be sold but cobia harvested in federal waters may be sold; so whichever option would allow that would work, except I'm still not a proponent of bag limit sales.

MR. HARTIG: We didn't think you changed on that.

MR. BELL: Legitimate commercial fisherman, fine.

MR. HARTIG: All right, what is the pleasure of the committee on this one? Roy.

DR. CRABTREE: But the problem with not having the permit is then they aren't required to sell to federally permitted dealers, which means they can sell it straight to a restaurant, and they won't be in the dealer reporting program and there likely won't be a trip ticket filed. It creates problems in terms of tracking ACLs.

The other thing is if you're going to prohibit bag limit sales of cobia but you're going to allow bag limit sales of king mackerel and Spanish mackerel, you're going to have to explain why you're doing them differently. You can't bounce all over on this stuff. That is the problem with not having the federal permits is it is going to create problems. Even if they have the state permit, it is still going to create problems in terms of tracking the ACLs.

MS. BECKWITH: Well, if what we're trying to capture is the number of cobia being sold to a dealer, then I think Alternative 4 would cover that and not cause fishermen to have to get an additional permit. That would one that I would be willing to put forth as a motion.

MR. HARTIG: Anna has moved Alternative 4; for a person to sell cobia in or from the EEZ of the Atlantic or Gulf of Mexico, those fish must have been harvested on a commercial trip aboard a vessel with at least one of the following commercial permits; king mackerel, Spanish mackerel, Gulf reef fish, South Atlantic snapper grouper or South Atlantic dolphin and wahoo. Seconded by Mel. Discussion? John.

MR. JOLLEY: Now, does that mean in four that you could be a for-hire vessel? You have got a permit and you take a charter out, that is not what we would call a commercial trip and you could still sell?

DR. MacLAUCHLIN: No.

MR. JOLLEY: You could not? Okay, you would have to designate that trip as a commercial trip.

MR. HARTIG: You would not be able to sell your bag limit cobia based on that alternative.

MS. SMIT-BRUNELLO: John brings up a good point. When we use this language "on a commercial trip", some people think that for-hire is a commercial enterprise, right, so maybe anytime we use "on a commercial trip" it could be replaced with "under commercial" –

MR. HARTIG: Under the bag limit.

MS. SMIT-BRUNELLO: No, “under a commercial quota”; so when you’re harvesting under a commercial quota, to me that makes it a little more clear than –

MR. HARTIG: Well, maybe not.

MS. SMIT-BRUNELLO: – on a commercial trip.

DR. CRABTREE: We had an issue like this come up it seems to me at one time in the Gulf, and we defined it as a trip that has any quantities of fish above the bag limit, meaning any commercial quantities of fish aboard, but I don’t think that quite work here. I don’t know how law enforcement would be able to tell what quota you’re fishing under if they board you.

MR. JOLLEY: Again, I’m not on your committee, Ben, but I would interject again that I don’t see how the consumer, the largest owner of the resource is being benefited by these no sale rules. I just don’t understand it. I think there is a better way to handle these bag limit sales if they’re going to take place. I’m not sure of all the answers.

DR. CRABTREE: We’ve got an extensive record that we built – I believe it was Amendment 18A, wasn’t it, or 15B – and it went through all the reasons for this. There are a lot of reasons to think it benefits the consumers, and one of them was trying to maintain professional commercial fishermen; that is what they do because they’re going to go through HACCP training and all those kinds of things.

The product is going to be taken care of and everything else as opposed to having every Joe Six Pack go out for the weekend and buys some fish, tossing them in the back of the boat somewhere and then decides when he gets in he will sell them to somebody. There are a whole lot of reasons for those kinds of things. If you look back at – and probably all that stuff needs to go in this amendment, but we’ve got a long record built for the council’s rationale for why we prohibited bag limit sales of snapper grouper.

MR. BELL: What we were talking about earlier in terms of the distinction between the trip; if a vessel is dually licensed and properly permitted to participate either as a charter vessel or for-hire vessel or a commercial vessel, the distinction between the trips I guess from a law enforcement perspective would be are there passengers for hire on board? You pull up on the vessel, there are five guys from Chicago there, they’re probably not strikers. I mean they can say that no, no, we’re all strikers, but that is how it seemed to me you would distinguish the trip. There is either passengers for hire or not passengers for hire, I would think.

MR. HARTIG: And we have definitions for charter or trips; and you’re right they are based on exactly what you said, the number of people on board the vessel. Kari.

DR. MacLAUCHLIN: Okay, you can distinguish between a commercial and a for-hire trip for king mackerel, Spanish mackerel, reef fish, snapper grouper, yes, like enforcement-wise? The problem is that you can’t distinguish between a commercial and for-hire trip for cobia because

two is two. My understanding is you don't go specifically to catch a – you know, a commercial trip wouldn't go just to catch cobia, correct?

MR. HARTIG: Rarely, but it does occur.

DR. MacLAUCHLIN: But for the most part you're going to catch something else and then you catch cobia. If you can distinguish between commercial and for-hire trips under other permits and you attach it to a permit, then it would just have to be a trip that qualifies as commercial under whatever permit you attach it to.

MR. HARTIG: I understand what you're saying. I don't know if everybody else did but I understand the rationale on this. I thought it was much cleaner to just do the cobia permit; but if we want to tie it to all these permits, it makes it a little bit tough to analyze because you have to analyze each one of the individual permits and how it all fits in together.

DR. CRABTREE: We have regulations that distinguish between a – for a dual-permitted vessel, whether it is on a charter trip or a commercial trip. If it has more than crew on board, that is not allowed. If it has passengers on board who are paying to go, then it is a charter trip and not a commercial trip. There are regulations to that.

MR. PHILLIPS: To Roy's point, I think cobia is on the list of histamine fish, so, yes, I would feel a lot better about commercial stuff going to a commercial dealer that can inspect the fish and make sure it comes in properly iced and things like that. There are issues there.

MR. HARTIG: Any other discussion on this motion? **All right, the motion is select Alternative 4 as the preferred alternative. Is there any objection to the motion? The motion passes with one objection.** All right, moving right along.

DR. MacLAUCHLIN: Remember we're trying to clean this up a little bit. Specifically I think Alternative 5 you may want to consider removing just because Alternative 4 will do the same thing. It will do the same thing; it will prohibit bag limit sales. If there are any alternatives in there that you're not interested in having analyzed, then we can take them out, but specifically Alternative 5 I would recommend you consider removing that.

Then we also have the Gulf in Alternatives 2 and 3 have changed it to what Monica was talking about. Instead of saying "on a commercial trip", change the language to "under a commercial quota", and so they have approved that language change for their alternatives.

MR. HARTIG: Okay, so we need a motion to remove Alternative 5. Michelle.

DR. DUVAL: Mr. Chairman, I so move.

MR. HARTIG: Okay, we have got a motion by Michelle; second by Charlie. **Any discussion on the motion? Any objection to the motion? That motion is approved.** All right, now we need to approve the Gulf's wording. If you concur with that language, it is to

change the wording under Alternatives 2 and 3 from “on a commercial trip” to “under a commercial quota”. David.

MR. CUPKA: Mr. Chairman, I would make a motion that we approve the Gulf language change in Alternatives 2 and 3 for Action 2.

MR. HARTIG: Second by Michelle. Anymore discussion? Any objection? Seeing none, that motion is approved.

DR. MacLAUCHLIN: All right, we’re back at tournament sales. Here are the things we’re going to walk through this, and this is in the document. Maybe I run through this and then you can decide if you want to do this now. Okay, you’re going to need to define what is a tournament so I looked up the HMS tournament requirements.

It is specified in which the participants must register or otherwise enter and then there is a prize or award for catching or landing HMS and then with specifications. We would just have to come up with something like that; some kind of tournament definition. Then they also have a tournament registration in which you have to register four weeks prior to the start of your tournament.

Then there is a tournament operator who is like the person in charge who will be responsible for the records and who is participating and the permit. Then there is a tournament permit requirement within seven days of the tournament ending. One thing about HMS is that there are federal permit requirements for the tournament participants, which we wouldn’t really have except for any kind of state recreational license that they would have to have.

In that way it is different because HMS can track who participating. The committee would need to define the tournament; when is it required, for any king mackerel tournament or for any king mackerel tournament in which the fish are intended to be sold; who is eligible to receive one, anyone who applies, you know, organizations or organizers of past tournaments.

Then we talked about a comparable state permit, so I looked up North Carolina and they have a tournament license. It is just required to sell fish caught in a tournament. Then they have some provisions; it has to be sold through a licensed dealer. There is a hundred dollar license fee and you have to apply, the same thing, one month before the tournament.

You have to fill out a trip ticket in North Carolina; and then proceeds can only go towards charities and they must be reported. Tournament participants who have commercial licenses cannot sell their fish instead of giving it to the tournament. Everything has to just be monitored what goes into the tournament pot and then what gets sold.

You would need to discuss reporting requirements. Would it be any king mackerel landed once you have the permits for your tournaments? Would you have to report everything that was landed or only king mackerel that is sold? Would it need to be within seven days such as HMS or within some kind of time period?

We would need to talk about a set-aside if that is something of the recreational ACL; that if you want to consider that; if not, you just want to take it off the recreational or commercial, however you want to do it. Then we can move Alternatives 4 and 5 to the considered but rejected appendix. If you do want to do a set-aside, then we need to talk about what kind of proportion allocation scenarios that you want us to bring back to you in December to look at; you know, a certain number of years. Okay, we can go back to the beginning with this and talk about a definition. I don't know how you want to go with this.

MR. HAYMANS: I don't believe there is a cost involved in the HMS tournament, is there, tournament registration?

DR. MacLAUCHLIN: I don't know if there is. I would there maybe would be an administrative fee or something like that, but I didn't see any.

DR. CRABTREE: If you establish a tournament permit, there will be a fee.

MR. HAYMANS: So that means there is an HMS fee?

DR. CRABTREE: I don't know about HMS but if you establish a tournament permit we will charge for that, whether HMS does or doesn't.

MR. HAYMANS: But North Carolina currently charges a hundred dollars for their state tournament fee, correct?

MR. JOLLEY: Roy, do you charge for the billfish tournament stuff?

DR. CRABTREE: I don't know off the top of my head with that one.

MR. HARTIG: All right, we've got a pretty good template here from HMS. I looked at it and I think if you just substituted South Atlantic king mackerel or Atlantic king mackerel for HMS, it may work. I've read it through; "An Atlantic King Mackerel Tournament is defined as any fishing competition involving Atlantic king mackerel in which participants must register or otherwise enter or in which a prize or award is offered for catching and landing South Atlantic king mackerel. This includes fishing tournaments where targeted species is not Atlantic king mackerel but where points, prizes or awards are received for catching South Atlantic king mackerel. Tournaments may take place in ports within any South Atlantic jurisdiction." That is about as far as I could go.

DR. CRABTREE: It seems awfully broad to me. If I'm at a dock down in the Keys where selling king mackerel is important, so I get a dozen of the other charterboat captains there and we're going to have a year-long tournament and the winner gets five dollars, and then you have gotten an exception and you sell bag limit caught king mackerel.

It seems to me it has got to be tightened up with that or you're pretty much opening it up to just about any group of boats could become a tournament. Unless you have some criteria or something, there wouldn't be any way to deny anybody. I could see how it could really

undermine things. I'm not sure exactly how you do it. I think what you're talking about are these big king mackerel tournaments that go around that you want to allow to sell fish. I think you'd have to put some thought, but this seems just awfully open ended to me, that virtually any group of people could qualify for it.

MR. BELL: Yes, I would agree with that or you can create a tournament at the drop of a hat. Just so I understand this because a king mackerel tournament seems to be a unique critter in terms of other tournaments maybe, so the issue at hand, benefits aside, is the way these tournaments are constructed, individuals can bring in usually two kings a day and it might be a multi-day tournament or something.

But the issue is, as I understand it, that the participants do not wish to keep to their fish. They have caught the fish with a recreational license. They're their fish but they do not wish to retain the fish. They just don't want to deal with it, I guess. What I've been told is that is why this won't work, and what we were doing with our tournaments is just saying you caught the fish, they're your fish, take your fish, have a nice day. I guess that is a problem with the way the tournaments are constructed, that people don't want to retain their fish; that is the real issue here?

MR. HARTIG: It is an issue but I don't know that is going to get us any farther along in defining a tournament. John.

MR. JOLLEY: Well, in the case of the West Palm Beach Fishing Club, there is a waste concern. We don't want to see those fish wasted. If people would like to contribute, we've got a mechanism for using them in a charitable way. They keep some of their fish as well; some of the same people keep some of the same fish that they want to eat. But too many fish, we're worried about the waste aspect.

MS. BADEMAN: I'm kind of back-peddling a little bit; but in terms of coming up with the definition of tournaments, I was just going to say we have tournament defined in a couple of our rules. We have tournament permits for bonefish and red fish for catch and release and culling and various other things that are kind of different from this.

But, our definitions of a tournament, in addition to what is here for HMS, we also have defines the number of participants so that we have a minimum of – you have to have at least ten participants in the bonefish permit, for example, or for a bonefish tournament; and then they also have to have written rules and regulations and those are submitted to the state with their permit application. It is just something to add to consideration when we're trying to figure out how to refine this. I don't know that we want to do this right now.

MR. PHILLIPS: Well, to Roy's point about the charter boats getting together in the Keys and having a year long or a week long, you know, the checks are written to charity. You can't write the check back – those boats can't profit from this. The check has to be written to charity.

MR. HARTIG: And under North Carolina tournament rules, that is the way it is written. I wouldn't have any problem with writing that into our rules as well, and that may take care of one

of those concerns that you had about a number of charter captains having a year-long tournament.

DR. CRABTREE: It might; it is just I don't know that anywhere in here that is written down that it is going to be that way.

MR. HAYMANS: And just regarding the checks to charity, that is not necessarily the case. Some tournaments have a check written back to the tournament and the tournament then keeps accounts that then give it out to charity, but it is not always the fish dealer –

MR. PHILLIPS: I don't,

MR. HAYMANS: You don't, right, but would a tournament have a duration of less than five days; you fit that into the opening sentence there somewhere. That way you get a three-day tournament plus extensions for weather or something; it may be five-day duration. Would that be acceptable?

MR. HARTIG: I know, but we're just trying to address the concerns you had and trying to tie this up so we don't have people to come in and have their own tournaments and sell their own fish under the bag limit. That is what we're trying to shore up. Michelle.

DR. DUVAL: In our rule a tournament cannot last more than one week. That is in the statute actually.

MR. HARTIG: Okay, so we have got a one-week definition. How about Michelle and other states that have run them; aren't normally – and I'm sure there are exceptions, but normally aren't there organizations that are running these tournaments, some kind of charity, benefit or Chamber of Commerce or a tackle store in particular?

DR. DUVAL: I think we heard from some folks at the March meeting, so it is generally a charity will – and it is up to the charity. It is their name on the event, but they can also choose to hire one of these organizers that we heard from at the March meeting to actually handle the logistics of organizing everything and getting scales out there and setting up the weigh station and all that stuff. Yes, but it is actually the organization that provides the funds to a charity.

MR. HARTIG: One of the things I would like to know is how many tournaments do we have? You would have records because you have people who have to apply and pay to have tournaments in North Carolina; do you have those numbers off the top of your head?

DR. DUVAL: Not off the top of my head. I do have the information with me; so if you give me a little bit of time, I can circle back. I've got the spreadsheets with me. Because it requires a trip ticket actually, the person who actually gets the tournament license is the individual who has to sell the fish and then donate the proceeds to the charity, so we do actually have very accurate records of pounds sold and things like that. If you give me a few minutes and keep on –

MR. HARTIG: You can have more time than that; we'll check with you later. We don't have to know that today. Certainly, from the Florida perspective, where I am there is sometimes three tournaments going on in the same weekend where I am. There are a lot of tournaments and there is a lot of money raised for charity, for sure.

DR. DUVAL: And just to that point, because we only require the license for sale; I mean, you can have a tournament where there is no sale of the fish and so that does not require a license, so what we're going to have records of are the tournaments that are selling the fish.

MR. HARTIG: And that was one of the questions that Kari asked; if you have a tournament, do you require all tournaments to sell or only those that sell fish – all tournaments to report or only tournaments that sell their fish. That was one of her questions. All right, are we making any headway on this? We've narrowed it down to possibly one week. That takes some of the concerns out. I guess somebody could still have a tournament for a week and sell their fish unless we define the people a little better. Michelle.

DR. DUVAL: Just in terms of you asked about the number of tournaments like on an annual basis; it has decreased a lot in the last several years probably due to availability of fish, but it has ranged from a low of 10 – excuse me, ranged from a low of 13 in a year up to 30.

MR. HAYMANS: Mr. Chairman, we're typically at six.

MS. BADEMAN: I was just going to say before we get any further in the weeds on talking about how we want to define a tournament and how we want to set up all these parameters, the Gulf wanted to remove this action. The way we moved on Action 1 it sounded like we were king of moving that way, too.

Do we want to pull this out and kind of deal with this when we're ready to deal with it? **If this action is going to be part of this amendment, I know we have a lot to do today, I think I would like to make a motion to remove Action 3 from the amendment, going along with the Gulf, to be placed in a stand-alone amendment.**

MR. HARTIG: We've got a motion by Martha; second by Doug.

MR. HAYMANS: Let's do that so that we can move this along. Let's allow the states and anybody else to sit down over maybe this evening, work out what a tournament would look like and bring it back to full council as that action if we want to reinsert it or not. Would that be okay?

MR. HARTIG: That sounds great; it sounds like a great idea. Anymore discussion? Any objection to the motion? **Seeing none, that motion is approved.** Monica.

MS. SMIT-BRUNELLO: So you can help me remember; in Action 1 about the prohibit on the bag limit sales of fish, did you all choose no action or did you choose to also place that in a separate amendment along with tournament sales?

MR. HARTIG: We chose no action in that one. It is kind of being hostage by tournament sales, essentially. I don't think the no action is what we really want to do. I may be wrong but I was pretty sure this council wants to go down the line to prohibit bag limit sales. If you prohibit bag limit sales, then you prohibit tournament sales and that is the problem we're in.

That's the dilemma we're in now; if we went with the option that I thought we were going to approve in Action 1, then we would have prohibited tournament sales and tournaments would not be able to sell their fish until such time that we were able to get an amendment in place for that to occur.

MS. SMIT-BRUNELLO: So two points; one would be I guess at the end of this you're going to discuss perhaps a joint committee meeting with the Gulf to try to come to resolution on these kinds of things. Then the other is in the dealer amendment that you went forward with a little bit earlier, that was to make commercially permitted king mackerel and Spanish mackerel fishermen sell to a commercially permitted dealer, right, so these bag limit sales will go under the radar, if you will. They don't have to be sold – those individuals don't have to sell to a federally permitted dealer. They can sell to whomever they want because there is no permit tied to them.

MR. HARTIG: That is right and why I asked the Roy earlier is there some way to move Option 1 forward with the exception to continue to allow tournament sales until we deal with that in an amendment. That is the intent. I see the tournament sale things getting together with the Gulf possibly in a joint meeting as well as maybe some other things that we haven't got concurrence on that we're close. I see that being of value. Okay, Action 4. It sure looked a lot easier on paper.

All right, Action 4 is elimination of latent endorsements in the Gulf group king mackerel gill net sector. That one is an easy one. The Gulf of Mexico removed that option to the considered but rejected appendix, and I would entertain a motion to do the same. Moved by Charlie Phillips; seconded by Michelle Duval. Any discussion? Any objection? Seeing none, that motion is approved. Action Number 5, latent permits in the hook-and-line fishery, I believe.

DR. MacLAUCHLIN: Okay, Action 5, this one is not an easy one. We have the no action alternative so leave the king mackerel commercial permits as they are. Basically what you're doing in this action is in some way defining some permits as latent under different criteria, and then you're going to decide what you want to do with the latent permits.

Under Alternative 2 you would not be able to renew your king mackerel permit if it was designate as latent under these options. Option A uses data from 1998 through 2010 and with an average of all years and at least one of twelve years. This is another one where we need to talk about these alternatives.

Option A and B give you your qualifying periods, and then Option C gives you the threshold. You either have to have one pound total; a hundred pounds, 500 pounds, 1,000 pounds; or average. Under Alternative 3 this just gives you if you have any reported landings of king

mackerel in five years preceding – we’re using the September 17, 2010, control date, but the IPT has asked for analysis sake if we could use September 30th for the analysis.

Option A is in any one of five years before September 17, 2010, or in at least two of the five years preceding September 17, 2010. In June you added an alternative that would not allow sale of latent permits, so you would need to define what is latent and then basically it would change that permit into a non-transferable permit; with the intent of over time as people retired, then those permits would just go away and it would reduce the number of permits available.

The Gulf went in Alternative 4 and added the same criteria with the qualifying periods and then the different poundage that you would have to have in a qualifying period. Then we have the appeals process. We have data requested and the analysis is in progress and so hopefully that will come through by December; so not a lot of information to give you about how many people would be latent and how many would be active.

This is just the number of current king mackerel permits here. The Gulf removed some of those suboptions under Alternative 2 that you did in June and then approved that control date using your September 17th control date in Alternative 3, and then revised Alternative 4 to include those different qualifications.

We had some public comments in August about this in North Carolina where the fishermen felt that this action would eliminate permits held by North Carolina fishermen who keep the permits active but they don’t use them regularly, so they may not be able to qualify under any of the different qualifying periods. Since there are endorsements coming in other fisheries and closures, they may need those king mackerel permits and so they would like to keep them, especially for the people who work in the multiple fisheries and so they may be able to meet any kind of landings criteria.

Some noted they felt like the income requirement works on its own. We can go through; the first question is just do you want to remove South Atlantic Alternative 4 and approve the Gulf Council Alternative 4, which is basically just latent permits would be non-transferable and the Gulf Council added in the different criteria.

MR. HARTIG: Basically the Gulf’s Alternative 4 was to allow transfer of latent commercial king mackerel permits only to immediately family members and allow transfer to another vessel owner by the same entity.

Permits will be considered latent if average landings did not meet the threshold defined below during – and then there is a whole – and that is at the bottom of – that was the motion I was just reading, correct or not? Yes, here it is.

And then the motion continues with the qualifying criteria we had in our options before. **The motion is to replace South Atlantic Alternative 4 with Gulf Alternative 4. Moved by Doug Haymans; seconded by Charlie Phillips. Discussion?** Michelle.

DR. DUVAL: Mr. Chairman, I just want to make sure I'm understanding the Options A, B and C under the Gulf's restructured Alternative 4. You would choose either one of Option A or Option B for the period of years that you want to use and whether you want to use an average or one of those years and then one of these suboptions within Option C for your threshold, right? Okay, I just wanted to make sure I understood that.

And then Kari explained the concerns from our fishermen really well. They haven't seen a whole lot of king mackerel lately. They maintain those permits because they do need to be nimble and flexible; and there is a concern that with the road that the council has taken with regard to endorsements, it is just really squeezing the number of tools the fishermen have in their toolbox in terms of being able to put together fishing in different fisheries to make a living. That's all.

MR. HARTIG: I appreciate and Jeff's letter was good in that, but even he considered a permit latent if it hadn't had landings in ten years.

DR. DUVAL: Yes, I was just going to say he was looking at I think a pretty long time period, but one of the other suggestions that he made is during that ten-year time period has that person fished commercially in other fisheries; do they have landings? And just looking at some of the landings of our fishermen, people have fished sporadically. They'll fish for four or five years and then they won't fish for that species for four or five years.

MR. HARTIG: And certainly when we get to income requirements, I want to have a conversation with Roy and try and iron out some stuff where we may be able to actually use commercial fishing income as a qualifier for some of these permits. That's another way to go about this and we'll see if we get anywhere with it. The Gulf added one thing that I wanted to see is at least one of the ten years. Charlie.

MR. PHILLIPS: And I want to echo I agree – I like nimble and professional fishermen from North Carolina so I think we fall in that same category.

MR. HARTIG: Let me lay out why we're doing this. Latent permits; how many permits are in the fishery, how many fishermen do we actually need to keep full-time fishermen in the fishery? We've got 1,400 and something permits in both the Gulf and Atlantic. We have 800-plus in the South Atlantic.

Okay, those are people who live in the South Atlantic and have a permit that is registered in the South Atlantic. That is how that is defined – 844; thank you, Kari. Well, here is the way I looked at this. We had a meeting of 80 fishermen last Thursday, about 80 people came. They're weren't too hot about changing trip limits, but they did want to reduce effort and they want to address the effort situation.

I asked them, I said, "Well, from a full-time commercial fisherman's standpoint, how much of Atlantic kings would you need in your business plan to survive?" One of the guys said 30,000 pounds. Okay, that is interesting because my historical catches in Atlantic king mackerel are in

the realm of 30,000 pounds and that is what I needed in those days to keep my business plan working. I got back to 30,000 pounds in about 2007.

Even back in the days when I had 30,000 before, that was fishing without regulations. I got back to that same average by 2007, and I was really happy with the way things had progressed. If I could my average landings back with all the regulatory things in place, I was tickled to death to be able to get my average catch that I had back in that time series.

But if you look at 30,000 and you then you add ten fishermen, that's 300,000; and if you add a hundred fishermen, that is three million. The fishery can't support a whole lot of people fulltime. We've heard numbers quoted from some of the guys who have written letters of 250 people you may be able to support in this fishery.

The problem we have in the southeast is that we've got a large number of people who have these permits and only get into this fishery when the fishing is good. They get out – right now they're out. We're seeing effort decline significantly each of the last three years in this fishery, especially this year, because of availability of the fish.

If you're not there every day, you don't get any catches at all. If you heard about it, you were too late. You had to be there. Those types of things; we're going to see a significant decline in effort in this fishery with the decline of that last year class. What I see in this part is a step to try and reduce effort, but I want to go farther as we get along to get us down to a core number of fishermen as this effort declines. This is the first step in my opinion.

This isn't the end all to effort and reduction in Atlantic king mackerel. But I know the harsh reality of how many full-time commercial fishermen that stock of fish can actually support, 3.7 million, is not very many. Okay, we've got a motion the board, replace South Atlantic Alternative 4 with Gulf Alternative 4. Any more discussion? Any objection? Seeing none, that motion is approved.

DR. MacLAUHLIN: The IPT recommends removing Alternative 5 – that is to establish an appeals process – and including this in the discussion instead, which the Gulf Reef Fish Amendment 31 has this. We just need a motion to remove Alternative 5.

MR. HARTIG: Motion to remove Alternative 5 by Doug; seconded by Charlie. Discussion? Any objection to that motion? Seeing none, that motion is approved.

DR. MacLAUHLIN: I just want to make sure that it is okay with the committee that you want to – when a permit is defined as latent, the alternatives that you have now are either to not allow it to be renewed so they lose it if it's latent; or, it becomes non-transferable, and I just want to make sure that is okay with everybody. It's like the two options for what happens to a latent permit.

And then also if you want to look at the different ways that we are going to define latent and the analysis, make sure that you're interested in all of these ways and everything is in there that you need. We're using data from 1998 through 2010. We can put a shorter period in there. I just

want to make sure everybody is okay with the qualifying periods and the qualifying poundages that are in there before we get into the analysis.

MR. HARTIG: Any suggestions? Charlie.

MR. PHILLIPS: You might want to get something that has got some recent history. I can imagine – you know, there are quite a bit of these king permits that have been transferred around. Somebody wants it and then they find out they can't make it with it and then they sell it again; so if you do these averages on these long periods, somebody could very easily be a serious fisherman or be trying to be and he won't qualify because it is such a long period.

MR. HARTIG: So what would you consider a shorter period, five years? Kari, do you want a motion on that or direction to staff? Okay, do you want to make that in the form of a motion, Charlie?

MR. PHILLIPS: Mr. Chairman, I so move to add a suboption for 2005/2006 through 2009/2010.

MR. HARTIG: Second by Mel. Discussion? Is there any objection to adding this alternative? Seeing none, that motion is approved.

DR. MacLAUCHLIN: So this would be under the options in Alternative 2 and Alternative 4, and that is what you intend?

MR. HARTIG: I think Charlie has got a great – you know, that is a great motion. These permits change hands pretty quickly. I think a shorter time series may actually help. You may have had a permit that has been held by five people in ten years. That could have happened. Michelle.

DR. DUVAL: But I'm just wondering if it might be possible to add an option in here that would consider the suggestion that Jeff made about looking at your landings in other fisheries. If you're a commercial fisherman and you haven't used your king mackerel permit in a long time because you've been putting together a trip with other fisheries because the fish have not been as accessible in your area, they just haven't come through, I'm just wondering if there is a way we could craft an option that would look at just commercial landings in general.

That is thinking out loud and off the top of my head it might be a little bit difficult depending on what other fisheries they're participating in and they may participating in non-federally permitted fisheries although I would suspect – okay. Kari, I'm sorry, I don't really have any suggestions for thresholds of landings that would determine being an active commercial fisherman at this point. I would like to at least include it as an option for consideration and perhaps I can work with staff to figure out what might be reasonable or talk to some of the fishermen. I guess I need to make a motion to do that; don't I?

MR. HARTIG: Yes, you would.

DR. DUVAL: I move that we add an option under Alternative 4 to consider – I'm not sure how to phrase this – general commercial landings –

MR. HARTIG: Income derived from the sale of commercial products; income derived from commercial fishing; I don't know.

DR. DUVAL: I'm thinking pounds might be easier. You get into income and some species are worth more, some species are worth less, and that doesn't necessarily strike me as fair. Maybe add an option under Alternative 4 to consider a range of poundage thresholds of commercial landings.

DR. MacLAUCHLIN: Any federal species or –

DR. DUVAL: I would think any species. Fishermen may participate in different fisheries whether they're state managed or federally managed. Like I said, I'm thinking out loud. I think we'll have the opportunity to review things again in December and I might be able to provide more input than – I just want to make sure I have the opportunity to add something like that because I do think it is a good idea and now might not be the time. We will see this again in December before it would be approved to go out for public comment, correct? Okay.

MR. HARTIG: Do you want to get a second to this or do you want to start discussion? Second by David. Roy.

DR. CRABTREE: Normally when we do these, we use the federal logbooks as the source of this; so if they have landings in fisheries where you wouldn't have federal logbooks, I'm not quite sure how we would determine who qualifies.

MR. HARTIG: Well, basically if you have a problem with your logbooks, you use the trip tickets to qualify. Yes, I envision this possibly working but you would have to use I think both state and federal fisheries. We have guys that go cast netting and then they go king mackerel fishing, so they're in state fisheries and then they're in federal fisheries.

The key to all of this is you're making the majority of your income from commercial fishing. That is the key to all of this is that most of your income – and I would go up to 80 percent of your income is derived from the sale of commercial products or commercial fishing; or, we use for-hire as well in some of the qualifiers. I know you have a problem with the monetary part of it because in the past when we came to income qualifiers you have said that they don't work for different reasons.

For the commercial guys that we talked to, some kind of landings and a dollar value – and if you use pounds, you're going to get into a problem if somebody goes and catches – I'll just be ridiculous here; they fish for menhaden. I'm being ludicrous to the point of making a point that could be an awful lot of landings for a very low-valued product.

Other fishermen like Jack Cox, for example, who has talked to many of you, can make a lot of money on very little fish. He is asking for sea bass just to have a small amount of fish for the

live market which he can make much more money on. His bottom line is how much money he is making from commercial fishing; it is not how many pounds of fish he is selling. It is how much money he is deriving from the sale of those fish is what is driving his business plan and not the pounds. Kari.

DR. MacLAUCHLIN: Okay, thinking about the analysis of this and the thing is that commercial landings of non king mackerel are going to be tied to a vessel, right? I'm thinking about how we would analyze this and I think it would have to be at the vessel level because you're going to need some kind of tie to the king mackerel permit that will be latent or not. It is going to be really tricky. People move the permits around. They move around even their vessels.

DR. DUVAL: Okay, I'm seeing the difficulty in using landings. If we could do it with a percentage of income from commercial fishing, I'm certainly willing to go there. No? I'm seeing heads shaking in the back of the room. As you're saying this, a couple of things came into my mind as Roy was making his points and Kari was talking about the difficulty of the analysis. For some of our appeals processes that we have in place, we allow fishermen to use trip tickets? Okay, so that captures any –

DR. CRABTREE: Most of the limited entry things we have done are based on logbook landings, period. Now, I think with rock shrimp we use trip tickets but I'm not sure. I think we did something different there, but the vast majority of them it is based on your logbooks.

MS. SMIT-BRUNELLO: Frequently we say a federal – if there was a problem getting federal logbooks or something like that, a person may be able to bring in their state data, but normally being able to bring in the state data isn't triggered because there is logbook information available.

DR. CRABTREE: And it is normally the landings associated with the permit, so it is the permit that qualifies. That gets to the problem Kari is talking about because if you have lots of landings from other places it is not going to be clear how it is associated with that permit. Now the logbooks are associated with a permit, but I'm not quite sure how we'd do it otherwise. There may be a way. I just not sure what it is.

MR. HARTIG: Well, if you have an individual associated with a permit or a corporation associated with a permit – if you went and made it owner operated, that you had to be an owner/operator to continue to qualify for this, grandfather in the corporate people now, I saw a way forward to use a dollar amount of fish sold in this process, but you would have to do some things that we haven't done yet. We would have to take care of the loopholes that you've brought before us every time we mention income qualifiers.

Some of that we have thought out with the owner/operator and a number of the fishermen thought that was a good idea. Most of the king mackerel fishermen are owner/operators, but in other fisheries they're not. Snapper grouper seems to be going more corporate all the time. I think we may be able to get there with some of these qualifiers. The intent is to try.

DR. CRABTREE: Yes, I think you just need to come up with some specifics as to what it is you want to do and then we can take it back and let people look at it and see if it is workable.

MR. HARTIG: And there are enough fishermen in the audience tonight and hopefully in that informal session tonight that they will come up with their ideas and put some of their ideas forward. I'm one person trying to speak for a whole bunch of people who have a bunch of disparate ideas. There are a number of people back there who have thought for a long, long time on ways to try and deal with the effort in the fishery, so hopefully we'll hear some of that tonight. Michelle.

DR. DUVAL: Mr. Chairman, I'm sorry, I didn't mean to throw such a wrench into this; and if it is going to be easier for an analysis to just look at federal logbooks for any of the landings, then so be it. I think my concern about having it as like a percentage of income is that there are folks who would like to be able to put together a living from fishing fulltime, but there are cases where people have to supplement that somehow, and that is just a concern I raise. That opens another whole can of worms about how you define professional fishermen and we have been down that road a couple of different times in North Carolina. I agree with you that maybe tonight some ideas will come forward. I just wanted to put it out there.

MR. CUPKA: We did use it one other fishery, Roy. When we had some people who made appeals under snapper grouper, we allowed them to use state landings if for some reason it wasn't in the logbook. That was a very small number of situations that we actually looked at, but we have used state landings along with logbooks.

DR. CRABTREE: We may have but that was before my time. That was some years back.

MR. HARTIG: Yes, and I think when we did that the people who we qualified under that situation got a 225-pound permit instead of the full permit, instead of an unlimited, so there were qualifiers on what those people qualified for. Okay, what is the intent of the committee on this motion?

DR. DUVAL: I would like to see it included as an option. We can always throw it out if it just turns out that the analysis isn't going to work. I would at least like to see it in there as an option. I don't know if we need to add a clarification that the landings would be derived from federal logbooks of any sort. Would that help you, Kari, in terms of the analysis?

MR. HARTIG: She said it would help so you want to add that to the motion as a friendly amendment or a substitute; a friendly amendment/

DR. DUVAL: Just a clarification for the amendment.

MR. HARTIG: Anymore discussion? **The motion is to add an option under Alternative 4 to consider a range of poundage thresholds of commercial landings, any species, based on federal logbooks. Anymore discussion?** John.

MR. JOLLEY: I just thought of something. How do you handle a situation where somebody has got a latent permit who derives a significant portion of their income from other species; hasn't been fishing the king mackerel and you've got a guy who isn't going to qualify, who is pretty much a full-time commercial fisherman and is just under whatever it might be the limit for criteria for either allowing him to continue the fishery and winds up with a latent permit that is not going to be any good because he doesn't meet those requirements; or, where you have got a guy who is fishing primarily for king mackerel over a period of years and doesn't meet the criteria and then you're going to reward a guy who has got a latent permit but he is working in another field with other species. Is that a problem; do you understand what I'm saying?

MR. HARTIG: Yes, I think so. The latent permits, we're either going to get rid of them or we're going to allow the guys to keep them and participate in the fishery as needed. This comes back to the guys in the Keys who have hammered me over the head for years, the lobster guys, the stone crab guys particularly that have both snapper grouper and king mackerel permits.

They may not use them for ten years and a hurricane comes in and wipes out all their gear and then they have to use the snapper grouper permit and the mackerel permit to make enough money to put their gear back together for the next lobster and stone crab season. Like I say, if we don't have a bad hurricane, they may not use their permits for a long time.

They're full-time commercial fishermen and they keep that as an insurance policy. I think there is pretty good reason to allow that to continue. I just don't think when we get to the point that they should be sold. When you sell that permit, then that permit can go into the extra effort in the fishery on a year-to-year basis when those guys may not use it for ten years and keep a lot of effort out of the fishery. That is how this has all come down under what I've thought about it, anyway. Okay, anymore discussion? Any objection to the motion? Seeing none, that motion is approved.

DR. MacLAUCHLIN: Okay, Action 6 is federal regulatory compliance. No action would mean that all vessels with federal commercial king mackerel or Spanish mackerel permits as well as the CMP charter permits are subject to applicable federal CMP regulations when fishing in the EEZ and are subject to applicable state CMP regulations when fishing in state waters.

Alternative 2 would mean all vessels with a federal commercial king or Spanish mackerel permits as well as CMP charter permits must comply with the federal CMP regulations when fishing in state waters if the federal regulations are more restrictive. The Gulf Council selected Alternative 1 as the preferred alternative; and added Alternative 3, if a cobia permit is established in Action 2, all vessels with federal commercial cobia permits must comply with federal cobia regulations when fishing in state waters if the federal regulations are more restrictive.

The AP, when they met in April, recommended Alternative 1 and the IPT recommendations are if both councils select Alternative 1 as the preferred, we should move this action to the considered but rejected. If not, then add the Alternative 3 for the cobia. I would need you to make a motion if you want to add Alternative 3.

MR. HARTIG: I would like to get it straightened out in my mind what the Gulf did first. They approved Alternative 1 and that allows you if you're in state waters you fish under the state restrictions and if you're in federal waters you fish under the federal restrictions. At least that is the way I read it; am I wrong on that? All right, that is correct. And then in cobia they changed it; you must comply with federal cobia regulations when fishing in state waters if federal regulations are more restrictive. I didn't understand why the difference between mackerels and cobia.

DR. MacLAUCHLIN: Well, adding Alternative 3 is an IPT recommendation –

MR. HARTIG: Oh, okay; I thought it was a Gulf recommendation.

DR. MacLAUCHLIN: But they've accepted that recommendation and added it, and so this is just so there is an alternative in there to cover whatever happens in the cobia permit action.

MR. HARTIG: All right, now I'm straight.

DR. MacLAUCHLIN: However, if you're going to select Alternative 1 as the preferred, then you may not want to add this Alternative 3.

MR. HARTIG: Roy, how are you guys going to track ACLs in the Gulf without that –

DR. CRABTREE: Well, basically where that could leave us is if we hit the ACL and close the fishery, the whole fleet could keep fishing in state waters if the state leaves state waters open, and then we could end up running over the ACL which will have consequences potentially for the next year when we do it, but that was where the council went.

MR. HARTIG: Okay, what is the pleasure of this committee? Do you concur with Gulf or do still want to deal with the federal regulatory compliance issues? I'm sure there are different opinions.

DR. DUVAL: Have we had something similar like this in past snapper grouper amendments; like this federal regulatory compliance action?

DR. CRABTREE: Yes, we have it for snapper grouper and we may have it in some other places. I know we have it for snapper grouper and the Gulf has it for reef fish.

MR. HARTIG: Well, it is a case if you want to be consistent; and if you're concerned that we have overage and people continue fishing in state waters with ACLs going over, then that is a real concern as well. If you're happy with the alternatives as they're there, we don't have to have a preferred now if we can move this along, if you're happy with Alternative 2.

DR. CRABTREE: Most of the states for the commercial fisheries close state waters when federal waters close. The real impetus on this one has been with the charterboat fleets where many of the states have left state waters open when federal waters are closed at least in the Gulf. That has been the area this mostly was intended to address.

MR. HARTIG: If you're good with these alternatives; we did approve did approve a cobia permit – or not a cobia permit; we established a permit to catch cobia or you have to have one of the permits that you already have to catch cobia, so would you need the IPT recommendation if it is not specific to a cobia permit?

DR. MacLAUCHLIN: I don't know.

MR. HARTIG: Yes, you would still need the IPT wording, so, David, do you want to move that?

MR. CUPKA: Yes, I'll so move that we add Alternative 3. We don't have a specific cobia permit, but all those permits would serve as a cobia permit.

MR. HARTIG: Okay, so we have a motion to add Alternative 3; second by Charlie. Anymore discussion? As David has said, even though it is not specific to a cobia permit, you would have to have one or the other permits to be able to sell cobia, so you would need a permit. Anymore discussion? Any objection to approving that wording? Seeing none, that motion is approved. All right, Action 7 is to modify or eliminate income requirements for Gulf and South Atlantic coastal migratory pelagic permits.

DR. MacLAUCHLIN: Okay, currently for king mackerel or Spanish mackerel commercial permits you have to have 25 percent of your income to have come from fishing or \$10,000 from commercial or charter fishing activity in one of the previous three calendar years of the application.

Alternative 1 is no action. It would maintain these income requirements. Alternative 2 would establish an income requirement for the cobia permit, if it is established, consistent with the king mackerel and Spanish mackerel income requirements. Alternative 3 would eliminate income requirements from the king mackerel and Spanish mackerel permits, and that the Gulf selected as their preferred alternative.

Alternative 4 replaces income requirements with a landings requirement, and then you have in one of the three years preceding application; and you have four options, 500, 1,000, 5,000 and 10,000 pounds of CMP species. The Gulf recommends eliminating Alternative 4. Alternative 5 is modify the income requirements, and this you would select with Alternative 2 or Alternative 4, and it basically just builds in some flexibility in case that you can – sorry, you can suspend the renewal requirements if there is an event or condition such as the oil spill or a weather event.

The Gulf selected Alternative 3 that eliminates the income requirement and removed Alternative 4. That is the one that considers landings requirement in place of the income requirement. The Mackerel AP recommended in April no action. We had a couple of people speak about it in August and they supported no action.

MR. HARTIG: So this kind of gets to what you were moving in the last action. Basically we have income to have come from fishing or \$10,000 from commercial or charter/headboat fishing activity. How did we define the \$10,000 as commercial activity back then would be helpful to

know; how did we use this before? It might inform our decision on how we go ahead with your option in the last action.

DR. DUVAL: And that was for landings; it is not income. Income qualifies you to hold the permit but if you haven't used the permit a lot in whatever span of years that we have been looking at, then you're shut out of using that tool. That was why I suggested that as an option and looking at landings for that.

DR. CRABTREE: And just so you understand how the income qualifier works, we essentially just ask the applicant do you mean the income qualifier; and if they say yes, then they meet it. I am not sure we have ever not renewed a permit because of the income qualifier. It may sound good and it make you feel good, but it effectively does nothing the way it is set up.

MR. HARTIG: Well, in the state in qualifying for your RS, you have to show \$5,000 of sale of the seafood product. You have to send in the trip tickets that show \$5,000 worth of sale when they show the value of your catch and what you got paid for your weekly statement. I usually send in whatever statements I need to qualify for that.

We could change that. We could change that you have to have X amount of money derived from actually commercial fishing based on trip ticket reports. We could use trip tickets. Although you say we use logbooks for landings, we could use trip tickets to verify the dollar amount, and that is the only way you could do it.

DR. CRABTREE: We can look into that, but I suspect, one, we won't have the staff to be able to do it. There may other underlying problems with that; I don't know. We can ask our permits staff to give us their comments on the feasibility of something like that. Of course, bear in mind it still doesn't get around the fact that all you have to do is put the permit in a corporation and then it is only that corporation's income that matters. You can make a million dollars a year personally and put your fishing permit in a corporate and then it meets the income qualifier because that is the only income it will have. Even if you do that, unless you fundamentally change the whole thing, that is just one of the problems.

MR. HARTIG: Yes, unless you use the owner/operator within this, then at least you'll get somewhere down the line towards actually having the person in the corporation on the vessel. That is the key to trying to get this dollar amount being able to be used as a qualifier. My concern is to use this in a broader picture sense, use it for other fisheries as well as needed.

I don't know if we need it in snapper grouper. You don't want to make people catch fish, but this doesn't really make them catch fish because they're making their living catching other species, anyway. That was the thing we always tried to get rid of in these things, having to catch – you know, the income requirement, if you only fish for king mackerel, you have got to out and catch either 25 percent of your income or \$10,000 worth of some kind of seafood product; you have to do that to be able to get that within one of the three years to be able to qualify.

All right, what is the pleasure of the committee? Do you think we can add some of these options together and kind of cobbling together the amount from commercial fishing and the owner-

operated clause, the owner/operator consideration that he or she would have to be on the vessel when the vessel is fishing or king or Spanish mackerel in this one?

I know this is kind of hitting you out of the blue because it is something that I've been thinking about for a long time and every time Roy has pounded me on why we can't do this or can't do that. I'm trying to figure out ways of what we can do and some way to move forward with somehow defining a commercial fisherman in this context. Charlie.

MR. PHILLIPS: Yes, and it is going to be tough because if you've got a fisherman that is catching a few kings every now and then as part of his portfolio, kind of like those stone crab guys, how are you going to separate them out from somebody that has got a day job in a pulp mill that just goes king mackerel fishing for two weeks when they're having shutdown.

Their landings aren't going to be much different, but you've got one guy that is truly what I would call a hundred percent commercial and one guy that is parttime but he is catching as many or more fish possibly than the guy that really needs it. Unless you're going to put some landings, you know, pounds of species along with an income requirement, I don't see how you're going to split these two different permits apart.

MR. CUPKA: In regard to Alternative 4, the Gulf recommended eliminating that. I don't think it is the poundage so much as it is the time it took landings of coastal migratory pelagics for a three-year period, which is awful short if these people are carrying it for insurance and using it occasionally. I guess I would make a motion that we remove that alternative from this action; not that I'm opposed to a landings requirement, but I don't think it ought to be tied to CMPs for one to three years.

MR. HARTIG: We've got a motion from David; second from Charlie. Anna.

MS. BECKWITH: Well, as Michelle mentioned before, just from North Carolina's perspective, we've gone through the process of trying to define a commercial fisherman for the state of North Carolina twice. Tom actually sat through that experience with me this last round. Every time I hear you say it, heartburn bubbles up.

What the experience taught us was all these fisheries are a tool in the toolbox as we keep saying. At least we found in North Carolina there were very few commercial fishermen that wanted to provide their personal income statements. People had secondary jobs. There were fishing four months out of the year and it may not have been 80 percent of their income, but it certainly helped them make it. I would hate to go down that road. It makes me very anxious.

If it was a poundage limit, it might be worth discussing; but certainly an income requirement, North Carolina would not be in favor of that. For our fisheries specifically, we have plenty of commercial fisherman that fish in the federal fisheries but also do some in the state fisheries. So from a practical perspective, I look to the National Marine Fisheries staff and try and conceptualize who is going to go through all of these permitted fishermen and figure out who is a real commercial fisherman or a full-time fisherman and how you bring in the information from the states, and it just becomes such a complicated task. It was for us on a state level so I can't

even envision what it would be like from the regional perspective. I just caution that at least from our experience it was much more complicated to attempt to define a commercial fisherman than it first seemed.

DR. DUVAL: And just to add to what Anna has said, we'd certainly be glad to provide folks with the reports from those two rounds of going through this. I think one thing we heard from the fishermen was that we have a whole a suite of – we have an eligibility board that deals with – you know, there is a certain freeboard of standard commercial fishing licenses that are available each year and there is a yearly meeting of the eligibility board. There are criteria for that.

One of the other messages we got back from the fishermen was that they were already using these criteria so why try to define it further. It really was going around and around in circles. It was a painful process, but I think Anna makes several good points. We'd be happy to provide those reports to folks who are interested.

MR. HARTIG: And certainly Roy has indicated you may be able to do this, but it is going to be extremely difficult to try and get through this process. I just had one of the commercial guys said days at sea, so how many days at sea do you go in a year? Maybe that is a consideration. I don't know whether that is really in the realm of this amendment right now. This is really what I'm looking down more of down the road, I guess. Okay, back to the income requirements; the AP said to keep them. We have a motion; don't we?

MR. CUPKA: You still have my motion on the floor, Mr. Chairman.

MR. HARTIG: **All right, we have a motion from David to remove Alternative 4. Is there any more discussion on that? Is there any objection to removing Alternative 4? Seeing none, that motion is approved.** All right, that brings us back to whether or not you want to retain the income requirements in the coastal migratory pelagics. The Gulf has eliminated them. What is your pleasure? We eliminated them in reef fish once we had those permits limited.

MR. SWATZEL: I would move to adopt Alternative 3 as our preferred.

MR. HARTIG: Motion by Tom; second by – I don't see a lot of interest, unfortunately. **The motion is to adopt Alternative 3 as the preferred, which is to eliminate income requirements for commercial king and Spanish mackerel permits. Seconded by Mel.** Discussion? Charlie.

MR. PHILLIPS: Well, Spanish mackerel is already open so there wouldn't be an income for Spanish right now, anyway.

MR. HARTIG: Roy says there is an income requirement for Spanish if you get the federal permit. If you don't, there isn't so you were half right. Michelle.

DR. DUVAL: I was just going to see if staff could refresh my memory on the AP's discussion in this regard. They recommended no action so just maintaining the existing permits, and I've

heard that from a couple of fishermen in North Carolina that they didn't seem to have a problem with the income requirement. Let's go ahead and keep them.

The issues with the income requirements, as mentioned by Roy aside, that is just feedback I've heard from a couple folks, but I was just curious what the discussion was at the AP and if it was kind of unanimous thing. I don't recall. I can dig back through the minutes but I don't remember.

DR. MacLAUCHLIN: From what I remember about this, I don't know if it was a unanimous recommendation for no action, but they did talk a lot about that they liked having some kind of requirement in place. This is just 25 percent of your income or \$10,000 – no, it is just 25 percent coming from any commercial or charter fishing activity. I think that the AP members felt like having something in place, even if it wasn't a perfect system, that made sure that the permits were going to people who were fishing in any way, commercial or charter. As long as that is in place, then they're okay with it. They wanted just something in there, and I think that's why they just said leave it how it is; it is fine.

MR. SWATZEL: We just heard from NOAA that the income requirement numbers that are submitted are pretty much meaningless because they can't be validated. I'm not sure why we should require it.

MR. HARTIG: I don't know that they can't be validated. Roy, I think if someone had a fraudulent application and couldn't prove that he had 25 percent of his income or at least \$10,000, he could be prosecuted. If he signed that affidavit and then could not prove what we require, they could be prosecuted under fraud. At least that is what one of the enforcement agents told me.

DR. CRABTREE: Well, if someone signed it saying they met the qualifier and they don't, then, yes, that is submitted fraudulent information to the government. The problem is we don't really have any way to know whether they met or not because we don't have any knowledge of their income actually is.

Yes, in theory that is right but in practicality I don't think that we would – I'm not aware of a situation where we have ever challenged the determination that anyone has made, and I'm not aware of a permit not being renewed because of the income qualifier. There are lots of things in theory but in practicality the way it is being handled right now, it is not doing much of anything.

MR. HARTIG: Well, if you had someone that was in question, could you ask specifically that one person if they had a question about your signature on your affidavit; could you ask them to prove by IRS or trip tickets? If you had \$10,000 worth of trip tickets, it would be relatively simple. The problem is the 25 percent.

DR. CRABTREE: Well, we try to treat everyone the same; so without some just cause to make us think somebody is submitting fraudulent information, I think we wouldn't do that. I couldn't just single someone out and say I'm going to make you submit a lot more documentation than anybody else does.

MR. HARTIG: Well, if law enforcement had intelligence and someone came and said, "Listen, I know this guy; there is no way he has \$10,000 worth of sales and I know he hasn't made 25 percent of his income from commercial fishing," that was an intel to enforcement; could they go ahead and then ask for documentation of the \$10,000 or the 25 percent income? Otha.

MR. EASLEY: Sure, if we had the intel, that would give us probable cause to ask further questions, but otherwise without that we wouldn't want to just single anyone out.

DR. CRABTREE: That is not going to be a productive system where you're relying on somebody to put the finger on someone about that kind of thing. Lord knows what you would get from that.

MR. BELL: I'm just curious; do we know why the Gulf preferred that and why was that attractive to them?

DR. CRABTREE: The Gulf has basically decided that the income requirements aren't accomplishing anything and it is just a needless hoop we're putting people through. It has also had problems in some years where – this came to the forefront when the oil spill occurred. We had a lot of fishermen who couldn't fish because things were closed down.

They went into the Vessel of Opportunity Program and were paid by BP and some of them got restitution and all kinds of things, but that is not income that comes from fishing. The fact that they got a lot of money from BP in and of itself could prevent them from meeting the income qualifier. That kind of caused the Gulf Council to look at this whole thing.

After they did, they essentially decided that the income qualifier really isn't getting us anywhere and it has created this problem, and so they decided they wanted to get rid of it. Now, if you want to try and come up with some other way to handle it or something else, that's fine, but that's the way it is right now. It gets real complicated and difficult to figure out how to get around some of these things.

MR. HARTIG: No, and certainly thinking for a long, long time about it and trying to address your concerns over time, we have got some ways but will they be effective; I'm not sure.

DR. CRABTREE: And if you load up the permit application process with a lot of really complicated things that require a lot of work to check them, well, then what is going to happen is we're going to get way behind on processing permit applications and then that creates a whole lot of problems.

MR. PHILLIPS: Well, Roy, if you take out the income requirement; what requirement would we have?

DR. CRABTREE: You wouldn't have one essentially. The permits are transferable and you have to have a vessel and you have to be a U.S. citizen, and that would be about it.

MR. HARTIG: I missed that; I'm sorry.

MR. PHILLIPS: I just asked what requirement there would be and Roy said other than a vessel to put it on, there would be no requirement.

MR. HARTIG: Okay, we have had some discussion. All those in favor of the motion raise their hand, 4; all those opposed, 5. The motion fails five to four. Action 8, Atlantic group Spanish mackerel gill net endorsements; this was an item I brought before the council probably six years ago. In talking with the fishermen and some of the dealers and looking at how things have proceeded since I brought this forward, I've come to the realization that we probably should move it to the considered but rejected appendix. Michelle.

DR. DUVAL: Mr. Chairman, I was going to express some similar concerns. I've had a lot of fishermen come to me and expressed a lack of support for this. I also have some personal concerns. We've gone down the road of a couple different endorsement programs right now, and I'm just a little concerned about moving in that direction too quickly and too many fisheries before we see how the impacts play out in the endorsement programs that we have already set up.

I know that when we were first considering this at the last meeting and I requested that staff put in another qualifying poundage of 5,000 pounds, in talking to some of the fishermen in the southern part of the state, the Spanish mackerel come through there so quickly that we would need a minimum qualifier of like 2,500 pounds and not even that.

I've looked at some of those landings and they're just very sparse. It is a similar thing with king mackerel. A lot of folks will fish for Spanish for a few years and then they won't necessarily fish for them. I know for us, as we've already discussed in another committee meeting, the majority of our landings for Spanish mackerel commercially come from internal waters. **I would make a motion to move Action 8 to the considered but rejected appendix.**

MR. HARTIG: Motion by Michelle; seconded by Mel. Anymore discussion? Is there any objection to that motion? Seeing none, that motion is approved. Well, let's see how far we get in 20.

MR. CUPKA: Well, we'll go ahead and get started. I will mention that the Gulf removed three actions all dealing with cobia because they wanted to wait until the cobia assessment was through, so we may be able to get through it a little quicker. And if we go over a little bit, we just won't start the Q&A right at 5:30, so let's see how far we can get.

MR. HARTIG: All right, good. Amendment 20, Tab 4B is the decision document. Kari.

DR. MacLAUHLIN: Okay, this one has ten actions in it. The Gulf Council did make some changes in some of these and we can go through them. It is currently on the same expected schedule as 19.

Action 1 modifies the subzones and allocations of Gulf Migratory Group Eastern Zone King Mackerel. The Gulf made some changes in the language. I don't know if this is something that you want to discuss right now. It hasn't been fleshed out a whole lot.

MR. HARTIG: Okay, if you want to hold off until after the Gulf looks at it and brings it back to us, that would be fine with me. I wasn't sure about the language as well. It looked a little premature, but it may be not quite as fleshed out as well as it should have been. These amendments, as we go through them, they're pretty darned complex.

It is primarily a Gulf option. One of the things that I would like to see in this is the charts that at least can show me what they're doing. Our fishermen fish over there, and they would like to see how this is going to impact them as well. If we had at least some charts to look at, I think that would be helpful.

We really don't need to take any action unless you want to approve the Gulf wording or you wait for the Gulf's to come back to you and maybe they'll change it again. If you want to move on, we can. Action 2, modify the commercial hook-and-line trip limits for Gulf Migratory Group King Mackerel; again, primarily a Gulf option. Kari.

DR. MacLAUHLIN: This will change those hook-and-line trip limits. We have 1,500, 2,000, 2,500, 3,000 pounds with the options for the different subzones. The Gulf Council took no action on this. They haven't changed anything and selected a preferred.

MR. HARTIG: So they haven't changed anything and we're moving along; Action 3, change the fishing season for Gulf Group King Mackerel for the eastern and western subzone; again primarily a Gulf action. They had no changes so moving right along; Action 4, establish a transit provide for king mackerel harvested in the Exclusive Economic Zone off Monroe County when the rest of the west coast of Florida is closed. We have a preferred although is primarily a Gulf action, and they have a different preferred than we do, if I remember right.

DR. MacLAUHLIN: They don't have a preferred.

MR. HARTIG: They don't have a preferred in this one? We're the only with a preferred. Do they have some wording changes?

DR. MacLAUHLIN: Yes, they did add Alternative 4 which uses language from Florida's transit provision.

MS. BADEMAN: I would like to make a motion that we make the new Alternative 4 our preferred, but with one small tweak. Where it says "April 1st to July 1st", it should actually be "through June 30th." That would match up with FWC rules.

MR. HARTIG: Okay, I'm trying to figure out how we handle this in the motion. How does that look?

MS. BADEMAN: I'm happy.

MR. HARTIG: All right, motion by Martha to add Alternative 4 – do you want to read it? There you go; I'll let you read it.

MS. BADEMAN: My motion is add Alternative 4 and select it as the preferred. Alternative 4 would “establish a transit provision for fish harvested in the EEZ off Monroe County to be landed in Collier County when the rest of the west coast of Florida is closed with the following provisions: only from April 1st through June 30th; only with direct and continuous transit and gear stowed; and only for fishermen holding a federal commercial king mackerel permit.

MR. CUPKA: You might want to say add Alternative 4 as modified because you did make a change in there. Alternative 4 now is not quite what you have up there.

MS. BADEMAN: That is a good point; yes, add it as modified.

MR. HARTIG: Second by Charlie Phillips. Any other discussion?

MS. BADEMAN: The modified alternative that I would like to select as preferred would be Alternative 4 “ to establish a transit provision for fish harvested in the EEZ off Monroe County to be landed in Collier County when the rest of the west coast of Florida is closed with the following provisions: only from April 1st through June 30th; only with direct and continuous transit and gear stowed; and only for fishermen holding a federal commercial king mackerel permit.”

MR. HARTIG: Anymore discussion? Any objection? Seeing none, that motion is approved. Action 5, restrictions on fishing for king mackerel in multiple zones; the Gulf Council removed that option to the considered but rejected appendix. I would entertain a motion to do so. Motion by Charlie; second by Anna. The motion was to move Action 5 to the considered but rejected appendix. Discussion? Objection? Seeing none, that motion is approved.

All right, Action 6, cobia; and under cobia modify the Gulf and Atlantic Migratory Group Cobia Annual Catch Limits. SEDAR 28 will now be completed in December 2012. The South Atlantic SSC will review the results of the stock assessment in April 2013. The South Atlantic Council will review the results in June 2013.

The Gulf moved Actions 6, 8 and 9, which pertain to cobia as far as AMs and things are concerned, to the considered – no, they didn’t do that. They asked that they would be moved to a later amendment after SEDAR 28 is completed. That is what the Gulf has done with these actions. We can take them one at a time if that is your pleasure. We would need a motion to move – David, do you want to do that, 6, 8 and 9; do you want to do that all at once. You usually do those things pretty well.

MR. CUPKA: Yes, why don’t we go ahead and make it for all three actions; that we move Actions 6, 8 and 9 to a later amendment after SEDAR 28 is completed.

MR. HARTIG: Motion by David; second by Charlie. Any further discussion? Any objection? That motion is approved. Action 7, here we are at the action near and dear to some of our hearts, establish state-by-state or regional quotas for Atlantic Migratory Group King

Mackerel and Spanish Mackerel. State-by-state quotas, we have a number of options there. Two regions – well, how would we have to probably work that. We have got the percentages. Would you want direction to staff on how they would want to use the percentages in figuring out the different percentages for each of the regions? Michelle.

DR. DUVAL: I have some thoughts on this. I might suggest just using the average of the past five years of landings for each of these to determine what the split would be. I think for king mackerel it is a little bit more complicated. Kari has these two columns of percent of quota and then also percent of total landings.

When we've done things like this up in the Mid-Atlantic, it has been based on what your percent of total landings was. However we could do something like whatever the average of that last five years is of landings in terms of the percent of quota and then what the average – I'm trying to think out loud here – the average unused quota is and use that split between North Carolina and the rest of the region and apply that to the unused quota to really come to basically a sub ACL for North Carolina.

Those are a couple of options. I'm sorry that we're getting to this so late and we've had such a long day because I know things like this are really complicated and they hurt people's brains to go around and around them. It is not the same issue with Spanish mackerel. If you're looking at the landings, there are only a couple of years there where there is unused quota left so. Those are a couple of options in terms of direction to staff looking forward to further refine these tables.

MR. HARTIG: That is what I'm trying to figure out. The way we do it use the percent of total landings and not percent of quota – okay, that is fine. I think that is a good way to go. And then how would we apportion the part of the quota that wasn't used into the system; based on the percentage of landings that you had or not?

DR. DUVAL: Right, and that is my fear that I would have difficulty explaining this at this hour. Just to go back and try to clarify; use the last five years, average over the last five years to determine that apportionment of the percent of total landings of North Carolina versus the rest of the region. That is one way to look at that and apply that percentage to the overall ACL.

The other way you could do it is look at the – when you average those last five years, look at the percent of the overall quota that North Carolina has landed versus the rest of the region; and if there is an average of unused quota, apply that split of whatever the North Carolina portion of the quota was versus the rest of the region to that average unused set of landings from the ACL. I'm probably not doing a very good job of explaining it at this point.

MR. HARTIG: I think I'm getting the gist of what you want to do. I just may want to see it done another way as well.

DR. DUVAL: Right, I understand that. Those are just two suggestions that I have for ways of looking at this.

MR. HARTIG: Certainly, we can look at ten years. I think that seems an obvious –

DR. DUVAL: Certainly, we can look at ten years. That was just a suggestion for further analysis.

DR. MacLAUCHLIN: Okay, so the first one is just the North Carolina sub-ACL would be based on the average of the North Carolina proportion of landings for those five years. Option 3 would be the same but for ten years. Then Option 2 is – we can make this Option 4, also – is whatever this is, so let's say it is 10,000 pounds plus whatever their proportion of the landings were of the unused quota. That I will have to verify because some of it was unused and some of it was just Mid-Atlantic landings, but most of it was unused.

DR. DUVAL: Right, so, yes, the first way is just to average of the last five years of landings, whatever that percentage turns out to be. You know, you average the last five years of landings, figure out what that percentage is for North Carolina versus what it is for the rest of the region, apply that percentage to the overall ACL and then you get your poundage split. Here is how many pounds North Carolina has; here is how many pounds the rest of the region has.

Another way of doing that – and you can blame Louis for this complexity – you know how Kari has it calculated in terms of, well, what are the landings in terms of percent of quota versus what is it in percent of overall landings? You could look at the average of the last five years in terms of percent of quota, which is going to give you three different values because you have unused quota as well, so there is an average five years of North Carolina proportion of quota, the rest of the region proportion of quota, and then unused quota. What the suggestion was you take that – say it turns out to be 15 percent is what North Carolina's proportion of the overall quota is in terms of landings; you would apply 15 percent to whatever the average unused quota is to come up with your final sub-ACL.

DR. MacLAUCHLIN: But we're going for a percentage in all of these because in the end it would just be applied to whatever the ACL is, right? It is not pounds; it's just percentage?

DR. DUVAL: Right.

MR. CUPKA: I was just going to go over a way to do it.

DR. CRABTREE: And so, Michelle, the way this will work then is if this is how the council goes, then North Carolina will track their quota; and when you determine the quota is caught, you guys will write a letter to the Fisheries Service and we will close the EEZ off of North Carolina?

DR. DUVAL: No, the way it works in the Mid-Atlantic is that it is a possession limit. Summer flounder is a good example. It is a possession limit. You can be fishing for summer flounder out in the EEZ from any other state. You just can't come into North Carolina and land.

DR. CRABTREE: So then when the quotas are caught outside of North Carolina, we will prohibit fishing for king mackerel or possession of king mackerel in the EEZ; but when the quota is caught in North Carolina, North Carolina will close North Carolina waters but the EEZ would remain open if you don't.

DR. DUVAL: Say that again.

DR. CRABTREE: Well, normally when quotas are caught we prohibit fishing for or possession of in the EEZ and we close the EEZ down; so when the king mackerel quota is caught, that is what we would do, but North Carolina can't close the EEZ. North Carolina can only close state waters so then the EEZ off of North Carolina would never close. Maybe that is not a problem, but it could be.

DR. DUVAL: Yes, but you still can't come into North Carolina waters with a boatload of fish and land them because that's a possession limit.

DR. CRABTREE: That is arguable. If the EEZ was open, I would argue that North Carolina has no authority to prohibit a boat from landing, but that would have to go to court.

DR. DUVAL: It is a possession limit. You can't be in North Carolina waters possessing those fish. That is how summer flounder works and it works in all the states north of us that way.

DR. CRABTREE: We'll look into it.

DR. LANEY: I'm not on your committee, Mr. Chairman, but unless I'm missing something; do those folks who are landing in other Atlantic states get disenfranchised. If you're lumping that amount of landings in with the unused quota; don't you have to somehow break that out in another column here so those folks don't get disenfranchised unless I guess they're fishermen from North Carolina or one of the other three South Atlantic states who are landing in those other states.

DR. MacLAUCHLIN: This is the landings just for North Carolina, Florida, Georgia and South Carolina of the Atlantic Group King Mackerel and the Atlantic Group Spanish Mackerel; and so when I calculated the rest of the quota, I realized that I wasn't 100 percent sure it was unused. Some of it may come from other Mid-Atlantic states.

However, just looking at landings, it is mostly unused quota and you can see that in my quota reports and everything. We would have to verify exactly how much was unused by going and looking at all of the rest of the Atlantic States and adding them up. I just didn't have that in the data request.

DR. DUVAL: And so that speaks more for using I guess just percent of overall landings to split that out.

DR. MacLAUCHLIN: I can request the rest of it and we can figure it out. It is not going to be that different.

MR. BELL: So what would prohibit you from continuing to fish in the EEZ off of North Carolina but then coming down and landing in Little River or Murrells Inlet or something?

DR. DUVAL: Nothing if the rest of the region is open.

MR. BELL: Right, but then that gets counted against our percentage?

DR. DUVAL: You have already fishermen from other states fishing in the EEZ off your waters and I assume if they have like a snapper grouper permit and they have – you know, in North Carolina you would just need a land or sell license to come into North Carolina waters and land. We have fishermen from Florida who are up hogfish fishing and they land down in Southport, so you have fishermen from other states fishing in the EEZ off your states now and coming and landing.

For the other quota-managed species that are in the Mid-Atlantic where we have state-by-state quotas for summer flounder and for black sea bass, that allows each state the flexibility to open its fishery at a time that it wants. It is a possession limit so you cannot possess or sell more than X number of pounds.

We set a trip limit for summer flounder, a two-week trip limit and we do it in basically two-week waves like that. When our state waters are closed and you're a North Carolina vessel you can still fish in the EEZ waters for summer flounder. You just won't be able to land them in North Carolina; but if you have your Virginia land-or-sell license you can go hop over to Virginia and land over there, provided Virginia is open.

MS. SMIT-BRUNELLO: I'll look into that further. I do note that summer flounder is jointly managed between the Mid-Atlantic and the ASMFC and so there may be some more legal tools available allowing for some of this as opposed to our situation where it is just Magnuson.

DR. DUVAL: But for summer flounder those state-by-state quota shares are set up in the federal plan.

MS. SMIT-BRUNELLO: Well, which federal plan, the one under the –

DR. DUVAL: The summer flounder plan.

MS. SMIT-BRUNELLO: No, I know that but the ASMFC also has things they call fishery management plans that are set up under that Atlantic Coastal Cooperative whatever Act.

DR. DUVAL: It's called the Atlantic Coastal Fisheries Cooperative Management Act. I really wish Bob Beal was still here because he could help me out with this. It is not that complicated. The state-by-state quota shares for summer flounder are set out in the Mid-Atlantic Council's fishery management plan for summer flounder. The ASMFC has a complementary document that reaffirms those state-by-state quota shares.

MS. SMIT-BRUNELLO: Okay, so I'll take a look at that and see if we can import some of it here if the council wants to.

DR. MacLAUHLIN: Roy, is this very different from the way the Gulf Group King Mackerel is set into zones and subzones with the allocations; I mean, a northern and a southern subzone; or northern and southern zone for Atlantic group with an allocation?

DR. CRABTREE: It is only different in the sense that the state is going to take responsibility for monitoring the quota and closing; whereas from what you're talking the quota monitoring is all done by the Fisheries Service and the Fisheries Services does the closures. I don't know that there is a problem with making this work.

The only question I have is whether we would need to take an action to close the EEZ off of North Carolina when they close state waters, but I don't think that is a problem because all that would mean is North Carolina would need to notify us we're going to close on this date and then we would just close the EEZ down at the same time. Maybe we don't have to do that, I don't know, but that is the main difference here is who is responsible for closing the waters down. The issue about people fishing and where they land and all that is not a particularly troubling thing to me.

MR. HARTIG: All right, we have got some allocation options from Michelle. You have got them on a list right there; all right. Michelle.

DR. DUVAL: And Wilson makes a good point about I think we are going to need to look at what that unused plus rest of the – I mean this quota applies all the way up the Atlantic coast, and I certainly am not looking to cheat other states out of their landings, so it might just be easier I think – when you do the analysis, it might just fall out that it is going to be easier to just use the proportion of overall landings; North Carolina versus the South Atlantic or the rest of the region, however it falls out.

MR. CUPKA: I think you would want to do more than that. I think you would want to spread that unused portion. I'm assuming we know what the landings are in other areas outside the South Atlantic so we could separate it into an unused and other landings outside our South Atlantic and then take that other and split it up among North Carolina, the rest of the South Atlantic plus whatever the percentage is for the other areas outside the South Atlantic. That way they're being proportionately split among all three groups which is the only fair thing to do, I think.

DR. DUVAL: I agree, I think that would be a great way to look at it.

MR. HARTIG: David, what were you suggesting again?

MR. CUPKA: That percentage we have for unused plus landings outside the South Atlantic; that we know what the landings are outside the South Atlantic, I'm assuming, so we subtract that from that total percentage and see what the unused percentage is. We take that number and split it proportionately among North Carolina, South Atlantic and the other area outside the South Atlantic.

DR. DUVAL: I think in looking at Options 2 and 4, when I was talking about applying North Carolina's proportion to the average – times the average unused quota, it says above plus that – it is not actually the above, because Option 1 is looking North Carolina's proportion of the landings; whereas, Options 2 and 4 you're looking at the proportion of the overall quota, so I think that is just an important distinction in order to get it correct.

DR. MacLAUCHLIN: Do you want just North Carolina's proportion of the quota over five years?

DR. DUVAL: Right, what I was trying to explain is that you can look at this as North Carolina's proportion of the landings and take the last five years or the last ten years, whatever, the average proportion of the landings for North Carolina. You can have the average proportion of the rest of the South Atlantic states, like David suggested, and the rest of the proportion from the other states.

Maybe that gets at it, and you don't have to look at trying to define what the average percentage of the actual quota is that North Carolina has landed and then applying that average percentage of the quota to any unused quota. So you have Florida; Georgia, South Carolina; North Carolina, the rest of the Atlantic states that are allowed to catch Spanish mackerel.

You can look at the landings at each of those three entities as a proportion of the overall quota, which means you're going to have a little bit left over likely that is unused. You can apply the proportions from each of those three entities to that unused piece. That might be too confusing. I think probably what David has suggested in terms of looking at just the landings for the percent of landings for North Carolina, percent of landings for the rest of the South Atlantic states and then percent of landings for the remainder of the Atlantic Coast is just the way to go.

MR. HARTIG: Talk about cruel and unusual punishment, we're going to stop right here. It has been a rough day. We're going to stop right here. We've got Roy's informal comment tonight. If Michelle recovers to any degree by tomorrow morning, maybe can put something together with staff and come to a resolution on this so we can look at it tomorrow at some point and David will tell us when that will be.

MR. CUPKA: Since we do have a closed session scheduled for in the morning for AP Selection, what I intend to do is to start off with that closed session and then come back and finish up mackerel before we go on to golden crab. We will finish this up tomorrow after our closed session for AP Selection.

The Mackerel Committee of the South Atlantic Fishery Management Council reconvened in the Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, Thursday morning, September 13, 2012, and was called to order at 9:40 o'clock a.m. by Chairman Ben Hartig.

MR. HARTIG: All right, we're going to bring the Mackerel Committee back to order. All right, we left off yesterday with a significant discussion on state-by-state quotas. We've got a list of options that came out of those discussions yesterday. These are directions to staff to work up these options before December. Michelle.

DR. DUVAL: Mr. Chairman, those are fine to me and I was just mentioning to Kari before we got started that it would probably be beneficial for the committee and the council to see what those average landings and average proportions of quota look like for the other states in the South Atlantic and then also what they look like for the remainder of the region, the Mid-Atlantic. I think it would be useful to see what those proportions look like. It seems like there

would be interest in doing that and not just the North Carolina proportion of those landings, but display all those numbers in the workup. That was all that we had talked about.

MR. HAYMANS: Mr. Chairman, if I could add one option I would appreciate it. I would like to see Boyles' Law applied to the percent of the total landings. We used Boyles' Law for every other allocation we've done, sector allocation. I understand North Carolina's apprehension of Boyles' Law or at least I think I do, but I'd like to see it at least applied as part of one of these options.

DR. DUVAL: Doug, I'm not opposed to adding it in there as an option for analysis. I will say this is not how quotas have been established in other areas. It is based just on historic landings, and I'm talking for the commercial sector mainly. Boyles' Law we have used specifically for recreational and commercial sector allocations.

I'm fine with including it in there for analysis. I have concerns about the use of Boyles' Law just for our commercial and recreational allocations and I know the Socio-Economic AP is going to address that in the fall. I just wanted to make sure folks know that is not these kinds of quotas have been established in the Mid-Atlantic using –

MR. HAYMANS: Well, my only point in that is consistency for the South Atlantic. Because we've used it so extensively, I would like to see it used here, too, or at least attempted.

DR. DUVAL: And I'm fine with that.

MR. HARTIG: So are you happy with that list of options to look at in December as far as allocation between states is concerned or between the regions; state and region? Okay.

DR. MacLAUCHLIN: We have got one more action in there.

MR. HARTIG: Yes, the only action left that we need to do because we removed 8 and 9 in a previous motion because that had to do with cobia and we're going to wait until the cobia assessment to deal with those, and that is Action 10 is modify the framework procedures.

DR. MacLAUCHLIN: Okay, Action 10 has five alternatives in there now and this will allow the framework to be able to include changes in the AMs. There is a list of in-season and post-season AMs. The Gulf selected Alternative 2 as the preferred and also Alternative 4 and Alternative 5. Alternative 4 modifies the procedure to include designation of responsibility to each council for setting regulations for the migratory groups.

Alternative 5 will make editorial changes to the framework procedure to reflect changes in the councils' advisory committees and panels. Then the Gulf also added some language to Alternative 2. Here I show what the current language is for Alternative 2, and this is what you saw in June and what you have in the document. The Gulf Council just added this language here in the green so that it is not only modifying the procedure to include changes to AMs but also to ABCs, ABC/ACL Control Rules. If this is okay, then we would need a motion to just approve that addition.

MR. PHILLIPS: Mr. Chairman, I so move.

MR. HARTIG: We have a motion by Charlie to approve the Gulf's additional wording in Alternative 2. Second by David Cupka. Any more discussion? Any objection to changing the wording? Seeing none, that motion is approved. That's all we have to do?

DR. MacLAUCHLIN: A couple of other things that I wanted to make sure the committee knew about; one thing is that the Gulf Council has directed their staff to developing a scoping document for the January 2013 meeting for an amendment to reallocate Gulf Group King Mackerel between recreational and commercial.

It is listed as their CMP Amendment 21, but it may 22, but just a heads up that the Gulf is going to look at reallocating their recreational and commercial allocations. Then also I wanted to ask the committee about the advisory panel reviewing 19 and 20 before final approval if that is going to be in March 2013. I talked to Ben about this.

That would mean that an AP meeting would need to happen in February probably. We are expecting to just have a meeting in April. That is the normal schedule for it, but I just wanted to get the committee's direction on where you want to put that. The advisory panel has reviewed the actions and I have kept their AP recommendations in these documents from last April. They have seen all of this. They haven't seen an analysis and things like that. I just wanted to bring that up with the committee and make sure if that is something you want before March, then we can do it if people are available to meet in February or you can wait until April.

MR. HARTIG: I would ask David how does the budget look; do you think it is as important to bring them in right at that time or after public hearings? Okay, then we would reconvene the AP in February to go over the document after it comes back from public hearing and with all the changes and the analysis that we've had. Go ahead, Doug.

MR. HAYMANS: Could I just say a word about our discussion this morning?

MR. HARTIG: Certainly, go ahead.

MR. HAYMANS: Michelle, Martha and I sat down last night – Mel had already left – but we kind of hammered through some of the questions that were in the tournament action that we removed for a future amendment. We think we have something at least that the states could agree on for a tournament format so we have a starting place for a new amendment if we do that for tournament sales. I just wanted to let specifically Michelle and Martha know that we're going to hold off. Thank you, Mr. Chairman.

MR. HARTIG: Thank you, Doug, and thank you for doing that work last night and trying to get us started in that direction. Okay, that brings us to the framework measures. There is a lot of information there about landings on Atlantic group quota. I think we will go ahead and take the framework actions as they are listed. The first one is the size limit, the change in the size limit from 22 to 23 – or 23 or 22 inches. Do we have the AP comments on that? I think we do, but we don't have them in this.

DR. MacLAUHLIN: Did the AP comment on this?

MR. HARTIG: We don't have those comments in the framework option, but I think they did. What is the intent of the committee? My recollection from the AP was D. That is what they came up with. You've got a number of options to change the size limit. The reasoning behind changing the size limit is mortality that occurs on those animals that are just below the minimum size limit predominantly in the commercial fishery, in the trolling fishery where you have throat latch problems and hook mortality that occurs.

Most of the fishermen have thought that it would be better to put those fish that the weight is relatively similar to a 24-inch fish; it would be better, instead of throwing those fish back dead, to have them included in the quota and in the mortality of the stock. That is where this came from. What is your pleasure; do you want to leave it in? I'm seeing some heads shaking. Okay, I see general consensus to leave this item in so we will.

All right, there is another item under that that is change the size limit – no, not change the size limit; it is retention of one king mackerel – only the retention of one king mackerel greater than 50 inches. I remember this coming from the AP, specifically from the recreational side. That is my recollection of what this was. The only problem I see with this one is that if you're going to try and start measuring 50-inch king mackerel in the boat, it is going to be – it is probably going to be gaff and release if it is not. I don't know that this is very useful in my opinion, but others may have different opinions. Roy.

DR. CRABTREE: What do they assume for the release mortality rate in the assessments?

MR. HARTIG: I can't remember off the top of my head; I'm not sure. This could work if you released it at the boat, but that is not going to happen. Somebody catches a big king mackerel and brings it in the boat and you're probably gaff it to bring it in, I see a lot of problems with this. Just in cobia, measuring a cobia at 33 inches; it is a wrestling match. Having said that, cobia and king mackerel are not the same. Usually king mackerel are more worn out by the time they get to the boat at that size, but cobia aren't.

If you want to, we could have a motion to remove this option. So moved by Anna; seconded by Charlie. Is there anymore discussion on this motion? Is there objection to this motion? Seeing none, we will remove that from the framework. That motion is approved. Item 2 was retention of one king mackerel greater than 50 inches and the motion was to remove Item 2. It was approved without objection.

Okay, the spawning season closure for Atlantic king mackerel, that came out of some discussions with different – and I don't know how many people it was, but this was never something that I wanted to entertain in the framework. I never wanted to see a spawning season closure. We have rebuilt this fishery without a spawning season closure already once from the lowest level of stock that I have been involved with in 40 years.

The closure aspect; all the fishermen at the meeting that I went to – we had a meeting last Thursday with between 70/80 fishermen. They did not want to see a spawning season closure

for Atlantic mackerel included. The spawning season for Atlantic king mackerel is April through September. It is a very long protracted spawning season. Having said that, I would entertain a motion to remove that unless you have an alternative. Michelle.

DR. DUVAL: Mr. Chairman, I move that we remove consideration of the spawning season closure for Atlantic Group King Mackerel from the framework.

MR. HARTIG: Motion by Michelle; second by Mel. Any further discussion? Any objection to that motion? Seeing none, that motion is approved. All right, change in trip limits for Atlantic Group King Mackerel; we had significant discussions about that at that meeting where I was. We had, like I say, a number of people.

There were some people there that wanted to change the limits and some people didn't. You heard a little bit of that competition last night in Roy's question-and-answer period. There are definitely people on both sides of that fence in the fishery. However, the consensus that came out of that group was to not change the trip limits for Atlantic Group King Mackerel this year.

They want to wait one more year. They want to see what happens this year. I will tell you the concerns they have are that the declines over the last three years have been precipitated by probably a decline in stock, but the conditions that have occurred over the last three years in that area have been not conducive to be able to catch very many fish out of that area. We've had considerable cold water events.

We had the Gulf Stream this year left in May for almost four weeks and that is unprecedented. I've never experienced that. It was 18 miles off. I kept listening to the NOAA reports. These animals, when they come down to our area, normally the current patterns are very consistent in that Jupiter area where they come to.

They can actually, when they get there, stem the tide and not move and stay in the same general area for spawning. Now, they don't have to spawn in Jupiter, but that is the preferred area. If they don't have any current, they continue looking for it and they'll move to areas that are more conducive for what they want to do when they spawn. That has been a big consideration.

The other consideration on this is that the Cape fishery that occurs in the mixing zone, there was a lot of data presented by Dr. Peter Barile about those fish, and in most years that Cape fishery looks like it is almost very, very high percentage of Atlantic king mackerel. That group of fish is being caught before the season closes, so we have got a closure in that fishery every year and those fish are Atlantic fish.

You've got this group of fish that still seems relatively healthy in the stock, that portion of the wintertime stock, and then you've got some questions about what is happening in the Atlantic due to oceanic conditions. The consensus of those fishermen was to wait another year, relook at the landings again, meet again next year, and then hopefully come to the council with – if they think that we need to do something then, come to the council with something to do.

The decline is not out of range of normal declines in the stock. If you look at some of those charts that we've had, Dr. Peter Barile, CPUE throughout the timeframe is relatively flat. It hasn't changed significantly even on the downward trend. It actually has a slight increasing slope over time. We have done a lot of work in looking at this.

I still have some concerns, but I'm willing to wait the extra year that the fishermen wanted to go ahead and do that before we address any changes in the trip limits. That is where I am. If any of you have any different concerns from your regions that you've heard; I know Mel the last time mentioned something about recreational fishermen coming to him and saying where is the king mackerel, what is going on?

We have got some evidence from Michelle's region that fishermen are changing their business plans because the amount of fuel and effort it takes to catch king mackerel; it takes more effort to catch them now in North Carolina. We're willing to wait another year. I just didn't know how the rest of the committee felt.

DR. CRABTREE: One thing it seemed to me last night at least there seemed to be agreement on was that they wanted to go to 50 fish.

MR. HARTIG: Yes, and we're going to add that alternative. That is for the mixing zone during the wintertime. That is when they wanted to add that 50 fish. They wanted to get rid of that 75 percent at – if 75 percent of the quota in the mixing zone is not met by February 1st, they go to 75 fish. They want to stay straight through at 50 fish.

DR. CRABTREE: So you would add that in as another alternative?

MR. HARTIG: As another alternative specifically for that mixing zone quota. Michelle.

DR. DUVAL: Ben, remind me when is the next upcoming assessment for king mackerel.

MR. HARTIG: 2013 we have a benchmark.

DR. DUVAL: So it seems reasonable to me with the conversations that you've had with fishermen to maybe hold off for another year. **I'm certainly willing to make a motion to remove Item 4, changing trip limits for Atlantic Group King Mackerel, from the framework at this time until perhaps we get some information from the updated stock assessment.**

MR. HARTIG: And that was certainly what the fishermen had said as well. We have a motion to remove Item 4 from the framework; second from Mel. Discussion? Any objection? **Seeing none, that motion is approved.** That brings us to the end of the framework that we had before you today. However, there are several things that have come up. Michelle has one; I have two that we probably could add to the framework since we only have I think one item in it now left. I'll go ahead and let Michelle go first.

DR. DUVAL: This had come up actually last year and I think it sort of shifted in and out of different versions of the framework. Our fishermen asked for consideration for a seasonal exemption from the Spanish mackerel minimum size limit just during August and September for the pound net fishery only.

We get a lot of Spanish mackerel in pound nets in the Pamlico Sound. The water is warm then. There is a lot of them that are just under the size limit and it is just dead fish. They would like to be able to have consideration for an exemption from that minimum size limit for just those two months. That is an item that I wanted to add to the framework. **I move that we add consideration of an exemption from the Spanish mackerel minimum size limit for pound nets in North Carolina during August and September.**

MR. HARTIG: Have we got a second to that; Charlie. This is specifically to address the bycatch mortality that occurs in that period and of those warm water months. When they pull that gear together, those animals probably wouldn't survive release.

DR. DUVAL: They're just dead.

DR. CRABTREE: I know there are pound nets in Virginia; is there a similar problem? I don't think there are any pound nets below North Carolina, but I wonder if they have a similar problem.

DR. DUVAL: Roy, I don't know and I could certainly check in with Jack Travelstead and see if there is a similar issue up there. Honestly, I'm not sure.

MR. JOLLEY: I would be interested in what the market was, what they can do? Those are pretty small fish so would that go to the bait fishery maybe?

DR. DUVAL: No, it is my understanding that these are just under 12 inches and they're just having to throw them all back because they're dead and they're undersized.

MR. JOLLEY: I just was wondering how they could use it in the marketplace. I could see where it could filter down to the recreational bait fishery for blue marlin fishing.

MR. HARTIG: That is a possibility, John, but there is a market for 12-inch mackerel when nothing is available. That is at the time of the year when there really isn't much mackerel available to the market, and those would be of some value for the food market. There are a lot of people that like to eat a whole fish at that size. There is a pretty good market for small fish that can be cooked whole, and that is where that would be. Wilson.

DR. LANEY: I'm not on your committee, Mr. Chairman, but to Roy's question about Virginia and pound nets, there are pound net fisheries in Virginia. We had the discussion at ASMFC back at the summer meeting about a different species, American shad, and the possibility of release from pound nets.

I can't remember, it may have been somebody else on the committee, but we were advised that in some cases up there they do remove the fish from the pound nets hydraulically so everything is pretty much dead from the Virginia nets; but whether they catch Spanish mackerel or not, I don't know.

MR. HARTIG: All right, anymore discussion on this motion? Any objection on this motion? **Seeing none, that motion is approved.** Okay, are there any other framework options? Kari.

DR. MacLAUCHLIN: Just to get some direction from the committee for this action; would it just be a no action alternative and then another alternative that gives the exemption or are there any other alternatives that you would want to include?

DR. CRABTREE: Yes, I would say put a general one for pound nets, period. I think you need to cover the chance that you're going to need to look at Virginia and who knows where else.

DR. DUVAL: And I'm certainly more than happy to check in with my counterparts in Virginia and try to get a sense of whether or not this is an issue up there.

MR. HARTIG: Does the committee have any additional framework options that they'd like to see included in this framework amendment? Not seeing any, I have two. When I first came back on the council, we discussed a problem that occurs off the Cape in the mackerel gill net fishery. If a fisherman gets more than the trip limit in his net, the common practice was to separate the net, give that portion of a net to another boat.

Now, the problem occurs when you're only allowed two nets on the vessel and you have a third net on there. There has been at least one violation written for that. In order not to waste these fish, certainly it would be – and I know that Otha and I worked on this three years ago and we just talked about it and can't remember what we came up with.

My intent is to include this as an option in the framework, to get together with Otha and the enforcement people at the Cape and sit down and hammer this out and have this come back to you in December with some options and see if we can take care of this issue. It can be a significant amount of fish.

Normally they don't catch the trip limit in the set, but there are oft times when you have especially bottlenose dolphin. When they come and are chasing a school of mackerel in particular or a school of bait in general and they chase them up towards the net, you can have a significant overharvest that occurs. We'd like to take care of that.

The problem would be to address the addition of a third net on gill net vessels in federal waters off Cape Canaveral. That's the general gist of what the problem is and then, like I say, we'll develop this with law enforcement and come to you with a way to deal with it, if that is appropriate. Michelle.

DR. DUVAL: Mr. Chairman, it sounds like you need someone to make a motion to add this as an alternative, so I would move that we add consideration of allowing the addition of a third net in federal waters off Cape Canaveral to the framework.

MR. HARTIG: Motion by Michelle; second by Doug. Otha.

MR. EASLEY: I recall talking about this three years ago; and if I remember correctly, we even came up with a solution that seemed to work, but neither one of us documented that the time, so we will figure it out again.

MR. HARTIG: Thank you, Otha, I appreciate that and we will. We will get it back to you and hopefully we will have it all fixed. Anymore discussion? Any objection? **Seeing none, that motion is approved.** The only other framework item I had, and it came up last night in Roy's question-and-answer period, was in the mixing zone we have a step-down in the quota.

On the first of February if you're not at 75 percent of the quota, the quota increases to 75 fish. The fishermen would like to see that go away and have a straight 50-fish trip limit during the mixing zone quota for that fishery. The motion would be to just have a 50-fish commercial trip limit in the mixing zone. Gregg, what is the definition of that area? We've talked about eastern and western thing so much in this meeting; that mixing zone quota is defined by a wording. Is it the eastern – because we have the Keys quota and we have our quota.

MR. WAUGH: Yes, I think it is the eastern portion of the Southern Gulf Migratory Group.

MS. SMIT-BRUNELLO: Maybe the Florida east coast subzone.

MR. WAUGH: Kari has got it, I think.

MR. HARTIG: Florida east coast subzone would definitely identify it and we can –

MS. SMIT-BRUNELLO: Something like that.

MR. HARTIG: – then the wording right later; the Florida east coast subzone.

DR. MacLAUCHLIN: The area is called – for the Gulf Group King Mackerel it is called the eastern zone, East Coast Florida subzone, and then for the Atlantic Group it is just defined by – it is between the Flagler/Volusia and Miami-Dade/Monroe Boundary.

MR. HARTIG: Yes, this motion is specific to the East Coast Florida Subzone, so change the mixing zone to East Coast Florida Subzone. I need someone to make that motion. Anna.

MS. BECKWITH: I move to add consideration of a 50-fish commercial trip limit to the East Coast Florida Subzone.

MR. HARTIG: Second by Charlie. Discussion? Are there any objections? Seeing none, that motion is approved. That's all I had for framework options and the rest of the committee

hasn't shown anymore, so that is what would be included in the framework to be brought to us next December.

DR. MacLAUCHLIN: Okay, I have the no action alternative, which would just keep it at 75-fish commercial trip limit. Alternative 2 would change it to a 50-fish trip limit all season.

MR. HARTIG: When you're just changing these things to one specific action, Monica, are you going to have to have three alternatives in this case, when you're changing a management option specific for one thing?

MS. SMIT-BRUNELLO: Well, it gets more to are there other reasonable alternatives; so if you think of it along that line, it is a little bit easier conceptually to figure out whether you have enough alternatives or not. Is this going to be an individual action or is it going to be a sub –

MR. HARTIG: It is an individual action. It is just no action or 50 fish. I don't know that there are other reasonable alternatives to 50 fish?

MS. SMIT-BRUNELLO: Maybe you could ask staff and the IPT to explore that; and if it looks like if there are, you could give them license to suggest that we add certain things.

MR. HARTIG: All right, we have got direction to the IPT to explore other reasonable alternatives. Jack, did you want to make that Cape Canaveral more explicit to possibly Florida now or do you want to do that in how we develop this and bring this back before the council in December?

DR. McGOVERN: I just thought it was kind of vague right now, but maybe it could just be developed by the IPT and bring back some alternatives.

MR. HARTIG: All right, because it is going to be specific to Florida if that helps. That is all the framework options we have and that is all we have. Any other business to come before the Mackerel Committee? Seeing none, mackerel is done.

(Whereupon, the meeting was adjourned at 10:20 o'clock a.m., September 13, 2012.)

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Charleston, SC

Wednesday, September 12, 2012

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Walter Moller III (229-315-1507 190 Long Bridge Rd Helena, GA

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Theresa Malle	229-868-7971	190 Long Bridge Rd. Helena, GA 31037
Vince Fisher	202 251-7352	Arlington, VA 22202
Holly Bins	850-322-7845	2102 Mulberry Blvd, Tallahassee, FL 32303
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Joshua McCoy	321-960-4885	507 Hampton Way	Meritt Island
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<i>BARBARA KELLY</i>	<i>305-852-8108</i>	<i>129 TRENTA ST. 33070</i>
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<i>Robert Palma</i>	<i>(305) 743-2281</i>	<i>1280 oceanview Ave Marathon FL 33050</i>
<i>Nuno Alvarida</i> <i>(Golden Crab)</i>		
<i>Vince Oshea</i>	<i>802 251 7352</i>	<i>Arlington, VA.</i>
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Yes	33	scott	sandorf	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	33	roger	pugliese	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	28	Rick	DeVictor	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	42	Jack	Holland	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	59	susan	gerhart	Sep 10, 2012	Sep 12, 2012	Sep 12, 2012
Yes	27	Richard	Malinowski	Sep 10, 2012	Sep 12, 2012	Sep 12, 2012
Yes	62	Nikhil	Mehta	Aug 22, 2012	Sep 12, 2012	Sep 12, 2012
Yes	20	steve	branstetter	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	46	Michael	Merrifield	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	20	Helen	Takade-Heumacher	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	28	Karla	Gore	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	31	Mike	C	Sep 05, 2012	Sep 12, 2012	Sep 12, 2012
Yes	68	chJanie	Thomas	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	20	Zack	Bowen	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	54	david	grubbs	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	31	Kathy	Knowlton	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	30	Anik	Clemens	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	26	Kate	Michie	Aug 28, 2012	Sep 12, 2012	Sep 12, 2012
Yes	22	deb	buscher	Aug 22, 2012	Sep 12, 2012	Sep 12, 2012
Yes	40	stephen	holiman	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	20	Anthony	Austin	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	20	mac	currin	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	76	trevor	MCMAHAN	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	75	ira	laks	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
No		michael	travis	Sep 12, 2012	11:44 AM EDT	
No		Donald	Steamer	Sep 12, 2012	12:07 PM EDT	
No		Luiz	Barbieri	Aug 24, 2012	01:44 PM EDT	
No		Janie	Thomas	Sep 12, 2012	10:00 AM EDT	
No		Laura	Crabtree	Sep 12, 2012	05:51 PM EDT	
No		rita	merritt	Sep 12, 2012	12:49 PM EDT	
No		Samantha	Port-Minner	Sep 12, 2012	04:25 PM EDT	
No		wayne	mershon	Sep 12, 2012	11:32 AM EDT	
No		Cindy	Chaya	Aug 22, 2012	11:54 AM EDT	

No	Scott	Baker	Sep 12, 2012 10:34 AM EDT
No	patty	hartig	Sep 12, 2012 04:30 PM EDT
No	Katie	Latanich	Sep 12, 2012 02:15 PM EDT
No	john	carmichael	Sep 12, 2012 05:43 PM EDT
No	mike	linville	Sep 12, 2012 04:00 PM EDT
No	Heather	Blough	Sep 10, 2012 12:37 PM EDT
No	kenneth	brennan	Sep 12, 2012 10:06 AM EDT
No	jeanna	merrifield	Sep 12, 2012 02:24 PM EDT
No	ron	kodetsky	Sep 12, 2012 07:09 PM EDT
No	clinton	smith	Sep 08, 2012 07:16 PM EDT
No	andrea	grabman	Sep 12, 2012 10:16 AM EDT
No	steve	b	Sep 12, 2012 06:20 PM EDT
No	robert	waltermire	Sep 12, 2012 03:48 PM EDT
No	Larry	DeLancey	Sep 12, 2012 02:02 PM EDT
No	todd	phillips	Sep 12, 2012 09:56 AM EDT
No	becky	stanley	Sep 12, 2012 09:13 AM EDT
No	phil	steele	Sep 12, 2012 10:27 AM EDT
No	richard	sergent	Sep 12, 2012 02:41 PM EDT
No	julie	califf	Sep 12, 2012 10:15 AM EDT
No	Bill	MacLauchlin	Sep 12, 2012 02:27 PM EDT
No	Chris	McCaffity	Sep 12, 2012 04:41 PM EDT
No	Michelle	Pate	Sep 12, 2012 01:15 PM EDT
No	joseph	klostermann	Sep 12, 2012 10:39 AM EDT
No	Anne	Eich	Aug 22, 2012 02:28 PM EDT
No	Peter	Barile	Sep 05, 2012 02:12 PM EDT
No	warren	mittchell	Sep 12, 2012 04:26 PM EDT
No	bob	english	Sep 11, 2012 12:56 PM EDT
No	shane	gibson	Sep 12, 2012 03:45 PM EDT
No	steve	branstetter	Sep 12, 2012 04:24 PM EDT
No	Ron	Rincones	Sep 12, 2012 04:14 PM EDT
No	mike	baker	Sep 12, 2012 12:26 PM EDT
No	Vincent	Bonura	Sep 12, 2012 11:03 AM EDT
No	Julia	Byrd	Sep 12, 2012 05:10 PM EDT
No	Nick	Farmer	Aug 22, 2012 12:57 PM EDT
No	nicholas	hill	Sep 12, 2012 12:00 PM EDT

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General Information

Webinar N: Webinar ID

SAFMC Col 7.67E+08

Actual Star Actual Duration (minutes)

Sep 12, 2012 590

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139 57

Total Attended

53

Session Details

Attended	Interest Ra	First Name	Last Name	Registration	Join Time	Leave Time
Yes	51	scott	sandorf	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	30	Helen	Takade-Heumacher	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	22	Chris	McCaffity	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	45	stephen	holiman	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	26	Scott	Baker	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	43	mac	currin	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	29	warren	mittchell	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	65	Nikhil	Mehta	Aug 22, 2012	Sep 12, 2012	Sep 12, 2012
Yes	63	Larry	DeLancey	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	36	wayne	mershon	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	61	jeanna	merrifield	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	55	Donald	Steamer	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	70	Ron	Rincones	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	24	robert	waltermire	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	38	Katie	Latanich	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	22	Julia	Byrd	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	64	nicholas	hill	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	22	shane	gibson	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	22	phil	steele	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	57	patty	hartig	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	71	mike	linville	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	69	ira	laks	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	39	Kate	Michie	Aug 28, 2012	Sep 12, 2012	Sep 12, 2012
Yes	68	Janie	Thomas	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	26	rita	merritt	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	40	Samantha	Port-Minner	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	46	steve	branstetter	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	22	Michelle	Pate	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	28	Karla	Gore	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	29	david	grubbs	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	22	Laura	Crabtree	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	75	trevor	MICMAHAN	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012
Yes	32	kenneth	brennan	Sep 12, 2012	Sep 12, 2012	Sep 12, 2012

Yes	66 joseph	klostermann	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	77 Vincent	Bonura	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	62 Anthony	Austin	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	23 Peter	Barile	Sep 05, 201	Sep 12, 201	Sep 12, 201
Yes	22 todd	phillips	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	33 Rick	DeVictor	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	29 ron	kodetsky	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	29 Kathy	Knowlton	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	29 Anik	Clemens	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	24 andrea	grabman	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	70 Michael	Merrifield	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	44 Bill	MacLauchlin	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	31 mike	baker	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	22 john	carmichael	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	30 Mike	C	Sep 05, 201	Sep 12, 201	Sep 12, 201
Yes	27 roger	pugliese	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	41 Richard	Malinowski	Sep 10, 201	Sep 12, 201	Sep 12, 201
Yes	26 michael	travis	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	35 Jack	Holland	Sep 12, 201	Sep 12, 201	Sep 12, 201
Yes	57 susan	gerhart	Sep 10, 201	Sep 12, 201	Sep 12, 201
No	deb	buscher	Aug 22, 2012 11:56 AM EDT		
No	Nick	Farmer	Aug 22, 2012 12:57 PM EDT		
No	Cindy	Chaya	Aug 22, 2012 11:54 AM EDT		
No	chJanie	Thomas	Sep 12, 2012 08:54 AM EDT		
No	Heather	Blough	Sep 10, 2012 12:37 PM EDT		
No	clinton	smith	Sep 08, 2012 07:16 PM EDT		
No	steve	b	Sep 12, 2012 06:20 PM EDT		
No	becky	stanley	Sep 12, 2012 09:13 AM EDT		
No	richard	sergent	Sep 12, 2012 02:41 PM EDT		
No	julie	califf	Sep 12, 2012 10:15 AM EDT		
No	Zack	Bowen	Sep 12, 2012 09:19 AM EDT		
No	Anne	Eich	Aug 22, 2012 02:28 PM EDT		
No	bob	english	Sep 11, 2012 12:56 PM EDT		
No	steve	branstetter	Sep 12, 2012 04:24 PM EDT		
No	Luiz	Barbieri	Aug 24, 2012 01:44 PM EDT		

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General Information

Webinar N: Webinar ID

SAFMC Col 1.7E+08

Actual Star Actual Duration (minutes)

Sep 13, 2012 484

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129 47

Total Attended

37

Session Details

Attended	Interest Ra	First Name	Last Name	Registration	Join Time	Leave Time
Yes	29	Karla	Gore	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	37	larry	Delancey	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	60	Nikhil	Mehta	Aug 22, 2012	Sep 13, 2012	Sep 13, 2012
Yes	31	phil	steele	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	37	susan	gerhart	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	22	andrea	grabman	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	24	Julia	Byrd	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	48	wayne	mershon	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	70	K	M	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	36	nicholas	hill	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	25	john	carmichael	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	41	rick	dewey	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	20	Vincent	Bonura	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	34	David	Gloeckner	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	20	Pete	Barile	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	39	Kate	Michie	Aug 28, 2012	Sep 13, 2012	Sep 13, 2012
Yes	26	Christina	Package	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	76	trevor	mcmahan	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	25	michael	travis	Sep 10, 2012	Sep 13, 2012	Sep 13, 2012
Yes	28	Anik	Clemens	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	32	Mike	C	Sep 05, 2012	Sep 13, 2012	Sep 13, 2012
Yes	24	Fan	Tsao	Sep 12, 2012	Sep 13, 2012	Sep 13, 2012
Yes	70	Peter	Barile	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	24	william	mccaffity	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	65	deb	buscher	Aug 22, 2012	Sep 13, 2012	Sep 13, 2012
Yes	47	steve	branstetter	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	42	Rick	DeVictor	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	70	Janie	Thomas	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	25	Julie	Neer	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	61	Anthony	Austin	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	60	Michael	Merrifield	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	31	scott	sandorf	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	33	Helen	Takade-Heumacher	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012

Yes	64 ira	lals	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	30 Jeanna	Merrifield	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	46 David	Player	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	39 stephen	holiman	Sep 13, 201	Sep 13, 201	Sep 13, 201
No	Luiz	Barbieri	Aug 24, 2012	01:45 PM EDT	
No	Cindy	Chaya	Aug 22, 2012	11:55 AM EDT	
No	jeff	barger	Sep 13, 2012	04:15 PM EDT	
No	Donald	Steamer	Sep 13, 2012	05:32 PM EDT	
No	ira	laks	Sep 13, 2012	01:01 PM EDT	
No	rick	hart	Sep 10, 2012	03:26 PM EDT	
No	Richard	Malinowski	Sep 10, 2012	08:06 AM EDT	
No	Anne	Eich	Aug 22, 2012	02:27 PM EDT	
No	Heather	Blough	Sep 10, 2012	12:37 PM EDT	
No	todd	phillips	Sep 13, 2012	04:23 PM EDT	
No	Joseph	Ballenger	Sep 13, 2012	03:36 PM EDT	
No	Tracy	Yandle	Sep 07, 2012	02:58 PM EDT	
No	ira	laks	Sep 13, 2012	04:29 PM EDT	
No	roger	pugliese	Sep 13, 2012	05:34 PM EDT	
No	Nick	Farmer	Aug 22, 2012	12:56 PM EDT	

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General Information

Webinar N: Webinar ID

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Actual Star Actual Duration (minutes)

Sep 13, 2012 72

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129 47

Total Attended

20

Session Details

Attended	Interest Ra	First Name	Last Name	Registration	Join Time	Leave Time
Yes	11	Julia	Byrd	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	40	ira	laks	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	28	Rick	DeVictor	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	16	scott	sandorf	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	11	Anthony	Austin	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	17	Kate	Michie	Aug 28, 2012	Sep 13, 2012	Sep 13, 2012
Yes	22	Helen	Takade-Heumacher	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	8	Anik	Clemens	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	6	Julie	Neer	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	13	andrea	grabman	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	19	David	Gloeckner	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	10	Jeanna	Merrifield	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	50	rick	hart	Sep 10, 2012	Sep 13, 2012	Sep 13, 2012
Yes	24	todd	phillips	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	9	Mike	C	Sep 05, 2012	Sep 13, 2012	Sep 13, 2012
Yes	49	Nikhil	Mehta	Aug 22, 2012	Sep 13, 2012	Sep 13, 2012
Yes	59	trevor	mcmahan	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	22	Fan	Tsao	Sep 12, 2012	Sep 13, 2012	Sep 13, 2012
Yes	11	Joseph	Ballenger	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
Yes	23	jeff	barger	Sep 13, 2012	Sep 13, 2012	Sep 13, 2012
No		Donald	Steamer	Sep 13, 2012	05:32 PM EDT	
No		Heather	Blough	Sep 10, 2012	12:37 PM EDT	
No		Nick	Farmer	Aug 22, 2012	12:56 PM EDT	
No		Pete	Barile	Sep 13, 2012	08:44 AM EDT	
No		nicholas	hill	Sep 13, 2012	08:20 AM EDT	
No		Richard	Malinowski	Sep 10, 2012	08:06 AM EDT	
No		larry	Delancey	Sep 13, 2012	03:15 PM EDT	
No		Karla	Gore	Sep 13, 2012	08:57 AM EDT	
No		deb	buscher	Aug 22, 2012	11:52 AM EDT	
No		susan	gerhart	Sep 13, 2012	07:50 AM EDT	
No		Anne	Eich	Aug 22, 2012	02:27 PM EDT	
No		Vincent	Bonura	Sep 13, 2012	09:43 AM EDT	
No		william	mccaffity	Sep 13, 2012	01:40 PM EDT	

No	Janie	Thomas	Sep 13, 2012 08:33 AM EDT
No	Michael	Merrifield	Sep 13, 2012 08:28 AM EDT
No	rick	dewey	Sep 13, 2012 08:49 AM EDT
No	David	Player	Sep 13, 2012 02:44 PM EDT
No	wayne	mershon	Sep 13, 2012 02:21 PM EDT
No	ira	laks	Sep 13, 2012 01:01 PM EDT
No	john	carmichael	Sep 13, 2012 10:29 AM EDT
No	stephen	holiman	Sep 13, 2012 08:06 AM EDT
No	roger	pugliese	Sep 13, 2012 05:34 PM EDT
No	Luiz	Barbieri	Aug 24, 2012 01:45 PM EDT
No	ira	lals	Sep 13, 2012 08:04 AM EDT
No	steve	branstetter	Sep 13, 2012 08:52 AM EDT
No	Peter	Barile	Sep 13, 2012 08:13 AM EDT
No	michael	travis	Sep 10, 2012 10:57 AM EDT
No	Tracy	Yandle	Sep 07, 2012 02:58 PM EDT
No	Christina	Package	Sep 13, 2012 02:17 PM EDT
No	Cindy	Chaya	Aug 22, 2012 11:55 AM EDT
No	K	M	Sep 13, 2012 02:10 PM EDT
No	phil	steele	Sep 13, 2012 08:50 AM EDT

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General Information

Webinar N: Webinar ID

SAFMC Col 1.7E+08

Actual Star Actual Duration (minutes)

Sep 13, 201 94

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129 47

Total Attended

14

Session Details

Attended	Interest Ra	First Name	Last Name	Registratio	Join Time	Leave Time
Yes	31	Julia	Byrd	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	50	Donald	Steamer	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	70	Nikhil	Mehta	Aug 22, 201	Sep 13, 201	Sep 13, 201
Yes	31	Helen	Takade-Heumacher	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	45	roger	pugliese	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	70	Michael	Merrifield	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	80	ira	lals	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	37	andrea	grabman	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	68	trevor	mcmahan	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	33	Jeanna	Merrifield	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	24	Joseph	Ballenger	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	69	Fan	Tsao	Sep 12, 201	Sep 13, 201	Sep 13, 201
Yes	30	Anthony	Austin	Sep 13, 201	Sep 13, 201	Sep 13, 201
Yes	29	Mike	C	Sep 05, 201	Sep 13, 201	Sep 13, 201
No		stephen	holiman	Sep 13, 2012	08:06 AM EDT	
No		john	carmichael	Sep 13, 2012	10:29 AM EDT	
No		rick	hart	Sep 10, 2012	03:26 PM EDT	
No		ira	laks	Sep 13, 2012	01:01 PM EDT	
No		wayne	mershon	Sep 13, 2012	02:21 PM EDT	
No		David	Player	Sep 13, 2012	02:44 PM EDT	
No		rick	dewey	Sep 13, 2012	08:49 AM EDT	
No		Janie	Thomas	Sep 13, 2012	08:33 AM EDT	
No		william	mccaffity	Sep 13, 2012	01:40 PM EDT	
No		Vincent	Bonura	Sep 13, 2012	09:43 AM EDT	
No		Heather	Blough	Sep 10, 2012	12:37 PM EDT	
No		jeff	barger	Sep 13, 2012	04:15 PM EDT	
No		Nick	Farmer	Aug 22, 2012	12:56 PM EDT	
No		Pete	Barile	Sep 13, 2012	08:44 AM EDT	
No		scott	sandorf	Sep 13, 2012	09:28 AM EDT	
No		nicholas	hill	Sep 13, 2012	08:20 AM EDT	
No		Richard	Malinowski	Sep 10, 2012	08:06 AM EDT	
No		larry	Delancey	Sep 13, 2012	03:15 PM EDT	
No		Karla	Gore	Sep 13, 2012	08:57 AM EDT	

No	deb	buscher	Aug 22, 2012 11:52 AM EDT
No	Rick	DeVictor	Sep 13, 2012 08:36 AM EDT
No	susan	gerhart	Sep 13, 2012 07:50 AM EDT
No	Anne	Eich	Aug 22, 2012 02:27 PM EDT
No	Luiz	Barbieri	Aug 24, 2012 01:45 PM EDT
No	Julie	Neer	Sep 13, 2012 11:53 AM EDT
No	steve	branstetter	Sep 13, 2012 08:52 AM EDT
No	Kate	Michie	Aug 28, 2012 08:43 AM EDT
No	Peter	Barile	Sep 13, 2012 08:13 AM EDT
No	michael	travis	Sep 10, 2012 10:57 AM EDT
No	todd	phillips	Sep 13, 2012 04:23 PM EDT
No	Tracy	Yandle	Sep 07, 2012 02:58 PM EDT
No	ira	laks	Sep 13, 2012 04:29 PM EDT
No	Christina	Package	Sep 13, 2012 02:17 PM EDT
No	David	Gloeckner	Sep 13, 2012 01:28 PM EDT
No	Cindy	Chaya	Aug 22, 2012 11:55 AM EDT
No	K	M	Sep 13, 2012 02:10 PM EDT
No	Anik	Clemens	Sep 13, 2012 09:26 AM EDT
No	phil	steele	Sep 13, 2012 08:50 AM EDT

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