

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COBIA ADVISORY PANEL

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

November 7-8, 2023

Transcript

Mackerel Cobia Advisory Panel

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Anthony Benevento
Steve English
Charles Griffin
Rusty Hudson

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Charles Locke
John Mallette
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William Palmer
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Attendees and Invited Participants

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Jen Banks
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Observers and Participants

Other observers and participants attached.

The Mackerel Cobia Advisory Panel of the South Atlantic Fishery Management Council convened at the Town and Country Inn, Charleston, South Carolina, on November 7, 2023, and was called to order by Chairman Ira Laks.

MR. LAKS: Good afternoon, everybody. We are going to convene the Mackerel Cobia Advisory Panel. It is Tuesday, November 7. We're going to start out and get an introduction of everybody in the room, and I would like to start with the AP members first, and then we'll go around the outside of the room. I guess, John, go ahead and introduce yourself.

MR. MALLETTE: My name is John Mallette, the Jacksonville, North Carolina, Sneads Ferry area. I own Southern Breeze Seafood in Jacksonville, North Carolina. I'm a charter boat captain, a commercial fisherman, and I'm also owner of Southern Breeze food products, I guess you could say, and I'm just glad to finally make it here again. My business has been growing, and I've been crazy busy, but I'm just happy to be a part of this here.

MR. PALMER: Bill Palmer, out of Green Coast Springs, the Jacksonville area of Florida, and this is my second year of being here.

MR. NEWMAN: I'm Thomas Newman, and I'm out of North Carolina. I commercial fish full-time, and I work part time for the North Carolina Fisheries Association, representing fishermen in our state.

MR. ENGLISH: Steve English, out of Port Salerno, Florida. I'm a long-time fisherman, and I've been on the AP for a while, and so hopefully we'll have a good meeting.

MR. BENEVENTO: Tony Benevento, Jacksonville, Florida. I'm a recreational fisherman, forever.

MR. LAKS: Ira Laks, and I'm out of North Palm Beach, Florida, and I've been in the for-hire industry, and the commercial industry, for over forty years.

MR. AMAN: My name is Kevin Aman, and I'm a recreational fisherman, and I work for the North Carolina Division of Marine Fisheries, and I'm glad to be here.

MR. JONES: Will Jones, and I'm a full-time fishing guide out of Morehead City, and this is my second year on the panel, and I'm excited for it.

MR. GRIFFIN: I'm Chuck Griffin, and I've been a charter captain, a charter fishing business, for thirty-seven years, and this is my second year on the council, and I'm glad to be here.

MR. LAKS: Rusty, you go first, and then you, Charlie, please.

MR. HUDSON: Thank you, Ira. Rusty Hudson, member of the Mackerel AP. I've been helping the mackerel industry since 2007, with getting better science, and we've improved all of that for both sectors. Thank you.

MR. LAKS: Charlie, are you there?

MS. WIEGAND: Charlie, it shows that you're unmuted, but we can't hear you on our end. We'll have someone message you, Charlie, if you can hear us, and see if we can work out a way to get your sound working.

MR. LAKS: Meg, do you want to introduce yourself?

MS. WITHERS: (Ms. Withers' comment is not audible on the recording.)

MR. LAKS: Thank you, and, Christina, you need to introduce yourself.

MS. WIEGAND: I guess, last, but not least, I'm Christina Wiegand, and I'm South Atlantic Council staff, and I'm the staff lead for the Mackerel Cobia Fishery Management Plan.

MR. LAKS: Before we get started, I just want to thank you all for coming. I know it's a time commitment, and a travel commitment, and, those of you online, thank you for hopping on. As we go forward, and you want to speak, just please say your name before you speak, and I'm going to turn it over to Christina to start, but we need to do an approval of the agenda. Does anybody have any changes to the agenda? Okay. With no opposition, the agenda is approved, and we also need to approve the minutes from the last AP meeting. Is there anyone that sees any issues with the minutes from the last meeting? Not hearing anything, the minutes are approved. Charlie, if you can hear me, would you please introduce yourself?

MR. LOCKE: Sorry, guys. I just now got to my house, and I've still got scales on my face. Charlie Locke here, and I live in Wanchese, North Carolina. I'm a full-time commercial fisherman, involved in a lot of different South Atlantic Council fisheries, and sorry that I couldn't be there in-person, but I'm doing a lot of shark research right now, and I've got an observer here, and there was no way that I could pull away, with the weather we've been having, but I'm here now, and so hopefully we can have a good meeting. Thanks.

MR. LAKS: Hi, Brad. How are you doing? Introduce yourself, man.

MR. PHILLIPS: My name is Brad Phillips, and I live in Wilmington. I've been on the board for quite a few years now, and sorry that I'm late. I came through Myrtle Beach, and it took me a little time. I used to own my own boat, commercial, charter, and I've done it all, but, anyway, I'm here.

MR. LAKS: Thank you, Brad. Okay. It's all yours, Christina.

MS. WIEGAND: All right, and so I think, first up, the Mackerel Cobia Committee chair for the council, Tom Roller, is going to give you all just a brief update on the things that have been going on at the council since our last meeting in April.

MR. LAKS: One thing I failed to do is, is there anybody online, or in the room, that would like to make a public comment before the start of the meeting?

MS. WIEGAND: If so, if you will just raise your hand, by using the little icon that looks kind of like a Thanksgiving hand turkey, and we do have a couple of people. First up is Jack Cox, and we've got you unmuted, if you want to test your sound and provide comment.

MR. COX: Okay. Hello, guys. Thank you. Thank you, AP. My name is Jack Cox, and I reside here in Atlantic Beach, North Carolina. I'm a Snapper Grouper AP member, three terms, and a former council member. I'm a commercial fisherman. I've got three kingfish permits, and I've been fishing for forty years, and, you know, we've got something before us here that's become a real big issue for the commercial guys, and that's recreational sales of king mackerel during the tournaments.

You know, it just is not right for us to have to compete with recreational sales of fish, and I don't know when this started, and it's not really been a huge issue, years ago, when there was just a few tournaments, but, with so many tournaments now, when we're out there king fishing, and the tournament boats come out and put live bait out on top of us, and now we having to compete, not only with the places we fish, but places that traditionally weren't recreational areas, and I'm talking about places off of Hatteras and off of these areas that have become quite popular, and now we have to compete on the marketplace.

For example, a couple of weeks ago, there were three tournaments on the same weekend, and many thousands of pounds of kings from recreational effort landed on the commercial markets in New York and Canada, and the commercial fishermen are saying, hey, what's going on with prices, and so we called these people that are buying the fish, and they said, well, there's a tremendous amount of tournament fish hitting the market, and it's just not right. Commercial fishermen should not have to compete with recreational effort.

You know, we have -- NOAA has got a moratorium on us, how many permits that can be issued, and they cost as much as \$20,000 apiece now, and so you've got young fishermen paying this kind of money and getting into it, and the fishermen have to keep up with their boats, and the commercial guys with -- You know, they're trying to make a life off of producing a wild-caught product to the U.S. consumer, and it's a big challenge today.

Not only are we seeing a decrease in our fish population, which is a big concern, but, you know, these guys have to pay several thousand dollars a year to keep their safety equipment up to standards, to meet the Coast Guard regulations, and it's a free-for-all for the tournaments, and they can increase effort any time they want, and there are many tournaments now, more than there has ever been, that are selling the recreational catch, and, you know, in these places they're fishing, and I will continue to talk about Hatteras, because Hatteras is a place that I have fished for many years, and this is where these big, spawning fish are, these fifty or sixty-pound fish.

You know, when there was one tournament going on up there a year, or two, it wasn't a great big deal that they were pulling these fish out of the population, but now there is -- Every weekend, there is tournaments, and they're going straight to Hatteras, and they're hitting these big, spawning fish, and it's going to come at a price, just like a lot of our fisheries have. I've been in this for forty years, and I've seen a lot of bad things happen, and this is before us now. There's something that we can do.

First of all, recreational effort does not need to be a sold fish. A lot of these tournaments are encouraging fishermen to bring all their catch to them, to issue them a ticket, even if it's a ten-pound fish, in exchange for a cash prize, so they can continue to get fish to sell to the dealer, and it goes money back into the tournament's pocket, and that's just wrong, and so what they're doing is encouraging commercial fishing, these tournaments are.

Some of these tournaments last as long as three weeks at a time, and I'm speaking about the Atlantic Beach King Mackerel Tournament. There are just too many tournaments, and the bad thing about these live-bait tournaments are they're all using treble hooks, and so you know, when we're doing conservation, and we're trying to protect the resource -- You know, when king mackerel is wrapped up, and has got treble hooks all over his face, and in his mouth, you're going to have a lot of dead discarding, but there are just so many issues with the way the tournaments are going now, and so many of them, and we're just going to take it on the chin, just like we have been, and it's going to get worse. You know, what I do is, on the snapper grouper, and all the things that I've been involved in --

MR. LAKS: Hey, Jack --

MR. COX: Okay. I'm just about done.

MR. LAKS: Okay. I just wanted to give everyone a chance. Thank you.

MR. COX: I understand, but listen. We need to promote conservation. Recreational fishermen are very good at a lot of places. Bass tournaments, the Big Rock Blue Marlin Tournament, they promote conservation, and it's time the South Atlantic did the same. Thank you.

MR. LAKS: Thank you, Jack. The next person up is Jeff Oden. Jeff, can you hear us?

MS. WIEGAND: Jeff, it looks like we've got two of you, one attached to a computer and one attached to your phone. If you're trying to speak through your computer, you need to unmute on your end. If you're trying to speak through the phone, we've sent you an audio PIN, and you will need to input that PIN in order for us to be able to unmute you on this end.

MR. LAKS: We'll give Jeff a second to figure it out. Alana, you're up next.

MS. HARRISON: There is Spanish and the king mackerel, and I do want to say that those are both like vital fisheries for Hatteras and Wanchese, and so both ports in Dare County, and I know that you all are talking about a buffer, a further buffer, for the Spanish mackerel, and I'm not really sure why we need that, when we have a buffer in place already, and taking fish from that quota is really going to hurt our small boats in the springtime, and so that's really important.

Then king mackerel is probably our top fishery in Hatteras, and then we have about half the fleet is from Wanchese, and so it's a vital fishery too, and the tournament sales really mess with our markets. The fish come in, and like we went from \$6.00 a pound to \$1.50 last week, and that's just unbelievable. That's a 75 percent drop, and so now all the boats are tied up, and they don't want to go fish for king mackerel, because the market is busted, and that's not fair, because the market is not busted from us, like because we can control how much we fish, and we're on a quota, and so it's not fair to have our market busted from the other side, when they're not following all the same regulations, and they don't have the money invested in life rafts and Coast Guard inspections and trip tickets and like logbooks, and there is just so much wrong with it, and I'm looking forward to your discussion on it, I believe tomorrow, and so thank you.

MR. LAKS: Thank you, Alana. Jeff, you're up, if you can get on here.

MR. ODEN: Can you hear me now?

MR. LAKS: Yes, Jeff.

MR. ODEN: Thank you. I'm not sure if I'm going to be allowed to comment also on mahi, which we were just recently denied, the last dolphin wahoo, and they had public comment scheduled at the end of it, and, as a former HMS AP member, I was hoping to comment, since there was not a commercial rep there, and I'm not sure if it's pertinent to you all's discussion, and I know it isn't, but I would still like to have my say on that, and I'm not sure if I get to comment on both that and king, but it's up to you, and I will go with king, if you insist, but --

MR. LAKS: Jeff, if it's real quick, I will let it, but these guys are here for king mackerel. You can make a tiny little point, if you want. If not, I would suggest just writing it up.

MR. ODEN: Well, no, there's no need of doing that, and you all just didn't do your job, and you should have daggone had somebody there to daggone -- You know, for public comment after that last session, you know, and that's on you, you know, and that's pretty sorry. Anyway, I've got a lot to say about king mackerel, too.

I've been doing it for forty-seven years, and it was the first fishery that I was ever in, the first one that I was involved in. What we have here is a classic case of wanting your cake and eating it too. You have a rec crowd, you know, the circumvents every permit and process that we have, every reporting, everything we've got to do, from safety inspection, life raft, the whole shooting match. They get a bye, you know, and, irregardless of what you want to say, and they can call it donated or whatever, but, if they're given a cash prize for a donated king mackerel, they're getting compensation, just like I am. There is no difference, and you can daggone dance around it all you want, and what Alana just said is so true.

The only thing escalating in the king mackerel fishery in the last few years is the tournament sales. The last two years, it has averaged over 10 percent of the commercial ACL, and, this year, it will probably be closer to 20 percent, because, as Alana said, there are boats sitting at the dock today that would normally be fishing, if they didn't have a tournament dumped down on them this past weekend, with inferior-quality fish, I might add, you know, and what about the HACCP? That's part of it.

We've got to comply with it, and nobody is complying here, and they're packed in dogfish vats, packed in that and shipped to another dealer in Virginia, or at least the one out of Morehead, is what I've been told, and where is the fairness and equity? Well, one of the things, at the council level lately, is environmental equity, you know, and this is an important fishery to this area, for this time of the year, and it always has been, since I started, forty-seven years ago, and, right now, like I said, guys are sitting at the dock, when guys in million-dollar boats are running up here to catch a king mackerel, all the way from Wrightsville, going back into Morehead, million-dollar boats, and, anyhow, you've got these little guys trying to make their daggone year, and this is a very important time for them, and now they're having to compete with this, and it's just totally absurd.

You know, there's one last thing that I've got to say. The council has -- I've got more than that, but you've got high-grading with treble hooks, you know, and you've also got the fecundity of these big fish, and I'm not sure what won the tournament this past weekend, and it was sixty-three pounds on Saturday, and they fished Sunday, and it may have gotten beaten. I think the top ten fish were over forty-eight pounds. I don't know how it ended up, but the fecundity on these fish is through the roof.

We don't target those fish. I have never caught a sixty-pounder, and I haven't caught twenty fifty-pounders in my forty-seven years, and yet these guys target on them. All you've got to do is look at the trend in the fishery, and it's going down. It's going down, except with the tournament-caught fish, and that's inexcusable. With that said, I've got one last point that I'm going to make.

The council has been touching on environmental equity, and I want to ask you where the environmental equity is for these small fishing communities that are being gentrified into oblivion, you know, and they simply can't survive, you know, watching this happen and not -- You know, they've got to put something on the dock too, but, if they can't afford to go, then it's irrelevant, and so, anyhow, I sure hope that you all will go a long ways towards ending this, before it ends our fishing communities, and, you know, our fish houses are important, you know, not just to this fishery, but to many others, but this is one of the biggest --

MR. LAKS: Jeff, I'm going to have to ask you to wrap it up, okay?

MR. ODEN: I'm done. Thank you.

MR. LAKS: Thank you, all, for your public comment. Tom, over to you.

MR. ROLLER: Thank you, Chair. Do you want me to go over the Mackerel Cobia Committee reports? Christina, are you going to do the active amendments document? Okay. Then I'm going to go over both of our committee reports, from the June 2023 council meeting and the September 2023 council meeting.

I mean, I'm sure most of you all are privy to this, but, in the June 13, 2023 meeting, the first thing we did was look over the Atlantic Spanish mackerel stock assessment, SEDAR 78, which we have a lot of discussions here, and that's when we -- When the council began to direct staff to begin the framework amendment, which we're going to be discussing here today. At that meeting, we also had a report from the Mackerel Advisory Panel, from your previous meeting, and that's where we had a lot of discussion on the mackerel port meetings, right, which I would reiterate to the AP here that this has been a long-standing desire of this AP, and so we're counting on you guys to help us as we move forward with this, and get people to these things.

That's also when we had a big discussion king mackerel tournament landings, which we're going to discuss here today, and you've already heard some good public comment from that, and I'm sure you've seen that in your briefing documents. Basically, our motions there were pretty much just kind of procedural.

In the September 2023 meeting, we began the discussions of the Coastal Migratory Pelagics Framework Amendment 13 for Spanish mackerel, and the real point, the important part, of this discussion is a big part of the council discussion was talking about the new MRIP and FES survey

method, right, and our concern with that going forward, for all of our species, and not just here in Spanish mackerel, because the MRIP numbers were a big concern in that stock assessment.

One of the things that the council gave direction to staff was to add some alternatives that would include a buffer between the ABC and the ACL, one of the main issues that we've been asking for public comment on in this framework amendment. Basically, you can see that most of our procedures there were to approve the CMP Framework Amendment 13 for scoping, and we had those scoping meetings last week, and we received no comments online, but I'm not sure about the written side, but I would also point out that we did have some AP members at least log-in, and I appreciate that.

The next order of business is we, again, discussed the mackerel port meetings, as we're moving forward there, and we had some updates on how they're going to be done probably in the Gulf, as well as discussion about how we're going to be dealing with some of our partner agencies up and down the east coast. We also went over all of our topics for the Mackerel Cobia Advisory Panel meeting today, and so that's where you can see our agenda, and that pretty much is it. It's mostly all around the framework and the port meetings, which we'll be discussing today, and so thank you.

MR. LAKS: Thank you, Tom. Christina, do you want to do amendments that are coming up?

MS. WIEGAND: Yes, and so I just wanted to make one note for you guys. If you will remember, we've been working on, for a while now, CMP Amendment 34, and that was the amendment that addressed the most recent king mackerel assessment, and that went into effect in June of this year, and it actually may have gone into effect slightly before your last AP meeting, but, just as a reminder, that updated the catch levels for Atlantic king mackerel, based on the most recent assessment, which was the SEDAR 38 update.

It also increased the recreational bag limit off of Florida to be three fish per person, which now mirrors how it is all through the Gulf and up the Atlantic coast, and then the other major thing it did was allow retention of cut or damaged fish for the recreational sector, so long as the portion of that fish met the minimum size limit, and this was to address depredation issues that have been brought up by this AP, and so I just wanted to let you guys know that that had made it through sort of the NMFS rulemaking process and was now in effect.

MR. LAKS: Does anyone have any questions? Thomas.

MR. NEWMAN: It might not be the appropriate time, but I know we were going through the committee minutes, or the committee summary, and, at one point, they had a Spanish mackerel research track assessment in the queue, and I believe they pulled that out, and I just was wondering what happened with pulling that out of the queue on the council level.

MS. WIEGAND: So that's something that is discussed at the SEDAR Steering Committee, and I don't believe that Spanish mackerel is currently on the SEDAR schedule, but it is something that has been sort of discussed at the committee level.

MR. NEWMAN: I thought, at one point, it was on there, and then something else came up, and then they pulled it off, because they toggled with it for a minute, and, I don't know, and maybe it never stuck, but they toggled with it one meeting, but thank you.

MR. LAKS: Any other questions? Okay. Moving on. The next thing on the agenda is citizen science with Julia Byrd.

MS. BYRD: Hi, y'all. Christina, do you mind if I grab control from you?

MS. WIEGAND: I don't mind at all. I will go ahead and make you a presenter.

MS. BYRD: Okay. Thank you. All right, and so hopefully you all are seeing the -- Okay. Good afternoon, everyone. I'm so sorry that I'm not able to be there in-person with all of you today and tomorrow. For those of you who I haven't had an opportunity to meet, I'm Julia Byrd, and I help manage the council's Citizen Science Program, along with Meg Withers, who is in the room with you, who is the Citizen Science Project Coordinator for the council, and so I just wanted to give you a quick update on some of the things that have been happening in the program since you all met this spring, and hopefully get some feedback from you guys on our FISHstory project.

The first thing I'm going to do is give a little bit of information about some of our citizen science advisory groups, tell you guys about a new online tool that the program will be launching later this year, and then update you guys on some of our current projects, and then talk a little bit about our FISHstory project and how we're working to gather new photos, and I know that Meg is there with our kind of FISHstory booth, ready to scan photos, if you all brought any to the meeting to share with the project.

Just the first thing I wanted to kind of give you guys a little bit of information on is our kind of citizen science advisory panels. Our program has kind of three different advisory panels that work with the Citizen Science Program, and participants in the advisory panels are either members of another council AP or they're members of our Citizen Science Pool, and so the first one of these advisory panels is called our Operations Committee.

This is a group that kind of provides big-picture programmatic guidance for the program, and folks on the Operations Committee serve kind of three to five-year terms, and they typically meet twice a year, once in-person and once via webinar, and the council is going to be making appointments to the Operations Committee this December, and so, if any of you guys are interested in getting involved in kind of the overall big-picture guidance, as the Citizen Science Program moves forward, this is a great way to get involved.

The next group I wanted to mention to you guys is our Projects Advisory Committee, and so this is a committee that's actually made up of members of other council APs, and so one of the main roles of this group is helping us identify research priorities that may work well for a citizen science project, kind of across all of the different council fishery management plans, and so the term for this committee is kind of dependent on an individual's AP tenure, and this group typically meets just once per year, via webinar, and then kind of the third type of groups we have are kind of very short-term, what we call ad hoc committees, and so these are groups that are brought together to address a specific kind of programmatic component.

An example of some of the ad hoc committees we've had in the past are, back when the council was developing our Citizen Science Program, we had ad hoc committees that we called action teams, and they helped us kind of develop the policies and the best practices for the program, that sort of thing, and we currently don't have any ad hoc committees, but I think we will likely have some in the upcoming years, and so I just wanted to mention these to you guys, as a way if any of you all are interested in getting more involved in the Citizen Science Program, and these are a few ways that you can do that.

I also wanted to give a shoutout to Thomas Newman and Steve Donalson, who have been serving as the Mackerel Cobia AP representatives on our Projects Advisory Committee. We had a meeting -- Gosh, I think it was two weeks ago, and Thomas was able to attend, and he provided really valuable feedback on when we were updating our citizen science research priorities, and so just a special shoutout and thanks to Thomas and Steve, and so, if anyone is interested in getting involved in any of these committees, feel free to reach out to me, or go grab Meg, who is in the room with you, or you can chat with Christina as well.

Next, I wanted to update you guys on a new online tool the program will be launching later this year, and it's called our Citizen Science Projects Idea Portal, and, basically, what it is is we've developed an online form to gather citizen science project ideas from stakeholders, and so folks throughout the South Atlantic, fishermen or scientists, researchers, managers, can kind of share their citizen science project ideas with us through this online form.

The council approved the projects idea portal to be launched at their June meeting, and so we are setting it up now, and we have a few more kind of things to finalize, but we're hoping to launch it later this year, and then, just to let you guys know a little bit more about how the information will be used that's submitted through the portal, and so the project ideas will be reviewed by the Citizen Science Program twice a year, in May and October.

All the different project ideas will be compiled and shared when the Citizen Science Program kind of updates our research priorities. We do that every two years, and those research priorities really help guide what types of citizen science projects that program develops and supports, and so we think folks within kind of the fishing community along the South Atlantic will have a number of great ideas, and so we're really excited for this tool to be launched, and another way we're hoping to kind of use the information submitted through the portal is hopefully to help connect fishermen and scientists that may have similar research interests, so they could maybe kind of work together to develop a project on an idea they're both interested in pursuing.

Next, I wanted to give you a quick update on our kind of initial program evaluation plan, and I shared a little bit of information with you guys at your spring meeting, but I wanted to provide a quick update, and so, as a reminder, this is a project where we're trying to gather kind of baseline information, from fishermen and scientists and managers, to get information on their kind of knowledge about, confidence in, and trust in the citizen science process of collecting information that may be used to inform fisheries management.

We kind of did an initial -- We worked with Rick Bonney, a researcher, to do some initial interviews, and then are gathering broader information, from a much larger group of scientists and managers, and so Rick Bonney is working on an online survey to gather information with scientists and managers, and then we're working with a research team that's led by Jennifer Sweeney-

Tookes, at Georgia Southern University, to gather information from a broader group of fishermen, via interviews, and so there's only kind of a limited amount of resources to conduct these interviews, and so I shared this with you all back in -- More details back in the spring, but they're really focusing on talking to mackerel fishermen and snapper grouper fishermen for these interviews in four different geographic areas along the coast.

They started doing interviews in July of this year, and they have completed two research trips, one down in the Keys and one from the kind of Miami to Canaveral area, and they will be doing their remaining two research trips in Georgia and the Carolinas, kind of at the end of this month and then in January of next year, and so I'm not sure if any of you guys have been contacted to be interviewed, but I just wanted to encourage that, if you are contacted by Jennifer and the research team, to consider doing an interview, because we're really interested in getting kind of input from you guys as part of this project.

Next, just a quick update on another one of our ongoing projects, and this is our SMILE project, and so this is a project that's working with recreational divers to collect length information on some data-limited species, and so this is a project that's really being led by a group called REEF, and that is a kind of citizen science program that has been very successfully working with recreational divers over the past couple of decades, and so, as part of this project, they're developing kind of a hand-held stereo camera that divers can then use to take images and videos of fish, and then we're going to be able to analyze those fish to get size estimates, and so they have kind of developed an underwater camera, and they're using an Olympus underwater camera that many recreational divers may have.

They have a mount on top with a laser, and so they have tested this camera down in the Florida Keys, in August and September, and they'll be taking a few more kind of field trips to test, further test, the camera later this month, but, so far, it's been working well, and they think that we're going to be able to get some good length information on some of our grouper species, hogfish and some of the parrotfish species, that are really important to the reef system along our coastline, particularly in the Keys area.

Next is our SAFMC Release project, and this is the project where we're working with fishermen to gather information on released snapper grouper species, in particular the shallow-water groupers and red snapper, and I know you guys are here for the Mackerel meeting, but I know many of you bottom fish, and so I just wanted to provide kind of a quick update. The project has been ongoing, and we've been kind of seeing increasing numbers of folks participating in the program, and so data collection has continued.

We have also, and Meg has really been doing this work, and has done a ton of outreach to help kind of recruit new folks to the program, raise awareness about the program, and try to keep folks who are participants kind of involved in the program over time, and she's been working really close with Ashley Oliver, who is kind of heading up some of the council's best fishing practices campaign, who you will hear from in a minute, and David Hugo, who is the Sea Grant Reef Fish Fellow, and so they've been doing a great job kind of working together to share information on best fishing practices and our Release project.

Meg also launched a participant recognition program earlier this year for the Release project, to really try to celebrate the kind of accomplishments of our project participants, and then, every year,

we put together an annual data summary, and we shared kind of information on that with you guys, back at your spring meeting, but we'll be coming out with our 2023 data summary early next year.

Again, I don't want to get into too many details, but I just wanted to showcase some of the amazing outreach that kind of Meg and Ashley and David have been leading. They've been visiting tackle shops, and we've making social media posts, and we've been really excited, and we've been able to do seminars, working with local fishing clubs, and at fishing expos, and so they've been doing kind of a ton of work, and I just wanted to acknowledge kind of all the work they're doing, and we're starting to see more people sign up, through kind of their outreach efforts, for this project.

Again, I just wanted to let you all know that the 2022 data summary I have on the screen here, and there's a link to it within the presentation. If you guys have any feedback on additional information that you might like to see in a 2023 data summary, we're all ears, and so, if you're interested in keeping in the loop on what's happening with this project, checking out the data summary is a great way to do that. The summary will be shared with kind of our Release participants initially, and then, after they have a chance to review it, and look at it, it will be posted to our website.

Then the last project that I wanted to mention today is our FISHstory project and kind of the effort we're doing right now to try to gather more photos, historic fishing photos, throughout the South Atlantic region, and so I know that Christina let you all know, and I reached out to several of you guys, to kind of, if you have historic fishing photos, to encourage you to bring them to the meeting, and Meg is on ready, ready on the scene, with scanners, and she's ready to scan any photos that you all might have brought to the meeting.

Just as a reminder, we're hosting a number of -- We've been hosting a number of scanning events, to try to collect additional fishing photos from across the South Atlantic, from the 1940s to 1980s, for our FISHstory project, and so, you know, these photos are really kind of an untapped source of information for this kind of historic time period, and we did a pilot project that was pretty successful, and so, in order to grow this project further, we really need to get photos throughout the South Atlantic region, so that the data collected from the photos is more representative of what's happening throughout our region.

We've been hosting some scanning events, in collaboration with some of the upcoming council and advisory panel meetings, and so we've had four so far. We did an event at the September council meeting, and then at our fall Snapper Grouper, Dolphin Wahoo, and Outreach and Communication AP meetings, and now we'll have one in conjunction with your meeting today, and so, just as a reminder, the types of photos that we're looking for for FISHstory, in order for the photos to be analyzed, is we really are looking for photos that are taken at the end of fishing trips, where kind of the harvested catch is displayed on the dock with the anglers who caught it.

We need some information on kind of the date of the photo, and so, ideally, we want a year associated with the photo, when that picture was taken, but, if you don't know the exact year, kind of a range of five years is totally fine, and we need a little bit of information on the location of the photo and so we at least need state information, and, if you can get more detailed location information, that's great, and then we're looking to gather information on the photo provider's name and contact information, and that's just because we want to make sure that we're able to share what's happening with the FISHstory project back with them, since they were so wonderful to kind of share photos with us.

What makes photos kind of even better for analysis is if the fish are actually hanging up on a leaderboard in the photos. That way, we can get an estimate of size. More specific information on the date of the photo is great. If we have month, we can look at seasonality within the photo data, and then more specifics on the location, the dock, the city, or more specifics on the vessel and captain name are wonderful as well, and they make a photo kind of even better for the project.

We have also began exploring kind of other avenues to gather historic photos, and so I've started reaching out to some historical societies and organizations, as well as libraries, and we're starting to look into restaurants too, and so we had a couple of questions for you guys, to try to get input from you all on ways we may be able to gather more of these historic photos, and so, first off, if any of you brought historic photos to the meeting, thank you so much, and visit Meg at the FISHstory table. If you have hard-copy photos, she can scan them in and return them back to you. If you have digital photos, that's great too, and it just saves the step of not having to scan things in. If you have photos, but you didn't bring them to the meeting, no worries at all. Just check-in with Meg, and we can coordinate the best way to get photos from you in a way that works well.

We're also exploring holding scanning events kind of outside of council-related meetings, and so we're wondering if you guys have any suggestions on where it might make sense to hold an event, and do you think -- If you think an event would be successful in your area, we would love to know that, and we can figure out how we might be able to do that, and, also, we're interested in knowing if you guys have any other ideas about other avenues the council should explore to try to gather additional photos, or if you know individual organizations or businesses in your area that may be good contacts to gather historic photos.

I know, at some of the other AP meetings, and yesterday at Dolphin Wahoo, and then at Snapper Grouper a few weeks ago, folks suggested a few kind of restaurants in their communities that have a ton of historic fishing photos on the wall, and I know some folks from the Outer Banks have mentioned a recent book that was published that has a ton of kind of recreational -- Excuse me. A ton of historic fishing photos, and so any other kind of avenues that you guys think may be helpful for us to pursue in kind of hunting down some additional historic fishing photos would be great.

I know that's a lot of information all at once, but I will hand it back to you now, Ira, and I'm happy to answer questions on kind of anything that I presented, and I was hoping to get some specific feedback on kind of where we might be able to find historic fishing photos, moving forward.

MR. LAKS: Are there any questions or comments or suggestions for Julia? Go ahead, Thomas.

MR. NEWMAN: Hi, Julia. Thanks for the kind words at the beginning. You made me blush a little bit by calling me out, but, as I was thinking about it, and I'm always thinking about this project, and have you contacted the individuals on the long-running headboat survey? You know, that survey has been around for fifty-some years, and, if you could see the boats that were maybe in there in the first ten or twenty years of that program, and see if they're still in business, and those guys might have a lot of good historic photos.

MS. BYRD: Thanks, Thomas. Ken Brennan, who has been involved with that program, and he works for NOAA, for a long time, and we actually just sent him information, for him to reach out to all of the folks kind of in the headboat program, to see -- To look just for what you suggested,

and so I think that's a great idea, and, with Ken Brennan's help, we're kind of hoping to reach out to folks through the headboat program.

MR. LAKS: Does anyone else have a question or a comment? I have one. I know I've talked to you, in the past, about, you know, selectivity over the years, and how it changes, and how that might impact different lengths, and so I was wondering, and are you seeing any of that? Is there any time change with -- You know, any length change within the times that you're seeing?

MS. BYRD: So great question, Ira, and so, from the pilot project -- So we developed this method to estimate the size of the fish over time, and then we tested that method on king mackerel in the pilot, and so we're able to put together length composition information, really from the 1950s, 1960s, and kind of early to mid-1970s, and I think 1975 is the latest year we have a photo, and if you look at -- So if you look at the kind of general size distribution, and kind of the frequency, or mode, the length seen most often in the fishery, if you look at some of that data from the 1950s, 1960s, and 1970s that we have, there's not a lot of big differences with king mackerel with the size frequencies you're seeing now, and so we haven't run any statistical tests, or done that sort of thing yet, but the general kind of distributions are sort of similar between the 1950s and -- You know, this historic time period, and I guess I was looking at the last king mackerel assessment, and so I don't have the latest kind of years in the data we were looking at, but we didn't really see a huge shift in the sizes with what we've put together so far.

MR. LAKS: I have one kind of follow-up question. Having been in the for-hire industry for a long time, do you weight the pictures that don't have a full pegboard against the pictures that do, and what I mean by that is, if I have a barrel full of fish, and there's ten pegs, I'm putting the ten biggest fish up, right, and not the ten smallest fish, and they're going to stay in the barrel, and so I would think that the pictures that don't have a full pegboard might give you a better description really of the size of the fish, because you're only getting the cream of the crop when there is a full pegboard.

MS. BYRD: So what I will say is, when we are estimating size of fish in the photos, we're only really able to do that for the fish that are hanging, you know, vertically on the leaderboards. When they're laying on the ground, and I know, you know, in some of the photos that Rusty provided, there are big piles of fish, or wheelbarrows of fish, or that sort of thing, and those tended to be, at least from what you can see on the top of those piles -- Those are often like black sea bass or vermilion, some smaller -- Some of the smaller species, and so, with king mackerel, in particular, in the photos that we had, you know, through kind of Rusty's kind of archive, king mackerel are generally hanging, and so we were able to get good measurements on them, but, when we're taking measurements, we're kind of noting, within the data we're collecting, whether we're able to measure all of the king mackerel on the board.

You know, someone may be standing in front of the fish, and so you may not be able to get everything, and then, also, marking whether or not the fish we aren't able to measure look like they're a different size than the fish that we are able to measure, to get some idea of uncertainty within the size measurements we're getting within a photo, but, for king mackerel in particular, we're often able to get measurements for all the fish in the photo, and so we're trying to record additional information, to help us figure out if kind of the sizes that we're getting are different from the ones we are and aren't able to measure within a photo, but that didn't seem to be too much of an issue with king mackerel, and so did that answer your question, Ira?

MR. LAKS: Yes. Thank you. Are there any more questions? Well, I think that's it, and I want to thank you, for someone who sat -- I believe it was in this room, eight years ago, at the first workshop for citizen science, and it's amazing to see what has come out of it. Thank you.

MS. BYRD: Thanks so much, Ira, and thanks, you guys. If anyone has any additional kind of ideas about where we might be able to get photos, please kind of visit Meg in the room, and thanks so much for letting us give you all an update today.

MR. LAKS: Thank you. Okay. That's going to bring us on to the What It Means to Me Outreach Project with Ashley Oliver.

MS. OLIVER: All right. Hi, everyone. My name is Ashley Oliver, and I'm the council's Best Fishing Practices Outreach Specialist. We're going to shift gears just a little bit away from mackerel cobia and talk about our best fishing practices campaign. It's mainly focused in the snapper grouper fishery, and we know that a lot of you guys partake in that fishery, and so we thought that it might be a good idea to just give you guys a quick update on two of the projects that we have going on.

The first one would be the What It Means to Me video project, and then I will get into the Best Fishing Practices Master Volunteer Program, and this is going to be a series of regional in-person workshops that are slated to begin next year. We'll first get into the What It Means to Me project, and I want to introduce you guys to Nick Smillie. Nick is the council's -- I screwed it up last time.

MR. SMILLIE: Digital Media and Communications Specialist.

MS. OLIVER: Okay. I thought that's what I said. Anyway, like I said, we don't really get to choose our titles, and he is my, you know, kind of partner-in-crime for this project. We took this to the council back in September, and presented it to them, and we've also been sharing the idea, and the project, with the advisory panels this fall, and so, today, we'll probably ask you guys, you know, for just any suggestions and input that you might have for the project, and just any general interest, if anybody would be interested in participating with us.

Just a little background, and kind of where this idea came about, is we know that not only building trust, but sustaining trust, with fishermen has long been a challenge for fisheries managers. Additionally, fostering those positive relationships takes a long time, and it really requires regular interaction with the stakeholders, and so, because of these two things, the council has expanded its best fishing practices campaign, in which it continues to educate and build that trust, and so we see this project as an additional outreach tool, and really what the project is aiming to do is to help bridge the trust gap by capturing, in a participant's own words, what their fishery means to them and why best fishing practices are important to the long-term sustainability of South Atlantic fisheries.

I just want to touch on the project goals. The first one I kind of just already went over, and, you know, we want to help bridge the trust gap between the council and fishermen, and we also want to just encourage the preservation of South Atlantic fisheries, by using your best fishing practices in everyday fishing activities. We also want to increase the general involvement in the fisheries management process and programs. That might include applying to be on an advisory panel,

attending council meetings and making public comment, becoming an SAFMC Release participant, and also coming to the Best Fishing Practices Master Volunteer Program workshops.

Then, lastly, we really want to document the stories of those involved in South Atlantic fisheries in a constructive manner. We not only want this to be a positive experience for the participant, but we also want those that are going to be watching these videos from the outside to take something constructive away from it.

That leads me into what we're doing, and so we are recording and editing informal, short conversations with fishermen, and I will say that we literally just ran in here, because we just filmed one, and so sorry for being a little late, but we just recorded our first one, which is exciting, and so, in these conversations, we have topics that we would like to talk about with the participants, and so maybe, you know, how they began fishing, the importance of fishery preservation and how their fishery can be preserved, and maybe we could get into the perspectives of change over time in the fishery, and we would like to talk about how they got involved in the process, and, you know, how did they get to sit on an advisory panel, you know, and why are they an SAFMC Release participant, or did they provide photos for FISHstory, but, also, we would like to ask, you know, do they have any advice for their fellow fishermen?

Of course, we want to share these videos and get them out there, and that's kind of the whole point, and so Nick and I have talked about different ways, the best ways, to do this, and so this is our potential list, and so we've thought about, you know, social media stories and YouTube, and we could create an ArcGIS StoryMap, and, of course, we could put it on the website, and also just share it through other outreach programs.

I have a really brief timeline here, just to show you guys where we're at with the project. The last few months, we've just been developing the project itself. Back in September, we took it to the council, in which the project was approved, and it had a lot of support surrounding it, and so, right now, you know, we've been presenting to the APs, and doing some filming, and, this winter, we'll do a few more filming, but, really, we'll be editing, and the goal is to begin sharing some of these videos in early 2024.

This timeline only goes to February, and that's not necessarily the end-all-be-all for the project, and I know it's a very short timeline, and we're just going to see how it goes, and we're really hoping that we can expand it into next year as well, and so, with that, we do have an example video to show you guys. We had the pleasure of working with David Hugo, and I wish he was here, because normally I like to, you know, embarrass him a little bit, but David is the Sea Grant Reef Fish Fellow, and maybe you've seen him in tackle shops in your region. He goes to a lot of tackle shops with Meg, and they do a lot of seminars together as well, and so I say it's an example video, but I want to point out that David is a very avid fisherman, and so these are his like very real perspectives into his fishery and why they matter to him.

(Whereupon, a video was presented and not transcribed.)

MS. OLIVER: I hope you guys enjoyed that as much as we enjoyed putting it together. Nick and I put this together quickly, but we learned a lot, and so we know how we're going to improve on the next videos, and we're really excited to get this project up and going. We have a few just discussion points for you guys, before I talk about the other project, but, you know, are there any

additional conversation topics that you all think that might fit into the scope of this project? Additionally, I gave you guys that quick list of platforms that we're thinking about sharing these videos on. From that list, is there any one that might be better than the other, or are there additional suggestions that you think would be good for this project? Then, lastly, would anybody be interested in working with us and participating in the future, and so I will turn it back over to the AP.

MR. LAKS: Does anybody have any suggestions or comments or want to volunteer to be a star? Rusty, go ahead.

MR. HUDSON: Of course, a lot of folks know about my family pictures for several generations that have been uploaded, and some more recent ones from non-relatives have been uploaded, and they'll be coming forward soon, but one of the things that I saw, a few minutes ago, may open a segue into those newspaper articles that I made Julia aware of across nearly a half a century of material, but, in a lot of cases, it's hard to just clip and copy that and make it readable, and you almost have to transcribe it, and, with some of the pictures, some of them are actually the same pictures that I've provided in the past, but, besides the idea of the stories and the pictures, going back to those restaurants.

You know, I've been to a bunch of restaurants in South Carolina, along the coast of North Carolina and South Carolina and Georgia and Florida, the Keys, and a lot of these restaurants have pictures, and, a lot of times, the South Atlantic Council, and others, are in those regions, and so it wouldn't hurt to locate some of those places, and some of the pictures go back into the 1920s, but, in other cases, they're just out of the -- Like the predominant part of my pictures are the 1950s, 1960s, and 1970s, and then, more recently, the 1980s, 1990s, and 2000s, and so there's a lot of pictures there.

The other format is trying to be able to frame that history, based on the dates, and sometimes you have to make a judgment, because it may not be a picture with a date, and some of the discussions about careful handling and release protocols, and everything else, yes, and, you know, if you're not wanting to take them home, and you can do a good, live release, that's a good day. I'm just sort of throwing that out there, just as things that people can ponder later. Thank you.

MR. LAKS: Thank you, Rusty. Is there anyone else that has any questions or comments? Go ahead, Brad.

MR. PHILLIPS: I would like to just say that like, with the video or whatever, maybe focus a little more of the area they're in, like, hey, I'm from Florida, or I'm from South Carolina, or I'm from Wrightsville Beach, Charleston, blah, blah, blah. That way, somebody can hone-in a little bit better.

MR. LAKS: Thank you, Brad. Anyone else? All right, guys. Well, thank you very much. That was very informative. Thank you. Rusty, go ahead.

MR. HUDSON: One of the things that I was kind of wondering about is the idea of the bottom. You know, we have the old A LORAN, and then the A to C LORAN conversions, and then the C LORAN, and there's a lot of people that are doing stuff like dropping cameras, GoPros and stuff, but the biggest deal is being able to measure, and to be able to look at stuff, and I heard the king mackerel discussion, and I've had a few sixty-five-pound females, big -- You know, it's just a

different growth thing, just like with our sharks. The biggest sharks are the females. These are the little subtleties that we know about, that can be shared into a scientific forum. Thank you.

MR. LAKS: Thank you, Rusty. Anyone else? Go ahead.

MR. GRIFFIN: In the videos, I was thinking maybe take a perspective too of maybe introducing commercial fishermen, people that own fish houses. They could tell you a lot, you know, and just some other angle there.

MR. LAKS: Thank you, Chuck.

MR. SMILLIE: I don't know if you saw your boat in there, Chuck, but David was reeling-in a fish on your boat in that video. One thing that I do like to just mention to the APs, when we present this thing, is that one of my favorite aspects of the project is just being able to highlight these historic stories, you know, people like you all, who have been fishing and seeing the fishery change over, you know, decades, or even half-a-century, in some cases, and you have this just extreme knowledge, institutional knowledge, of the fishery that I think is really important to preserve, and so these videos are just kind of a way to be able to do that, similarly as FISHstory is.

We have all those old photos and stuff that people can look back on as a reference point of where we were in the fishery, and so that's kind of what we're doing, and we're trying to do, and I think we're really going to try and meet people where they are in the future too, and like you were saying to meet people at fish houses, where they're working, and maybe at a dock, where they run their charter business, or something like that, and so that's the goal, and, yes, it's still pretty new, but we just finished our first one today.

MR. LAKS: Thomas, did you have something?

MR. NEWMAN: It's a little bit off-topic, but I think the video format would be good for like doing some of the committee reports, and I don't know how you would really do that, but I find it's trying to let the public know what's going on, and what's happening, and, a lot of times, words go over people's heads, and especially if it's something that's two or three pages long, and maybe if there's some sort of way that the council staff, and maybe some of the council members, could maybe do some presentations on what's going on on the council level, just to kind of maybe engage a different audience and just give you a different -- You know, the eyes seems to want to see more than the ears want to hear and the eyes want to read, and so just a thought.

MR. LAKS: Thank you, Thomas. Anyone else? All right, guys. Thank you very much. That was great. We are going to get into --

MS. OLIVER: Sorry, Ira, but we have one more project.

MR. LAKS: I'm sorry. One more section.

MS. OLIVER: There's never a good segue. All right. Well, thank you, guys, for all those suggestions, and I do want to mention that this is open to all the sectors, and we're looking to work with everybody on this, but, real quickly, I do want to talk to you guys a little bit about this Best

Fishing Practices Master Volunteer Program, or BFP MVP for short. This is an up-and-coming workshop, and just, for the last year, I've been working on it and developing it.

Just to quickly go over the goals of the project, the first goal, really what we're looking to do is expand the reach by empowering key members of the fishing community to spread the best fishing practices message and methods on the council's behalf. Our second goal is really just getting at increasing the general awareness and use of all best practices, and that's really specific to snapper grouper species that are exhibiting signs of barotrauma and also need to be released. Then our last goal is a very similar goal to the What It Means to Me project, but, again, we just want to increase the council's regular interaction with the stakeholders, in hopes that it will grow their involvement in the process.

Digging into what this workshop is, these will be regional in-person workshops that will train volunteers to become experts in all best practices, and also really encourage them to train those in their fishing community, and so we envision these to be hosted quarterly in each state, and last approximately an hour-and-a-half to two hours long, and so, for example, and I'm still kind of setting in stone the schedule, but, you know, we might take Quarter 1 of 2024 and spend our time in South Carolina and Quarter 2 in North Carolina, and so on and so forth, and that's kind of the idea there.

To get into our target audience for these workshops, the first group would be the key members of the fishing community, and so we have learned, from many surveys, that one of the most effective information exchanges within the fishing community comes from word of mouth and local tackle shops, and so we really hope that, you know, by targeting this group, the messaging will just come off more positively, and we'll just get the word out there more. This group may include, you know, advisory panels, like you guys, the SAFMC Release participants, maybe MREP graduates, or federal for-hire permit holders.

Our next group would be the port samplers. Port samplers are the front face to anglers returning back to the docks, and I know, a lot of times, they get questions, and complaints, about fisheries management, and so, really, the hope here is that, by educating the port samplers, they can hopefully better answer questions for those anglers at the docks.

Then our state and federal agency personnel would be our next target audience, and this group is just targeted due to their vast involvement with the public, and, lastly, novice fishermen, and I do have "indirectly" in parentheses, and, you know, this group is absolutely welcome to come to these workshops, and I'm envisioning them to be pretty small, but, if they hear about it, and they want to come, that's great, but, really, this group we're hoping to capture through the key members, the port samplers, and the agency personnel.

To dive into what these workshops are going to contain, the first thing I really want to stress though is we want these to be very conversational in nature. They're informal, and I want to, you know, just be able to talk back-and-forth with participants and learn how we can both share the message in the communities in a more effective manner, and so the first component, and you've probably guessed it, and it is going to be all about best fishing practices, and so we'll talk about kind of the general best practices, such as, you know, planning ahead, know what you're fishing for, know the gear and the regulations you need, you know, handling, limiting air exposure, avoiding those non-target species, things like that.

We'll talk about barotrauma, and, really, here, I want to have discussions on it. You know, what species, what depths, what time of year do you see barotrauma worsen, and we'll really spend some time on barotrauma mitigation devices, and so descending devices and venting tools, what they are, how they work, and the regulations involved.

We'll put emphasis on descending devices, and that's just because, you know, the regulation is about descending devices in the South Atlantic, but we do want to touch on venting tools. There's been a lot of comments from the APs that you've got to talk about venting tools, and so we want to -- You know, people are using them improperly, and so we want to make sure we touch on that, and we also want to create a descending device with this group as well.

Then our second component would be all about getting involved, and so, of course, that would include citizen science and the SAFMC Release and FISHstory projects, and then I also want to have a section on just the council and how it works, just a small section, but I know that a lot of participants will probably be well-versed in the council process, but there also may be some that aren't, and I think it would just be good to go over some of these, you know, main tidbits that they can take back to their communities, and so an overview of the Magnuson-Stevens Act, a little bit about the council's jurisdiction and fishery management plans, and, of course, just how they can get involved in those APs, the council, and public comment, and then, again, I'm stressing this, and we really just want to have -- You know, this is an open forum with back-and-forth discussion.

Really, the next steps for me, and what I wanted to say here was, you know, I'm working on locations, and just, you know, be on the lookout for advertisements, and, you know, we'll come to you guys especially, as AP members, to help us spread the word. We would love to have you become a BFP MVP, and, also, these are going to be implemented hopefully in the spring of 2024, and so that's really kind of our two projects, in a nutshell, and I'm happy to take any questions right now, or feel free to shoot me an email at any time. Back to you.

MR. LAKS: Does anyone have any questions or comments? Go ahead.

MR. GRIFFIN: I think the program is fine. I can tell you that you will get a lot of resistance around the red snapper issue, and particularly in Florida, and so how do you propose to keep them focused on that, versus a two-day, one-fish-per-person red snapper?

MS. OLIVER: So, like I said, the group is going to be small, and we're really going to, you know, target our AP members, and be like, hey, in your community, who do you think would be a good fit for this program, and they should know the gist of what we're going to talk about, and so we're hoping that, through the people we know, like you guys, they will share the information out there, and it will kind of limit that down. We don't want it to become a public hearing. That's not what we're wanting to come out of that.

MR. LAKS: Go ahead, John.

MR. MALLETTE: A quick question, and I know this is -- I've been kind of taking little notes as you've been going, and I'm actually in the middle of heading up a project with Barbara Blake with Sea Grant and NC Catch right now, and I think this will fall into it, but I was taking notes, and so my questions was really not about this right now, but, if you're going to still be here tomorrow, or

later today, once we get through all of this, and I'm going to talk with her, and then get with you about a few things, because a lot of the project that we're doing is with bottom fishing with headboats and things like that that we're working on, and I think this would coincide really, really good, and so I'm just letting you know.

MS. OLIVER: Yes, that would be great, and we can definitely talk more after this.

MR. LAKS: Go ahead, Charlie.

MR. LOCKE: I would like to see definitely more talk about the venting tool, because, I mean, growing up charter fishing with my dad, and we would catch a beeliner, or a short bass, and we would just take the hook, and we were using j-hooks back then, and you would just pop his belly, which I know, back then, that wasn't the right way, but I've done some work with Paul Rudershausen, with the amberjack tagging, and he had these venting tools, and he actually sent me a bunch, and we were using them when we were bass potting this summer, and it's just so much quicker.

I see these guys kind of fiddle-farting with these descending devices, and I think, a lot of times, it's harder on the fish, you know, trying to get it in their lip, trying to get it over the side, and I think a properly-trained venting, you know, with the right venting tool, is -- It would be almost a better tool in the toolbox, and I would like to see, you know, more -- Maybe expand into the venting tool more myself, versus the descending device. Thanks.

MR. LAKS: Thank you, Charlie. Anyone else? I personally -- Like you said, I really like the fact that you're adding something about the MSA, because I think everyone doesn't have an understanding of the constraints that are put around what we can do, and the rules that are in place, and a little understanding in that is going to go a long way in promoting all of this, and why you should do things, and so I really am excited to hear that's going to be in there.

As a mackerel guy, I would like to see more about other species and releasing them, like being able to put a dehooker on the side of your boat for Spanish mackerel, or things like that, and it's - - You know, it's not as easy to grab a big mackerel and release it, but there are things you can do to prevent some of that, but I appreciate that a lot. Thank you. I think that's it. Thank you. Now we're going to jump into Framework Amendment 13. Do you guys want a quick break now? Let's take a ten-minute break right now, and then we'll get back to that.

(Whereupon, a recess was taken.)

MR. LAKS: All right, guys. We're going to get back here, and we're going to start with Framework Amendment 13. All right. I'm going to turn it over to Christina.

MS. WIEGAND: All right. It's the time you guys have all been waiting for. Let's talk about some mackerel, and we're going to start with Framework Amendment 13, and this is the amendment that looks to address catch levels for Atlantic Spanish mackerel. Just as a note at the beginning, as some of you may know, the Gulf is also working on an amendment, and their amendment will address Gulf migratory group Spanish mackerel, and this amendment addresses Atlantic Spanish mackerel only, and so that's Spanish mackerel from that Miami-Dade/Monroe

County line in Florida all the way up through the Mid-Atlantic Council's jurisdiction of the New York/Connecticut/Rhode Island line, and so just the Atlantic coast being addressed here.

I do want to go back and refresh you all's memory, and I know we did talk about this a little bit at our April AP meeting, but I will remind you all a little bit of sort of how we got from the assessment going to the SSC to the catch level recommendations we have today, and so SEDAR 78 is the stock assessment that was recently completed for Atlantic Spanish mackerel. It was completed in June of 2022.

The South Atlantic Council's Scientific and Statistical Committee then reviewed that assessment, and they felt like there was additional work that should be completed before they would feel comfortable sort of approving that assessment to move forward to the council process, and one of the things that they did was address uncertainty with some of the Marine Recreational Information Program estimates in the terminal year of the assessment. The SSC reviewed those changes at their October 2022 meeting and still felt that some additional revisions were going to be necessary.

To that end, the council's SSC created a sub-group that ultimately sort of determined what work was going to be needed for them to move forward, and so now we're at the December 2022 meeting, and the South Atlantic Council sort of really expressed frustration with the process and noted that it was really important to have accurate catch level recommendations, so that they could move forward with needed management discussions. As you guys are all very well familiar with, the Atlantic Spanish mackerel assessment was subject to a couple of delays, and it was sort of meant to get going right around the time that COVID hit, and so this assessment has been a long time coming.

During that January 2023 SSC meeting, they approved a scope of work, but then the council, and the SSC, received a letter from the Southeast Fisheries Science Center stating that some of their recommendations would need to be considered in the next scheduled stock assessment, due to the extensive rework that would have been required, and so, to that end, the SSC then met, just this past April, and ultimately determined that the stock assessment was sufficient for providing stock status, and that was that Spanish mackerel is not overfished or undergoing overfishing, and then they ultimately chose not to use the projections from that assessment, but instead to use the model output to set catch level recommendations.

If you scroll down here, you can see the recommendations, and this is the stock assessment table that came out, and there's a lot of different numbers here. What you are really going to want to focus on is the overfishing limit recommendations, which were set equal to yield at MSY, and then you've got your ABC recommendations at 75 percent of FMSY, and so these ABC recommendations right here -- That's the number we're sort of working with coming out of the SSC.

Before I sort of move into the purpose and need, and sort of the action that the council will be taking in this amendment, I want to pause for a second and see if there are any questions about the stock assessment and how we ended up with this ABC, or acceptable biological catch, allowable biological catch recommendation of approximately eight-million pounds.

MR. LAKS: Go ahead, Steve.

MR. ENGLISH: I guess I'm kind of curious how we did get here, to the final number, and the number that we first heard was way off of this, and how did we get to this level? I mean, from what I understand, the first numbers we were talking -- We were talking lower -- Less allowable catch, and now we've actually came up where we're going to gain some fish.

MS. WIEGAND: I'm going to do my best to explain this, and it's sort of the difference between the council ultimately deciding not to go with the projections that came out of the stock assessment and instead go with the model output, but I know that Judd is online, and he's the staff that works with the Scientific and Statistical Committee, and he can probably explain that in a way that's a little bit more eloquent than me.

DR. CURTIS: Can I speak, Chair?

MS. WIEGAND: Now we've got you.

DR. CURTIS: Okay. Thanks. Christina mentioned the main issue, and that was that, instead of using the projections that come out of the assessment, and the SSC find a high amount of uncertainty with those projections, and, specifically, some of the fishing mortality estimates with the rec sector, and those get carried forward into the projections, and that's what resulted in some extremely low -- Lower catch recommendations than what we see here, and so the SSC's recommendation was then to use elements of the assessment, namely the fishing at MSY level, to represent that OFL, and then use 75 percent of that value to represent the ABC, which are the numbers that you see now represented in the table.

Just one other piece of information that I tracked down, and there was a question, I think at the beginning of the meeting, and I think it was Thomas, on the recommendation for the next stock assessment for Spanish mackerel, and so, yes, the SSC, because of some of the uncertainties that they saw in this assessment, recommended that the Spanish mackerel get put back on the SEDAR schedule as a benchmark assessment, which will allow more flexibility in changing kind of the model diagnostics, and the entire model framework, and that was then discussed at the September council meeting, and the Mackerel Cobia Committee agreed that it should be put back on the SEDAR schedule.

The SEDAR Steering Committee met in October, and I'm not sure that they got around to discussing when that could get back on the schedule, and so their next meeting is sometime in the spring of 2024, when that will get discussed, when to put a Spanish mackerel benchmark assessment back on the SEDAR schedule. That's it. Thanks.

MR. LAKS: Are there any other questions?

MS. WIEGAND: All right. Then, moving forward, we've got sort of the broad purpose and need statement here for the amendment, and it's on your screen, and in your briefing book, and I'm not going to read it verbatim, other than to sort of say that the purpose of this amendment is really to ensure that catch limits are based on the best scientific information available and to update catch levels based on the recommendations from the Scientific and Statistical Committee that we just discussed.

I do want to take a moment to talk about recreational survey updates, and this is something that Tom alluded to when he was providing you the council updates, but, as many of you know, sort of we've moved from the traditional way of collecting recreational estimates, which was a survey that was mailed to -- Sorry. One that used landlines to call fishermen to a mailed survey, and so this is called the Fishing Effort Survey, and we have now switched to that as the way that we are calculating recreational catch and effort.

Back this August, NOAA Fisheries did publish a report that summarized some results from the small-scale study that looked at sources of bias in that survey, and the study, which only used data from about July to December of 2015, did find that switching the current sequence of survey questions resulted in fewer reporting errors and some illogical responses, and that, ultimately, as a result, effort estimates for the shore and private boat angler mode were generally about 30 to 40 percent lower.

They are now conducting a large-scale follow-up study to really better understand the differences in those effort estimates between the current survey design and a revised survey design. That study is going to be conducted throughout all of next year, and the council is expecting to see results from that study sometime in the following year or two.

The council did discuss this at their September 2023 meeting, and sort of whether or not they were interested in moving forward with Framework Amendment 13. Ultimately, they did decide to continue work on this amendment, noting the importance of moving away from that telephone survey to the mail survey, to reduce sort of confusion in how the recreational ACL is tracked versus how the recreational landings are estimated. Additionally, like I mentioned earlier, stakeholders have been awaiting an updated stock assessment for quite some time, and having catch level recommendations to discuss is ultimately going to help guide some of the stakeholder input that the council is hoping to get during port meetings, which we'll talk about a little bit later today.

Then the next thing that I wanted to sort of briefly go over, before we dive into the actual actions in the amendment, are a couple of definitions, and we're going to be throwing around some terms as we're discussing catch levels, and so I first want to start with the overfishing limit, and this is the amount, usually in pounds, of fish, above which sort of any fishing activity would be removing fish from the population faster than they could be replaced, and so overfishing would be occurring, and so it is the SSC that determines this limit, based on the most recent stock assessment.

Then you've got your ABC, or your acceptable biological catch, and this is the highest number, or the amount of fish, harvest and discards, that can be removed from the population, and, again, it is the SSC that sets this level, and not the council, and the council is unable to exceed the ABC recommendation that they have received from the Scientific and Statistical Committee.

Now we've got some terms that you all are likely more familiar with, and you've got your annual catch limit, and this is the limit on the amount of fish that can be landed in a given year, and this is set by the council, and then you've got your annual catch target, which is sort of the management target of a fishery, and, again, this is set by the council, and so I just wanted to sort of note those definitions as we're moving forward and talking about this amendment.

Then, last, but not least, and I noted this earlier, and Atlantic Spanish mackerel is managed from that Miami-Dade/Monroe County line all the way up through the Mid-Atlantic Council's

jurisdiction, and then, for the commercial sector, it's broken up into two zones. You have the Northern Zone, which is the North Carolina/South Carolina line north, all the way to that sort of intersection of the New York/Connecticut/Rhode Island line, and then the Southern Zone is that North Carolina/South Carolina line south to the Miami-Dade/Monroe County line in Florida, and these two zones are going to become important when we start talking about how those catch levels will be apportioned between, you know, the commercial and recreational sector and then in between those two zones for the commercial sector.

Here is the timing for this amendment. The council will sort of look this over again in December and take into account any input received from this advisory panel, as well as any input received during scoping, and they would be looking at selecting preferred alternatives in March and then moving forward with tentative approval of this amendment in June of next year.

Here are the actions, and the one and only action in this amendment looks at revising that acceptable biological catch level, the annual optimum yield, total annual catch limit, sector annual catch limit, and commercial zone quotas for Atlantic Spanish mackerel, which feels like a lot, but hopefully these tables here will make it a little bit clearer.

Your first alternative is the no action alternative, and this is not a legally-viable alternative. The council must sort of update catch levels to be consistent with the recommendations they've received from the SSC. The other thing that I want to note here is you will see that the current acceptable biological catch and annual catch limit, under Alternative 1, is approximately six-million pounds. Because of that switch over to the MRIP-FES, or the mail survey, that number is not directly comparable to the ABC and ACL numbers you will see in the following alternatives, and it would be like comparing apples to oranges.

Alternative 2 proposes setting the ABC and the ACL equal to one another, and so there is no buffer between ABC and ACL to account for things like management uncertainty. That total ACL would be approximately eight-million pounds, and then you can see how that would work out to a recreational ACL, the recreational ACT, the commercial ACL, and then the two commercial zone quotas. Alternative 3 would set a 5 percent buffer between the SSC's recommended ABC and the total ACL, and, again, in that table, you can see how that ultimately factors out for each of the sectors and commercial zones.

Then Alternative 4 would set a 10 percent buffer between that ABC and ACL, and so, really, the difference between those three alternatives is whether or not you would like to see sort of no buffer between ABC and ACL, a 5 percent buffer, or a 10 percent buffer, and so, before I sort of let you all dive into discussions, I do want to note a couple of things.

The council is not looking at modifying sector allocations in this amendment, or regional allocations in this amendment, and they ultimately plan to sort of address those things after port meetings have been completed, so they have all of that input from conducting those port meetings before making those decisions, and so I do want to briefly note how we got the percentages we have for each of -- How each of those allocations breaks down.

For sector allocations between the commercial and recreational sector, those were originally set back in Amendment 2 to the CMP FMP, and they had resulted in a 76 percent/24 percent allocation, and those were set using catches from 1979 to 1985. Then, in Amendment 4 to the

CMP FMP, the council decided to revise sector allocations to simply be a 50/50 split, and it wasn't based on any sort of landings series, and they decided that 50/50 was ultimately the most equitable way to allocate the Spanish mackerel resource, because it was felt that both the commercial and the recreational sector -- The capacity, and the demand, would be able to harvest the entire available quota, and so splitting it down the middle was the most fair and equitable way to move forward.

Then, in 1998, they instituted a framework amendment that shifted 5 percent of the allocation from the recreational sector to the commercial sector, which resulted in the 55 percent commercial and 45 percent recreational allocation that we see today, and the decision was made to do that because the commercial sector had been regularly exceeding their allocation, whereas the recreational sector had not reached their allocation in recent years, and so, right now, 55 percent of the ACL goes to the commercial sector and 45 percent goes to the recreational sector.

Next, I want to talk about the recreational ACT, and this is based on adjusting the ACL by 50 percent, or one minus the five-year average percentage standard error, and so, over the last five years, that works out to be about a buffer of 13.8 percent between the ACL and the ACT, and I do want to note why this is important. We haven't talked about ACTs for a while in this fishery, but, for the recreational sector, they are used in the recreational accountability measure, and so how it works is, if the recreational landings exceed the recreational ACL, and the sum of the commercial and recreational landings exceeds the total ACL, the Regional Administrator is then able to reduce the bag limit, the following fishing year, by the amount that would be needed to make sure that recreational landings achieve the ACT, but don't ultimately exceed the ACL.

This is important, because the council has asked for an analysis, that we'll present to them in December, and staff is working on it right now, to sort of estimate, under these new catch level recommendations, when might the commercial and recreational sector be anticipated to meet their ACL, and so we don't have that information now, and it will be presented to the council in December, but there is, given the decrease in catch levels, a possibility that the recreational sector may meet, or exceed, their ACL, and so it's important to understand how that accountability measure is going to function.

Then last, but not least, before I stop talking and let you all start talking, I just want to note the commercial quota allocations were set in Amendment 20B, which was effective in March of 2015, and they are based on the average portion of landings from each zone from the 2002-2003 fishing season to the 2011-2012 fishing season, and that allocation resulted in 20 percent of the commercial ACL to the Northern Zone and 80 percent to the Southern Zone, and so, when you're looking back up here at all these little tables under each of the alternatives, those are the calculations that got us to the commercial and recreational ACL and then the recreational ACT and the commercial zone quotas.

What the council would really like input from the AP on is sort of whether or not to set a buffer between the SSC's recommended ABC and the ACL, to account for things like management uncertainty, if there's other information they should be considering when setting catch levels, and then are there issues in the Spanish mackerel fishery that need to be addressed immediately, sort of that cannot wait until port meetings have been conducted and the council has been able to gather more information from fishermen, and we'll get into port meetings in a little bit, but, to give you all timeline, we would be looking at conducting port meetings all of 2024, with the council sort of

getting the final report from port meetings sometime the beginning of 2025, and then tentatively being able to start working on an amendment maybe in mid-2025, to give you guys a little idea of what the port meetings timeline is going to be, and so, with that, I will stop rambling and will open it up for any sort of questions or discussion or input you all would like to provide to the council.

MR. LAKS: Thomas, go ahead.

MR. NEWMAN: I had a clarifying question for Christina, and I was going to exactly ask you that, was if you had the projections available yet for the closures, because -- I didn't even want to bring it up, the CHTS, because we're trying to get over that, but it's really hard, for most people, including myself, to take -- Looking at these numbers from CHTS, and transferring them to FES numbers, and realizing that it's actually a quota decrease, and I really wanted to get some tables side-by-side from the previous CHTS numbers and what MRIP has been spitting out, and you all don't have that, do you? It would probably confuse everybody anyway, but --

MS. WIEGAND: So one of the things we don't do, here in the South Atlantic, is we sort of don't have the previous assessment rerun with FES numbers, and so I don't have that apples-to-apples comparison for you, and I will note sort of the council asked staff to work with National Marine Fisheries Service to do that analysis, to see when ACLs might be met, and we're working on that, and it will be available to the council in December, but I will say, you know, sort of off the cuff, if you look at landings, recent landings, for Atlantic Spanish mackerel, it's sort of reasonable to assume that the commercial and recreational sectors might be able to meet that ACL, and I just can't say, you know, with 100 percent certainty, or give sort of an exact timeline, until that analysis has been completed.

MR. LAKS: Go ahead, Thomas.

MR. NEWMAN: Just a follow-up too, and I find that kind of interesting too, because I know I was following the SSC, as they were going through this process, and they rejected the projections, because of the MRIP data, and it was pretty much showing landings doubling, from now until eternity, apparently, but I think, recollecting the FES numbers, for some of those years, it was four or five-times the amount of landings that the South Atlantic was reporting with the CHTS numbers, but I do know that we did see a drop with the MRIP landings, and it seems to be a drop for this year, and so I don't know, and I just -- I would kind of urge caution, I guess, as to what these projections might tell us and might not tell us, because that's about as far as I wanted to go on that one right now.

MR. LAKS: Steve.

MR. ENGLISH: We're kind of in a mess here, ain't we? We started out the mess, and, I mean, and I don't understand the numbers myself. I thought we were at a six-million-pound quota, and now we're at eight, but we're less than the other, and so I don't comprehend what the apples and oranges, and I don't comprehend what we're talking about. We don't have a number to go by for me to understand it.

MS. WIEGAND: So I'm going to do my best here to sort of explain what happened with that switch from MRIP-CHTS, which was the telephone survey, to the MRIP-FES, which is the mail survey, and so, as you guys can imagine, landlines -- You guys all have cellphones. If you see an

unknown number, you're not necessarily going to pick up, and so a lot of work was done to sort of determine what would more accurately capture recreational effort, a telephone survey or a mail survey, and it was ultimately determined that the mail survey was the best scientific information available.

What that is essentially saying is that we weren't understanding the size of the pie, and so what has happened is that the size of that pie has gotten much bigger, but the amount that the recreational sector was harvesting is also much bigger, and so we can't compare sort of the smaller pie to the larger pie, because the smaller pie wasn't accurately reflecting total recreational effort, and so also wasn't accurately reflecting the size of the fish stock.

MR. LAKS: Go ahead, Steve.

MR. ENGLISH: If I may, that's where the problem came in. We all knew, and I'm going to repeat what I've said in other meetings, so we're on the same page, and we all knew that we were going to get a dramatic increase in Spanish mackerel, because we know the fishery is just expanding, and, I mean, we know what the commercial fishery is. You go out, and you catch your fish in three hours, and you come in, and it was a massive, massive bunch of mackerel, and so we knew that we were going to get a big expansion.

The recreational sector knew that too, and the recreational sector's agenda is we want the fish left in the water, and that's what we want, and we don't want them harvested, and so what do we have to do to keep the commercial sector from getting more fish to harvest and take out of the water, and that was to increase their numbers by four-times, and we were told that's what they were going to do. That's what they did, and that's why we're here.

You can -- All these numbers, and you can run this and that and that, but, somewhere, you've got to come up with a number as to how much you can take out of the water and how much each sector is going to get, and it needs to be understandable by the fishermen, so that there is trust in this process, because, right now, there's no trust in this process from the fishermen. They don't trust it, and they saw how it was manipulated and cheated, and so there's no trust in it, and so I have a couple of proposals that I would like to make, when it's time, as to how to correct this situation, and for the council to consider, and for us to consider, and see if everybody goes along with it, and I don't know what the proper time to make a motion to do that would be, but I need to do it.

MR. LAKS: Pertaining to this or to --

MR. ENGLISH: Pertaining to how we count the fish, so that we get to this -- To a number that we're going to go by.

MR. LAKS: I think we should probably entertain that in Other Business, and keep just Amendment 13, and then we'll definitely come back to that in Other Business. Go ahead, Charlie.

MR. LOCKE: Amendment 20B, the Northern and Southern allocation split, you know, it screwed us up here, and I never had a fall where I wasn't able to fish on Spanish mackerel. You know, we lost the one fall, and we had to fight for the 500 pounds, you know, and now we're under this 500-pound thing again, and everybody -- You know, the council knows that there's an expansion north, and stuff is warming up, and the fish are staying up here longer, you know, and I'm concerned

about the 500 pounds, because, you know, Chris Batsavage, and he works with our state, and he's on the -- I'm trying to think of the -- The Atlantic States Marine Fisheries Commission, and, you know, the Atlantic States is looking at this 500-pound thing, because they want some kind of like, you know, something set in stone of how the 500 pounds works, you know, because it's kind of - - So we've got a mess here, in my opinion, for the northern sector.

I don't know, and I think -- You know, I heard what they were saying about the MRIP data, and, you know, I've been a big advocate about there's got to be accountability, and they know every pound we catch, and this is pie-in-the-sky, these MRIP numbers. You know, you're spending all this money to do a study, and there's just so much uncertainty, and now we're starting to talk about possibly a buffer, and we're going to look at, you know, voting on a buffer, and I'm looking at this commercial Northern Zone, that we might get 882,640, which is an increase from what we had, of about 665,000, and I don't want to see any of that increase taken away for a buffer, and so I'm a little bit, you know --

I'm like Steve, in a way, and I don't think we were allocated the right split, commercial or recreational, and I know we weren't allocated the right split as far as the northern sector goes, because of the years they used, and we have hurricanes and everything else, and I will just add that there's a lot to be addressed here in this, but I would not want to see any northern sector decrease if a buffer was going to take from that, which I'm seeing in this, and maybe I'm seeing it wrong, but it looks like, as each percentage buffer goes up, the quota goes away, and we need every pound we can get up here, and that's all I will say about it. Thanks.

MR. LAKS: Thomas.

MR. NEWMAN: A follow-up on Charlie's point too is that, with these buffers too, the recreational quota is going away as well, and we've already been discussing that we were possibly overestimating the recreational catch by 30 or 40 percent, and so, if we were to do a buffer across-the-board, the recreational season is most likely going to see a harvest closure. I mean, looking at the last MRIP numbers that I looked at, there's a very real chance that the recreational season is not going to last 365 days a year anymore either, and, until we can figure out where the MRIP problems are at, and where this overestimation is coming from, and whether or not that is true or not, I don't think we need any buffer for either sector.

MR. LAKS: Tony.

MR. BENEVENTO: So are you recommending Alternative 2?

MR. NEWMAN: Yes, sir.

MR. BENEVENTO: Okay.

MR. LAKS: Is there anyone else? Go ahead, Brad.

MR. PHILLIPS: I just want to say, and I'm sure that everybody agrees with me, but the recreational fisherman is never going to give you the true tales of how many fish they catch, and so we've got that buffer going in on there, okay, and is the buffer -- I mean, the 50 percent, and, I mean, is it right or wrong, and do you know what I'm saying, because, I mean, I've got people that

go catch twenty or thirty Spanish mackerel all the time, easy, and another thing too is this data we have, and I went to MREP. That is seven-year-old data that we're using, and so I think it needs to be updated. Is our data correct or not? Thank you.

MR. LAKS: Christina, I have a question. It seems like, to me, that the problem would be the recreational community quota, and is there any thought to just putting a buffer on the recreational number? Does it have to be on both, because, if we're trying to curtail catch -- The commercial numbers are controlled so much by catches, and so can you just put a buffer on the recreational, to keep them from going over, so there's not a payback?

MS. WIEGAND: So I guess a couple of things I want to clarify. First, to your question, I don't believe it's ever been done, sort of setting sector allocations based on no buffer between the ABC and ACL and then putting a buffer into the commercial ACL, and that's sort of what the annual catch target is meant to achieve, and so, by using the percent standard error, that 13.8 percent essentially is addressing that uncertainty in recreational catch, through the annual catch target, and so I believe the annual catch target is sort of achieving what you're suggesting here.

The other thing I want to note is sort of you mentioned a payback provision, and there are payback provisions for the commercial and recreational sector in the Spanish mackerel accountability measures. However, for those paybacks to kick in, Spanish mackerel would have to be identified as overfished, and undergoing overfishing, and, based on the current stock assessment, neither of those things are true, and so there's not a situation, right now, where either sector would experience a payback.

MR. LAKS: Thomas.

MR. NEWMAN: That's a point that I wanted to reiterate too, that, at the SSC, they determined the stock was not overfished, and overfishing was not occurring, and the SSC also recommended to have no buffer, which is in the document, but I felt like it needs to be restated, and, also, on the payback issue, I believe Christina is correct that it's up to the discretion of whether or not to adjust bag limits, or is it the council has to reduce bag limits?

MS. WIEGAND: So, for the recreational accountability measures, first, there is no in-season accountability measure, and so there would be no closure of the recreational sector. There is that post-season accountability measure, which it does note that, if the recreational ACL is exceeded, and the total ACL is exceeded, then it's the Regional Administrator who can drop the bag limit low enough that it would allow the recreational sector to meet the ACT that was set, but not exceed that ACL, and so sort of the buffer between ACL that you were mentioning, Ira, and so it's the Regional Administrator that would do that.

MR. LAKS: Right, and I didn't mean payback, and I meant the bag limit adjustment. So that's not a definite, and it would be at the discretion of the Regional Administrator, and so it's not a definite would happen. Okay. I would like to hear from some of the guys who recreational fish. Will.

MR. JONES: I think, for the for-hire sector, avoiding a closure, and maintaining access throughout the whole season, is preferable, lowering the bag limit, you know, and/or combating dead discards,

and that would be fine. I mean, just having a closure during the season -- The Spanish mackerel fishery is really important to the for-hire sector, and so we definitely want to avoid that.

MR. LAKS: Charlie.

MR. LOCKE: I had a question, because I never was clarified on this, and is the recreational -- Is the recreational split north and south too, or is that only for the commercial, and the reason that I ask that is so is there like a recreational northern sector, and a recreational southern sector, or are they all one sector?

MS. WIEGAND: For the recreational sector, it's the entire Atlantic coast, and there is no split between the Northern and Southern Zone, and that's only for the commercial sector.

MR. LOCKE: Okay, and so, in North Carolina, for the North Carolina charter, my buddies that charter fish, with a March 1, you know, start date of the quota, if there was a closure, you know, our fish would be gone. It would be wintertime, and, more or less, they would be opening back up on March 1, and, you know, it really wouldn't affect the northern sector as much as it would southern sector, as far as -- The southern recreational fishermen, I should say, and I wasn't sure on that. Thank you.

MR. LAKS: I believe I had John and then Thomas.

MR. MALLETTE: Being that I'm both commercial and run charters, I see a lot of things, and has the council looked into other ways, and I guess more -- Using recent technology to get better data, and so what I was -- Doing the landlines, and, when you're commercial fishing, you've got trip tickets and everything like that. Well, I could get on my phone right now, whether you're getting info from rec guys, and I can go to any Facebook fishing group, and go to the search engine, and type in "Spanish", and you're going to see tons of people with all the Spanish laid out, because they've got huge bag limits for recreational, and taking into account the economics of it, and things of that sort, where, as a charter boat captain, well, fuel prices -- The cost of that, and our prices go up.

Well, it used to be that the Spanish mackerel, recreational and charter, it was looked at as that's what the kids do, and that's what the novice fishermen do. Well, now, if anybody wants to run a charter, or to go fishing, because they're -- You know, their construction job sucks, or whatever, and they can't afford that offshore trip to go mahi fishing, and so you've got a lot more people doing your nearshore half-day trips, and so you have a lot more pressure on the Spanish, from the recreational side, but the commercial side is going to stay pretty much the same, but you're getting a lot more pressure, just from the economics alone, and a lot more Spanish being caught, and my recommendation is, if you can't get -- If you're having a hard time getting the right data, maybe using AI technology and things like that, with going online, and -- I mean, if I can do it from my phone, I'm sure the government has got a better way to do it, you know, and so, I mean, it's just a thought.

MR. LAKS: John, I want you to hold onto that thought, and the council is looking at other ways, but I think that's what Steve was talking about, that we're going to talk about in Other Business, some recommendations that we could have for different data streams.

MR. NEWMAN: Being this is just a framework, and we're looking at just one issue, what's the timing like? Say we do this for one season, and we do or do not have the buffer, and we'll get a chance to kind of see what's happening with these new FES numbers, and then the timing, I guess, for finishing the full amendment is going to be 2025-ish, mid-2025?

MS. WIEGAND: I will say, right now, for this framework amendment, the council is tentatively scheduled to approve it in June of next year, and so June of 2024, and then it, of course, has to go through the National Marine Fisheries Service regulatory process, and it could be anywhere from, you know, six or more months until it's ultimately implemented and affecting you guys. We'll be doing port meetings throughout that time, and the council intends to sort of take a large look at this fishery and make needed management changes after that port meeting process, after they've gathered all of this information.

They would be looking at starting that amendment sometime, and, again, this is tentative. The further we get into the future, the more tentative I'm talking, but tentatively starting that in mid-2025. How long that amendment takes to develop will ultimately depend on what kind of actions are in it. Assuming it is a fairly comprehensive amendment that addresses a number of things in the king and Spanish mackerel fishery, it could take a year or two to work through the council process, before they would then sort of approve it, and it would have to go through the National Marine Fisheries Service process, and so the timeline for seeing overarching changes in this fishery is sort of -- We're talking long-term.

MR. NEWMAN: That's the point that I was going to make, is that we're going to have a few years to be able to kind of see where these FES numbers are going to go, and I really don't think that anybody probably wants a buffer, being we don't really know where these numbers are going to be, and, if it looks like any of these sectors are going to be exceeding their ACL greatly, we can start putting that into the full amendment process, as opposed to limiting the ceiling before we even get started.

MR. LAKS: One thing I want to bring up, and please, staff, correct me if I'm wrong, but some of the problem that we've all talked about with the recreational catch, is it comes in in waves, right, and so you're going to get two-month waves, and so there's a fear that the recreational fishery could actually not even know it has gone over until the season starts, and then you're going to have to -- If they do change the bag limit, that's going to have to be a mid-season change, and so that could be a difficult situation. Isn't that part of the problem?

MS. WIEGAND: That is certainly a concern. The MRIP does come in two-month waves, and there is a little bit of a delay before we end up getting final numbers from a fishing season. How that would ultimately affect the Regional Administrator's decision to lower a bag limit, I certainly can't speak to.

MR. LAKS: Go ahead, Tony.

MR. BENEVENTO: I wanted to jump in here. As I am listening to this, there's a couple of issues, and I don't see where the fishery is in any trouble at this point in time, and that the ACL may or may not be met by the recreational side, and so, if we adopted Alternative Number 2, which says there is no buffer, and then we discover, down the line, that either the commercial or the

recreational had exceeded, I assume that the Regional Administrator can then interject and change bag limits, closures, et cetera, and is that correct?

MS. WIEGAND: So what the Regional Administrator can sort of do is what's outlined in the accountability measures, and making any changes sort of outside what's already outlined in the accountability measures would be something that would have to go through the full council amendment process, and so, for the commercial sector, there is an in-season closure, where, if the commercial zone quota is expected, or projected, to be met, the commercial fishery closes in federal waters. There is no in-season closure for the recreational sector, but there is that post-season AM, which would allow the Regional Administrator to lower the bag limit, but anything sort of outside of that would have to go through the council's full amendment process.

MR. LAKS: So this also being a framework, and it means that, if say no buffer was chosen, another framework could come up, if it started bumping up there, right, and there's an alternative that it could be a quicker process to change it in the future, or could you not do two frameworks on the same thing, or is it not -- I mean, I'm just trying to think of, if you went with no buffer, and then you blow it up, could then you come back with a framework to go -- You know, to change it back, saying we have to change it, and maybe something that would be considered in the whole process then of, okay, we see that we have to fix it.

MS. WIEGAND: That's correct, and so the council could choose to set no buffer between ABC and ACL through this amendment, and if it, you know, sort of became clear, at some point, that there was too much management uncertainty for no buffer to be advisable, the council could then go and go through another amendment and institute a buffer between ABC and ACL.

MR. LAKS: Steve.

MR. ENGLISH: The way I'm looking at it is the commercial sector -- We have numbers, and we always have accurate numbers, and so we're not going to have to worry about the buffers much, and it's only the recreational sector, with these numbers that nobody has a clue as to what they really are, and so the commercial sector is not going to go over its quota, except for if we hit our quota and have to use the 500 pounds afterwards, to keep the market going, and that will run over a little bit, but it won't be much, and I haven't heard how much it was, but I don't think it's enough to make a difference in the past year.

In North Carolina, in one year, it was almost double their -- But that was only 600,000, and so it was 1.2 million, or one-million or so, but, since then, it's not been that much, and it just was that one year, and so the commercial sector -- The buffer is really -- We don't really need it. We're not going to need it, and, on the recreational sector, maybe this will just make somebody get their act together to come up with some accurate numbers on this thing, and so I don't want the buffer, I mean, but we need to go with what we have.

MR. LAKS: Does anyone else have any comments or questions, or does anyone want to make a motion? Thomas.

MR. NEWMAN: **I will make a motion to accept Alternative 2.**

MR. LAKS: Does anyone want to second that motion?

MR. ENGLISH: I will second.

MR. LAKS: Steve English seconds. Is there any more discussion on that? Okay.

MR. NEWMAN: **Select Alternative 2 as the Mackerel Cobia AP's preferred alternative.**

MR. LAKS: Well, if there's no more discussion, I say that we vote. **All of those in favor of the motion, raise your hand. Online? It looks unanimous to me.** Rusty, if you can hear me, let me know how you vote. Charlie, did you want to say something?

MR. LOCKE: No, and I was just voting.

MS. WIEGAND: All right, and then I have heard sort of -- We've addressed this first question, and I have heard some discussion, around the table, about sort of various actions that may be needed, a lot of discussion of allocation, and so I would be curious to get the AP's perspective, for the council, on whether or not they feel that those discussions need to happen immediately or if they're something that should be discussed throughout port meetings and ultimately addressed in the larger amendment to come after port meetings.

MR. LAKS: Does anyone have any thoughts on questions? Go ahead, Thomas.

MR. NEWMAN: I would say that this stuff needs to be addressed at the port meetings.

MR. LAKS: Anyone else? I would agree that it definitely needs to get fleshed-out at the port meetings. Well, that was it for the amendment. Steve.

MR. ENGLISH: I mean, I would like to make a motion, as something I think the council should consider, and it will probably go right along with port meetings, and you will get all your input from it, and maybe they will want to put it on that.

MR. LAKS: You want to make a motion or --

MR. ENGLISH: I want to make a motion, and the motion is, and you will have to word it for me, but it's that we consider, and find a way, so that the commercial and recreational landings are accounted for in the same manner, the landings. The landings have to be verified, and so we have to verify the commercial -- Or the recreational landings just like we do the commercial landings, and it can be done. It can be done.

We have telephones now that are capable of doing these things, and there is ways to check checks-and-balances on that, and it can be done, and this right here shows the need for that, and there's just no reason not to do it. The commercial sector has shown that we can do it, and we have accurate numbers, and it will benefit everybody. We will know what the fishery is then, if we get the accurate numbers.

AP MEMBER: Steve, aren't you really saying then that the method for the recreational landings be accountable, since the commercial is already being accounted for?

MR. ENGLISH: Correct.

MR. LAKS: So let me just jump in real quick here, and I think everybody wants that, right, and the council, and please, staff, correct me if I'm wrong, but the council is now considering a recreational fishing permit as a first step, okay, and the council has chose not to include Spanish, king mackerel, cobia, dolphin, and wahoo, right, and, now, personally, I think those are like three of the most sought-after trips in the fishery, and, for some reason, the council does not think they're appropriate for doing part of their recreational permitting, and so I don't know -- As a first step, because I think we're jumping way ahead of way the council is with this, that we recommend that -- We recommend all of it, but particularly, since it pertains to us as mackerel fishermen, that Spanish and king mackerel, and I don't know how cobia would fit into that, because it's managed in different ways, but that it get included in that recreational permit.

It's basically only checking another box, and we are discussing all of this uncertainty, because we can't handle the scientific information coming back from the recreational community, and so I would think, before we jump that far, and I think that's all where we want to go, but you're going to have to take it step-by-step, right, and the step the council is on now is just getting some preliminary data of who is in the world, and I think we should be included, and so I don't know if you want to amend your motion, or, if you want to stay with that, I'm fine with that, but just to where we are, and what can we get done, and so the boat doesn't leave without us.

MR. ENGLISH: I'm for -- Like I said, I'm for the accountability on the entire fishing industry, and not just Spanish mackerel now, and this is -- This means that all landings have to be accounted for, and I don't care how it gets done, but it's got to get done. If the commercial sector can provide the landings we're providing, with the accuracy we're providing, the recreational sector can do the same thing, or at least -- Maybe not with the accuracy that we have, because we have fish houses and all to land them, but at least within a 10 percent uncertainty, and not a 50 percent uncertainty, like we have now, and I know that it can be done, and we have the electronics to do it, and I think we need to put it up, and the council needs to proceed with something to get these landings straight.

MR. LAKS: I would agree with you, right, and, I mean, I think that's where everyone wants to be, but the process, right, and we want to at least get on the process, right, and, right now, mackerel are not in the process of even defining the universe of recreational anglers, and so I think maybe we can make a -- You know, my suggestion would be to vote on a motion to see that we get included in the next step forward in recreational -- You know, describing the recreational universe, and that's include us in the amendments they're working for snapper grouper, okay, and then maybe we can make another suggestion, or another motion, but the step is going to have to come before that we get on this next step that the council is taking, right, and that's, you know, a ways away, right, and we all want to see that, and we wish it could happen tomorrow, but the next step is that we even get included in the universe of recreational fishing, just even so they know the amount of fishermen out there.

MR. ENGLISH: Yes, and, you know, put that in with the motion, if you want, and that's fine with me, but here's the problem. We're already included in that, and you see what happened with our SEDAR adjustment this time, and the recreational industry blew this thing to pieces, and so the recreational industry -- We are involved with it, and so let's get it straight, so that, instead of us sitting up here vying for the fish, between recreational and commercial, and we did that years ago, and we got beyond that, and let's not backtrack and do that again, while we're vying between one

another for the fish. Let's get the help for the fishery, understand what the fishery is, and who needs the fish, and allocate them accordingly, and that's my goal.

MR. LAKS: I'm going to let Tom jump in, because I know he's going to want to comment on this.

MR. ROLLER: Thank you, Chair. I kind of had a point of clarification that I wanted from you, Steve, and so it seems like what you're asking for is you simply want recreational reporting every fish they catch, and is that right?

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

MR. ROLLER: Okay. So, to kind of go back, and Ira covered this really, really well, and so I'm not going to go too far into it, but, you know, Amendment 46, recreational permitting and reporting, we had this discussion of whether mackerel and cobia and dolphin wahoo should be included, and the Regional Administrator did suggest that it should be, and so I'm not going to suggest that the AP does that, but, like Ira said, this would be a time that, if you believe this is really important, that that would be a way to insert what you would like this fishery to look like in the current council process.

MR. LAKS: Thomas.

MR. NEWMAN: That's kind of what I wanted to go to, what Tom and Ira were speaking to, and I was going to maybe suggest a friendly amendment that we get the council to consider adding mackerel cobia to the recreational permit discussions, and that would get us started in the path that you're trying to achieve with this motion.

MR. LAKS: I don't think the motion was seconded, Thomas, and so I think you -- Okay, and so what I was suggesting, and, Brad, you didn't understand, is that, since it wasn't seconded, we can make another motion that Tom could make, and we can edit it, or edit Steve's motion, and then we can, you know, get a second for that, and also, Steve, I do suggest that, after we do this, that we make a statement, and it doesn't have to be a motion, but a statement, as a panel, that we want recreational fishing pressure, and what they catch, to be recorded in a way that's similar to the commercial fishery, that it's time, with technology, that this can be done.

MR. NEWMAN: Are you ready?

MR. LAKS: Go ahead, Thomas.

MR. NEWMAN: **I would like to make a motion that the council add mackerel and cobia species to the recreational fishing permit discussions.** I am up for any wordsmithing.

MS. WIEGAND: Just to be clear, since even I typed it up there incorrectly, and so Snapper Grouper Amendment 46 addresses a recreational permit, and it does not address recreational reporting, at this time.

MR. LAKS: Is there a second for that motion? It's seconded by John. We've had a little discussion, but is there any more discussion that anyone has any comments or questions? Tony.

MR. BENEVENTO: How would this function? I mean, Chuck said, you know, there's twenty-five mackerel in some guy's box, and the other guy got skunked, and, you know, in Jacksonville, we get Spanish. They come through, and you might catch, you know, a dozen or so on a nice spring day, but it's not like you're out targeting them, and so I'm confused how -- You know, how this would be enforced, et cetera.

MR. LAKS: So let me give you a real quick rundown of at least what I think about it, and, again, people can correct me if I'm wrong, but this is a permit, right, and this isn't going to count what people catch, and this is to define the universe of those people who would target any individual species, such as Spanish, and so, right now, we don't know who even wants to do it, and so, if you were to go out fishing, you would have this permit to say that this is a species that you might encounter at some time, and so when they do -- Commercial fishermen, when we record, it's more of a census, because it's an exact number.

Recreational fishermen have more of a survey, but it will make the survey better at this point, because you will know who is in the appropriate point to survey those people, and so that's where you would be. You're not going to be counting every fish yet in the recreational industry, and hopefully that comes, but this point is going to have to go first, before you even get there. I have John and then Thomas.

MR. MALLETTE: I seconded it, but I just want to make sure that I'm clear, in my own mind, on this. I am all for the reporting, and, like I said, on the commercial side, we report to death, and I know the recreational gets it, but the way I'm looking at it is, without issuing the permits, the recreational fisherman are bound by whatever fishing license or whatever, and it doesn't necessarily -- All it says is follow the bag limits, and it doesn't say you have to do this, or have to do that, where, if you issue a federal permit, they can put in the language of the permit that, if you buy this permit, you legally have to report, or follow the rules that we issue, and so, once you get that permit, now that gives the council a leg to stand on, to say, if you don't do this -- You know, without that, you're just basically pissing in the wind.

MR. LAKS: It is a natural step in the progression. Thomas and then Steve.

MR. NEWMAN: I was going to kind of talk about that, because, right now, our effort survey is a mail survey, in the recreational industry, and it gets mailed to every house in the postal code. If we can get our -- If we can define our participants in these fisheries, we can narrow those mailings and direct it to the people who are actually saying they may or may not fish, and, that way, you avoid getting some of these no returns on these effort surveys, and you also can -- Like I say, you're making that universe smaller and smaller.

Right now, anybody, in any part of the world, can fish in the South Atlantic and not tell anybody, but this right here will narrow your number of participants, and it will focus the efforts of these random surveys we have, and so your random surveys are hitting a smaller number of people who are actually participating.

MR. LAKS: Steve.

MR. ENGLISH: Here's my question. Is the permit only for federal waters, or is it going to be you have to have it in state waters also, because, if it's just for federal waters, it's useless. Right now, most of our, a lot of our, Spanish mackerel fishermen in Florida eliminated their federal permits so that they didn't have to fill out the paperwork and make the reports. They did that, and so, if it's only required in federal waters, it's useless. It's got to be required to fish in the Atlantic Ocean, state and federal waters. Other than that, you're just -- You're doing nothing.

MR. LAKS: Steve, I would agree with you, right, and, commercially, that does -- But, for recreational, there's a little more of a stick about not having it, right, and so imagine you're coming out of your inlet, and you want to go catch some Spanish mackerel. Well, they wouldn't be able to go into federal waters, without that permit, with those fish onboard, and so you're still going to get a lot of people that are going to get it that fish offshore, just because, if they have a king mackerel offshore, they won't be able to be in federal waters, even if they caught it in state waters, and so that's where it would probably come into play a little more. Steve and then John.

MR. ENGLISH: Yes, and it's just not going to help for Spanish mackerel, because they don't occur in federal waters. 99.9 percent of mackerel, or 90.5, are caught in state waters, with the exception of Cape Canaveral, with our small gillnet fishery there. Other than that, it's a state-water fish.

MR. LAKS: No, but I know, when I charter, right, and so say I was on a recreational trip, and I wanted to catch some Spanish before I headed offshore, and I would still need that permit to get past the three miles, and so it might induce people to have it, just so they can have options offshore. John.

MR. MALLETT: Just a little clarification to Steve is -- I will just use North Carolina for an example, but I'm pretty sure that most states will adopt that, if they feel like there is a high chance of that fish being caught. North Carolina, for example, in the wintertime, the bluefin fishery, we're -- I was catching bluefins, last year, in twenty foot of water, right on the beach. Well, I'm in state waters, but I've still got to have a federal permit, even though it's -- You've still got to have that federal permit, and so the state will say, yes, you're in state waters, but, if you're going to do this, you have to have your federal permit, and most likely -- I mean, obviously, you want to put it in the language that they do that, because, obviously, most Spanish are caught close to shore.

For example, I mean, you have weird catches, where people shark fishing caught a pelagic shark on the beach, and they got tickets, because they didn't have a federal permit, and they caught it off the surf, and so they still got tickets for it, and so I'm 99 percent sure, just from what I've seen, that is not going to probably be an issue, but, because of what's already in place right now with states enforcing federal fish, even if it's caught in state waters right now.

MR. LAKS: Brad.

MR. PHILLIPS: This is a little off-kilter, but he's talking about this mailing thing, and I've been fishing since I was twelve years old, and I have never received anything in the mail to ask me about my fishing. I am a licensed captain, since I was twenty, and I'm fifty-two right now, and I've never seen anything in the mail, whatsoever, asking me anything about fishing.

MR. LAKS: Well, that's where this would help. It would define the universe of people out there fishing. Is there any other comments about this? Did we get a second? We did get a second. Do we want to vote on this? **All those in favor of the motion, please raise your hand, nine; all those opposed, one. The motion passes.** Do you guys have anything else that you want to add to questions for the -- Steve.

MR. ENGLISH: Ira, I still want to send something to the council that says we want this commercial and recreational landings to be accountable, because, other than that, what you've seen in the Spanish mackerel fishery on this SEDAR assessment is coming for every other assessment. They have figured out how to manipulate -- A few people have figured out how to manipulate the numbers to make the landings go their way and keep us from catching the fish, and this is going to continue and grow, and, down the road, they're going to start taking fish from us, by manipulating numbers, and we need to make it to where the numbers cannot be manipulated.

MR. LAKS: So, if you would like to make that motion, I would do it, and can I give you a few little hints, maybe?

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

MR. LAKS: I would say that, you know, this advisory panel would like to see the council consider, or like the council to -- I'm sorry, but to continue working on eventually coming up with a recreational reporting system. How does that sound?

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

MR. GRIFFIN: I know this isn't going to go along with this, but, over the years, all the permits that we were required to get to do everything, from your captain's license on up, and I don't have a problem with a permit, but it seems like a lot of people don't -- That I know in the charter business aren't getting the permits they're supposed to get, because they think it's too difficult, and it's annoying to them, and so we've got to figure out a way to make it appealing to the recreational fishermen, to make sure they understand it's doing a good job for them, like he says, and keep that fish from being manipulated, because that's our big problem with red snapper, is we know it's being manipulated, and that upsets us, and so we don't feel like it's fair, and so nobody wants to do anything, you know, and it's a big fight.

It is hard to even get the permits online, and you've got to go through a process, if you're not used to doing it, and most recreational guys will go, I'm not doing this, and so we've got to figure out - - It sure is easy nowadays, with the technology, to make it -- Because I agree that we need to account for every fish, but the only way we're doing to do it accurately is to make it easy for people, and to make it appealing to them, and so I don't know how to say it in a motion to do something like that, but how do we make this appealing? Maybe we have to do a study to figure out how to make -- The best way to appeal on social media, something like that, because fishermen -- We all want to, you know, have a fishery.

MR. LAKS: Let me just hold you there, and let's get a second for the motion.

MR. GRIFFIN: Okay. I'm sorry.

MR. LAKS: Second by John, and I agree with you, Chuck, right, but that's -- We're not on the council, and so that's things to be figured out, and I agree that there's going to have to be ways that --

MR. GRIFFIN: I just feel like --

MR. LAKS: But, also, with just a recreational permit, it doesn't have to be like your charter permit.

MR. GRIFFIN: Right. I agree.

MR. LAKS: It could be something like an HMS, that they go online and get.

MR. GRIFFIN: Something simple that they feel -- At least they're official, and they're not getting away with something.

MR. LAKS: And I know the council is talking about educational things with it, too.

MR. GRIFFIN: Correct. I think it's the education, and everybody is scared of the feds, you know, and that's just the way it is, unfortunately, because we feel like we've been hurt by it, you know, and so --

MR. LAKS: I've got Charlie online and then Thomas.

MR. LOCKE: Going off of what he just said right there, you know, if you're trying to incentivize recreational fishermen to report, you know, you take the commercial open access permits we've had in the past, and you get a control date, or something, and, you know, you hear the council talking about, you know, oh, we're going to go to limited entry, and, well, the only way you qualify is your landings, and so people are more apt to get a permit, get your landings, get your data down, and send your logbooks in, and so like I'm freaking out about this eTRIPS that I've been submitting, because I'm hoping that my landings are going to the Southeast, because, if they ever go to a limited entry, or a quota system, or an IFQ in the snapper grouper fishery, I want every pound of fish I'm catching, and so I would say, you know, to the gentleman that was just speaking, because I can't see any names, but, you know, if you incentivize the fact of, hey, get this permit, or get this, you know --

That way, you're in, so that if, in the future, we had to do some kind of -- Implement some, you know, reduction, or this or that, or you had to have a permit -- You know, by getting this permit, you're at least in the system, so that you would continue to be able to get the permit in the future, or your landings would count towards, you know, a charter guy, you know, and look at Alaska.

They have charter allocations that the guys have historically gotten because of the landings they recorded on their halibut and this and that and other fisheries, and so, I mean, there is a way to do that and incentivize recreational people reporting, I think, and I will say this on what Steve is trying to do, and I see Steve's concern with this MRIP data, and now, all of a sudden, we've got this bump in this quota, and I'm in agreement with Steve that there has to be some kind of like system, and I don't know what that is, but I'm concerned of the same thing happening of like what happened with cobia.

You know, all of a sudden, the MRIP numbers come back, and oh gosh, we've got -- You know, they were catching this many fish, and so now our quota is going to double, and then you've got recreational fishermen looking at, well, that means the commercial guys' quota is going to double, and, well, we need some of that allocation, because that's a windfall for the commercial, just like people said about the cobia, and then, the next thing you know, they took half of our -- We had an 8 percent commercial allocation in cobia, and now we're down to 4.

Well, what happens when the stock goes down again? You know, our 4 percent isn't going to be enough to see us through, and so I am in agreement with Steve that we have to get something concrete on these numbers, because it's like, every meeting we go to, it seems like there's more and more -- You know, well, they're 30 percent off, or they're 30 percent high, and it's like, you know, our numbers are concrete, the commercial. The recreational is pie-in-the-sky, and I've said that from day-one, and so I don't know what the -- You know, how to put the motion in for it, but I am in agreement with Steve that we've got to get hard numbers on the recreational side. Thanks.

MR. LAKS: Thank you, Charlie. Thomas.

MR. NEWMAN: I want to reiterate that I totally agree with Steve and Charlie, and, you know, we need to get there, but the first step is definitely what we just voted on, to get the recreational permit, and discussing what Chuck was saying -- I was in New York, like five or six years ago, scalloping, and we had like some layup time, and I wanted to fish off the boat, and I'm scared to do anything illegal, and so I wanted to get a saltwater license for New York, and all you had to do was go on the phone, and there was no payment, and there was nothing. You went on the phone, and it took less than five minutes, and you had that saltwater license for New York, and you were 100 percent legal, and so there's ways to do it that's very user-friendly.

MR. LAKS: Tony, go ahead.

MR. BENEVENTO: Two parts. How do you report your Spanish mackerel?

MR. ENGLISH: Spanish mackerel landings? We fill out a logbook and send them in, and I think they're working on an electronic reporting system, where you can punch them right in and go with it.

MR. BENEVENTO: So the recreational would be expected to fill out the same logbook? I'm looking at the second motion, and a logbook, and say that I caught three mackerel today, or two kingfish and a cobia?

MR. LAKS: Yes, and the details would have to be worked out, and it doesn't have to be nearly as extensive as a commercial trip, right, but you can -- You could say that, you know -- Let me give you an example. You've got an app on your phone, and you push a thing that we're going fishing this morning with four people, right, and, before you get back to the dock, you push what you catch, and it's recorded. If you get pulled over, then that can be validated, right, and so I don't think you need the same information that a commercial boat would be, and that's not really, you know, apples to apples there, and it's more apples to oranges, but, you know, look. This is not going to happen overnight.

I don't want anyone to think that, and this is a slow process, and this is the first step in it, and, by the time they get it, you know, Elon Musk might have a chip that we can put in our head and just blink our eyes and the information goes, and so technology is changing. If we were here ten years ago, and even thinking about our phones is silly. I'm going to do John and then Tom.

MR. MALLETTE: I think -- I guess I would reiterate kind of like my point of why I seconded it, and that was to get -- I don't want anybody to really think that you're going to get 100 percent accurate data from the recreational side, and I feel like that's impossible. You're not even getting 100 percent on commercial, but you're getting a whole lot, because the electronic commercial system isn't easy as it is, but what I really think is that you have to get something, because, right now, you have nothing, and so, if you've got something, then you've got something to work with, because, just in my head right now, fishing piers.

You ain't got to have a license on the pier, and the pier has the license, but people plugging for Spanish on the pier are not going to report every Spanish they've got, and so that's general, people surf fishing, but, if you get some numbers, now you actually have something to work with, instead of just pulling numbers out of the blind, and I think that's what needs to be considered more. Trying to expect to get as hard numbers as commercial, I don't think you're going to get that, but you're going to get something somewhat close, and that gives you something to work with, where, right now, you have nothing to work with.

MR. LAKS: I agree, John. Don't let the perfect get in the way of the good. Tom.

MR. NEWMAN: Yes, and that's part of what I wanted to talk about, is, right now, North Carolina is one of the best data collection states in the country. I mean, they're leaders on data collection, and we're doing -- For our MRIP intercepts, we're only intercepting one-tenth, or two-tenths, of a 1 percent of all the fishing trips made, and there's eighteen-million trips made, and there's only 20,000, or 40,000, intercepts every year.

Right now, and I'm going to put in a shameless plug for North Carolina, but North Carolina has just passed mandatory reporting in our legislation, and so, within the next year, they have tasked the Division of Marine Fisheries for the five top species in our state, to start collecting data on all the fish that are harvested. They're not looking at releases yet, and they're hoping this will be expounded upon in the future, but, right now, we have initiated 100 percent reporting on all the commercial fish that are taken home for personal consumption, which was one loophole, and also the top five species of the recreationally-harvested fish, and so North Carolina has stuck their neck out, and they are going to start getting some of this data in, and hopefully they can lead the pack, and maybe the South Atlantic will follow.

MR. LAKS: Brad.

MR. PHILLIPS: When I was commercial fishing, back in the 1990s, every citation I brought in, the State of North Carolina gave me from thirty to fifty-bucks, and I can't remember right now, and I've got them all over my wall, but I think maybe he's talking about -- Maybe they were tracking it then, and it was an incentive, and I don't know, but they really -- I mean, I swear to God on this, man, and I've got triggerfish, beeliners, and I've got it all, man. I've got it all, you know?

MR. LAKS: Well, if there's no other discussion on the motion, let's vote on it. **All those in favor, raise your hand. It's unanimous at the table. How about online? The motion is approved.** Anything else you want to tell the council? All right. Then we're going to jump into the port meetings here now.

MS. WIEGAND: All right, and so we probably won't be able to get through all of this in the next half-hour, but we'll get started, and we can pick this back up tomorrow, and so, as we've mentioned a couple of times while discussing Framework Amendment 13, the council is getting ready to start doing a series of king and Spanish mackerel port meetings.

Just to remind you all a little bit of the background, this was actually that didn't come from the council, but it came from this advisory panel. If you go back to April of 2019, and then again at your October 2022 meeting, this advisory panel passed motions requesting that the council set up a series of port meetings to gather more information on the Atlantic king and Spanish mackerel fishery, with the idea that there was a need to take a larger and more comprehensive look at these incredibly dynamic fisheries, in order to move forward with some possibly needed management changes. Again, this has really been driven by this advisory panel.

The council has discussed a number of things, but first would be that port meetings are intended to be open to all stakeholders that are interested in discussing the king and Spanish mackerel fisheries, and those will be the two fisheries that are discussed during these port meetings, and, of course, the council also manages Gulf cobia along the east coast of Florida and throughout the Gulf, and that won't be the focus of these port meetings, and the council felt that it wasn't quite as vital to get that information on cobia, because we just recently went through an amendment modifying management for Gulf cobia, and, as part of that, both the South Atlantic Council and the Gulf Council did some in-person scoping hearings and public hearings to gather information.

Second is that the plan is for these port meetings to be held all along the Atlantic coast, all the way up through southern Massachusetts, and so, while we at the South Atlantic Council only manage through the Mid-Atlantic Council's jurisdiction, and, again, that New York/Connecticut/Rhode Island line that intersects out in the water, there have been sort of increasing reports from fishermen about occurrences of king and Spanish mackerel into the New England region, and so we will be working with the Atlantic States Marine Fisheries Commission to hold meetings all the way up through that area, because, of course, they do manage Spanish mackerel, specifically in collaboration with the states, all the way from Florida through the New England region.

Then, last, in addition, working with the Atlantic States Marine Fisheries Commission, the Gulf Council is also going to be involved in port meetings, and they don't intend to hold sort of the expensive in-person meetings that we intend to hold in the Atlantic, but they do plan to gather information from their stakeholders, through a series of sort of webinar meetings, as well as encouraging mackerel-specific input at their already scheduled council meetings and public comment opportunities.

The South Atlantic Council has talked a lot about what their goals and objectives are for these port meetings, and we talked a little bit about this at our April meeting, but I want to take a moment to revisit the council's goals and objectives, because I think it's important for this AP to make sure that the goals and objectives that the council has identified match what your goals and objectives are for port meetings, and, again, this was an idea that really came from the AP, and it's important

to the council that the goals and objectives, moving forward, not only accurately reflect what they would like to get out of port meetings, but also what this advisory panel feels like is needed to be gleaned from port meetings.

One of the big things will be revision to the goals and objectives of the current CMP FMP. All of our fishery management plans have goals and objectives listed in them, and the coastal migratory pelagic ones have not been updated since the early to mid-1990s, and so it's important to the council that they get input from stakeholders, through these port meetings, to ensure that the goals and objectives of the fishery management plan are accurately reflecting the fishery as it is today.

They're also, of course, looking to get information to make sure the fishery is achieving the maximum economic and social yield from the fishery, maintaining the long-term sustainability of stocks, and then, getting into some stuff that's a bit more nitty-gritty to the mackerel fisheries, looking at the integrity of fishing communities under climate change and ensuring that the FMP is able to maintain those fishing communities.

Looking at achieving the most equitable management structure under climate change, and then, sort of related to that, communities, being able to identify some underserved communities and address any equity and environmental justice concerns that are seen in the fishery, and then, finally, really take a hard look at interjurisdictional management of mackerel fisheries, in cooperation both with other councils and the Atlantic States Marine Fisheries Commission, which, again, manages Spanish mackerel specifically in state waters.

I do want to pause here and see if you guys have any other -- Again, we discussed this in April, but, having reviewed it again, any other input on the goals and objectives, and if you feel like these goals and objectives that the council has identified are meeting what you all would like to make sure they are getting out of port meetings.

MR. LAKS: Is there anything you guys -- Go ahead, Charlie.

MR. LOCKE: I don't know if this is exactly the time to say this, but the king mackerel tournament sales -- You know, most recreational fishermen don't pay attention to South Atlantic Council meetings, and most of them aren't on webinars. Most of them don't even know what's going on at these meetings, and I think that that would be a good time to get feedback from the tournament community, if that's put on the agenda, because it's a huge issue right now in the king mackerel commercial fishery, and it's probably the only time you're really going to get face-to-face meetings with a lot of these recreational fishermen, because I see a lot more -- Probably you're going to see a lot more recreational fishermen, at these port meetings, than you are commercial. That's historically the way they go, and I don't know.

You know, that would -- These goals and objectives -- I mean, I just heard Jeff Oden's comment, you know, and you're identifying underserved communities, and issues of concern, and, you know, he said it, and Hatteras is -- I mean, it's teetering, you know, and fish houses are on the verge of collapsing because of not having enough boats bringing in fish, and so I don't know if there's a way of getting that on the agendas, but I just thought this would be a perfect time to mention that, and maybe get this tournament sale of kings brought up at these port meetings, if there's a way to do that.

MS. WIEGAND: Thanks, Charlie, and I will note that sort of the next slide that I'm going to go will talk about the information the council is looking to collect during port meetings to inform these goals and objectives and information on how commercial and recreational fishermen value and utilize the fishery, including recreational tournaments. That is something that is on their list of discussion topics.

MR. LAKS: Does anyone else have anything that they think should be added, or comments?

MS. WIEGAND: All right. Sort of moving on to that next slide that I was just talking about, this is the information the council would like participants in port meetings to discuss, information they feel like they really need in order to achieve the goals and objectives that were in that previous slide, and so they're looking at sort of a couple of different categories of information, one being environmental conditions, looking at species movement or expansion, and how those changes might affect future management, how fishermen are responding to the changes we're seeing in the mackerel fisheries, and then how things like the commercial permit structure, for one example, may influence their behavior or ability to participate in some of these fisheries.

Then, also, there's been a lot of discussion about water quality and harmful algal blooms, something that I know this AP has talked quite a bit about, in terms of the king mackerel fishery. They're also looking at the -- They're looking for information on the dynamics of the commercial and recreational fleet. For the commercial fleet, you know, mobility, market flexibility, how changes in gear types of have evolved over time, differences in the size of fish that are targeted at different times and areas, and I know the commercial fleet, in particular, can be incredibly dynamic along the coast.

Then the recreational fleet, whether or not there's a big catch-and-release component and, again, what role are these tournaments playing in the recreational fishery. Then, sort of related to that, how each sector is valuing the different mackerel fisheries, how mackerel fisheries interact with other important fisheries along the coast, and then what the council can do to better reach underserved communities, and so, again, I will pause here, and this is the information the council is looking to collect during port meetings. Is there anything that this AP feels is missing, or is unnecessary, and is there something else that needs be here that we should be asking stakeholders about during port meetings?

MR. LAKS: Thomas, go ahead.

MR. NEWMAN: Just the underserved communities part, and, you know, we discussed that with NOAA Fisheries a few months back, and it's hard to get to those underserved communities, even letting them know they're having these meetings, and that's one of the things that we discussed about, was like the getting word out somewhere that they can know that we're having these meetings. A lot of them aren't on social media, and they aren't looking on the South Atlantic Council website, and so, you know, we suggested that you contact local organizations that could help spread the word to these people who don't have traditional means, or aren't regularly using traditional means, to get this information, like chambers of commerce, fisheries associations, fishing clubs and whatnot, and, that way, the word can be spread by mouth and not just social-media-wise.

MR. LAKS: Steve English.

MR. ENGLISH: Kind of where these port meetings originated, and we've expanded from there, but we were trying to get all the Atlantic states, on the Spanish mackerel fishery, to be uniform. In other words, when we had the closure, Florida went to a 500-pound trip limit after the closure. We talked North Carolina into doing the same thing, and they did the same thing. They followed suit. Virginia kept it wide open, at 1,500 pounds, or 3,500, whatever it was, and so one of the main goals, from the commercial side on this, was to get the Atlantic states to all agree on something that, in the event of a closure on the commercial side, everybody had a uniform landing goal. In other words, if we were going to go with 500 pounds after the closure, all the states would go with 500 pounds, and that's kind of one of the main things that we wanted to achieve in this.

MR. LAKS: I've got John and then Thomas.

MR. MALLETT: As far as these port meetings go, I think something that would be good to actually ask the common person, or the people there, or something that always gets brought up is we talk about the Spanish mackerel and king mackerel recreational and commercial, but find out how much of this fish is being consumed locally with the people that have to deal with these regulations and laws, because most of the king mackerel is shipped off, and you've got the recreational side, and people come from Raleigh every week, and they're king mackerel fishing, king mackerel fishing, but you ask them what are their five favorite fish, and none of them say king mackerel, but they're out there catching them, just because they want to catch them, because it's easy to do.

I think an important info that you could get from the public, which I think would put some weight into upcoming regulations, is how much are they really consuming this fish that they're out there catching or buying from a seafood market, you know, and there's not many people -- Now, I can't speak for Florida, with smoking fish and things like that, but, as far as here, even though we're selling kings, very rarely are you selling any in the local seafood market, and so your local people aren't consuming it, and I think that's some info that would go a long way with the council.

MR. LAKS: Thomas and then William.

MR. NEWMAN: I just want to follow up on Steve's comment, and it kind of brought another lightbulb in my head, because the Atlantic States is doing exactly what we're discussing, about getting all the states' regulations similar, and so they've actually created a taskforce to look at that, to see where the discrepancies are at after closures, and what the accountability measures are and whatnot, and I was just kind of wondering, from Christina, and have you all -- Maybe the Atlantic States could also maybe come up with some discussion topics as well, to help them clarify their questions during these port meetings, and that might answer some of their concerns.

MS. WIEGAND: So our Executive Director, John Carmichael, has been at a couple of the commission meetings and talked about port meetings, and, again, they will be working with us closely on this, and they have requested us to sort of do two different things. We have staff from the commission participating on sort of our internal port meetings planning team, and then, in addition to that, ASMFC, the commission, has asked that we work with their Spanish Mackerel Technical Committee as well, to talk about discussion topics as well as places to hold these port meetings, especially as we move sort of out of the traditional South Atlantic jurisdiction and into the Mid-Atlantic.

MR. LAKS: William.

MR. PALMER: This slide brought up something that I've been thinking about. When we're talking about our stock, we've had, on the Gulf coast, an algae bloom, almost the entire summer, killing fish, just millions of them, and we've also had a hurricane that came through last year that tore up Fort Myers and the fishing industry there, and are we having -- Is there any discussion of the AP on their stock, as far as what's allocated because of these things, and is there any adjustments that is ever made, because, once you start -- Like, if you tear up a fishing community, and Fort Myers was a big fishing community, and they can't go out and fish, and you think, well, we've got more stock, but then you get the algae bloom, which is killing so many fish, and that lowers your stock again, and is there any ever discussion about it?

MS. WIEGAND: So I guess I want to be clear about what you're asking. Sort of in the -- There's I guess two separate things you're talking about, and there is the stock assessment process, which I guess is what you're talking about a little bit, when you're talking about are we considering how algal blooms specifically are impacting the stock, and then the resulting catch levels that we should have, and I would say not -- Again, I am not a stock assessment scientist, but I would say not directly, but it would be represented in some of the data that does go into those stock assessments, and so, when there is fishery-dependent and fishery-independent data, those would reflect changes in the stock that might happen because of algal blooms.

MS. BROUWER: I just wanted to let you know there is actually some work that the Southeast Fisheries Science Center has done modeling for the stock assessment of red grouper in the Gulf, and they did include, in that model, you know, impacts from red tides, and so it's something new that we're just learning how to incorporate things like that in our stock assessments, but it has not been done, obviously, for these two species.

MR. LAKS: Bill, I think, you know, something too, like if a commercial port got wiped out in a hurricane, they could see there's going to be no landings there, because there's no boats, and that wouldn't necessarily -- That could be shown that, oh, there was an impact, and that's why there's no landings, and not that there is no fish. I've got Tony and then Steve.

MR. BENEVENTO: I would add to this, and how can the council get catch numbers from the recreational side that mirrors the accuracy of the commercial landings? In other words -- Maybe somebody will have a really good idea.

MR. LAKS: Go ahead, Steve.

MR. ENGLISH: Just to let you know, Bill, the algae blooms and all, it has affected mostly state-water fish, mullet and all your inshore stuff, and the State of Florida is the one that would be leading the charge on that.

MR. LAKS: So I have something that I think might need to be discussed, and it has to do with the permit structure, and particularly in king mackerel permits, because they are limited entry, and we all know that climate is affecting fish moving north, and you're going to have these fish show up off of Virginia and Maryland sooner or later, right, and, well, they don't have the permits, right, and it's a limited entry, and so the only way that entrants can fish those would be to buy permits,

and nobody is that -- You know, the permits will go up, but, if there's a demand where they are, and I think the permit office needs to have some involvement, or NOAA Fisheries, in how we can do a true leasing of a permit, and not the way that leasing is done now, where, if you lease someone's boat, you can put your permit on.

For example, if someone in Maryland -- If fish show up, and they want to fish, I'm not going to Maryland, and that's just a little bit of a hike for me to go and travel that far, and where am I going to stay, and where am I going to go, and I don't know the water, but, most likely, those fish would be in Maryland when they're not in Florida, right, and so why shouldn't I be able to lease my permit to that person, who might only have like a five or six-week bite on them, if that, and, you know, there should be a way that you can issue a short-term lease to another fisherman, where he can go and catch those fish, because you're going to run into a problem with fish showing up in areas, and you're going to have fleet conflicts of people just showing up in different places that aren't wanted, and I just think that's something that needs to be looked at as a possible solution. Go ahead, Chuck.

MR. GRIFFIN: To comment on what you said there, I mean, now we're seeing not just king mackerel, but like the grouper and snapper, the unlimited permits and things like that, and a lot of the old boats are going away, and the people that own these permits are selling out, because of particularly some of the new rules, and people feel like they can't make a living doing it, and, of course, they've dropped the price and everything else.

How does somebody access that permit if they haven't had a chance to do it? You know, a charter guy that does fish for them, then he can make an extra living doing, like you said, a seasonal kind of thing, and that would be a good thing, I think. I think, as long as we stick to the allocations, you know, because we're definitely changing the dynamics of who is doing it now. There aren't a lot of people starting it.

MR. LAKS: Yes, and, being on the southern end of climate change, I'm not going to have the access to the fish as much, right, and I might not want to get rid of my permit, but it would offer an opportunity for somebody else to harvest some.

MR. GRIFFIN: Just to make it easier for somebody, and I agree too, and that's --

MR. LAKS: John.

MR. MALLETTE: We were at a port meeting, and I guess that's what you want to call it, a few months ago, and Thomas was there, and something that I suggested, and a lot of people do, and it's to the king mackerel side too, is whether the fish start migrating more north or south, if you just commercial fishing -- Let's talk commercial side, just the commercial side, on selling fish alone.

It's not going to be this open, free derby thing that people think it is, just with economics alone, the way it is, and so just open it up and let it stabilize itself out, because, right now, you know, a king permit being \$20,000 or \$25,000, you automatically are cutting it down to who is going to get it anyway, you know, and so you take, like I said, commercial fishing, and like, if some kid, young guy, wants to be a commercial fisherman, he can't afford a \$20,000 or \$25,000 permit,

unless he leases it from somebody, which you have people who will, because now permits have turned into a commodity.

You have people that -- There's a person in Illinois right now that holds eight or ten snapper grouper permits, because it's literally a business. They just lease them out, and it's like flipping property. Take that away, and make it afford to everybody, and it will stabilize itself out. You've got guys, like you said, with the king mackerel tournaments, and, if a guy goes out, and he's bought a half-a-million-dollar-triple-engine boat to fish tournaments, you think he don't mind spending twenty-grand to sell the fish he caught?

But that's how you're going to get more of those fish being sold like that, and so just make it open, and I feel like it will stabilize itself, whether it's snapper grouper or king mackerel. Take the moratoriums off, and let somebody -- If somebody wants to get a king mackerel permit to sell commercially, if they're already spending four or five-grand to have a North Carolina permit, if they want to spend -- You know, make it a thousand dollars, or whatever, and it doesn't -- You don't have to take the -- By making it so hard to get, it's how you took those values out of reach for people who can actually catch more and stabilize it.

MR. LAKS: The only problem with that is so there was a limited amount of permits because of quota, right, when we were catching our quota, and I think Steve will tell you that, in our area, if you opened up more permits, you could walk on the fleet, right, and there is so much effort in such a small area, and we couldn't afford one more permit. It's so crowded, and so much effort, and so that would be a hindrance, right, and it might open up a fishery somewhere else, but we can't afford any more people entering that aren't serious about it, right, because we would have weekend warriors just coming into the fishery, and we just can't do that, and that's what was some of the rationale behind limited entry in the first place. Go ahead, John.

MR. MALLETTE: On that same point, and, obviously, this falls into something that was a little running joke with my friends in Florida, and I have always said that Florida needs its own separate thing, because it's like Florida, when it comes to fisheries, might as well be a different country, and it's just a fact, you know, but, even when you have that federal permit, you still have to have a state license, or a land and sell for that state, and so, okay, and, well, you still should make the permits cheaper, and the State of Florida still could say, you know, only so many people can sell in the State of Florida, right?

MR. LAKS: I wouldn't hold my breath.

MR. MALLETTE: Well, I'm just saying it's possible. What I'm saying is it's possible, you know, and I can't speak for Florida.

MR. LAKS: I think Martians have a better chance of landing in this room than that happening. Is there anything else that you guys can think of? Go ahead, Thomas.

MR. NEWMAN: Kind of following-up on what John is saying, just kind of taking pieces out of it, would like a discussion on an income qualifier, once again, kind of be something that might be up for discussion, and that would eliminate some of these people just buying it to supplement fuel for a half-million-dollar boat, and, I mean, would that --

MR. LAKS: I mean, that's always a possibility, but, from what I've always understood, it's almost impossible to verify an income qualifier, right, and so, if you have a corporation, and you made a dollar, that's 100 percent of your income, and so it becomes tricky, and legal records of getting IRS stuff, and so that's why I think the council stopped most of that. Steve English.

MR. ENGLISH: We also talked, at one time, about having to have landings all the time on it, but then you get into, you know, if you miss a year or two, and you're out sick, and, you know the fishing is bad for two years, and you just don't do it, for economic reasons, and, you know, you could lose your permit, and so that didn't fly either.

MR. GRIFFIN: I mean, there are people I know that own multiple grouper snapper permits that never have caught a fish in their whole life, basically, and you know what I mean? They're just literally just doing it for the boat, and stuff like that, and so I think that's kind of bad.

MR. LAKS: Right, and I think we're getting into --

MR. GRIFFIN: That takes away from access from people that want to enter the fishery, and so we've got to have some sort of qualifier, and I don't know what that would be, and I don't know how that would look.

MR. LAKS: I think we're getting a little away from the port meetings conversation, and more of a bar conversation that we can have there, but, just real quick, any recreational guys that have anything that they think should be put into it? Will.

MR. JONES: Maybe, at the port meetings, talk about -- Or have the recreational guys comment on what their sentiment would be for the future reporting scheme and ideas for maybe applications, or, you know, just start a conversation about that, and go ahead and get that going, because it does look like that's kind of going to be the future.

MR. LAKS: Well, we've got a couple more slides. We'll finish up with them right now.

MS. WIEGAND: All right, and so I did just want to sort of note the final outcomes of port meetings, and we talked about this a little bit with the plan amendment to address any identified management needs, and, also, those updated goals and objectives, and then staff will also work to put together a final report that will not only sort of include notes from all meetings, but it will include an analysis of the different themes that were identified at various port meetings, sort of comparing and contrasting what we heard along the coast.

Then a timeline, and so, right now, the planning team that I mentioned is working to develop a structure for facilitating port meetings, and then port meeting locations. The port meeting plan would ultimately be finalized, and approved, by the council early next year, and then we would be holding port meetings throughout the rest of 2024, again, with a final report going to the council in 2025, and so I know we're getting close to 5:00, and I would say there's probably still another forty-five minutes, or an hour, for port meetings, and so we'll turn it back to you, Chair, if you would like to take a pause now, and we can pick this back up tomorrow.

MR. LAKS: All right. Well, we can stop here, and we'll take this up tomorrow, and what time are we starting?

MS. WIEGAND: 9:00 a.m. tomorrow.

MR. LAKS: 9:00 a.m. See you guys in the morning. Thank you, all, very much.

(Whereupon, the meeting recessed on November 7, 2023.)

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NOVEMBER 8, 2023

WEDNESDAY MORNING SESSION

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The Mackerel Cobia Advisory Panel of the South Atlantic Fishery Management Council reconvened at the Town and Country Inn, Charleston, South Carolina, on November 8, 2023, and was called to order by Chairman Ira Laks.

MR. LAKS: Good morning, everyone. We're going to start day two of the Mackerel Cobia Advisory Panel, and we are going to start out with a presentation on wind energy.

MS. BANKS: Hi, everyone. I'm Jen Banks, from TotalEnergies, and I'm glad to be today to talk with you about our project off the coast of North Carolina. We also have some representatives from Avangrid and from Duke Energy that are joining us by the webinar, and we're happy to talk with you about sort of the process for offshore wind and our specific lease areas and our specific projects.

I will start with some introductions, and so, again, I'm Jen Banks, and I'm the Permitting and Development Director for our project in Carolina Long Bay. I've been with TotalEnergies for about -- It's going on a year-and-a-half now, but I've been in the offshore wind industry since 2007, or 2008, working at the state level, working with the national association, the industry association, and working with several developers. We also have, with TotalEnergies, joining today, Albie Solana, and he is our Fisheries Liaison, just as of the last week or two. Albie, if you're able to introduce yourself, really quickly, that would be great.

MR. SOLANA: Hi, everyone. My name is Albie Solana, and I've recently joined Total, as their fisheries liaison, and some of you may have previously known me, and I'm also a stakeholder. I have an unlimited permit on the Fishing Vessel Orion that operates out of Wrightsville Beach, and so I've probably met, or at least had some sort of interaction, with a lot of the people that are already here, and I look forward to working with you all with the wind energy project.

MS. BANKS: Thanks, Albie. We also have Nathan Craig, with Duke Energy, and I will turn it over to him for an introduction of his team.

MR. CRAIG: Good morning, everyone. I'm Nathan Craig, with Duke Energy, and I'm in our Charlotte, North Carolina office, and I'm supporting the Duke Energy offshore wind lease area, primarily from the environmental permitting and environmental studies tasks for the development

activities. We also have our fisheries liaison online, and that's Katherine McGlade. Katherine, would you mind introducing yourself?

MS. MCGLADE: Good morning. I'm Katherine McGlade, and I'm working with Duke Energy, as the Fisheries Liaison for Carolina Long Bay, and I've been working on this project, with Duke Energy, for about a year. As you will see, we are coordinating, as well, with TotalEnergies, and our lease areas are contiguous, and so I'll be working together with Albie Solana on the fisheries outreach category in the greater Wilmington area and beyond.

MS. BANKS: Thanks, guys. We also have Lela Schlenker here, with Avangrid.

MS. SCHLENKER: Hi, everyone, and so my name is Lela Schlenker, and I'm the Fisheries Liaison for Kitty Hawk Wind, which is just at the north part of North Carolina, that lease area being developed by Avangrid, and I'm based in the Outer Banks, in Kill Devil Hills, and so hopefully I'm looking forward to meeting many of you in person sometime soon. Thanks.

MS. BANKS: Thanks, Lela. We're starting with an introduction to offshore wind, and I will keep it brief, but I'm happy to take questions, if there is anyone who is not familiar with the process, and we just wanted to give you a quick overview, and then I will turn it over to Lela for a presentation on Kitty Hawk, and then I will jump back in to talk about Carolina Long Bay, along with Nathan, and then we'll wrap it up.

Starting with the overview, and you can see here the windspeeds offshore in the U.S., and, when you're offshore, your windspeeds are more consistent, and you get higher windspeeds, typically, than you do onshore. For offshore wind, also, it's really key that you have this wind resource at the coast, where we have a lot of our coastal population centers, and so you can feed that power directly into those areas with a lot of demand, and we also have the ability to meet state and federal renewable and domestic energy goals, if those exist. Some states have those, and some states don't, and the areas that we have right now, that have been selected, are part of an extremely long process to determine what areas might be suitable, and so it's the state governments requesting that the federal government look at their state and find areas offshore in federal waters that would be suitable for offshore wind.

Part of the process of determining if they're suitable is doing an environmental assessment, and so, for North Carolina, we have an environmental assessment that was done back in 2013 and 2014, and I'm not going to read these to you, but these gives you a good idea of all of the different evaluations that go into that process, and the federal government runs that process, and it produces a document that basically analyzes the things that are being proposed, and so, for this EA, and then another sort of supplemental EA that was done in 2021 for our lease area in the southern portion of the state, they looked at the impacts of leasing the area and of doing site characterization activities, which would be the surveys required to survey the area to put a buoy out and then the actions of putting a buoy out and collecting data through that buoy. These evaluations -- Essentially, our lease area, in the southern portion of the state, has had two of these evaluations so far in the last ten years.

You can see here the lease areas throughout that process, and the lease areas kind of get whittled down. The federal government talks with a lot of other agencies, state agencies, stakeholders, and gets input on the suitability for these areas, based on wildlife, based on commercial fishing, based

on shipping, and DOD takes a lot of areas away as well, and so you can see, on the left here, these are the areas sort of when they started, when they were asking people to give feedback and help them to deconflict these areas, and then, on the right, you can see the areas as they were actually leased through the federal government.

Also, just kind of giving an idea of the scale and the timeframe that we have for offshore wind, and so that leasing process happens. In the Carolina Long Bay situation, we are -- We just got our leases last year, and so we are about a year-and-a-half past our lease, and we're at the point where we're preparing to submit our SAP, and then we go through site assessment activities, where we're collecting data, we're collecting additional data in the lease area, to support our construction and operations plan, and then, once we submit that to the federal government, it's about a two to two-and-a-half-year process for that to be approved, and then we can get into the part where we're getting financial close, starting fabrication, and starting installation.

This just gives you an idea, and these wind turbines are on a jacket foundation, and there are several different types of foundations that you can use. The key thing, for North Carolina, is that we have a continental shelf that drops off really slowly, and so we have fairly shallow waters, which means that we don't need floating technology, and we will use fixed-bottom technology for the lease areas off the coast of North Carolina, and we also have a lot of activities, during those surveys that we have to do, to monitor for fisheries, monitor for marine mammals and other wildlife, birds and bats, and then also sort of feeding those into some pre and post-construction surveys that will need to be done. I will pause for just a second, if there's any questions, but we can also take them at the end. All right. Lela, I will go ahead and turn it over to you.

MS. SCHLENKER: All right. Thanks, Jen. Again, my name is Lela Schlenker, and I'm the Fisheries Liaison for Kitty Hawk Wind, and so, just to give you all kind of an idea of our lease area here right off the coast of North Carolina, it is about twenty-seven miles off of Corolla, and so what this means is that this wind area is going to be mostly out of view for people on the beach. I think, you know, on a very clear day, some folks might be able to see it, if they're looking in the right spot and have pretty good eyesight, and so we are mostly out of sight for the various locals and tourists that will be on the beach here in the Outer Banks, and the capacity for this lease area is big. It's about 3,500 megawatts, and so what that means is we can generate, when it is fully constructed, enough power to run about a million homes, and so this is a significant contribution to our goals as a state, North Carolina or Virginia, of achieving a lot of green, renewable energy, as well as domestic energy that's produced right close to home.

I will talk, in just a minute, about some of the meteorological data that we've collected from the site, but from two different buoys that we've had out there for, cumulative, about two-and-a-half years, and we know that the windspeeds in this area are strong and consistent, which is something, if you've spent any time in the Outer Banks, you know that as well, and it's quite windy here, and so we have windspeeds of about eight to nine meters per second, and, as Jen mentioned, we are -- You know, right on the coastal shelf, it's about thirty to fifty meters in depth, and it's mostly soft, sandy bottom.

You will notice a couple of different colors here, and so, just for the purposes of permitting, and to have the opportunity to potentially bring power to two different locations, we've sort of divided this area into Kitty Hawk North and Kitty Hawk South, and so that's about a 40/60 split, in terms

of area, and that is -- Again, it's still one project, one developer, and Avangrid is the developer here, but kind of giving ourselves the option to bring power to different locations, potentially.

For Kitty Hawk North, again, this is about 40 percent of the lease area, and so that includes about sixty-nine wind turbine positions and one electrical service platform, and so, right now, you will see, on the slide, that we first submitted our construction and operations plan to the Bureau of Ocean Energy Management in 2020. We submitted an updated one last fall, and we're in the process, right now, of submitted another updated version, which I think should be in just at the start of 2024, and so, here, we're not planning any construction any earlier than 2026, and the cable bringing power to shore here -- We are looking to make landfall in Sandbridge, Virginia, and that will be AC power going to shore.

For Kitty Hawk South, and this is the majority, area-wise and power-generation-wise, of the lease area, and it's about 60 percent of the area, and 121 wind turbine positions, with two electrical service platforms, and so this Kitty Hawk South portion is a little bit further behind, time-wise, than Kitty Hawk North, and so we have our first construction and operations plan submitted last spring, and we have not yet really initiated that state permitting process, and are not planning any construction for that south part of the lease area any earlier than 2028.

You will notice, here, that there are a variety of cable paths laid out on this figure, and so those pink lines showing different potential paths for that cable, and so, here, this is very much sort of on the business side of things, which is kind of out of my purview, as the fisheries liaison, but it is very possible that this Kitty Hawk South area will also land in Sandbridge, and that would be the fastest path to shore, the most economical. There is the potential, also, to go south with those cables, and bring some of that power to North Carolina, and so that's something we are still working on figuring out and will continue to keep folks updated on.

In terms of considering the fisheries in the area, one of the first things that was done, when Avangrid acquired the lease -- My predecessor in this role, Rick Robbins, who some of you may know, the first thing he did was really conduct a lot of extensive interviews with local captains, to determine the use of the lease area, and so, from that, we know that there's not a ton of fishing in this area, and this is backed up by these vessel trip report data, the figure that you can see on the right-side of the screen, and so the actual vessel trip reports is in red, and then sort of the estimated, or modeled, vessel trip reports are in blue, but both of them basically showed declining landings within the Kitty Hawk lease area, and that's also what Rick learned, in talking to local captains. There is certainly some folks that fish in the area, but it's not a major area for commercial or recreational fishing, at the moment.

These interviews that Rick did were really integral to kind of learning more about the lease area and connecting with the folks that do fish in that area, and so some of the things that we did with that information, right off the bat, is we basically reconstructed our turbine orientation, and so a couple of things that local fishermen, you know, told Rick, when he was in my role, that were important were both transit out to the ledge and not having -- You know, being able to set a straight course from either Rudee Inlet or Oregon Inlet, and then also being able to maintain, for those folks that do trawl in the area -- Being able to maintain their historical trawl tow patterns, and so that's one thing that we worked with local captains to do, is make sure that we could kind of reconfigure our turbine layout, so that people could set that straight course. When these are constructed, you will be able to, you know, go right through those turbines and out to the ledge,

and the same for those trawl captains. They will be able to kind of do those same directional trawl tows that they've done historically. Of course, we will have all of the area marked and lighted, with AIS as well, to comply with the Coast Guard regulations.

One thing I do want to point out, as I'm mentioning transiting through the area, is that the spacing of these turbines is going to be pretty big, and so we have about a mile of nautical spacing in between the turbines, and so it is kind of a rectangular pattern, and so, in one direction, it's about three-quarters of a nautical mile, and, in the other, it's just over a mile, and so that is plenty of room for folks to come in in between the turbines. You can see, from this schematic, which I will definitely admit is more effective on a large -- When it's blown-up larger than a PowerPoint screen, and that's how we usually -- We usually have it on a big foam board, but it gives you some sense of scale.

You can see each of the corners of this white rectangle are where a turbine will be, and the orange circle shows a cargo ship, a 673-foot cargo vessel, within the lease area, and so you can kind of get a sense for how spacious it is between those turbines. The same for in the blue circle, and there is a forty-foot fishing boat, and, in the green circle, it's an eighty-foot fishing boat, and so just to give you some sense of how spacious it will be.

The cables will also be buried, five to eight feet below the stable seafloor, and so what means is not just five to eight feet below where the sediment starts, but where it's been determined to be stable, as in, you know, the sand is not moving around and shifting, and so, once the area is constructed, commercial and recreational fishing will not be restricted at all within the lease area, except for, you know, any kind of construction or maintenance that might be going on, where there would be some restrictions right around that immediate area, and, again, that's something that we will be actively communicating about.

As we've seen in other places, including the CVOW turbines up off of Virginia, we expect that the turbines will act as artificial reefs, attracting a lot of marine life, and hopefully fishing opportunities for the community.

I mentioned, earlier, some of our information about windspeeds, and this is coming from two meteorological buoys that were deployed, one in the north area of the lease and the other in the south, between 2020 and 2022, and so those are no longer out, but, when they were, some of you may have seen them, or referenced sort of the meteorological data. We had that real-time on our website, just to kind of provide folks additional information about temperature, windspeeds, currents, salinity, water and air temperature, that kind of thing, and so that -- We got a ton, a ton, of data from those two buoys, and that's really helping us characterize the area and get a sense for how much power we can generate from those windspeeds. This is just -- On the right, you can see an example of that dashboard, which, because the buoys are no longer out, we don't have available anymore, but I hope that, when it was up, some of you were able to make use of that.

Another way that we are engaging with commercial and recreational fisheries, as well as the maritime industry, is working together with the Maritime Academy Institute in Norfolk. We developed this really neat simulator tool, and so it's basically almost like a virtual reality room that you can go into and basically get a feel for how to navigate, or transition, through a wind turbine area.

This is something that we are -- We're actually meeting with these folks tomorrow morning, to schedule some training sessions for 2024, and so check out our website and social media for information on upcoming trainings, and that should be available shortly, but, basically, the idea here is that you can go in, and you can simulate different sized vessels, and you can simulate different weather conditions, and basically get the feel for what it's like to kind of move through the turbines or fish around the turbines.

Some of the other things that we've done since we first acquired the lease in 2017 are sponsor fishing tournaments, and so, just to give you a sense, in this last year, in 2023, we sponsored five fishing tournaments, the Big Rock, Virginia Beach Tuna Tournament, Alice Kelley and Pirates Cove in the Outer Banks, and the Virginia Beach Billfish Tournament, and so that was also a great opportunity for us to engage both fishermen, and the general public as well, and just kind of provide information, and so you can see, kind of on the right, what our sort of table setup looks like, and, really, the purpose of that is just to meet people, make sure that people have information, can ask questions, and know how to get in touch with us, if they have follow-up questions later, and so that's something that you will continue to see us doing.

Another great asset that we make use of is some really wonderful fisheries representatives, and so we have two in North Carolina and one in Virginia, Dewey Hemilright and Hank Beasley in North Carolina and Daniel LeGrande in Virginia. These guys are really amazing assets for us, just in terms of communicating, you know, with folks that are actively fishing and passing on to us any concerns they hear coming from the fleet, and so they are contractors with us, but, you know, we don't require them to say nice things about us or anything like that, and the reason that they're so helpful for us is really to provide their sort of unbiased opinions and communication with the fleet, but I have really enjoyed working with these guys, and definitely continuing that, and I'm sure, if you all know them -- They're a bunch of characters, and so reach out to them, if you are more comfortable doing that, to get information, and, of course, you know, my contact information will be shared at the end, and I encourage folks to get in touch directly with me as well.

In the future, some of the ways that we're looking for engaging local fishermen is through scout and contract vessels, for both survey and safety work, and community outreach events, which we will continue doing, and probably expanding beyond just the fishing tournaments, into more broad engagement opportunities for whole communities, and then through our joint developer initiatives, like with the Carolina Long Bay folks, which we'll continue to work with them to kind of present a regional approach and strategy.

I do want to just highlight our website here at the bottom, and it's good as it is, and we're in the process of making it better right now, and so, by early 2024, there will be some changes up there, just to make things a little bit more clear where the information is, but that's where we typically post things notices to mariners, fisheries notices, frequently asked questions, and, of course, contact information to get in touch with our team.

Then, finally, I will just finish up by sort of summarizing, in terms of research on the area, what we've done and what is coming up shortly, and so what is completed now is our wind, current, and wave data that I mentioned was gathered from those meteorological buoys, and we've also completed geophysical surveys, which is basically just using sonar to map the seafloor, geotechnical surveys, which is essentially a sediment core, to get a sense of, you know, what sediments we're going to be dealing with when we put these turbines in, and then, coming up very

shortly, actually during the South Atlantic Fishery Management Council meeting in December -- That's where we will also be taking the opportunity to meet with some academic researchers at local universities, NC State, UNC, VIMS, and Duke, to start planning our fisheries monitoring plan, and so that's another area where we'll look to engage local fishermen, as well as management agencies, and those will be, you know, six to eight-year research commitments, and so we're going to be getting two years of data before any construction occurs, data throughout construction, and then another two years of data after the construction is completed. With that, I will pass it off to the Carolina Long Bay folks, and, again, my contact information will be available at the end, and I'm happy to take questions at the end of the presentation.

MS. BANKS: Thanks, Lela. I guess we can -- I can pause again, if there's questions. We have two questions, and one is Thomas Newman.

MR. NEWMAN: Lela, my questions were about the Kitty Hawk South cable route, and also cable burial depth questions.

MS. SCHLENKER: Okay.

MR. NEWMAN: The route south is very concerning to me, or both areas that it comes in, really, but my biggest concerns is, when these cables are buried, you said they're buried five to eight feet into stable bottoms.

MS. SCHLENKER: That's correct, yes.

MR. NEWMAN: There's not very many stable bottoms in the northern route that I know of, and there's a lot of shipwrecks in the beach that get uncovered, that have been covered for decades, during weather events, and, every time we go in and out of our inlets, the sand moves constantly, especially nearshore, and we have shoals that develop, and holes that develop, on a weekly basis, and I've actually caught some of the transatlantic telegraph cables, up in New York, trawling, and it was a regular occurrence, and so I know these cables will get unburied eventually, and that's a great concern to me, and I just wondered, and are you all going to do a constant monitoring of these burial sites, to make sure these lines are buried? Are there going to be markers to let you know where this cable is at, because there is trawling activity in the northern area where these cables come in, during the fall and winter months of the year.

MS. SCHLENKER: Yes, and so I guess I would just say, to that question, that I hear you, and I definitely appreciate those concerns, and we do not want the cables to become unburied, and we certainly don't want anyone to snag them, and so that's something we're going to work very hard to prevent, in terms of both monitoring the area, the burial depth, and then, as you noted, yes, continuing to monitor those areas. That is something, you know, potentially also that, if you want to follow-up with me, I would love to chat with you a little bit more about.

With regard to the cable route south, I think, you know, I agree with you on that point, and I think most of us feel like it would be a lot easier, and it would be preferable, to bring those cables into Sandbridge, and so that's something that's a little bit out of my control, but I continue to stress that, you know, knowing the ecological and economic importance of Pamlico Sound and areas to the south, and so that's a concern that I share as well.

MR. NEWMAN: Thank you for your answers, and I had just one follow-up, too. I know that it's kind of hard to get on the scale on the slideshow, but the line going to Sandbridge looks a larger than the line going south, and I was also wondering about that, and also why the -- I guess the line turns green in Pamlico Sound, and is there a reason for the color changes on your chart?

MS. SCHLENKER: That is a good question, actually, and I am -- That might be something I have to -- I believe the size of the line is just an artifact of the diagram, and then the green color is just indicating that that's an inshore cable. I am not sure, actually, if there's any sort of change in the voltage, once it's in shallower water, but that's something I can find out and get back to you on.

MR. NEWMAN: Thank you, and that's what I was wondering too, is was the burial possibly different when it was going inshore, versus offshore, and maybe the burial depth or whatnot.

MS. SCHLENKER: I'm guessing a lot of that too, because, as I mentioned, we haven't really started the state permitting process for that route south, and, you know, that might be something that still needs to be determined, based on there have not been, you know, site characterization surveys done along that potential Pamlico Sound route, and so I'm guessing that may be something that really depends on the precise habitat and would need to -- That's still, you know, potentially to come, or potentially might not be an issue, if we're not going to go that way.

MR. NEWMAN: Thank you so much, and I will definitely be following through with this process, and thank you for being open.

MS. SCHLENKER: I appreciate that, and, yes, I encourage you to shoot me an email, so we can kind of connect that way.

MS. BANKS: We have another question from Tony Benevento.

MR. BENEVENTO: I was curious, and why is Florida, Alabama, and Mississippi not on your first slide? Did they resist or something?

MS. SCHLENKER: So that, I believe -- So this is a map from 2010, and I think there was no data available when they -- There were no coastal windspeed data available when they put this together, and there are more recent reports that do show windspeeds, and I believe there is not high enough windspeeds to make it really a viable option to have offshore wind in those areas, but, recently, in the Gulf, there were just some lease areas approved and auctioned. Only one of the three was purchased by a developer, but I think that's just an artifact of this map.

MR. BENEVENTO: If you want wind, just schedule a fishing trip.

MS. BANKS: All right. Thank you. We have another question from Ira Laks.

MR. LAKS: I see that you guys have already made arrangements for cooperative research with fisheries scientists, and I'm sure that other scientists would love to use your platforms, and it looks like you have that covered. One thing I was wondering, and I come from south Florida, and so I'm kind of prefacing my opinion on this, and you're going to be taking shore-science based, right, and your facility is onshore, and, where I come from, there's a competition in working guys on the water getting pushed out.

Do you have any thought, or any plans, to maybe carving out some of your shoreside facilities to assist commercial fishermen in landing, or offloading, or dockage, because North Carolina is going to be Florida, in ten or fifteen years, and the industry is going to not have anywhere to go, and you're already basically a working waterfront, and it might be a place where fishermen have a haven, to be able to either have a processing, or offloading, or even a dock, and it's a serious issue in south Florida. Nobody wants commercial boats in their marinas or anything, and so that might be something that you can really gain a lot of cooperation with the industry, and just carve out a little space for them.

MS. SCHLENKER: Yes, and I appreciate that comment. We are working, very hard, you know, sort of locally here in the Outer Banks, which, you know, has, as the name of the project, the Kitty Hawk Wind Area, to think about how we can give back to the fishing community and continue to involve fishermen. When we do bring those cables ashore, it's actually -- There's not a lot of infrastructure at all, and it's -- Basically, it will be a -- We use horizontal directional drilling to go underneath the dunes in the beach, and basically come up in a parking lot, that is then just a couple of manhole covers, and there's nothing really above ground when we're done there, and it will just look like a regular parking lot, with a few manhole covers, and then those cables, on land, will be sort of dug alongside a road and connect into the grid, just a few miles away from landfall.

To your point about -- Crew transfer vessels will be something that, you know, we will need to rely on, and so maintaining, you know, active docks, making sure we give back in that way and have -- There's going to be a lot of infrastructure directed towards maintaining these turbines, and so that's something we're definitely thinking about.

MR. LAKS: Thank you.

MS. BANKS: We have one more question from John Mallette.

MR. MALLETTE: Kind of following-up on Ira's question about a haven for the commercial and recreational fishermen, just to have a place to dock, the maintenance on these turbines -- How will you all be maintaining them, and where will those boats be coming from, with the cables, and, if coming from land, will you all be doing anything with the Corps of Engineers to improve the inlets and stuff that you're going to have to use these inlets to go in and out to do maintenance, and the inlets are in bad shape now, and will you all be improving those, which also would, in turn, help the local fishermen as well, and, if you all are going to be going in and out to maintain these turbines, how are you all going to be doing that, and will you all be utilizing the inlets, like Oregon Inlet and things of that such?

MS. SCHLENKER: Exactly. Great point, and great question, and so the short answer is yes. Right now, we're not sure exactly which -- You know, Hampton Roads, with both the Dominion project and our project, is going to be a bit of a hub for vessels, and so, yes, maintaining that as a working waterfront, and inlet, is important. We're also talking to folks down here in Wanchese, and, you know, Oregon Inlet, as you noted, requires a lot of dredging, and it can be a little dicey, and so that's something we're having active conversations about already, in terms of maintaining that, which hopefully will be a benefit to everyone, including, you know, jobs for local people as well as, yes, making that transit a little bit easier for everyone going in and out. Thank you.

MS. BANKS: All right. If there's no other questions right -- I can't see your name.

MR. AMAN: My name is Kevin, and I had a question. Are there any other options, as far as any other routes, that aren't so -- I guess they're resource heavy, and it would require so many resources, but is there anything closer that we could plug in North Carolina, possibly a closer area, and I know there's not a lot of options, but I just -- These seem like really long routes, and then, you know, you've got the one going through Pamlico Sound, and that's, you know, a really busy place for all sectors. I was just wondering if there were any other options.

MS. SCHLENKER: I completely understand and agree with your point. We have done an extensive review of landing sites, and, you know, obviously, we have a lot of national seashore here in the Outer Banks, and there is also really -- You know, you see -- Again, we haven't determined the route for the cables for Kitty Hawk South, and one possibility is simply going to Sandbridge with the other cables.

If we do need to go south, we have done an extensive look at where we can plug into the grid, and, really, within North Carolina, Havelock is the place that we need to connect to, because not all electrical -- Not every town, for example, has the grid capacity that we can -- You know, that this amount of energy can plug into, and so, for example, we looked at connecting right in Kitty Hawk, and that is just not feasible, because of the -- It would require, you know, developing the Kitty Hawk substation, which I think is a several-billion-dollar project, and it would require building it larger and destroying, you know, some forested wetland areas, which is, of course, not something we want to do.

Really, within North Carolina, the reason for these potential long cable routes is that we need to connect in Havelock, or there is, again, the possibility of simply connecting in Sandbridge, and so I wish it were a simpler, more direct route, if we need to go south, but that's what our engineers, and kind of an extensive survey of different options, has made clear to us, but I appreciate that question, and I know it's -- When you look at that map, it seems quite counterintuitive to send those cables so far.

MS. BANKS: We have another question from William Palmer.

MR. PALMER: Thank you so much. I guess what I'm fixing to say is something that can cause a lot of confusion, and misinformation or whatever, but it seems like what we're running into, probably north of North Carolina, is migration issues with the different whales that are landing, and they keep coming up to the fact that the underground cables coming from offshore windmills are giving them a direction problem, to where they're coming up on land, and have you all done any studies on that, to help ease the thought pattern of people that are hearing it in the news?

MS. SCHLENKER: There has been a lot of concern about the whale issue, and that is something that we take very seriously, and, you know, my training is in fisheries biology, and so I -- You know, above all, I consider myself a scientist, and someone who is interested in data and facts and helping to convey those to the public, and so, so far, there is a lot of misinformation, and so what actually has been put into the news, and the media, is that activity from some of the survey work that sonar could be causing whales to become beached, and, basically, at this point, we've talked to all of the experts, including folks recently at Duke University, various marine mammal

conservation organizations, and all of the experts are in agreement that this has nothing to do with the offshore wind development.

What NOAA Fisheries has said, from their necropsies, or, basically, you know, dissections of whales that have been beached, is that they've found either ship strikes, or entanglement, sometimes, in fishing gear has caused the majority of these deaths, where they can determine a cause, but, of course, they can't always determine that.

Another important point about this issue, in the news, is that, you know, what you sometimes hear is that, oh, it must be the sonar, you know, disturbing their echolocation, when, in fact, you know, the species that has what NOAA calls this unusual mortality event right now, and humpback whales don't actually use echolocation, and so this is kind of an example of misinformation in the news, and the experts are kind of weighing-in on that, which I personally am not a marine mammal expert, but I was just talking to a professor at Duke who is an expert in this, Doug Nowacek, and, you know, his feeling is that this has nothing to do with wind development, and it has everything to do with climate change and shifts in the feeding behavior of these whales, and it's actually bringing them -- You know, they're following the food, and it's bringing them, unfortunately, into shipping lanes, more and more, and then, of course, we have increased ship traffic, from, you know, all of us online shopping during the pandemic and things like that.

That's what the experts say, and that's something that we're, you know, happy to provide more information on, and that's something that we're, you know, trying to learn as much as we can, but, right now, there's not any evidence that it has anything to do with offshore wind development.

MS. BANKS: All right. We'll jump into our presentation for the Carolina Long Bay lease areas, and so I know that I'm not at the Snapper Grouper meeting, which is on this slide, but we were using the same presentation for both, and so I apologize, and we should have put both listed on here, but we are happy to talk with you guys about the activities that we've been doing over the last year, jointly with Duke Energy, and so, as was mentioned before, we're sort of neighbors offshore, and our lease areas are right next to each other, and, therefore, we have been coordinating on a lot of our activities.

Just for a quick background, we were awarded these leases last year, in May, and TotalEnergies has the lease that is sort of closer to shore, or to the west, and Duke Energy has the lease that is towards the east, and so we are about twenty-two statute miles from shore at the closest point, which is Bald Head Island, and then, obviously, other areas, due to the curve of the coastline, we're a little bit further from shore.

The activities that we've been doing over the last year have really been focused on sort of this type of activity that I'm here to talk to you about, just introducing ourselves, talking with different groups and providing information. We're in the very early stages of our project, and so we are still gathering a lot of information. We have a fisheries communication plan that we have prepared, and each of the lessees, and so TotalEnergies and Duke Energy, have their own fisheries communications plans, and those are sort of evergreen documents that we will continually update, whenever we get feedback that warrants updates, but it sort of lays out the fact that we talking with fishermen, and at meetings like this, trying to share information about our projects.

For the fisheries engagement that we've been doing over the last year as well, we are talking with the commercial and recreational fishermen. For our lease area, we have a smaller amount of commercial fishing, and we have sort of more recreational fishing in that area, and charter fishing, and Katherine, or Albie, could speak more to some of this, but we've been talking with seafood markets, and some of the fishing associations, and we're also coordinating with the research universities and agencies in the area.

We, in coastal North Carolina, have a lot of research that's happening associated with marine mammals and other wildlife offshore, with the Duke Marine Lab and the UNC Coastal Studies Institute and the North Carolina State CMAST, and then even a lot of the community colleges in the area are engaged in different activities that can touch offshore wind, and so we're coordinating with all of them and ensuring that we are gathering data that would be helpful to them, and so Nathan will talk about that in a little bit, in terms of what we're planning to put on our buoys, and also just in terms of gathering information about what types of fishing activities are happening in our lease area and, you know, how we can coordinate with those fishermen.

This year, we focused on surveys for buoys, and so, based on the federal government's requirements from the Bureau of Ocean Energy Management, in order for us to put buoys out and collect site characterization data, we have to do surveys, fully characterize the area, and ensure that there are no cultural or archeological items there that could be of concern, and, also, we look at the habitat, and we do some benthic grabs and fully characterize the area, in order to submit a site assessment plan to BOEM that they then review and say -- When they approve it, that gives us the ability to put those buoys out there.

This past summer, we did our surveys, and we surveyed the three areas that are sort of like along the middle line there, and they're A, B, and C, and A and B are areas that we will put meteorological buoys, and so a floating LIDAR, and also some other sensors that will be on those, and then the middle buoy is an environmental buoy, and so that gives us essentially another platform where we can collect additional wildlife data. It gives us a third location, so we can triangulate when we are getting acoustic data, listening to whale calls, and so the surveys that we did were carried out -- It says August 15 to August 24, but that is sort of like the broad picture of the vessel mobilizing and demobilizing, and so we were actually offshore, doing survey activities, for three of those days. Our survey contractor was Geodynamics. They are a North Carolina company, and we also had protected species observers and offshore fisheries liaisons that were contracted through RPS.

Some of the things that we did for this survey, the equipment that we used, was sidescan sonar, to sort of give an image of the seafloor, to understand if there is objects there. Multibeam gives us an idea of the depth and the bathymetry. The magnetometer and gradiometer looks for ferrous soils, ferrous objects, and it sort of gives us an idea of the magnetic field, the local magnetic field, in the area as well, and the sub-bottom profiler gives us a sort of look into the soil, just slightly, and so what we're proposing, with our buoys, would essentially would just -- It's a clump weight that would sit on the seabed, and so we have to characterize that area as deep as that clump weight would sink.

Then we also did benthic grabs that would help us characterize what little critters are in the soil there, and then video transects, which helps us to verify the data from the benthic grabs, and it also sort of characterizes the habitats.

Throughout the process of getting the survey planned and planning for what we're collecting on the buoys, we have been engaging with the agencies, and we have had a very positive response, in the fact that we are working together, and we're doing -- Our surveys were joint surveys between TotalEnergies and Duke, and we are submitting a single site assessment plan for both lease areas, which saves agency time, and it saves on talking with people. We go and talk to people at the same time, so that they can talk to both lessees, and I know it's confusing for people, a lot of times, when there is multiple lessees, and different people say different things, and so it's always helpful when we're both there to say, oh no, he said that, and he said that because of X, and he's there to say, yes, I said that, and so we've been very pleased, and we've had really positive feedback from everyone, in terms of our sort of collaborative approach in the Long Bay lease area.

We also -- Some of the things that we did, based on agency feedback, was to fully review the high-resolution geophysical ahead of the benthic grabs, to make sure that we were putting those benthic grabs in an area that was suitable. Also, doing the real-time review of the video transects, because we got some feedback from NOAA that others had just run a transect, and they didn't even look at it, or maybe they didn't -- I won't say that, but it ended up not being the best-quality video, and so ensuring that we're looking at it in real time, and, if we don't have good quality, if we don't have -- You know, if there's too much turbidity, we're able to go back out the next day and get a new line and make sure that we're getting quality data. Then, also, they specified that they wanted us to use a modified Van Veen for those grab samples, and so we did that.

This is just an image of some of the output from the survey data, and the -- You will see, and I like to tell people that it's kind of boring, and that's a good thing, and so we did a desktop study, and we used data from 2013 and 2014, and we selected our locations, based on existing data, to find areas that were boring, that would not have features of concern, and so this shows that, you know, we did a pretty good job of selecting areas that were not going to have any potential conflicts, or any, you know, items that could be of concern, and so you will see that, really, the most that you see some sort of returns are on the magnetometer, and those are -- Our archeologists have reviewed those, and those aren't sort of returns of concern, and they could just be -- Some of them could be an artifact, or it could just be some ferrous soils, and so there's nothing on any of our three sites that were of concern, and so, actually, we're submitting our site assessment plan to BOEM at the end of this week, and we're sharing all of this raw data with them, so that they can review it and hopefully give us approval quickly for submitting -- Or installing our buoys offshore.

One other thing I want to say about the surveys, just really quickly, is we were not required to have protected species observers on our survey, but we elected to have specifically trained, NOAA-trained, protected species observers to monitor for vessel strike avoidance, and so none of the activities that we were doing required anything more than just vessel strike avoidance, and so we had our PSOs onboard at any time that we were transiting, essentially from dock out to our site and back, and they were monitoring at all times, and there are specific activities that we have to do if we see a protected species at a certain distance.

We did not have to do any of those things, and I think we had to slow down, maybe once, for dolphin, and the only thing that we saw offshore were dolphins, and we also voluntarily committed to a ten-knot speed restriction during our surveys, which is a recommended practice from NOAA, and other groups, in order to protect the -- Essentially the North Atlantic right whale, you know, that we're going slow enough that we could see them and slow down, or stop, if those PSOs that

were doing the vessel strike avoidance happened to see them, and then we can ensure that we're able to take those steps.

In doing so, we did get some good statements from the Natural Resources Defense Council, and the Southern Environmental Law Center, saying that they were pleased with what we were doing, and essentially just trying to take extra steps, where we can, to ensure that we're being, you know, responsible developers and looking out for the protected species.

I already covered this a little bit, and so we only saw dolphin, and we saw forty-eight dolphins over the course of our three days where we were offshore, and so I call that boring, but, if I'm on a boat that sees a dolphin, I don't act like it's boring, because we were actually doing our safety introduction, and I sort of squealed like a child when I saw a dolphin next to the boat, and so boring in general, but exciting for some of us who enjoy seeing dolphins. I will turn it over to Nathan, to talk about the meteorological buoys that we're planning and the equipment that we're planning for those.

MR. CRAIG: Thanks, Jen. Good morning, everyone. Again, I'm Nathan Craig, with Duke Energy, out of our Charlotte, North Carolina office. To follow-up on what Jen just presented, you know, the first stage of these activities is one to verify that we're going to moor, or anchor, these buoys in areas that are environmentally suitable. That work was completed in August, and then, you know, we'll be submitting the results of those survey activities, in a site assessment plan, to BOEM, who will review it and approve it, before we deploy any equipment.

Now, as part of that site assessment plan, we'll also be describing how these systems will be moored to the seafloor, as well as the technology installed to collect the necessary data that we'll be looking to collect over at least a one-year period, and so what we will be proposing is installing, you know, two buoys, one within TotalEnergies lease, one within the Duke Energy lease area, with a primary purpose of collecting wind resource data, and other met ocean parameters, that would really allow us to assess the windspeed in the lease area, as well as collect information on design specifications needed to design the windfarm, and the layout of the windfarm, such as wave height, current, et cetera.

For these buoys that we would be installing in the Duke and Total lease, you know, they will have the meteorological data, windspeed and direction, other meteorological data, wave sensors, current sensors, tide, and water levels. Per our lease agreement, we also are required to install a MODIS station antenna, and what this is is this is a system that is kind of managed, and provided oversight, by the Fish and Wildlife Service, in which, you know, migratory birds that have been tagged with MODIS tags are detected within the area of the MODIS antenna, and so each one of these buoys will have that equipment installed.

That information will kind of be provided to Fish and Wildlife, as part of their overall MODIS network system, and that will give us an idea of what tagged birds, primary migratory birds, are or within or use or fly over, the lease area during that one year period, and Jen has already mentioned this, and we also will be proposing to install a passive acoustic monitoring system, one at each of the three buoy locations, with the primary purpose of trying to detect and identify activity, migration activity, of the North Atlantic right whales that are in or around the lease area, and we're also looking at installing other instrumentation to collect other data on other marine mammals, such as toothed whales, dolphins, and porpoises, so we can get an idea of how often

they are there, and how many are there, within the lease area, and also the time of the year that they're there, so we can kind of coordinate any future construction activity.

At the request of -- This mainly came at the request of the state agencies of both North and South Carolina, and we are looking to install some fish tag acoustic receivers, and these are really there to detect any tagged fish that may be within the lease area, or use the lease area, and, obviously, there's been a lot of tagging of Atlantic sturgeon, that we'll be kind of looking out for, as well as any other tagged fish that might use the lease area there.

Then they also will be collecting data on water quality sensors, and this is where we'll use this as, you know, background with regard to environmental information that will be used in the environmental assessment process, but we're looking at collecting data on dissolved oxygen, water temperature, connectivity, salinity, and pH, and turbidity, as well as chlorophyll-a, and these are some of the sensors that we will be looking to try to provide some real-time data, on some platform electronically, that the public, commercial and recreational fishermen, can access.

Again, we're looking to have the two, kind of more or less, buoys collecting weather and meteorological data within each lease area, and we are also looking to deploy a little bit smaller buoy, kind of centrally located between the two lease areas, for the purpose of collecting additional environmental data.

This is going to be where we'll have our third PAM system, kind of so we can try to do triangularization on where any marine mammal activity is located, and we're also looking to install kind of recorders that would pick up any acoustics from bat and migratory songbirds that may be within the area, and so this will be additional information that we could use to determine, again, the type, species, magnitude, when these species might be present within and around the lease area. Again, you know, these will have the fish tag acoustic receivers, again, as another data point for any tagged fish species that might be within the lease area as well, and I think that's it there.

Again, as part of our process, you know, we're collecting -- We have our RFP out, and we're reviewing those proposals now, and we're pretty close to selecting our preferred vendor. All of that information will be submitted in what's called a site assessment plan, and that will be submitted to BOEM, and we're looking to get that submitted by the end of this week.

BOEM will conduct all of its reviews with Fish and Wildlife and National Marine Fisheries Service. A lot of these activities have already been reviewed, at some level, prior to the lease auction, but what this review is is just to confirm, and verify, what we're proposing to do is in line with what the Fish and Wildlife and National Marine Fisheries Service reviewed, prior to BOEM conducting the auction. Again, you know, what we're looking to do, based on that review process, which can be, you know, five to eight months long -- You know, once that's completed, we would be looking to install the buoys, and, right now, it's very tentatively, or, preliminarily, we're looking at late second quarter of 2024 for that installation.

Again, with regard to the fisheries outreach, we'll be continuing to engage with both commercial and recreational fishermen, to really understand, you know, how the lease area is used for fishing activities. We do have some -- We have been provided data from NOAA Fisheries, more or less at the kind of statistical level, on the type of commercial and magnitude, or extent, or commercial fishing that occurs within the two statistical areas that these lease areas fall in, and we're continuing

to kind of refine that, to kind of get a better understanding of how much is actually done within the lease area itself.

Again, as part of our kind of site assessment plan review, you know, we will have the Coast Guard review the mooring design, and that will ensure, you know, what we're installing, or what the vendor plans to install, will be able to kind of sustain out there in the environment within the timeframe that we're looking to have that, and make sure we've got the necessary maintenance and inspection protocols established, to make sure, you know, these buoys don't kind of break away from the mooring system and float away.

Then, again, with the MODIS system antennas, we'll be coordinating with the U.S. Fish and Wildlife to kind of coordinate our antenna, and data collection, within -- With their kind of overall MODIS network system, and so that will be occurring probably in more likely the first quarter of next year.

MS. BANKS: Thanks, Nathan, and I will take this from here, and I will just go ahead and finish up the presentation, just really quickly, and then we can take any questions at the end, and so we just wanted to share with you some of the things that we're doing to sort of take a look at this from a regional perspective, and so not only are TotalEnergies and Duke Energy working really closely and collaborating on our individual lease areas, but we're also coordinating, more broadly, with some of the other lessees, like Lela, and also Dominion, who has the CVOW project, and so we have a biweekly meeting, through the fisheries liaisons, to talk about this type of meeting, our presentations here, and also just sort of fisheries issues in general, things that we're hearing, and so each of our projects are independent projects, but we work really hard to make sure that we're, you know, taking that regional approach and coordinating with each other to help facilitate these conversations, and so our next presentation will be to the broader council meeting, and, at least for Duke and Total, I know that that's our first time speaking with the broader council, and so we're excited to be there in December.

We have been at the -- We were at the Snapper Grouper meeting a few weeks ago, and we've presented, I think, twice to the Habitat Advisory Panel, and so we're trying to cover the bases, but certainly, if there's any other opportunities that you guys can see where it would be helpful to get some information from us, then let us know. Here, we just have our contact information, and you're welcome to reach out to any of us and request information, or request a meeting, and so I will open it back up to questions on the Duke and Total presentation, if there are any, or general questions as well. Steve English.

MR. ENGLISH: I have one, and this is from fifty years of experience, and all these projects like this -- They're fine, and, you know, the fishermen are going to have access and all this until something happens, and then we no longer have access, and we're shut out of the area, and we can't fish, and this has gone on a lot of -- I've got a lot of places that I can no longer go, because something happened, and, yes, we were going to be able to utilize it, but no longer we can, and we can't fight it. What happens when you all have vandalism, a terrorist attack, some problem, and the easiest thing to do is just to shut the area down and not let anybody in there?

What do you foresee to keep the fishermen -- Because, when you put these structures in, what's there now, you're going to have ten-times that activity in the area, because the fish are going there, and so that's going to become the draw spot for the fishermen, and so what you're seeing now is

not -- When you put these structures in, you're going to see the activity. Are you going to be able to maintain and let the fishermen fish there, or are you just going to shut it down and say, no, it's easier to just not let anybody fish?

MS. BANKS: So, when we have a project offshore, we have, you know, plans in place with the Coast Guard for search and rescue, and exactly how those activities would happen within the area, and we also are monitoring the area at all times. I mean, there's essentially a command center that monitors the turbines, not just the output of the turbines, but the safety and security of the turbines as well, and so, if there is anything that happens, we're able to respond very quickly. You know, I can't speak to what may or may not happen, but we do everything that we can to make sure that it's safe in the area for transiting vessels, for people who are interested in fishing there.

As you mentioned, there will not be a blanket ban for fishing in the area, and so there will be the ability to transit and fish in the area, and so, you know, just, throughout our constant monitoring of the area, we'll do everything that we can to ensure that it remains safe and accessible for fishermen.

MR. ENGLISH: One more thing, and how close can you get to the area? I mean, can you get right up next to the platforms? Are you going to put a buffer around them, where you can't come within a hundred yards, or a mile, a quarter-mile, and, I mean, do you have plans like that? Are you going to be able to go right up to them, because, in the Gulf of Mexico, that's where they fish. They fish the oil platforms, because that's where everything is, and you just pull right up to the oil platforms and fish, and are you going to be able to do that with these?

MS. BANKS: We will not allow mooring, tying up, to the turbines. I would have to -- I don't know, in terms of a specific number, or if there's going to be a buffer around the specific -- You know, around the turbine foundation, and Lela may have a better answer for that, because their project is a little bit further along than ours, but I will say that, you know, there will be transiting throughout the projects, and so, if the turbines around a nautical mile, like the Kitty Hawk, and that's kind of a standard, industry standard, and they're generally around a nautical mile between the turbines, and then you would be able to transit in between. I think that -- I guess I can't speak to exactly, you know, if there's going to be a buffer around the specific foundation itself, but we will certainly discourage anyone from bumping the turbines.

MS. SCHLENKER: Jen, if you don't mind, I will just chime-in quickly. I think what we've -- Again, we'll communicate on this, much more thoroughly, once there is turbines in the water, but what we've said for now, and anticipate being the case, is, you know, no tying up, but, otherwise, get as close as you want, and so that includes, you know, spearfishing and diving, recreational fishers and commercial, but just -- You know, no bumping or tying up, but, otherwise, unless there's some sort of maintenance going on, people can get as close as they like.

MS. BANKS: We have a question from John Mallette.

MR. MALLETTE: I've taken notes through the whole presentation, and I will make it as quick as possible, but I've really got three questions. My first question is, when you start construction on these turbines, what studies have you all found so far, or what have you all -- Or what do you all expect, as far as repairs and mechanical failure and things like that, because, obviously, there is going to be lots of lube, hydraulic fluid, things like that, used in these, and what type of failures

do you all see? I mean, obviously, it's mechanical, and it's not foolproof, and so what plans do you all have in place, or what data have you all collected so far, of impacts if something fails and there's hydraulic fluid in the water and things like that, spillage or things that you've seen so far, as far as mechanical failure with these turbines that you're planning on putting in the ocean.

MS. BANKS: Great question, and so, in terms of just the sort of maintenance and mechanical failure, we have an operations and maintenance division that will be based close to the project, and so, for us, we don't know where that will be, and so I'm not speaking of a specific place, but just sort of, you know, in general, and the maintenance crew will be there, and what we look for is to have a short transit time, so they can get there if there is a problem, and they're doing sort of ongoing constant maintenance.

To your specific question about the oils, so there are some oils in -- If you have a gear box, in the gear box, there is -- You know, so it's secured in the gear box, and then there's a secondary containment that can help prevent it from getting out, but we also have sort of the third level of precaution there, and so we do have to have an oil spill response plan that is filed with the Coast Guard and is set up so that any -- If any of those sort of mineral oils are leaking from the turbine, then we have an immediate action for starting the actions that are required into that oil spill response plan, and that is created as part of our construction and operations plan, and so, for us, we haven't started to create a construction and operations plan, but that's definitely something that we will be focusing on in the next few years. I will open it up, if Lela or Nathan want to add anything there.

MS. SCHLENKER: I think that covered it, Jen.

MS. BANKS: All right, and I had another question from John.

MR. MALLETTE: The second part was something I noticed. When you were talking about you all were doing your survey on protected species, like the dolphin, you all voluntarily stayed around the ten knots, and then I saw the four knots or slower speed, or something like that, and this information that you all voluntarily did -- I know, even though it may not affect this project, there's a lot of talk, and there's a lot of things of, right now, making offshore certain distances around these areas, like where you're going to be, into no-wake zones, like extending way offshore, and are you all passing this information on to these people that is trying to do that? Do you see that?

I'm not saying that is specifically through you all, but do you see this being used kind of towards that project, where, if it will work for them, kind of something that's going to affect the fisheries, to where it could turn into -- I guess it's your guess, but do you see it turning into something where that could extend to everybody, saying, well, if you're going to be anywhere out in this distance, that you need to stay around two knots, or whatnot, and do you see that coming along? I guess the information that you all are using, and finding, while you all are constructing these projects, how much of that information -- How much of that information are the other government agencies -- Are they using this for other things, or is this something that is solely towards this?

MS. BANKS: So I understand what you're asking, and I can't really speak to, you know, how this might impact that, and, you know, the requirements for other industries. For our project in specific, you know, the actions that we took for the surveys this year, we were very clear that those are very specific to this year's activities, and we have not committed to do that in the future, and we would

reassess and continue having conversations, like we did this year with some of the non-governmental environmental organizations, in terms of, you know, what are their priorities, and then, also, it really depends on what the agency requires of us.

I do know that there are some efforts to get a ten-knot speed restriction, sort of more broadly, but I haven't -- I have not been following that closely, and so I can't really speak to how, you know, what we're doing would impact that, but we have been very clear that, you know, our decisions are specific to our project, and specific to our activities, that are occurring at this time.

MR. MALLETTE: Okay, and my last one, and I will be done with it, is, with this coming, and we've done -- We've talked about the impact with the fisheries and everything like that, and, at the end of the day, what is really the economic impact from the turbines in the first place? What I mean by that is I get that it's clean, renewable energy, but you've got Duke Energy and everybody, and who is getting the majority -- Who is the majority of this energy being provided to, and is the government, or is it going towards Duke Energy having a new form of energy that could possibly reduce bills to all their customers? I mean, really, at the end of the day, who is going to be impacted the most from this? Like I said, is it more government use of the new energy, or is this actually a trickle-down to help with economic impacts with -- Maybe all the way down to lower light bills, and fuel, and things like that, to get more people onboard, and what is it really -- What are you really doing it all for?

MS. BANKS: That's a very loaded question, and I have lots of answers.

MR. LAKS: I don't know how many pertain to fisheries though, right?

MS. BANKS: I can give a really quick sort of like --

MR. LAKS: Okay, because that could be an all-day conversation.

MR. MALLETTE: The reason why I said that thing about fisheries is because, just like we're going to talk later about the king mackerel and stuff like that, we're dealing with prices every day, because it costs more to do business, the cost of fuel, the cost of electricity, everything, and everything is going up, but we're getting less money for our fish, but the cost of business is going up, and is this going to help us in any way, or is there anything that, as a fisherman, could this come back to help us with helping our prices with all this happening in the ocean, you know, and that's what -- Where are the big benefits for this?

MS. BANKS: I have a few things that I want to share, and so, in terms of sort of why are we doing this, I will start with, you know, in North Carolina at least, there is a carbon plan, and the governor has said that he wants a 70 percent reduction in carbon emissions by 2030, and so there's a whole process there, where the state is trying to figure out how they're going to do that. For offshore wind, we also are able to sort of provide a stable cost resource.

If you look back at the -- In North Carolina at least, with Winter Storm Elliot from last year, there were some rolling blackouts, due to the storm, and it was found that, if we had offshore wind, we could avoided those, and there are some numbers, out of Dominion in Virginia, looking at the fuel cost savings in the billions from projects, and so it's sort of fitting into this broader picture of the grid, incorporating renewable resources, providing some hedge on fuel prices, and, you know,

obviously, some carbon-free resources that can help us with some other issues that are going on in climate change, and so I will say that.

In terms of how it can benefit you specifically as a fisherman, or anyone as a fisherman, you know, I think that the recommendation, or the question, earlier about, you know, can we have some facilities, some set-asides for facilities, and questions like that, or things like that, that you guys can think of that would be helpful for you, that's definitely a conversation that we want to have. As I've said before, for us, for TotalEnergies, and Duke Energy, we're very early in the process, and we have not selected locations, and we have not selected transmission routes, and so, in order to be able to have these conversations, we're in a position where we can really start to think about, you know, what decisions kind of trickle down, in terms of impacts for fishermen and other community groups.

We certainly want to have those conversations, and I don't have an answer of exactly what it looks like, but that's the type of conversation that we want to continually have with fishermen, and, just really quickly, I will open it up, because that was a big question, and so I will open it up, if Lela or Nathan want to say anything.

MR. CRAIG: I think you covered it, Jen, and I will just add one thing. I mean, when the electric company, like a Duke Energy, is looking to manage the grid, you know, they're looking at several different generation sources, because, obviously, how much electricity, the demand for electricity, isn't constant, you know, throughout the day, and it's not constant, you know, seasonally either, and so you have to look at different types of generation, and how that generation is distributed out, in order to manage the cost, while also managing reliability to keep the lights on.

What offshore wind brings to like a Duke Energy is another resource that they can use to kind of manage that overall process, you know, in conjunction with all the other generation that's out there, whether it's natural gas, hydro facilities, or nuclear, and so that's the idea, is this is another resource that can kind of help balance out those costs, when those other generation resources either may not be available or may be observing peak prices, because the fuel is in peak demand at that time of the year and time of the day.

MR. LAKS: Chuck, I know you had a question.

MR. GRIFFIN: Yes, and it's kind of a two-part, but not really. The first thing is, okay, we have these wind turbines out there, and this is pretty much hurricane alley too, and how resistant to hurricanes are these things, and how often will they will be maintained and rebuilt and rebuilt and rebuilt, and why not -- Is this more cost effective, and why don't we have a nuclear plant that probably is -- We know it's safe energy, and, you know, everybody is worried about -- But it's clean too, and what are the cost differences? Is it worth this, or is it -- You know, is it going to pay for itself? Is it going to be able to -- You know, if it's just going to sit there and add to the grid and still keep costing money, because, every time a hurricane goes through, you've got to rebuild and put new blades on them, every six months, and what are we doing? Is it really cost-effective to do this?

MR. LAKS: Again, I think we're getting into a different conversation. You're getting into an energy conversation.

MR. GRIFFIN: Well, the impact to the ocean of it, and, if we don't have to do this, why would we do it? That's my point. Is there a better answer, or is this a good answer, and the main thing is how -- Do you know how susceptible they are to high winds and high seas and things like that?

MS. BANKS: So I can speak to the hurricane issue, for sure. We design the turbines to withstand hurricane conditions, and there are specific IEC standards, sort of international standards, that specify the hurricane categories that the turbines would be able to withstand, and so that's something that we consider when we're looking at designing the project, and we also -- You know, specifically, each project, in each location, the design is specific to that location, and so that's obviously a consideration that we take into account when we're doing that.

Really, it's more of an insurance issue, you know, how much are we going to potentially sort of overengineer these to withstand, versus, you know, insurance risk, and so it's not really a technological thing, but the other -- You know, what happens, when there is a hurricane or high winds, a storm, and so the turbines cut out at a specific speed, and the blades sort of furl and feather, so that they are turned towards the wind, and not catching the wind, and so they're designed to withstand higher winds, while they are producing energy, and that's a question we get sometimes, where, you know, if there's a hurricane, are we producing a whole of energy, and, no, and we're protecting the equipment and ensuring that it survives the hurricane, so that there is not downtime afterwards.

MR. LAKS: Did you have two questions?

MR. GRIFFIN: Well, that was kind of the -- Are we gaining a lot by doing the wind turbines, versus maybe a big project, another nuclear project or something like that, and what are the advantages, and the costs, of a project like this, and it could be -- I have no idea what the cost of a wind project is, and is it much cheaper to do this kind of thing, versus other electricity-producing?

MR. LAKS: Well, since we're now in an electrical-producing conversation, nobody wants a nuclear plant in their backyard, and so --

MR. GRIFFIN: Well, I get that too.

MR. LAKS: Thomas.

MR. NEWMAN: I had just a couple of specifics on Long Bay, and then one about migrating seabirds, but my ones at Long Bay were have they determined the number of turbines that are going to be on this lease yet, and how much of the lease area is going to need to be used, because I know they're further along at the Kitty Hawk, and they've already narrowed down that lease to where it needs to be, and how close are you all to narrowing down that lease at Long Bay?

MS. BANKS: So we are -- We have not done our site-specific surveys that characterize the full area, and that will have a lot to do with sort of our micro-siting of exactly where turbines will go, and how many turbines will be there, and it depends on the size of the turbines as well, which we also don't know, and so, you know, I tell people that we're at a position where I don't have a lot of concrete information to give you, but it's also kind of a good place to be, because we're here talking to you before we've made those decisions.

I can say that, you know, for our lease area, we are anticipating that it could hold about 1.2 gigawatts, which could be about sixty turbines, but that's not set in stone, and that's just kind of a, you know, estimate for what we would do, and then we'll, like I said, micro-site. It also depends on if the development is done jointly with Duke. If they're not sort of coordinated, then there's a buffer that you have to put between the lease areas that could create some -- You know, remove some turbine spaces, but, yes, we're not quite there yet.

MR. NEWMAN: Thank you for that. I know the technology keeps evolving on this technology as well, and so, you know, you have different sizes of equipment for these turbines, but it wasn't a big issue in the Kitty Hawk area, and just today, during this presentation, it kind of was brought to my mind, and there's a lot of diving activity that happens in the lower part of our state, and have you all been in communication with the dive tour boats, to see about these areas, because I don't want anybody to get overlooked in our economy.

MS. BANKS: Yes, that's a really good point, and I think we are working to talk to everyone, and I can say that our fisheries liaison, Albie, is a spear fisherman, and he does some diving as well, and so, Albie, if you're still here, and I don't know if you have -- Or Katherine, if you wanted to jump-in on that as well, specific to the Carolina Long Bay area.

MR. SOLANA: I'm here, Jen, and I actually -- I'm pretty much a representative of the commercial fisherman, and spear fishermen, of the area, and I definitely plan on being in touch with all of the recreational, charter, dive boats, and spearfishing community. I personally interact with all the other spearfishing boats in South and North Carolina, just on a regular basis, and, now that I've joined Total, as their fisheries liaison, I plan on just bringing all that interaction in, and hopefully bringing back feedback and getting everyone's insight and concerns about the whole wind project going on in Long Bay.

MS. MCGLADE: We spoke, last week, Albie and I did, with Cameron Sebastian, who runs a dive operation out of Myrtle Beach, and they do dive trips up to the lease area, and so that was our first outreach to a commercial dive operation, commercial meaning for-hire and taking people diving, but we will look to all of the North Carolina outfitters who utilize the lease area, and we'll definitely be reaching out to them as well, and I think Albie's credentials as a diver will help us with that.

MR. NEWMAN: Thank you so much for those answers. It sounds like you've got the right people on the job down there, because, like I said, the dive industry is pretty big in that area, and I would hate for someone to get left out, and my other question is, because I know some of the headboats do birding tours, and there's a couple of rare species that show up off of Hatteras, and the research I've done -- These birds are, for the most part, they're not interacting, and they're flying away from the turbines, and not getting injured, or killed, but I'm just curious about migration routes, because I know there's -- There's one species that is endangered off of our coast in particular, and then we're kind of in the northern migration route, and I cannot remember the name of the species, and I'm looking right now, to try to find it, but I'm just wondering how much research has been done to look at these offshore bird migration routes that never come to shore, and whether or not the lease may be in their area.

MR. LAKS: Thomas, I'm going to let you email her that, because that's -- We're getting way out of -- We're a little out of it, when we're getting to birding now, and so we're going to bring it back to fishing.

MR. BANKS: I am happy to email back and forth with you on that topic.

MR. LAKS: Any other questions pertaining to fishing and wind? Well, thank you very much, and don't worry about not putting our name on the publication. We're used to being ignored over snapper grouper.

MS. BANKS: We'll fix it, but thank you all very much for having us here and for taking an extended amount of time to talk with us. It's great to hear the concerns and to have an opportunity to sort of see everyone face-to-face, and so I'll be around for a little while, if anyone wants to come and chat with me. Thanks.

MS. SCHLENKER: Thank you, all.

(Whereupon, a recess was taken.)

MR. LAKS: Guys, if we could take our seats, we're going to get started here again. Okay, guys. We're going to get back going here, and we're going to pick up with port meetings, where we left off yesterday evening.

MS. WIEGAND: All right, and so, as a quick refresher, yesterday, we talked about sort of the goals and objectives of port meetings, as well as the discussion topics that were needed to meet those goals and objectives, and so now we're going to get into sort of what I really need a lot of input from this AP on, and that's the meeting design and the meeting locations.

I will note that, while the budget for this has been approved, the council hasn't sort of discussed this structure, and we're coming to you all first, both in the interest of timing and how the meetings line up, but also because this was an idea that came from the Mackerel Cobia AP, and so we want to give you first crack at sort of what the structure of these meetings should look like, and I also wanted to note that I'm going to talk about sort of what we've come up with, and it was the planning team that came up with this, and so it's not just me, and it's other people on staff, as well as all of the state agencies throughout the South Atlantic, the Gulf Council, and the Atlantic States Fisheries Commission. They all have people on this planning team, and so this has been sort of a joint effort from people participating in this process along the coast.

Right now, the plan is to hold these meetings in the evening, on a weeknight, from 6:00 p.m. to 8:00 p.m. We've talked a lot about sort of what material should be provided to attendees, and it was noted, at the April meeting, that sort of an informational handout, similar to -- I know some of you guys were at the dolphin MSE meetings, but a handout with information similar to that on the mackerel fisheries could be provided to attendees, to have to reference as they're going through the meeting, and, finally, one of the other things is we thought about printing out sort of large graphs and figures and have them sort of dispersed around the room for participants and attendees to look at, to spur discussion sort of during the meeting downtime and breaks.

This is the draft structure that we've come up with, and so the prelude, if you will, as people are sort of arriving at the meeting and mingling before things really get started. We want to have space for attendees to answer a question or two, simply, you know, writing on a sticky note and sticking it up on a board, looking at sort of what they hope to have come out of port meetings and what's sort of one thing they think the council needs to know about king and Spanish mackerel, and the reason we want to do this is that can then help staff sort of on-the-fly make a few changes, if it seems like there are certain topics that are more important to attendees at a given meeting, versus others.

Next, we would have just a very quick introduction, sort of brief the attendees on port meetings, what their purpose is, what the council hopes to get out of them, and what the process will be for the rest of the evening, and then we were thinking of having a series of breakout groups for attendees. We want this to be very discussion-oriented, and this isn't a public hearing, and this isn't public comment, and we want attendees to be able to talk amongst themselves, and with council members and staff, about these topics, and so we were going to break attendees into various groups, a group to talk about the FMP goals and objectives specifically, a group to talk about environmental conditions, that species movement and expansion that we're seeing, and then a group that's talking about needed changes to the management structure, and so we would break everyone into groups, and everyone would sort of cycle through each of the three topics, so everyone would get an opportunity to discuss each of those.

Then a little bit of a break, twenty minutes, just to have time to talk amongst ourselves, have more informal conversations, and, again, we might have some interactive stuff going on, where we could have, for example, a timeline of the fishery, and attendees could sort of note, on that timeline, when they got into the fishery, sort of big years in the fishery, more challenging years in the fishery, things like that, and we could also have something like that's a poll for the FMP goals and objectives. Of the ones that are there now, which do you think are the most important, and which do you think no longer fit the fishery, et cetera, just sort of a quick way for attendees to put sticky notes up and provide their thoughts.

Then we would move into another breakout section. If you remember, the council is really interested in learning a lot more about commercial fishing dynamics and values, and recreational fishing dynamics and values, and sort of breaking up attendees by sector and have them discuss sort of the dynamics of their individual fisheries, and then, finally, at the end of the evening, we would just sort of wrap-up, remind everyone about the goals of port meetings, the next steps that will be taken, and, again, sort of thank everyone for coming and spending their time participating and having these discussions.

Again, it's a pretty interactive meeting, which will require a number of things, and so I've got a lengthy list of questions here for you, and I'm just going to sort of start at the top, and we'll work our way down, but one of the first things I want to understand, from you all, is do you think fishermen would be willing to attend a two-hour port meeting in the evening? I understand that two hours is not an insignificant amount of time, especially for a fisherman who might have been out on the water all day and have their obligations that they need to get home to, and so is two hours something that you all think is feasible for fishermen in your community, to, you know, spend time and actively participating in a meeting like this?

MR. LAKS: Tony.

MR. BENEVENTO: I am going to back you up. When you have breakout groups, and they have information, you don't have anything on there where they're reporting out. In other words, if you get a breakout group together, and you say let's talk about the CMP, and the goals and the objectives, and those people come up with an idea, or something, and I don't see anywhere in here where they're giving it back to you.

MS. WIEGAND: So what you're looking for -- There will be a final report put together that will include all of the input that was talked about at these breakout groups that goes to the council, but what you're suggesting is that maybe there needs to be an opportunity for, sort of once all of the groups have been able to go to one, or all three, that they then report out to the bigger group to talk about those sort of three things that we've identified, and is that what you're suggesting?

MR. BENEVENTO: Well, somewhere along those lines. You know, if you put people in a breakout group, and they come up with discussion topics, or points, and I don't see anywhere in here where they're giving you back those discussion points.

MS. WIEGAND: So we're fortunate, in that we're able to have not just myself, but a number of other staff attend these meetings, and so there will be staff at each group taking notes on everything that is discussed, so that that's all captured.

MR. LAKS: Thomas.

MR. NEWMAN: I would just -- That's actually not a bad idea, if you all have time, for the breakout groups to have a -- To present what they broke out with, and then that might go into a little bit more clarity for you guys to take notes on, if time allows.

MR. LAKS: While we're on the breakout groups, we're intending for -- Say there is forty-five people, and fifteen to go through each one? Okay. Anyone else have any questions or suggestions? I think two hours is a good amount. I think, you know, people who are engaged, two hours goes by, and they want to tell you stuff, and two hours is nothing, and so I think that's the right amount of time. I think those people who really want to engage might have to stay a little longer. Tom Roller.

MR. ROLLER: (Mr. Roller's comment is not audible on the recording.)

MR. LAKS: I agree.

MS. WIEGAND: All right, and the next question I've got -- So I talked about how staff could have, you know, some tables and figures up around the room, and we can also have, you know, a paper handout to provide to attendees to these meetings, and what information would you all like to see in sort of an informational document that we provide to attendees? Is it general regulation information, landings, trends, what all do you think is going to be most illuminating for attendees and help spur discussion?

MR. LAKS: Well, I would like to see maybe a little brief introduction to fisheries management, right, and just maybe something small about the MSA and how the councils work, just so you can kind of -- People who want to come in, and I want this now, but there's a process that they

understand. That would go a long way -- I think landings would be very important, right, just for them to have an idea of the trends that are in the fishery and, you know, to compare the commercial and the recreational landings. I think that would be very important, and maybe just a little basic information about -- Well, I guess that would be good, to start. Thomas and then Steve.

MR. NEWMAN: Yes, and I agree totally with what Ira just said, and I also think a good thing to provide would be contact, a paper contact, information for staff, and also with all of our AP member names, and I guess we do put our email address, and whatever is on the website, and everybody feels comfortable with, because I think that's one of the biggest issues, is -- You know, we're easier to talk to, sometimes, than council members, and we're more available, and I also would like to encourage more and more fishermen to reach out to us as well, and I also would like this material to be provided beforehand, if you all think that's relevant, so you could do a little homework, and you're not, you know, thrown too much information at once.

MR. LAKS: Go ahead, Steve.

MR. ENGLISH: Since it's mackerel and kingfish, is what we're going to be speaking about, you probably ought to lay out what was done with this last SEDAR assessment, and how it started, and how we got to where we're at, and, you know, where we started, what we had for landings prior to this assessment, what we have now, and how that's going to work, so that the fishermen, you know, understand that all the controversy was not in vain.

MR. LAKS: Go ahead, Bill.

MR. PALMER: As far as your breakout meetings, what it seems like what we're trying to move towards is more like catch-and-release, and that might be something that you might want to have on some of your breakout meetings, of specifics of how to do it, things such as that, why we're doing it, what benefits it's going to do for the fishery, you know, down the road, and see if we can get any kind of feedback for our tournaments, of changing from just catching to where we can do catch-and-release, like you do on many of the other tournaments around the country.

MR. LAKS: Just to piggyback on that, I think we would probably want the discard mortality of both of those species in that conversation, because, if it's high, we don't really want to encourage catch-and-release, right, because you end up killing a lot of them, and so that would be something they need to understand of how their fishery goes.

MS. WIEGAND: All right, and so that sort of leads in well to the next question, is do you think breakout groups are an effective way to gather information from attendees, sort of breaking everyone into smaller groups to have discussion, and do you think that's something that attendees would be amendable to, and do you think it's an appropriate way to gather information, and then, piggybacking off of that, are the example breakout group categories appropriate, and, again, we were thinking of a group to talk about goals and objectives of the FMP, environmental conditions, and then needed changes to the management structure, and every attendee would get a chance to go to each of those, and you wouldn't just be at one the entire time, and we would cycle everyone through all three.

MR. LAKS: I definitely think breakout groups. I mean, naturally, there's always going to be one person that's more comfortable speaking, and will speak ahead of everyone else, and I personally

know that I don't like asking questions that I don't know the answer to in front of a bunch of people, and I would rather look stupid in front of a smaller group of people, and so I think people are more willing to engage in conversation in a smaller group, sometimes, than a larger group. Thomas.

MR. NEWMAN: I'm trying not to be the person that talks first, but I think you're going to need some preloaded questions too, to help spur discussions. I think that's going to be really important.

MR. LAKS: Go ahead, John.

MR. MALLETT: As far as the breakout groups go, I like that idea, but, just thinking in my head, about previous meetings that I've been to, where it wasn't really breakout groups, and it was just everybody, and, if you break them up into separate groups to talk, and then, after everybody -- You get sections that are going to talk about a certain thing, and everybody moves kind of to different groups, and I think that's where your two-hour time limit is going to get eaten up pretty fast, like really fast, and two hours wouldn't be a problem, like if we were all just one big group and went through all the discussions and everything, and two hours I think is great, and everybody can talk, but, if you're going to split people into miniature groups, I think that alone could be the two hours, you know, especially if a good conversation gets going between five people, and then you've got have to time for another five people, or whatever, and vice versa. That's just a thought of what I'm thinking.

MS. WIEGAND: All right, and so, speaking of the number of people that would attend this, approximately how many people in you guys' communities do you think would be willing to attend a meeting like this? I will say this is something that's pretty important, the structure we have now, and the planning team was talking about it, and we thought, you know, there is probably a max, but the minimum that we might need is fifteen to twenty fishermen willing to participate, and we're going to be leaning very heavily on you guys, as advisory panel members, to get members of your community out to these meetings and actively participating, and so we wanted to sort of ask you, upfront, how many people do you think would be willing to attend these meetings in your communities.

MR. LAKS: I think, in my community, and Steve would probably back me up, we'll have plenty of people there. There's a large hub of commercial Spanish mackerel fishermen, and king mackerel fishermen, and charter fishermen, as well as a large recreational group, and so I would, you know, take that into consideration, and you could probably check back with us of where we need to book a hall and stuff like that, but I encourage you guys, you know, for different areas we think we're going to have it, to let her know what you think. You know, Christina needs to know how many people you think is really going to be there. It's hard for me to tell what's going to show up in Jacksonville, and so, Tony, I would defer to you.

MR. BENEVENTO: You have chosen St. Augustine as one of the spots?

MS. WIEGAND: So none of those locations are set in stone now, and, next, we'll be talking about specific locations, and, before we set anything in stone, we'll get input from this AP, and so those are just draft locations at this point.

MR. LAKS: Steve.

MR. ENGLISH: I think you're going to have a lot of fishermen that, when they attend the meetings, they're going to tell you their concerns about, you know, what they're worried about in the mackerel fishery. I mean, that's kind of what it's about, you know, and the king fishery, also. I mean, you'll have both, and so, you know, that's kind of what you want to look for, is to let people be able to get up and say this is my concern in this fishery, you know, where it's heading, and how do we make it, you know, better.

MR. LAKS: Go ahead, Will.

MR. JONES: In our area, Morehead City, we could get plenty of people to show up. You know, you could post on social media fishing groups, and that's big in our area, and tons of people, you know, are all over social media, and we could easily get enough people to show up to that, a couple dozen, pretty easy.

MR. LAKS: John.

MR. MALLETTE: Will kind of hit what I was going to say, because it kinds of reminds me, like I said, of a meeting that Thomas and I went to not too long ago with NOAA, and that was in Morehead City, and I think you will get a ton of people, and it might fluctuate where you go, but that's going to fall right back into that two-hour time restriction, and you're going to have fifty people show up, and everyone is going to go, well, I didn't get to say nothing, or this and that, and I kind of like the idea of something similar of maybe, if it's far enough in advance, where people can put the word out, and maybe there's a link, and let them sign-up, and then, basically, you all just do invites, you know, and have somebody on the list as --

I'm not saying you will, because, with the NOAA thing, it was an invite-only, and there was a certain amount of people, and we showed up, and it was like a hundred-dollar stipend, and it was kind of like just to get the info and people speaking up, and it wasn't like just show up, and it was a kind of invitation-type of thing, and I liked that, because, when you get that big of an area, and that many people, you're going to get -- You're going to get a lot, and I think, if you can kind of do the invites, you can probably even it out, because you might have every single tournament fisherman show up, and two commercial fishermen, or something like that, and you can kind of maybe try and even things out, if you feel like that's needed.

MR. LAKS: Go ahead, Tom.

MR. ROLLER: I agree with you, John. I think, you know, signing-up and invites are important, but I will just bring up, in the dolphin group, in certain fishing communities in North Carolina, nobody signed-up, even though there was registration, and many, many, many people showed up at the last second, and so, even when we show our best intentions, we can't always count on people to do things in advance, and, if you get a bad weather day, a lot more people are going to show up too, and so I think we have to be prepared for that.

MR. MALLETTE: Yes, and I can promise you that I learned my lesson about counting on people years and years and years ago, and I get it, and so I understand where you're coming from.

MR. LAKS: I also think it's an open process, and we want people to just be able to come and, you know, we don't want to make it seem like it's exclusive.

MS. WIEGAND: I will say that sort of NMFS operates a little bit differently than the council. For the council, for the most part, our meetings need to be open to the public and provide an opportunity for everyone to comment, but I will say that I hadn't thought about something like a registration link, which might not give an exact number of who is going to come, but it might give us enough of an idea, in advance, that we can make modifications to the structure, if needed, based on the number of people we anticipate to show up.

MR. LAKS: Thomas.

MR. NEWMAN: Yes, and whether or not we do registration is one thing, but I like -- When you sign-up for your webinars, you all give a twenty-four-hour notice, and then a one-hour notice, and that's huge for me personally, and I attend a lot of meetings, but that lets me know the day before, and the day of, that the meeting is happening, and I think that would be good to do for these, in the areas, if you could blast those areas with that twenty-four-hour notice and that one-hour notice.

MS. WIEGAND: All right, and sort of my last question is are there other meeting formats or ways to really encourage discussion, as opposed to sort of the traditional public comment style of input, that should be considered for port meetings? We're certainly aware, and the planning team talked about this quite a bit, that we might end up in situations where we have to revise what we've planned, because we have twenty, or thirty, more attendees than we had planned on, or, which has been more often the case for us, we have very few attendees, and that would make breakout groups maybe not as effective, and so I would curious if you guys had any thoughts about other ways to encourage discussion among attendees, and staff and council members, at these meetings.

MR. LAKS: Go ahead, John.

MR. MALLETT: Just an idea that I've thought about, to see if it was possible, and it was something that I actually thought about even as far as AP meetings go, but, with things being recorded, and with webinars and things like that, is there a way to -- Like you say, okay, the meeting starts at this time and this time, but like there's been times where I couldn't make it, because something came up, and I had to go fishing, and so I'm not going, and if the meeting -- Is there a way that you can record comments? Like, if you're keeping minutes, you can ask -- You can have the questions on it, and so, if I don't get home until nine o'clock at night, and I get a shower, and then I can log-on and see what questions were asked at the meeting, and I can answer it, and record it, and then that's still saved there, and then, later on, you all can still get my input, or whoever's input, and, that way, you're not forcing somebody to say, hey, stop your entire day, and you have to be here in this time period, or your opinion really isn't going to count.

MS. WIEGAND: So I do very much like the idea of having something say available on the website that would have questions, similar to what we are asking at port meetings, and so if, you know, you were unable to attend the one in your area, you still have an opportunity to provide input. We'll have to -- So we can't do anything that sort of resembles a survey, and we would have to talk to General Counsel, to see how we could structure something like that on our website, but I do agree that there should be a way for people to provide input if something comes up and they are unable to attend the port meeting that occurred in their area.

MR. LAKS: I think you're going to have to be a little flexible, Christina, because of the different amount of people that could show up, right, and so the base you had is great, if there's thirty-five or forty people, right, and, if it's less, it could be very informal and conversation-like, and the same thing if there's more, and it's probably going to have to be more of a question-and-answer.

What I would suggest would be that, instead of doing a long presentation, because people come and they want to get right into it, I would try and do the things you want to get across in the answers to people's questions. Like elaborate in your answers that, you know, okay, well, that would be nice, but the MSA says this and that, instead of doing it as a presentation thing, and that might facilitate a little better back-and-forth.

MS. WIEGAND: All right. Well, the next thing I want to talk about is sort of draft port meeting locations, and these locations have been -- Sort of timing has been put together based on sort of my knowledge, and the knowledge of everyone on the planning team, and we're looking at sort of holding three to four meetings in each of these areas, Florida, the South Carolina/Georgia area, North Carolina, Mid-Atlantic, and then New England areas.

One of the things that I want you guys -- Sort of two things to keep in mind, and one is king mackerel and Spanish mackerel fisheries along the coast, commercial and recreational, sort of run opposite each other, to a point where it is going to be challenging to be in an area where there's not some kind of fishing going on for one of those two species, and so we're going to do our best to avoid sort of times when fishermen need to be out on the water, and that's some of the reason we're holding meetings in the evening, but we will only be able to avoid that to a certain extent and still sort of meet the timeline we need to meet to get port meetings done.

The other thing we have to keep in mind is that, you know, we're only one staff, and we can only travel to so many communities, and so we're doing our best to get a wide swath, but, unfortunately, we won't be able to go to, you know, seven or eight communities in North Carolina, and we have to try to pick some of the key communities, and hope that people that may live outside those communities will be able to travel, but we're doing our best to get as much information from a wide area within a limited timeframe.

I've got, up on the screen, a couple of guesses about where we should meet, but I sort of want to start with say Florida, and talk to the representatives from Florida, and we've got St. Augustine, Cape Canaveral, Stuart, and Fort Lauderdale. Are those sufficient locations to reach king and Spanish mackerel fishermen, or are there ones that should maybe be removed, in name of another location, and sort of does this accurately capture the range of the fishery in Florida?

MR. LAKS: Go ahead, Steve.

MR. ENGLISH: I think Fort Lauderdale is too far south, and I don't think you really -- I really think you need to start probably in Stuart, and you will get the Palm Beach fishermen, and the Port Pierce fishermen, and that will give us kind of a central location for that, is what I'm thinking.

MR. LAKS: I would agree with you. The only thing is it's not just commercial, right, and so it's recreational, and there is a humungous population of -- You're going from -- We don't really involve the Keys anymore, do we? But you do have a massive amount of population in Miami-

Dade and Fort Lauderdale, and I know what you're saying, and it's not going to be a commercial presence, but that's a drive for them to come up to Stuart, and so that would be the only thing, but my concern about Florida is the dates, right, and so May -- You're not going to probably see anyone commercial in Stuart in May, right, because we're all going to be live-baiting or trolling, and so they're going to be actually coming in when the meeting starts, late in the afternoon, and so that would be -- I'm not sure -- I don't think -- But there's a lot of Canaveral boats that are down our way fishing too at that time of the year, and so May might be an issue. You know, I don't know how much you can juggle it, but I would say -- What would you say, Steve, that September would be a great month?

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

MR. LAKS: Yes, and even June, right, especially towards the latter part of it.

MS. WIEGAND: I will say that we were recommended to avoid the month of June, because of the king mackerel tournament series that happens in Florida during the month of June.

MR. LAKS: Go ahead, Will.

MR. JONES: For North Carolina, that timeframe, April, is pretty good. I mean, some people will start catching king mackerel, and fishing for them, in April, and you could do it earlier. Those locations are good as well. If you had to choose one place to do it first, maybe Morehead City, because it's more centrally located, and there is so many fishermen there, and they're the commercial and recreational sector, but April, or March, as far as the timeframe, would be good.

MS. WIEGAND: All right, and so I'm going to go back to Florida.

MR. LAKS: Kevin has got a question.

MR. AMAN: I was just going to kind of echo Will's thoughts, and I really agree with that. I think they're kind of prime locations, and, you know, March or April I think would be a prime time, and it would be a good time to have it. A lot of the other months are just so busy, and everybody is out and about and doing their thing.

MS. WIEGAND: All right, and so I want to go back to Florida for a quick second. Are there any locations -- Sort of the goal is to have four meetings in Florida, and so those are the cities we have now. If you guys are comfortable with sort of the cities we've got lined up, do you know of locations in those communities where we could hold these meetings? I know, traditionally, when the council holds meetings, we hold them at a hotel, and that might not be the most comfortable of environments for any attendees that haven't participated in the process before, and our preference would be to hold these meetings in areas that fishermen already frequent, and so community centers, if you know of tackle shops that might be willing to host us, you know, sort of anything like that within those areas, where you think fishermen might prefer to attend a meeting, as opposed to the more formal hotel environment.

MR. LAKS: Steve, you guys have got that community center down there, right?

MR. ENGLISH: Yes. In Stuart, we have a community center that we have quite a few meetings at, and we have -- The Chapman School of Seamanship is where we have our meetings, and it's not big enough for what you want to do there. They held a South Atlantic Council meeting on Hutchinson Island over there, on the A1A, at a motel there, and the plantation, and I forget what it's called, but anyhow -- The Marriott. That was a good place. That was a good place, but I'm sure we can arrange the county meeting hall, right there in Port Salerno, if we want to do that, and so either that or that motel, whichever you all think would be better.

MR. LAKS: Also, I know I've been to FWC meetings at Stuart town hall, and so that might be another option that you can --

MR. ENGLISH: So there's three places that will be good.

MR. LAKS: I am not sure about Canaveral, but I'm sure we could make a few phone calls, or Laurilee might have --

MR. ENGLISH: Call Jim Bussey, and he will find a -- He will tell you a good meeting spot.

MR. LAKS: Tony, we're going to throw you to the wolves here for up that way.

MR. BENEVENTO: Well, in St. Augustine, there's a lot of nice hotels that you can go to. There is the St. Augustine -- The Ancient City Fishing Club, and there's the Marlin Club, and then, in Jacksonville, there is a civic center at the Mayport boat ramp that the offshore club meets on every first and third Thursday, but it's open to pretty much anyone and everyone, and I think some commercial fishermen have had meetings in there as well, but that one -- Everybody would know where it's at, and that would move your meeting from St. Augustine to Jacksonville, which, you know, if I look at this map, you're going to draw, I guess, the Daytona to Fernandina people. I mean, Daytona, that's a fifty or sixty-mile ride, and they ain't coming. Does that help?

MS. WIEGAND: Absolutely.

MR. LAKS: One thing for Fort Lauderdale is there's the IGFA down there, and, also, I know Bass Pro holds all kinds of seminars down there, and so that would be another thing that maybe you could do.

MR. ENGLISH: If you get something right on 95, it makes it easy travel. That Bass Pro might be great. You know, just for information, in Florida, your main mackerel kingfish fishery, that you're going to get the most input from, is going to be Stuart and Cape Canaveral, because they do both, and Fort Lauderdale is just going to be on the kingfish end and stuff, and they don't even have mackerel, or, well, not much, and then, of course, there, they have passing-through mackerel.

MR. MALLETTE: I was just going to tell you that Georgetown and Hilton Head, and I ran private boats out of Hilton Head for a long time, and I would highly recommend just skipping Hilton Head and doing Savannah, because everything is going to be ridiculously expensive, and it's not going to be -- If somebody is traveling, literally, once you're outside of Hilton Head, you're in a swamp, where you can do everything you want in Savannah, and I'm just being honest with you.

Savannah, again, it's like what you said about Florida, and 95 runs right through it, and so you're right there, but Georgetown -- Like what he said, and you have Myrtle Beach, Georgetown, and Murrells Inlet is big commercial fishing, and sportfishing in Murrells Inlet, and then, even though it's South Carolina, it's still close enough, if you had some North Carolina people -- Like the Wilmington crowd, and it would be nothing for them to shoot to Georgetown too, because -- I mean, I make the trip every Friday coming down here to deliver fish, and I promise you there's nothing to it, and so there's a thought.

In both of those areas, look into community colleges. The community colleges always have places, and it's easy and cheap, and they will probably do it for you, especially if you're doing something that's for the government, or I'm sure they will open up some of their places for you, and like Morehead, and Carteret Community College has a lot of stuff. In Georgetown, the community college -- I've been there in Georgetown myself, for fishing seminars that I've done, things like that, and so that would be my recommendation, to hit the community colleges up.

MS. WIEGAND: All right, and so, moving up North Carolina, we've already heard some comment that April is probably a good time, and Morehead City is definitely a good place to meet, and, also, Wilmington and Hatteras are what we have, and are those also sort of good areas to capture the mackerel fisheries?

MR. LAKS: Thomas.

MR. NEWMAN: April is definitely a good time. I have been thinking about this a lot, and Hatteras is not central to anything, other than it's the central part of our coastline, and there's a lot of -- Well, there's not a lot, but our -- Most of our commercial landings, looking at the data, come from Dare County and Hyde County, and we also have mainland Hyde County, and we have Outer Banks Hyde County, and Hatteras is an hour-and-a-half -- Or Hatteras is three hours from Swan Quarter, and it's an hour-and-a-half from Wanchese, and it's also an hour ferry ride from Ocracoke, and so anybody that does not like in Hatteras village is going to have to travel a minimum of an hour to get there.

I was talking to someone, and I believe it was Alana Harrison, and she was saying there's a community building in Rodanthe, which is halfway in between Hatteras and Wanchese, but one concern I have is worrying about getting guys to leave Hatteras, and Wanchese as well, and so I don't know, and it's something that there needs to be continued discussion on, and just to see who is going to attend, because attendance is always tough from the crowd I'm speaking about.

MS. WIEGAND: So I just have a quick question, and so do you think, if we held a meeting in Rodanthe, that people from Hatteras and Wanchese would be willing to sort of -- I will say we were bouncing back and forth between Hatteras and Wanchese, and do you think we could capture both if we had a meeting somewhere like Rodanthe?

MR. NEWMAN: See, that's where I keep getting messed up in my head, because I feel like you're going to lose three-quarters from both areas, having to travel that, because, even to Rodanthe, it's like, you know, thirty to forty-five minutes from each area to get to Rodanthe, because nothing is central in that area, but it's a huge hub, but, at the same time, you know, king mackerel -- You know, king mackerel in Hatteras is pretty dominant as well, but, you know, there is some unloaded in Oregon Inlet as well.

MR. LAKS: Tom.

MR. ROLLER: Thomas, I just want to thank you for your comments. They're very on-point. I do want to bring up, when we look back at the dolphin MSE workshops, that attendance was really good in Wanchese, and they weren't expecting anybody to come, because no one signed up, and then like a hundred people showed up, and so that is another issue that you may have, particularly in Dare County.

My question for you all, particularly the North Carolina members, is -- As council members, we had a lot of debate about how many locations to have, and I'm really excited to see three, because I think the Outer Banks, wherever that is held, and then Morehead and Wilmington, are three very distinct communities in North Carolina fishing, and I think it's really important we have those three, and I was curious if you all agree with that.

MR. LAKS: Thomas and then John.

MR. NEWMAN: Yes, and that's -- I really was hoping that we could do one in Wanchese and Hatteras, but I know you all are limited in the number that you can do, but Alana just texted me too to say, if you all do breakout groups, the Rodanthe community center might not be big enough, depending on how many attend, but, like I said, that's one that I've been circling in my head, and I cannot get a good answer for you, without holding two meetings, and I thought that maybe, as we were sitting here, to suggest a webinar, but that's even harder to get people to get on, is a webinar, and I think you're going to lose a lot of what you're trying to get out of these port meetings.

MR. LAKS: John.

MR. MALLETTE: As far as the three locations, one other thing I think is being missed is I think the Hatteras and Wanchese all that is -- That kind of falls into what I said about Hilton Head, because, once you get on 64 the other way, there's nothing, and so it's going to be a long trip regardless, and so -- Wilmington, like I said, you might get some of the Southport and Myrtle Beach and Little River, and you will get those people, but the beauty about Morehead is you've got 70, Highway 70, and it's -- If you want more recreational input, it wouldn't be nothing for all the Raleigh crowd to shoot over to Morehead, because, you know, that's where a lot of them are coming from, whether they're coming from their houses or trailering their boats or whatever, and so I think, all three locations, you're going to get a very distinct section, and I think it covers everybody, to make it possible to get there pretty easy with those three locations.

MR. LAKS: Go ahead, Will.

MR. JONES: Is it possible to do four, or do you have to choose between Hatteras and Wanchese or Rodanthe? I mean, I agree with what Tom and Thomas were saying. You know, we need to have at least three, and choosing between Hatteras and -- I mean, like Thomas was saying, Hatteras is way out of the way of everything, except for Hatteras, and you might get people from Hyde County, if you have it in Wanchese, as opposed to Hatteras.

MS. WIEGAND: I will say that, luckily, budgeting is well above my paygrade, but that's a discussion for the council to have, and, if this AP feels strongly that it would be wise to have four meetings in North Carolina, one in Wanchese and one in Hatteras, as well as Morehead and Wilmington -- I mean, we've heard comment today, and Tom is in the room, and that's certainly something that we can pass on to the council, and what they decide -- It's ultimately their decision, but I think this AP has made it pretty clear that, because of sort of travel restraints within the Outer Banks of North Carolina, that it might behoove the council to have meetings in both Wanchese and Hatteras.

MR. LAKS: I will leave it to you guys, and Tom is here to hear it, and you don't have to make a motion, and you could just make a suggestion to the council. Go ahead, Thomas.

MR. NEWMAN: Being this is my area, I would highly suggest doing Wanchese and Hatteras, because it is going to be a big burden, on 75 percent of the fishermen, if you choose one area over the other, and I would try my best to get some commercial turnout in those areas, but I know guys aren't going to travel three hours to go to this meeting.

MR. LAKS: Is that what the rest of you from North Carolina feel?

AP MEMBER: Yes, and, actually -- You know, I live in Wilmington, but he's right that Southport, Myrtle Beach, Wrightsville Beach, Carolina Beach, and, I mean, we're all -- There's plenty of places to have it, and I think we even had one at the Hilton one time down there in Wilmington, and there was a big show-up.

MS. WIEGAND: All right. Well, then we'll definitely make it clear to the council that this advisory panel is recommending four meetings in North Carolina, one in Wanchese, Hatteras, Morehead City, and Wilmington, and, again, we've sort of already mentioned -- You said the Hilton down there in the Wilmington area, but are there other areas, or locations, where you guys think fishermen would like to, or be willing to, attend a meeting in any of those four areas?

MR. LAKS: Go ahead, Thomas.

MR. NEWMAN: Meeting areas will not be an issue in Hatteras or Wanchese. I mean, we regularly hold meetings in community buildings and government buildings.

MS. WIEGAND: All right, and sort of the last area is the New England and Mid-Atlantic areas. Right now, we would be scheduled to go up there in August or October, and, again, that's flexible to those different communities. We will be working with the Atlantic States Marine Fisheries Commission, who has a lot more experience in the Mid-Atlantic and New England regions, to work to identify key communities up there, and, unfortunately, our Mid-Atlantic representatives on this AP weren't able to attend the meeting today, but, sort of anyone on the AP who has experience in the Mid-Atlantic and New England region, if you have any sort of thoughts about timing or communities to meet in up there, and I would certainly welcome that, but, again, we'll be working closely with the commission and with their experience up there in knowing key fishing communities.

MR. LAKS: Just knowing a little about the area, I would say you've got a pretty good gap from Cape May to Montauk, and I don't know if there is -- You know, I would have to talk to a few

people up there, to see really what's going on, but that's probably the biggest population center of the country too, and so go ahead, Thomas.

MR. NEWMAN: Yes, and I'm familiar with the eastern shore a good bit, and I fished out of Chincoteague, Virginia, and I do know that Spanish mackerel fishing -- Some of those guys have been doing that commercially for ten or twelve years, and it's not a huge fishery, but there is a group of three or four guys in Chincoteague, Virginia that fish. I do know, in talking to other fishermen that fish up inside the bay, and looking at charter boat pictures, there's a lot of Spanish mackerel being caught in the charter industry further up the bay, all the way through Maryland, on the bay side, and so you may consider something -- I'm not sure which side of the bay, but you might consider something in the bay.

MR. LAKS: Go ahead, John.

MR. MALLETTE: Just, real quick, I just kind of -- I know in my head, because I'm made the trip, but, if, obviously, four locations, the Wanchese and Hatteras, would be optimal for North Carolina, but just, quote, unquote, if it wasn't approved, Wanchese to Virginia Beach isn't horrible of a drive, and it's not that bad. I've made that trip a bunch of trips, mating from boat to boat and going back and forth, and so that's a possibility too, and, even though it's Virginia, you might get some of the North Carolina people, or, even, if you did both, if they couldn't make that one, because of fishing, because there's so much different fishing going on in Wanchese, and some of the Wanchese guys could probably make a Virginia one, being that it's at a different date. Just something to think about.

MS. WIEGAND: All right. Well, thank you, guys, very much for that input. That's all I was sort of looking for to get from you guys today for port meetings, but if there are any other, you know, questions about port meetings, or comments, I would certainly love to entertain them.

MR. LAKS: I just want to say one thing about the port meetings. I have pushed for them for a while, and so I would appreciate all of you guys helping out with staff, when it comes to it, and finding places, and getting people there, because it's something that I've wanted to see, and I'm glad it's coming, and I personally would appreciate the help that you can give to staff in making this a hit. Guys, we're not going to jump into the tournaments here, just before lunch, and so we're going to take lunch now, and we're going to come back, please, promptly at one o'clock, and we'll get into tournament sales, and let's go grab some lunch. Thank you.

(Whereupon, a recess was taken.)

MR. LAKS: All right, guys. We're going to start with tournament sales. I will turn it over to Christina.

MS. WIEGAND: All right, and so, diving into king mackerel tournament sales, this sort of all came about because the council received a number of public comments, at recent meetings, expressing concerns over king mackerel tournaments, in particular, and especially the sale of tournament-caught fish from those tournaments, and so one of the things they wanted is to get some information from the Science Center, which I will talk about in a little bit, but they also wanted to get some input, and perspectives, from this advisory panel on sort of the role tournaments

play in their fishery, both how it affects recreational fishermen as well as how some of those tournament sales affect commercial fishermen.

One thing, before we sort of dive into this discussion, that I want to note is how the tournament regulations are written in the CMP FMP, and so king and Spanish mackerel that are harvested in a state-permitted tournament cannot be sold for profit. However, they can be donated to a state or federal dealer, and then the dealer who accepts those tournament-caught fish then donates the monetary value, and so the sale price, or the cash equivalent, from the sale of that tournament-caught fish to a charitable organization determined by the state, and so the fisherman participating in the tournament donates the fish to the dealer, and the dealer then sells those fish, and then that money is donated, and that's the process that is outlined for king and Spanish mackerel on the Atlantic coast in the fishery.

Additionally, those fish are supposed to be handled and iced, according to HACCP, the Hazard Analysis Critical Control Point, standards, and they should be reported as tournament catch, to comply with federal and state reporting requirements.

There are a couple of questions here, but I will come back to those. I do want to note that I also provided some information on tournament landings from each of the states. This is information that was sort of compiled by the Science Center, in collaboration with each of the states, and then presented to the council at their June 2023 council meeting, and so I'm not going to go over it in detail, but I did want you to know that it is available in this document for reference. There is information from North Carolina, Georgia, and Florida. South Carolina does not record tournament landings, and so they didn't provide information on South Carolina tournaments.

In addition to all of that information, there is the presentation that was provided to the council by the Science Center at their June meeting, also provided for you, and this just provides some sort of additional background information on tournament landings and how all of that was gathered, and so, again, I don't want to sort of belabor the point on that, but I did want to focus on some of the questions that a council member had for you guys, sort of looking for you all to discuss what role king and Spanish mackerel fishing tournaments play in your community and then if you've noticed any changes in the number of king mackerel tournaments, or the popularity of those tournaments, over the last five years.

Then what is your experience with the process of donating fish from a tournament, whether, you know, you all are recreational fishermen who might be donating the fish or you are dealers who might be receiving those fish and then donating the monetary value of those fish to charity, and then, finally, a little bit of discussion of what sized fish are typically harvested during tournaments, and so, I guess, if we want to just start with Question 1, and you all can have some discussion on what role these tournaments are playing in your communities, both historically and now.

MR. LAKS: Go ahead, Thomas.

MR. NEWMAN: This one is a clarifying question, and, in the federal rule, I'm really wondering what "sale price or cash equivalent of value" is, and I was very confused in that wording.

MS. WIEGAND: So I will admit that I was not on staff when those discussions were being had, but, based on recent council discussion, my understanding is that there can sometimes be some

bartering with fish, and so if you were to maybe -- I'm thinking offer those fish to someone for something that wasn't cash, and you would be expected to then provide the monetary value of whatever it was you were exchanging those fish for to charity.

MR. NEWMAN: Were there any examples of that, or like giving the charity a house, or a car, or, I mean, that's kind of what I just heard, from what you said.

MS. WIEGAND: I believe it's the cash equivalent that's going to the charity, but I can look up and see if there were any specific examples listed in that amendment and get back to you.

MR. LAKS: Go ahead, Tony.

MR. BENEVENTO: I don't know of any Spanish mackerel tournaments. If there are, they're not real well publicized. Now, the kingfish tournaments, and let's use north Florida as a test case here, and they've been around for forty-three years, and I have fished in every one in Jacksonville since it began, forty-three years ago, and, at its apex, which was probably around the late 1990s, we were getting a thousand boats entering, and the payout was pretty significant then.

There was twenty-five places for big fish, and then there was twenty-five places for a five-fish aggregate. Due to environmental, and conservation, they reduced that five fish down to two, and everybody was in agreement about that, and it was kind of a big waste of fish to have five. The two days of tournament, in the late 1970s, and, more or less, the recession killed the kingfish tournaments, and they went from, as I said, a thousand boats to -- I think the 2008-2009 tournament was about 175, and the tournaments are now making a comeback, and, also, the poundage of fish has been reduced, because most of the tournaments that are now being performed are one-day tournaments, versus the two-day tournaments that we had in the past.

Participation is up, and the formats have been changing. In the beginning, or in the 1980s and 1990s, it was pretty much everybody was fishing. In the late 1990s, and early 2000s, there were teams coming onboard that had sponsors, and they were using very large, high-powered boats to run -- Basically, there were no territories, or there were no boundaries, and so the guy that was fishing in the twenty-one-foot boat, or the eighteen-foot-boat, single engine, he was at a big disadvantage to folks who were higher former commercial king fishermen to be their captain, and Clayton Kirby is a good example of that.

Clayton started out with Hydra Sport, and he went to Fountain, and he made himself a nice little living out of being -- I think he ended up with Fountain, as a vice president of sales, or something along those lines, but what happened is people, even before the recession hit, got tired of the larger boats basically running to where the bigger fish were, and the smaller boats never really had a chance then.

These tournaments now are becoming popular, because they're one day, and they have boundaries. The Jacksonville tournament has a north and south boundary of about -- Oh, I will say sixty miles from Mayport going each way, and it's probably a little more or less, and it has no boundary going to the east, whereas the tournaments that are now coming about -- There is two that have just formulated in the last couple of years, and they have north and south boundaries that are, you know, very reachable by anybody on a single engine or a smaller boat, and so it's really leveled the playing field significantly, and so, if you have a thirty-eight-footer, that's got five engines, and

ninety-miles an hour, you don't have any advantage over the guy that is, you know, out there with his single-engine boat, because, you know, they're all fishing the same boundary.

They also put a boundary of three miles, so that people aren't running out to the ledge, or deeper waters, where smaller boats really don't want to go. I mean, you know, it's one thing to run sixty miles on the beach than it is to run sixty miles offshore.

The tournaments develop a lot of revenue. There is hotels, gas, bait, food, entry fees, calcuttas, you know, people coming into town, and, yes, there are people who are buying a lot of boats, a lot of expensive boats, to target these big fish, and that's what they do. They target big fish, and so the numbers that were up here earlier I think are very low. You know, a ten-pound kingfish it said was an average, and that would be laughed off the dock, when you came to weigh it in, and so, while some tournaments encourage bringing in smaller fish to weigh, through the mystery weight, or tokens for a drawing, these tournaments are more interested in getting -- Well, two things. The boat to go through the weigh-in line, because then they have a crowd, and people are cheering, and your wife is sitting up there with her two kids, you know, saying, oh, look at dad, and he's weighing a fish in.

Now, you know, you probably know that you're not going to place, if you're putting a fifteen-pound fish up, and so you get your token, but it's really encouraged in that, and then the drawing is encouraging people to come to the awards ceremony, because, again, if you didn't win, or you didn't come in the twenty-five places, you're not going to the awards ceremony. Now, if you think you can, you know, get a drawing, because you have, you know, two or three tickets, or the gold item, then you might show up, but, basically, there are few guys in kingfish tournaments that are in the black.

I can tell you that I've fished them, and will continue to fish them, and I have no expectation of ever getting back the amount of money that we've put in it, and I've won, and placed highly, a couple of times, and, you know, it's just more of an ego thing, and, basically, bragging rights for your buddies for that year. After that, you're upside down.

These tournaments really are not going to go away. In fact, they're growing, and they generate a lot of dollars. I heard, earlier, somebody say, well, perhaps we could figure out a way, with bass, like bass, or redfish, tournaments do, and the only thing I can conceive of is if we did it through photographic evidence, and then, because of the competitiveness of this tournament, I think there would be people that would be very reluctant to look at photographic evidence.

MR. LAKS: Can I ask you a question, just to --

MR. BENEVENTO: Sure.

MR. LAKS: Did you say that they trade raffle tickets for fish? Is that what I heard?

MR. BENEVENTO: That's correct, in some tournaments, or they will have what they call a mystery weight, and what they will do is they will pick out 27.6 pounds, and anybody who had weighed a 27.6-pound fish will win a prize of some sort, and it might be a hundred dollars, or it might be, you know, a fishing rod and reel. Once you go past the first five places, you're upside down, you know, I mean, from what you've put in it.

Using the Jacksonville tournament, last year, they had 329 boats, 300 fish weighed, for a total of 6,100 pounds that they would have given to Gerald Pack at Safe Harbor -- Not given, but they were sold to Gerald Pack at Safe Harbor, which, you know, I'm sure the tournament abides by the rule of that it has to go back to a 501(c)(3).

MR. LAKS: Tony, I'm going to let Charlie jump in. He's waiting online.

MR. BENEVENTO: Okay. I've got one last point.

MR. LAKS: One last point? Okay.

MR. BENEVENTO: Just I see that, in my mind, we have three alternatives. The first alternative is let the tournies sell the kings to the local fish house. The tournies don't happen every month, but they do suppress the price in the market temporarily, and then let the market come back. Have the tournies donate the fish to a non-commercial entity, so that they don't get back on the market and depress the market, and perhaps the tournament can get a tax benefit out of that, and then, finally, weigh the fish and return it to the angler for consumption. I don't see how you could do a live-release. Done.

MR. LAKS: Thank you. That was very informative. We're going to go Charlie online.

MR. LOCKE: I was just going to hit on the first point, and I thought we were going down each point, but so there are no king tournaments north of Morehead, as far as I know, and I don't know if we've ever had a tournament north of Morehead, and I have a friend in the Gulf, and he's a commercial bottom fishermen, and they trailered the boat all the way from St. Pete to fish the tournament a month ago up here, and it, you know, the four big motors, probably a \$700,000 or \$800,000 Freeman, and it might be a million dollars, and I don't know, but it's a big, huge catamaran-type boat, but not only do they fish -- You know, as far as the community, affecting the community, we don't have any tournaments, but these guys are fishing out of Hatteras, where probably the largest king mackerel commercial fleet operates, and that they need to know is -- Like he mentioned, there might be a one or two-day tournament, but these guys came up here a week early, and they pre-fished every day.

They were pre-fishing, and so you know, it's not just the tournament days that these guys are out there fishing, and they are pre-fishing. The guys that are serious about it, they're out there, and, you know, they're pre-fishing, and they were on the bottom fishing for four or five days before the tournament started, and so, you know, it's having an impact not just the tournament days on the amount of boats that are fishing in the area.

They're live-baiting, and, a lot of times, they shut the kingfish bite down for the trollers on the hard tackle, which, I mean, that's neither here nor there, but, as far as the impact in the community, I want these people to understand that they're running from Morehead, and I don't think there's a boundary on -- I messaged my buddy to get back to me if there was a boundary in that tournament, and so they're fishing the bad bottom, which is southeast of Hatteras Inlet, and the tournament was either out of Morehead or Wilmington, and I'm not sure where it was at, but I don't know if there's a hundred-mile boundary, and I don't know what the boundary was, but I know they were going to all these Diamond Shoals towers pre-fishing, and so that's a long way out of Morehead.

These boats are doing seventy-knots, and they can do that if it's calm, but, you know, as far as the impact to the community, I want people to understand there is no tournaments, zero king mackerel tournaments, and so they're not going to add to the economy of Hatteras village, or Wanchese, because we don't have any tournaments here, and nobody is benefitting from it, but it's drastically affecting the commercial industry, on the sales and all that.

I mean, I will add some more on the sales, because I have some insight into what's going on, because there's a guy that sells to me fish house, as we get down the list, but, you know, I wanted everybody to understand that sometimes there's four or five pre-fish days ahead of these tournaments that is affecting the charter fleet that's out there fishing, and I don't know if people quite understand what's going on up in our area, but there's a lot more to it than just the one day or a tournament, or two days of a tournament. Thanks.

MR. LAKS: Thank you, Charlie, and I would agree with you. When the tournaments around our area happen, they pre-fish, and you've fished down in our area, and you know it's crowded enough, but, when you start getting a bunch of boats pre-fishing, it definitely impacts the charter and commercial fleet. John.

MR. MALLETTE: Like I said, I can't really speak for Florida tournaments, and I have personally fished a lot of king mackerel tournaments in North Carolina and South Carolina, and I've fished some in the Gulf, Biloxi, just with friends of mine that fish the SKA and things of that sort, and what I can tell you is -- I was just kind of like them, and I was starting with the first question, but it seems like everybody kind of went all the way through, but, as far as my community, where I live, I mean, outside of, you know, supporting the Rotary Club and things like that, a lot of it is not really charitable organizations that is putting these together.

It's like a lot of things, and they will say it is, but it's really just somebody is putting up the money, and, you know, it's kind of like a pool, and, however many entry fees they get, they put the prize structure out and then pocket the rest, and that's just how it is, but, as far as fishing goes, I agree with Charlie that the pre-fishing is big. A lot of people pre-fish and catch a lot of fish. However, I feel like the biggest issue here isn't going to be regulating the fishermen, and you're going to have to somehow federally involve, to where, if these tournaments are going to take place, there needs to be standards set in place for the tournament structure, because that's the only way you're going to make changes to the structure and regulate the tournaments and not fishermen.

The fishermen are going to do what the fishermen are going to do, and we'll talk about that later, but, as far as tournaments go, regulate the tournaments, and it's just like Charlie said, and nobody fishes up above Hatteras, and that's true, until you tell them they can't. Well then, guess what? Somebody is going to have a tournament out of Oregon Inlet, and then they're still going to be fishing the same places, and so they will come up -- They're going to make it happen, unless you put like a slot limit, or something like that, because it is possible.

It's harder, but this a competition, but it is possible, because I've done it in Biloxi, where forty-pound kings are babies, and we would literally sit there and cull them, and, yes, some die, but, I mean, we're not using treble hooks, and we're using j-hooks, and you're doing -- You can -- There is ways to do it and not have as much mortality with the fish. You're going to have some, and that's fishing, but I think there's ways, if people put their heads down and figure out something

that could be regulated for these tournaments, to kill less breeding-sized female fish, and still, you know, have a tournament go without the pre-fishing and not affecting as much the commercial industry, and so I really think the key is going to be restructuring tournaments and everybody putting their heads together to figure out what would be best for the fishery that way, from that direction.

MR. LAKS: Will.

MR. JONES: I think, under the current scheme of being able to sell the tournament-caught fish, and it's not doing anything but making the commercial guys lose out and promoting conflict between user groups, and I don't think that's anything that any of us want to see. Any way to prevent those fish from the tournament -- To prevent them from hitting the market would be preferable. Anyways.

MR. LAKS: Thomas.

MR. NEWMAN: I'm going to just go with Question 1 right now, you know, just to keep everything in order, but my home port is Hatteras, and that's where I fish out of. That's where I've fished out of solely for the last three years, I believe, and I rarely leave there anymore, but, as far as the role that the tournament plays in your community, it plays a big part in Hatteras' community, but it's all a negative benefit, because none of these tournaments are ran out of Hatteras, like Charlie said, but, when I'm going out, I see those boats coming up the coast from Morehead, or Wilmington, or Southport, and they are screaming by the fish, the same area that the commercial guys, and the charter/for-hire guys, are fishing out of Hatteras.

Another important thing that's happening is the tournament sales of these fish is playing a huge role in the commercial market, driving prices down, and our commercial season has just begun, and we saw a 75 percent price drop in a four-week period, and our landings were not great, and the commercial landings were very low, and it was a very slow start to our season, but the tournaments have been really hopping, in the southern part of our state, and I'm still collecting data from our state, but I really think the tournament landings are going to be very comparable to the commercial landings during this time period, and, also, I have documentation, from our state, that shows that tournament sales, the last two years, in the State of North Carolina, were 10 percent of the commercial landings, and it averaged 10 percent. It was 12 percent one year and 9 percent one year. The tournament landings, even though it's a small -- Maybe not a big poundage, but it's a very big percent of the commercially-caught king mackerel in our state.

MR. LAKS: Steve English.

MR. ENGLISH: One thing different in our area too, and I'm sure you know, Ira, is a lot of the guys that fish the tournaments have kingfish permits, and so they're very efficient, and our tournaments are like a lot of one-day tournaments for small boats, and you're in a fairly contained area, but they'll just go fishing that day, and they will keep everything they catch, and they might catch twenty or thirty fish, but they sell that catch, and then, if they catch one big enough, they enter it in the tournament, and so, you know, you may want to do something to where, if you fish in the tournament, you're not allowed to use your kingfish permit to sell the catch.

MR. LAKS: So a few things from my perspective, and the role in the community, and I used to charter for quite a few what we would call, in my area, KDW, kingfish dolphin wahoo, tournaments, and it was a community tournament, right, and like I would take my good charters out, and they would, you know, get the sandwiches and come on, and my neighbors would fish it and call me the night before, and where should I go, and the top prize was like \$2,500, right, and this isn't a make-or-break, but it's just more of a fun thing to do, and they had the little party the night before, and the after party, but what has happened, recently, is that, you know, like Charlie said, the big four-engine, forty-foot boats are now all fishing these tournaments, and it's not because they're fishing for the \$2,500 right, and that wouldn't even cover most of their fuel, but they all bring private calcuttas into it.

There is all these giant side-beds, and so now I can't compete with a crew of six really good fishermen, who fish every weekend in the tournament, and, you know, I'm more worried about my customers burning their thumb off when they get a bite, right, and so it's not -- It's just not an equal thing, and so I don't even think about doing a tournament anymore, because I just know that I can't compete, that it's no longer a community-based effort, and it's a money thing, and it's a pure money thing.

I have noticed that there is more tournaments, right, and they might not be as big, but there's a lot more of the traveling tournaments, and the circuit series going around, and I think it's just a different dynamic, right, and the boats are so much bigger, the sponsors, the money, and it's just become -- I mean, the Discovery Channel has a TV show for kingfish tournaments, and it's all over YouTube channels, and it's big business, right?

As far as the sale of fish, first, Tony, when you were saying about trading raffle tickets, to me, that doesn't go with the way the rule is written in the CFRs, because you're making two sales, right, and, if you're trading -- That means the tournament is actually buying the fish from the customers, because trading a raffle ticket is bartering, and that's against the rules anyway, and you can't barter, and so, if I'm a tournament, and I'm trading you a raffle ticket for your fish, I'm essentially purchasing fish from you, and then reselling it, and so it's a double sale.

Another thing is, you know, we've heard, in public comment, and we've heard, you know, Thomas and Charlie say that, you know, it can affect the price. If you're a commercial king mackerel fisherman, and say you've got 3,000 pounds of fish in for the week, and these fish hit the market, you know, and knock your price down -- Even at fifty-cents a pound, that's \$1,500 that comes out of your pocket, and every other commercial fisherman in that area.

That's who ends up paying the check that goes to these charities, right, and that's where the money is coming. It's coming out of their pockets. These tournaments have major sponsors, and major companies, and major giant calcuttas that they can offset that expense. If they want to donate more money, let them take 10 percent of the calcutta and give it to a charity, or let them take 10 percent of the entry fee, but the fact that it would go against the market, and hurt a commercial fisherman -- I mean, maybe they should -- All the sales, they should divvy it up, and it should go to everyone with a king mackerel permit, but it just shouldn't be a commercial fisherman paying out of his pocket for the reduction in price they get for those fish hitting the market.

Again, Tony, I agree with you, right, and they bring a lot of revenue to a town and all that, and that's further reason why they shouldn't be sold. Everyone is making money on it, and commercial

king fishermen are losing money on it, and it's just not fair, and it's just really just a bad practice, and there are other ways. There are, you know, food charities, church groups, and it might take a little more effort, but commercial fishermen shouldn't be paying for that donation. John.

MR. MALLETTE: I just wanted to throw in one point, and I was listening to Steve, and, again, I can only speak for what I've witnessed here in North Carolina, and he was talking about the guys with the king permits that are loading up with kings. Here in North Carolina, and they started this recently, when they put size limits, and bag limits, on bluefish, and there are a lot of these tournament guys that like to use big bluefish for bait, and so they're limited on how many bluefish they can put in a live well, and so they can't have more than their recreational limit, but what they've done is, even though you have a federal king permit, you can't have -- If you're in the tournament, you can't have over a recreational limit of kings onboard the boat, and so maybe that's something that could be spread around too, to kind of offset how much money they can make, if they can't have but so many kings on the boat, and can't sell but so many, or if there's a way -- It's just like anything else, and there's ways around it.

You know, you don't have a lot of law enforcement to actually enforce the laws, because I know, for a fact, of guys that have king permits, and their buddies come drop kings off at their house, and then, a few days later, one guy is rolling up with a bunch of fish, and so there's ways around it, but I think that would help some to -- You know, whatever your state -- If you're going to fish a tournament, only a recreational limit onboard, whether you have a federal permit or not.

MR. LAKS: Thank you, John. I've got Charlie online.

MR. LOCKE: Okay, and so that's my question. You know, every other fishery I'm in, you can't sell a recreationally-caught fish. You can't sell recreationally-caught snapper grouper. The charter boats out of Oregon Inlet can't legally, and I will just say that, and that's all I will say, but they can't legally sell their mahi, and their tuna, to the restaurants that the charters caught, because it was on a charter, and it was recreationally-caught, and so that would be my question in this, is, if you have a federal mackerel permit on one of these go-fast boats, aren't you recreationally fishing, if you're in this tournament?

At one time, there was -- Because, in the bottom fishery, when I was a kid, you know, we would take four or five guys, and then, one time, they were like, well, if you have more than three guys, you're considered charter, and there was some discrepancies, at one time, about how many guys you have on your boat, and whether you were charter or commercial, and so I would ask -- You know, to stay on this same subject, but is there a -- Has the South Atlantic Council looked at a tournament -- If you're in a tournament, fishing a tournament, is that recreational fishing or commercial fishing, because, you know, some guys would view fishing a tournament as commercial fishing, because you're actually fishing for money, and then there goes the whole issue with the safety gear and all of this and that.

You know, what are we calling this, but, if we're calling it recreational fishing, then, even if you have a commercial permit on your boat, you have chosen to go recreational fishing that day, and you're only allowed the recreational limit. I don't know if the council, or the tournaments, look at it as such, and I would like to know, you know, some comments, maybe from some of the guys that participate, and how the tournament views that. Thanks.

MR. LAKS: Charlie, the amount of people on your vessel is if you're dually-permitted with a charter permit and a king mackerel permit, and so, in the king mackerel fishery, if you have both a CMP for-hire and a commercial king mackerel permit -- If you have more than three people on your vessel, you're considered charter, and snapper grouper, I believe, is four people.

The problem is, if they don't -- Even if they're considered recreational fishing, right, and, like you said, the pre-days, or who is checking them, right, and if it's not -- You know, if law enforcement pulls them over offshore, there is nothing to say we're in a tournament, and it would have to be the tournament that would check them, right, and so that's where the problem becomes, and these guys just walk a bag of fish up to the dock, and no one from the tournament goes and looks in their boat. Thomas.

MR. NEWMAN: I wanted to address Question Number 2. I'm not sure about the popularity of king mackerel in general, but the data I've collected from our state has shown a decline since 1999 of commercial landings, an overall decline, and the last five years of tournament sales, in that time period, have produced the second, third, and fourth largest landings in that five-year time period, and, when you start looking at the percentage of those tournament sales, compared to tournament landings, tournament sales compared to commercial landings, you've got the first, second, fourth, fifth, and seventh highest percentages in the last five years, and so that percentage is going up very quickly against the commercial landings, versus tournament sales, in the State of North Carolina.

MR. LAKS: There is one other thing that I forgot to mention, and I think Charlie had mentioned before, is the standards of how these fish are handled. I sent a video to staff of a tournament that happened in North Carolina just the other day, or last week, and they're literally taking them off the hanging scale and just throwing them on the ground, on the concrete pavers, where people are just walking over the spot, and it's just really --

I mean, if you were to do that in a fish house, they would shut you down, and to think that those fish are going to market, and, if someone got sick off of those fish, it's in the general marketplace, right, and it's not going to be that, oh, the tournament got them sick, but it's going to be, you know, a fish that went from a commercial fishery, and the commercial fishery is going to get blamed, and not the tournament, and so they don't have to follow the restrictions with those fish. As a commercial fisherman, it takes a lot of work to keep your fish right, and to take care of that, and, when I see fish just thrown on the ground, where people are running around -- That's just hard to take. Thomas.

MR. NEWMAN: I will follow-up on that HACCP concern, because the dealers buying these tournament-sold fish are also buying commercial-sold fish, and, if this is sent to market, and someone were to get sick from these improperly-handled fish, even though it wouldn't directly come back, that would be advertised, in the news, as a North-Carolina-caught fish, or a Florida-caught fish, and it wouldn't say that it was a tournament-caught fish, and it would indirectly affect the market, through negative PR, when somebody gets sick, or killed, from some of these fish that were not handled properly.

MR. LAKS: Tom.

MR. ROLLER: We had a really good public comment yesterday, kind of in regard to this, and they brought up a lot of the other tournaments in North Carolina, talking about how they promote

conservation. What always comes back to me on this, and we could talk about the math, and we could talk about mishandling of fish, which does really resonate with me, but what about the cultural aspect of a recreational fishing community, right, and like we don't -- Like, with the Big Rock Tournament, they're not selling the dolphin and the wahoo and tuna they bring in, right, and so -- I guess, when I look at this, that's where I always scratch my head, and like why is this different than all these other tournaments? We don't sell redfish from redfish tournaments, and we don't sell trout from trout tournaments, and so I guess that's what I question. I guess my question, for the AP, is what your thoughts on this as a cultural component of recreational fishing, right, and like, if we're trying to promote a better culture of conservation, and so that's my question for you all.

MR. LAKS: Well, Tom, I would answer that it gets back to the respect thing about the fishery, right, and it's an overall disrespect for kingfish, right? They're there, and nobody treats them right, and, you know, that's part of it. You know, another thing that's been said, in different ways, is that a lot of these fish, in these tournaments that get sold, are not counted, right, and, I mean, Florida -- I don't know if you have that slide, but it's a ridiculously low amount of permits, and I guess that would be east coast permits, because I have a little different number for the total.

I could tell you those are not -- There is more tournaments, and more fish being sold, right, and I know that's anecdotal, right, and I know I'm just saying it, and I've seen it, and I don't have a video of some guy doing it, but Steve would back it up, and I'm sure he's seen it, and, actually, last year, in the June council meeting, one of the council members, who was officially part of the West Palm Beach Fishing Club, he said, right in the minutes, that the way they did was they had a guy with a permit come up, and they threw the fish in the back of the truck, and they went and sold them.

Well, that is falsifying a federal record, right, because, when you go to fill your logbook out, and you put that you commercially caught those, that's a felony, right, and you're falsifying a federal record, and the fact that, you know, a council member said that happens -- That needs to be taken into -- That this is more common, right, and these numbers here, we can assume are the minimum of what's going on and not what's really going on. I think -- Thomas, were you first? Thomas, Steve, and then John.

MR. NEWMAN: I was just going to answer to kind of what Tom was mentioning for the community aspect on the recreational fisheries, and I think that's what has kept this stuff here for so long, is because it is a long-standing practice of selling these fish. Like you said, some of these tournaments have gone on for forty or fifty years now, but we've also had other things, like driftnets for pelagic species, that we have ended. We knew those practices weren't good, and we have ended those, and so the historical role on what some of these play need to be -- You know, it doesn't need to have a say in whether or not we continue this practice.

As I've noted before, commercial landings are going down, and I think the stock assessment also has shown that the king mackerel are doing as good as what it has been in the past, and these tournaments do harvest a lot of large female fish that aren't caught traditionally from the commercial side, because we target, you know, the fifteen-pound fish that the market desires, and so, I mean that is what I think is holding this together, the historic of what's going on, but that doesn't usually work for the commercial industry.

MR. LAKS: I'm going to let Tom just jump in, real quick, and then we'll go to Steve and John.

MR. ROLLER: So that's a very good point, you know, and like we look at like the past culture of what we did, and, I mean, forty years ago, my dad would go king mackerel fishing on charter boats, and they would sell their catch, but we don't do that anymore, and that's illegal, but my question is more along the line of let's look at the future culture of recreational fishing, right, and like we're having this kind of one-off, and it's mostly a Florida and a North Carolina thing, right, and this one-off thing that we allow these sales, and like how is that contributing to a conservation, or lack of a conservation, culture in some of these fisheries, and that's kind of my question, and like looking forward, right, and not necessarily is this based off of a long tradition, but like let's look at that future tradition, or what it looks like for just general conservation.

MR. LAKS: Well, I could just jump in, real quick, and say raffle ticket trading for fish is not part of conservation. I've got Steve and then John.

MR. ENGLISH: It sounds, to me, like that, if you were to stop the sale of the tournament fish, it would not affect whether the tournaments keep going or not, and that has no effect on whether -- We're not going to hurt the tournaments. Maybe one or two who are doing it for profit, by selling the fish, and you want them out anyhow, but the main tournaments that have been going on and contributing to -- They contribute to the communities, and they will still go on, because that's what it sounds like, that it's for the prestige and not the -- Not selling the fish, and so, to me, if you made a rule, to where the fish had to strictly go to a charity that uses the fish, and it doesn't put them on the market, and there's no way that the fish ever -- And had to verify that the fish do not go to the market, that these fish are given to charitable organizations that utilize the meat, utilize the fish, just like they would a deer or anything else that they give to then, and have it to where the tournaments -- They could only give to those certain organizations, and I think that would be the way to go, and I don't think it would affect the tournaments. It wouldn't affect us, and everybody would be in pretty good shape, and we would all still be good friends.

MR. LAKS: I have John, Will, and then Charlie online.

MR. MALLETTE: Kind of hitting on what Tom said, and I will go back to what I said, and I know that Tom wasn't here yet when I said it, but this falls right into what I said earlier. This is a competition, right, and you don't have to sell the fish, number one, and you can do a slot limit, or something, if you wanted to, because, even if you were going to sell the fish, unlike 90 percent of other commercial fish, king mackerel -- The bigger they are, the least desired they are on the commercial market, and so there's no need for a bigger fish, like tuna or anything else, and, if you -- Like I said, down in the Gulf, when I went and fished the tournaments, that was the first time I saw -- Me personally, that's the first time I saw guys leaning over and grabbing kings by the tail, and getting them on the boat, and releasing them live, because, here, everybody is like put a gaff in it, put a gaff in everything, and just fling them in the boat.

You don't have to do that, and I think that mentality comes from like when Tom was talking about a cultural thing, and I'm going to just use this terminology, because that's how I call it, but the king mackerel tournaments are just a redneck version of the Big Rock, and that's literally what it was, because all these guys, these construction guys, when they see the Big Rock, and they see these multimillion-dollar boats, and these big prizes, and we want to do that, but we can't spend \$100,000 in fuel and dockage and all that, but I can spend \$20,000, or I can spend \$10,000, and so

then that's what they do, and then they're like, oh, well, we'll have a pissing contest, and my boat goes five miles faster than yours, and so we're going to race, and we're going to run up there to these giant fish, and that's what it is.

You can take that out of it and not hurt the tournament, but you actually build more competition, which should make the tournament better, and, again, it's a competition. If you ain't better than this guy, figure it out, and, you know, you don't have to have treble hooks, and you don't have to do that, and it's like I tell guys. On private boats in Bermuda, the wahoo fishing over there -- It's like catching kings over here. We catch them all day long on circle hooks, left and right, and we can do that with the king mackerel, but you've just got to make them willing to try and figure it out.

You can do it on j-hooks commercial fishing live bait, and the boys in Florida -- You all are using j-hooks, and you can dehook a fish. It can be done, but you just have to change the culture, and, yes, it's like anything else in seafood, and you get old people, and old people don't want to -- They are stuck in their damn ways, but you've got young people coming up that's doing it, and they will be willing to learn, because they've got years to figure it out and to build-up their name that they want to have, and so it can be done, but you've just got to be willing to do it. The tournaments are going to make their money regardless, because the sponsor money comes in, because everybody and their brother has got a new center console coming out that keeps going up another ten or twenty-grand every year.

I mean, they're working on a thousand-horsepower outboard right now, I guarantee you, because this is where it's going, and so money is not going to be an issue, and, if somebody sells they can't sell fish -- If not being able to sell fish is going to hurt them money-wise, it's just a load of crap.

MR. LAKS: Will and then Charlie.

MR. JONES: On what Tom said, or the question he asked about how it's affecting the culture of conservation and allowing the sales of fish in the tournament, it's having the opposite effect, you know, and it's not providing any incentive for anglers to release any smaller fish they catch during the tournaments, and so, you know, I think that's a bad thing for the future, and, speaking of the recreational sector and conservation, that's not the direction we want to go either.

MR. LAKS: Charlie, go ahead.

MR. LOCKE: I heard back from my buddy, and he said that that tournament, the last tournament that those boats up off of Hatteras, it was out of Morehead, and there was no boundary, and so you have no boundary in that tournament, and that's why you saw boats all the way up there fishing the bad bottom, right where everybody was trolling.

You know, I want to go on the record too, and I am not -- I think these tournaments are great for the communities, and they're great for the -- But, you know, if you look at the Big Rock Tournament, since somebody brought that up, when the Big Rock Tournament started, it started out with a wheelbarrow full of silver dollars, and they had no sponsors, and so, when these king tournaments started out, it was the same thing, and they thought, hey, this will help the charities, and let us sell these fish, and I forget the gentleman's name, but he said they had been going on forty-some years, and so I think that it's just the fact that, you know, they're so big now, and, like

everybody says, there is plenty of sponsors, and there's plenty of money involved, and I think the tournament sales have just been going on for so long, and it's just been swept under the rug, and nobody has paid any mind to it, but now it's really starting to affect the commercial, you know, industry, and I think it's an easy fix, if we look into how to do it, but, you know, we'll move on down the line, and I've got some more information about the sale of these things, but I think that we've just got to eliminate tournament sales completely in these tournaments.

MR. LAKS: Tony, go ahead.

MR. BENEVENTO: If you eliminate the tournament sales, it probably is not going to break any of the tournaments. Again, I use Jacksonville as an example. It's 6,000 pounds of fish, and what is that, at five-bucks a pound, something like that, and it's \$30,000, and I don't know what their budget is, but I've got to believe that that's not going to break the tournament.

What I would like to counter though is that, one, not every fish gets gaffed. You don't gaff a ten-pounder when you've got a forty in the box, and that tournaments generally are conservation-minded. I can't say that for all of them, you know, and I don't know all the tournaments up and down the coast, but what do you propose to do with a fish that's weighed-in now? That's why originally the Jacksonville tournament used to have big fish fry. Well, guess what? They caught too many fish to just have a big fish fry, and so, when people weigh-in fish -- I think the last thing we want is a dumpster full of dead kingfish, and so, you know, again, what I said is you can return them to the angler, but most of the tournaments that I've been in say the fish are the property of the tournament, and so one of the things is you weigh your fish, and then, you know, they give you a ticket, and you take your fish home.

Now, whether that angler, you know, fries it up or whatever, that's up to him, or her. You know, the other alternative is to somehow guarantee that it will stay out of the marketplace and go to a - - You know, a food kitchen, and that's going to be real hard. I mean, a tournament may do it on its own, but how are you going to write that into law, or even a recommendation? The third is, like I said previously, you know, just write it out, which I don't think this council is much in favor of.

MR. LAKS: Well, I would agree with some of the points you're saying, right, and, with a little due diligence, I'm sure the tournament can find a food bank, or a church, or some institution that would handle the fish, and it's not, you know, terrible, and the reason they keep the fish is because they're going to sell it, right, and there is no reason that, if you want to eat the fish, that you should have to give it to the tournament if they weren't going to sell it, right, and you're taking the money out of it, and so I think a combination of if you took the sale away, and your tournament wouldn't have to take every fish, and you did a little due diligence and found a charity that doesn't have to be a monetary donation, and feeding people is just as charitable as anything else, that there are several institutions that you can get that fish to hungry people, or advertise it in the neighborhood, to come down and get a slab of kingfish, right, and, I mean, those are all -- You know, charity starts at home, right, and so those are all viable options. I think Thomas raised his hand, and then John.

MR. NEWMAN: I guess we're kind of getting onto Question Number 3, but, as far as the token thing goes for fish, I do know that there's some tournaments in North Carolina that do that as well, that hand out tokens, or raffle tickets, for fish brought in that don't qualify to be, you know, big

enough to win the tournament, but, yeah, I've got a lot of stuff on the donating the fish, and it just -- It cannot be going into a commercial market, and that's just -- It's messing the market up, and I have heard, from multiple individuals pretty close to me, that a lot of these fish are being sold twice, and the charity is not getting the full monetary value of these fish.

There is very few dealers in North Carolina that are buying these fish, and it's under ten, most years in North Carolina, and somebody has got it figured out, and a lot these tournaments -- They don't know the market, and they're coming from Greensboro, or they're coming from Raleigh, and, even if they live in Morehead, they're not interacting with the king market every day, and so, if a dealer comes up and says, hey, I will give you two-dollars for those fish, they're happy.

Every dollar for a charity is a dollar for charity, and that's great, but, if that dealer is taking that fish and buying it for two-dollars, and then he's turning around and selling it for five-dollars, the dealer is making more money than the charity, and I've got a huge issue with that, the way this law is written in the Federal Register, and the way it's done at the state level, it's really difficult to find out if this is being prosecuted properly.

I talked to law enforcement officers, on the state level and on the federal level, and they say they know that something fishy is going on, but it's really hard to make something stick. There is so many moving parts in this regulation, and this regulation is so gray, that it's really hard to even put your hands on it, and there is no black-and-white in this, and that's where I've got a very big issue with the sale of these fish.

MR. LAKS: I think I had John.

MR. MALLETTE: Real quick, I just want to clarify something that I said earlier, because I know Tony said something, and I was being a little facetious about the whole -- I was kind of falling into like Ira's thing about kingfish not having the respect that other fish do, and, I mean, if you kill a sailfish, and I've done it before, because it tastes good, you know what I mean, but, if I kill a sailfish, I'm going to be lynched when I got to the dock, by being seen with a sailfish at the dock, and so I just think, with king mackerel, what I'm saying is people don't care about them like billfish, and even other fish, and, yes, I know people don't gaff a ten-pound king, but, just like you said, the mystery fish -- How many guys do you know that fish a tournament, and they go catch a forty-five or fifty-pound fish, right at daylight, and they're still fishing all day long, to be the last one to run in, and so they're going to catch another fish or two, because they might get that 27.6, and that's still more fish that's being boated that didn't have to be, you know what I mean? I think, if you take some of that out, and put more respect, and more conservation, on the fish, and take some of those things out of the tournament structure, and then, at the end of the day, just quit selling.

MR. LAKS: Chuck, go ahead.

MR. GRIFFIN: I just wanted to make a point, and, with some of what we've basically gone over, is not only -- I can't see a win either, unless we do something about it, but, first of all, the king mackerel tournaments catch the fish, and the fish they catch are the big fish, which are also the least-desirable fish, which, when you do sell it, it lowers -- They get a lower price for it, which then fills the market, and the commercial guys can't get a good price for it, and then the people that buy it also get a lesser product.

Just in that monetary respect right there, none of that works, and so I can't see any bad side to stopping this king mackerel sales, and usually, if you do catch a fish, they make you take it home, and you've got people -- I know plenty of people that take the fish, because, many times, they'll have a charter, and they left a fish, and I can easily get rid of a kingfish, you know, and so it just makes sense to do it, and so that's kind of just what I wanted to say my two-cents on that.

MR. LAKS: Go ahead, Charlie.

MR. LOCKE: I want touch on Number 3 too, but, first, I want to, you know, go back to, if you give the fish back to the -- You know, you weigh a fish, and it's returned to the fishermen in the tournament, and that should be one rule, and, you know, I guess that's the only way you could address it, if people are talking about -- You know, worrying about dumpsters full of kings, and, I mean, if they caught the fish, they should be a responsible enough angler to fully utilize it, and they know that they can't -- You know, they know that, if they kill it and weigh in, they're going to have to deal with it, then maybe that would make them fish a little bit smarter, as far as the tournament goes.

As far as the sale of these fish, I'm not going to use any names and all that, but I know of a dealer that drives around, and he buys these tournament fish, down in Morehead, and he drives them all the way up here to Wanchese to sell them, and he does this every year, and he's a dealer, and, you know, I don't know what's going on. I have never talked to him, and I've never asked him, and I'm not -- You know, I'm not going to get involved in that part of it, but I think it's a lot of what Thomas says.

He may be just -- It may be guys that don't even have king mackerel permits, and this is my concern, because, as a snapper grouper fisherman, I know the money it cost me to buy my permit, and I know the rules and regulations that I have to abide by, and I believe a lot of the fish he's getting are from recreational fishermen, because, every now and then, there's an amberjack or two in the box, and it ain't thirty-six-inch to the fork, and I will just put it that way, and that's what a commercial amberjack has to be to the fork, and it's under thirty-six inches, and so the recreational is a twenty-seven-inch fork and bigger, which tells me that was a recreational fisherman that caught that fish, and he just didn't know what he had, and the dealer was like, oh yeah, I'll take the jack.

It's kind of like, you know, for one, they shouldn't be buying a recreationally-caught fish in the first place, because that's just -- You know, this is that loophole that's created with these tournaments, but I'm not sure who this guy is, if he's a dealer or if he just has, you know, say a king mackerel permit and he's buying -- Because he comes up with about 3,500 pounds, and he comes up with like a limit of kings in his truck, in a vat, and so I don't know what he's doing.

I don't know if he's buying these fish, and like they were mentioning that the -- The guy down there mentioned that, hey, we just throw them in the back of a truck with a guy that's got a permit, and we sell them, and, you know, is he giving these guys a dollar, and that's what is supposedly getting wrote down as the donated value, and then he's coming up here to Wanchese and getting five-bucks, because he knows that my fish house has a really good market?

It's kind of like I don't know what's going on there, and it's never really been looked into, and I've never really asked a lot of questions, but I believe that a lot of these fish are being -- You know,

they may be fish that are being purchased that guys are catching on these practice days, and that's -- Therefore, that's the whole thing of how do you enforce it, but, if a guy is pre-fishing, and he's catching, you know, his limit of kings every day, for five days ahead of the tournament, I mean, obviously, he's not putting them in the freezer, and maybe he's giving them away, but is he coming in and selling those, you know, ten or twelve kings every day, and this guy is putting them in his vat?

I also feel like these fish aren't near the quality, and I will say this to you guys, and I've seen these fish come out of these vats, and they are very low quality. They're soft, and they've got gaff marks in them, and they have been held on ice for two or three days sometimes, and I'm not sure if they've even been gutted, you know, until maybe a day or two after they were -- You know, because, obviously, they're not gutted when they weigh them for the tournament, and they're very low quality, and so, therefore, you have a very low-quality fish going against a fish that's taken well care of by a commercial guy, with all the quality controls, and it's a two or three-day-old fish by the time it gets to this fish house, and that I think, personally, is what is hurting the market, as much as anything, is just the very low quality.

I don't know, and something has got to be done about it, and I see it first-hand. I mean, I see it first-hand every year happening at my fish house, and, I mean, it's nothing the fish house -- The fish house is legal. The fish is legal in doing what he's doing, and he's buying these fish, and it's somewhere in the middle, or somewhere down south, knowing how the transactions are taking place, that nobody knows about, and that's where the big question lies, to me.

MR. LAKS: Thank you, Charlie. I've got Thomas, and I think, as far as the sales go, I think we all sound pretty much of the same opinion, and so if someone wants to make a motion, or a statement or something, I think we pretty much have covered what we think about sale, and so, Thomas, go ahead, and then if someone wants to make a motion after that.

MR. NEWMAN: I was just going to make one more point on the sales aspect. We mentioned, earlier, that the market will recover, but the market drops overnight, and it recovers over a long period of time, and our guys are tied-up right now. Our guys won't go fish, because the price is so cheap, and so that is, you know, a lot worse than what Ira was talking about of a fifty-cent drop. I mean, we're not even fishing, and this is our time of year when we're making -- You know, it's the make-it-or-break-it time of year, and, with us playing with weather, and playing with fish prices, and we might get another opportunity to recoup these days that we're staying at home because the market is busted, and so that's another big issue that I felt like I needed to bring up for our community in Hatteras, but I will make a motion, if you're ready.

MR. LAKS: Go ahead.

MR. NEWMAN: **I will make the motion to end sales of tournament-caught fish.** I welcome any addition or wordsmithing.

AP MEMBER: Second.

MR. LAKS: Go ahead.

MR. BENEVENTO: I think you need to expand that, since there's already a ban of tournaments selling commercial -- What am I saying? The sale of tournament-caught king and Spanish mackerel, they're already not allowed to sell, is what you said earlier.

MS. WIEGAND: So how it works right now is that the tournament donates the fish to the dealer, and the dealer sells those tournament-caught fish, and then the cash value of that sale is supposed to be donated to a charity, as determined by the state.

MR. BENEVENTO: That's why I think we need to clean this up, because what you just described I don't see as being prevented by this.

MR. LAKS: I think it would, because it would just end any sale, right, and you couldn't make a sale of it, and so like no other fish can you have a sale of, and you can't do it for dolphin wahoo or any of the snapper grouper species, and so, if you just ended it -- It's just particular to king mackerel and Spanish mackerel, and so, if you said you end the sale of tournament-caught fish, it would cover all transactions within the fishery.

MR. BENEVENTO: Because the tournament is donating the fish, and then it is being sold by the fish house, and the fish house, in turn, gives a donation back to the kingfish tournament?

MS. WIEGAND: No, and so the monetary value of the sale is not legally allowed to go back to the tournament to support the tournament, and it must go to a designated charity, as determined by the state, and it cannot go back to the tournament.

MR. BENEVENTO: Okay, and so how does the tournament get the revenue?

MS. WIEGAND: So the tournament is not supposed to get the revenue from that sold fish. It goes only to charity, and it is not allowed to be used to cover tournament expenses.

MR. BENEVENTO: Some of the tournaments have a 501(c)(3) connected to them.

MR. LAKS: I think that's one of the reasons that we're objecting to it, is that there's ways to funnel it in different areas. I mean, I can make the Cat Myra Hungry Fund, right, and, I mean, so the --

MR. BENEVENTO: As long as you qualify as a 501.

MR. LAKS: I'm going to go Chuck, John, and then Thomas.

MR. GRIFFIN: Also, why don't we prohibit tournaments from taking the fish from the anglers, and the anglers are responsible for their fish, and the tournament is not allowed to have them, and that would eliminate it getting there. That way, we could stop -- Where a king mackerel does not end up the property of the tournament.

MS. WIEGAND: So it's specified -- I'm not sure how it's outlined in the CFR, but, in the amendment that addressed this, it notes that the charity that the money is going to is supposed to be determined by the state, and so it's the State of North Carolina, the State of Florida, that's determining which charities the monetary value from the sale of the fish should be going to.

If the state determines that it's the charity that's associated with the tournament -- It seems like a gray area, but it is specified that the sale of the fish is not meant to be used to be paid for tournament expenses, and so then you're sort of dictating what the tournament-associated charity is using that money for, and so I would say, ultimately, determining what charity, or what charities, that money can go to falls to the state and not to the federal government.

MR. LAKS: Chuck, were you asking if we can ban the tournament from mandatory taking the fish?

MR. GRIFFIN: Or just they do not have property of the fish, and they are not allowed take the -- The reason that --

MR. LAKS: Is that in any way in our purview, or would that be a state thing, to say that the tournament can't demand the fish?

MS. WIEGAND: That's a question where I wish we had a lawyer online. I am not sure whether the --

MR. GRIFFIN: It shouldn't make the tournament money. It's generated, you know, in the entry fees and all that, and that should be part of the charity.

MR. LAKS: I can bring that up to the council and, you know, see if --

MR. GRIFFIN: I'm just trying to figure out a way to prevent it from happening, and that's all.

MR. LAKS: I have John, Thomas, and then Steve.

MR. MALLETTE: Two quick things, and I guess one is probably going to end up being another motion, but, in the tournament sale of king and Spanish mackerel, I would go ahead and add cobia to that too, because these tournaments have -- You know, these tournaments don't just catch king mackerel, and they have the biggest Spanish mackerel, biggest cobia, biggest -- Like that as well.

MS. WIEGAND: So cobia is a bit of an interesting -- So, right now, it's just king and Spanish mackerel are the only ones you can sell. Cobia, to my knowledge, cannot be sold if caught in a tournament, though there is no commercial permit required for cobia, and so you would have to meet the state requirements for commercial sale of fish. I would say, for the most part, that's more of a state issue, because, right now, this process is only designated for king and Spanish mackerel, and that's it.

MR. MALLETTE: So, on the recreational side, or, I guess -- I'm trying to think, and it's federal trying to make the rules, but we're making the rules on a fish that isn't technically -- That's state-regulated, and not federally-regulated, because -- I am just trying to be clear, because you said that's a state thing, but, outside of commercial fishing, king mackerel is regulated by the state, and I don't have to get a federal king mackerel permit to go catch kings, but, federally, you can make rule for the tournaments, if we're going to deem this as recreational.

MR. LAKS: It becomes a little more difficult with cobia, because cobia is like the only recreational fish that can be sold recreationally, right, and you need a state license to sell it, but you don't need any federal permit to sell it, okay, and so that's kind of an anomaly, but you can't sell a kingfish caught in federal waters without a federal permit.

MR. MALLETTE: Okay. I guess my question is can the federal size regulate tournaments, to where if -- Let's say I wanted to start a king mackerel tournament, and could the federal -- Could National Marine Fisheries come to me and say, if they put it in paper, you can have this tournament, but you've got to get a permit from us to have this tournament, and you have to abide by our rules for said tournament?

MR. LAKS: I would imagine if it's federal waters, and there's some species, and maybe will billfish they do it or --

MS. WIEGAND: So I am not sure what they do for billfish, and, again, I wish we had a lawyer at this meeting, but so tournaments, and what is required to get a permit from the state, is at the state level. The council's authority rests solely within the Magnuson-Stevens Act, and so we can make requirements for king and Spanish mackerel, that tournaments may then have to abide by, but we cannot regulate tournaments specifically, I do not believe, and those are permitted by the individual states.

MR. MALLETTE: Okay.

MR. BENEVENTO: And the Coast Guard.

MR. LAKS: Thomas.

MR. NEWMAN: Originally, I was going to speak to Tony about his thing, but I was thinking, as I'm reading this motion, that the tournament is donating these fish to the dealer, and the reason I didn't put the donation and sale is because I want there to be room to donate these fish to a food bank, possibly, but would the tournament kind of get out of this, because they're donating it to the dealer, and the dealer is selling the tournament-caught fish, and I just --

MS. WIEGAND: So, the way this is written right now, it would still, I guess, allow the tournament to donate the fish to a dealer, but the dealer would not be able to sell that fish, because it's tournament-caught catch, and so they wouldn't be legally allowed to sell that.

MR. NEWMAN: Okay. That was my -- Yes, that was my intent, and I just wanted to make sure it was clear in my intent.

MR. LAKS: And Tom is here, and he's watching this, and he can extend what we mean to the council, and, also, at the council meeting, there will be someone from NOAA General Counsel that might advise on how to do it, if they choose to, and I need to wordsmith it a little better. Go ahead, Charlie.

MR. LOCKE: I think we might be missing something here though, because, you know, if all we're -- If we're thinking that -- See, this is where I think the council is going to get confused. If we're just thinking that only the fish that are being weighed in the tournament are the ones being sold,

we're missing the much bigger picture, because I'm sure, if you tallied up all of the weighed fish, it's probably not that many pounds, but I think the sale of tournament-caught kings is happening during these tournaments, because there is so many boats fishing for them that somebody around there has figured out that they can get these kings donated, or however it works, and like this guy that's buying them and bringing them up here.

Those fish may not even be getting weighed, because it's like you said, and, you know, a lot of them are like fifteen to eighteen-pounders that I'm seeing coming up here, and they're not all forty or fifty-pounders, and so, you know, just because we're going to make a provision to end tournament sales, I still don't -- I still don't know if we're going to address our problem, because I think that there's something going on behind the scenes here that we're not seeing, and the council is not seeing, and it may be unenforceable.

I don't know if you all are following what I'm saying, but say there is 500 boats in the tournament, and, I mean, I'm sure there's a hard number that we can -- I would request that we get more data from the tournament, and like what is actually weighed, because we can look at the landings, and Thomas was saying it was 10 percent of the commercial landings last year out of tournaments, and it would be very easy to see what the tournament weighed and what was sold as tournament-caught king mackerel, and do you see what I'm saying?

Like it would be very easy to say, well, the tournament only weighed -- You know, let's just say 4,000 pounds of king mackerel, but, if there's 10 percent of the quota that was tournament sales, that's 100,000 pounds of king mackerel, and so where did that 90,000 pounds come that wasn't weighed in the tournament? It was tournament-caught fish that were sold, put into commerce, but not necessarily, you know, in the tournament, weighed as part of the tournament, and so, I mean, it's an easy fix on the fish that are landed, because they do it at Ocean City, Maryland, and do it at all these marlin tournaments. The fish are donated to -- I think this is another point.

The tournament needs the fish, because, if it's a weighed-in fish, they're going to want to cut it open, and they're going to want to make sure that it ain't stuffed with leads. I don't think they're going to weigh a fish and hand it right back to a guy and let him drive off with it. They're going to probably want to hold that fish, and they need to be responsible to hire fish cleaners, just like they do in Ocean City. There's two fish cleaners full-time, and every fish that comes to that dock, white marlin, tuna, mahi, whatever it is, it's weighed. With blue marlin, they fillet it, and they pay these fish cleaners. They fillet these fish, and they donate them to the food bank.

They're donated to the local food bank, and they're not -- They're donated to the local food bank, and that's what needs to be written in this provision, that these tournament-caught kings can't be sold, and they have to be donated to the food bank, and the tournament has to be responsible for, you know, processing, paying, because, like you said, there's plenty of money in these tournaments to pay for this, but, getting back to what I was saying, and you all counter me, and give me some input on this, but I don't -- I am not so sure that just eliminating the sale of the tournament-caught kings, that are technically weighed, is even going to address our issue, and do you follow what I'm saying?

MR. LAKS: Charlie, I understand you, and I think what you're talking about is a lot of the other stuff that goes on there, and there's already regulations to stop, right, and the problem is just getting people to enforce something, and so, I mean, you're not allowed to pick up kingfish from

somebody else, and you're not allowed to transfer fish to a commercial boat, right, or have someone else deal it, and, like I said, there's -- If you fill out a logbook and lie, it's a problem, and so there's other ways to stop it.

MR. LOCKE: We need data on the tournaments. We need to request data, from every North Carolina tournament, of how many fish were landed in the tournament and weighed, whether it was a ten-pounder for a raffle ticket or a sixty-pounder that won, and then we need to go back and look at the numbers of what was sold as tournament-caught kings, and there's your discrepancy, and then NOAA Enforcement can be onboard to say, hey, look, where are all these fish coming in at, and who is selling these fish, and who is buying these fish, and then they can start looking at dealers, dealer reports, the people that are showing landings that are dealers during the tournaments, and they would probably be able to figure out who is doing these backroom fish sales, because I feel like that's what -- I feel like something is fishy, big time, and it's backroom, and it's probably not being reported the right way, but I think just focusing on the tournament, just the tournament-weighed fish, isn't going to address our problem with this.

MR. LAKS: I hear what you're saying, and I don't know what advice we can give to the council, but we can bring up the problem that, you know, there are basically black-market sales, is what you're talking about, under the table, and, you know, one way you could check that is -- You know, is one guy putting in 3,000 pounds, when nobody else is, right, and check his logbook, and like, oh, two days after a tournament, he brought 3,000 pounds in, four weeks in a row, and that might be a way to track it. I have John.

MR. MALLETTE: I will be real quick. That, exactly what Charlie said, kind of went into what I was asking about, how far does the council's reach go, because I feel like, if that's going to be the case, there needs to be a way to take the dealer out of it completely, because you don't need a dealer if you're going to donate. If you're not going to be collecting any money, why do you need a dealer?

If this tournament can have all this money to do the tournament, that tournament can rent a refrigerator truck and go donate it to where it needs to be donated to, right, but, if you can't -- If you don't have the regulations to force the tournament to do what you said, then how are you going to do it? That's why I said -- Because once you said the council really can't make the tournament do -- Really do anything, then it kind of -- Because you're going to -- People are going to try to get around it, as far as -- Like I said, if somebody has a license getting fish, that's an enforcement issue that you're not going to fix, but, strictly talking about tournaments, if you can make it where it's not sold, and any fish weighed is strictly donated, and there has to be a way to donate it without needing a dealer, if you're not collecting money.

MR. LAKS: Right, and I think that's what we're getting at, right, and, I mean, we can't force the tournament to donate the fish, but, if we don't let them sell it, they're going to have to come up with another way, or they're going to look bad, if they throw them in the dumpster, and so we have no ability to say you have to donate that fish, but we do have the ability to say you can't sell it, and so that would be one thing. I have Tom and then Steve and then Chuck.

MR. NEWMAN: That's what the intent of this motion is. It would be great to get rid of all the illegal activity, but, right now, we're working under the council, and what my intent is, with this motion, is to end tournament-caught fish being entered into commerce, and the only way they can

enter into commerce is to be sold, and so, if we can end that, then that is a starting point, and, as far as all the illegal activity, that's on law enforcement, and, like Ira said, that is law enforcement's job, and we cannot do that here, but we can change these rules to end the sale of tournament-caught fish.

MR. LAKS: And we can inform law enforcement. Steve.

MR. ENGLISH: I was just going to say that it comes down to the integrity of the fish house. Once you make this rule, the fish house is going to determine whether they really want those illegally-handled fish or not. Now, some are going to do it. That's just a fact of life, and there are some fish houses that they don't care where they come from, but there are some that -- Once you make this rule, there will be a portion of them that will say I know you're getting them fish from there, and I'm not taking them. There will be that portion, and then the ones that don't -- Everybody will know them, and then you will work that out.

MR. LAKS: I am going to go to Chuck, and then I think we really should vote on this, because we're kind of getting in the weeds. I mean, we'll have opportunity to speak on this again, if it does go forward, but let's let Chuck go, and then let's vote on the motion.

MR. GRIFFIN: If we're going to donate fish to like food banks, I think there needs to be a chain of custody. The person that receives the fish has to give some sort of receipt of how much, what it is, when they received it, and that. That would eliminate some of that, and I think it would help to have a chain of custody, and then a dealer would have to come up with where he got it from too, and the same thing.

MR. LAKS: All right. **All those in favor of the motion, eight in favor; all those opposed, one opposed; any abstentions.**

MR. HUDSON: I abstain.

MR. LAKS: **The motion passed.** Is there anything else on the other points in the tournaments that you guys want to bring up?

MR. NEWMAN: I feel like the size of the fish does need to be addressed, and we did have some public comment, you know, talking about these larger female fish, and, you know, the commercial landings are going down, and I'm not 100 percent on the stock assessment, but I thought the stock assessment was kind of showing some lower trends, and I know that neither sector is even coming close to their ACLs in the last ten years, and so, I mean, it does need to be looked into, you know, what the value of these fish are, and it does need to be explained to anglers, and recreational fishermen, that these fish do have a very high value in their fecundity.

MR. LAKS: I thought we could maybe address that point in the performance report, because we're going to get into how the overall fishery is going, and so we're not precluded to say that the tournaments are catching big fish in the performance report, and so I just wanted to keep this separate for right now. Go ahead, Steve.

MR. ENGLISH: To that point, we did take that into consideration in the commercial sector. We catch the big female fish in Jupiter in the spring run, and it's only seventy-five head, and that was

kept that way for that reason, because it's the big female fish, and we didn't want to catch the hundred head of them.

MR. LAKS: Let's do a five or ten-minute break, guys, and then we'll move into the kingfish fishery performance report, but please be back in ten minutes.

(Whereupon, a recess was taken.)

MR. LAKS: All right. We're going to jump into the king mackerel fishery performance report.

MS. WIEGAND: All right. Thanks, Ira. I want to give a little bit of context as to why we're doing this fishery performance report, and then I will give sort of a quick overview of the resources we have available, while you all are having your discussion, and then we'll sort of dive right in. Typically, we do fishery performance reports sort of right around the time a stock assessment is getting ready to start, and the next Atlantic king mackerel stock assessment isn't actually scheduled to begin until 2025, but the council has been hearing a lot, at public comment, with stakeholders expressing concern about the Atlantic king mackerel fishery, and so they decided sort of the best way to get some, you know, immediate information on what might be going on was to go ahead and have you guys complete an update to the fishery performance report that you have on record for king mackerel, which was a very quick update that was done back in 2019, and so it has been a while.

We have a couple of things available to us, while we're talking, and I do want to note that we do have data pulled, and this is stuff that was pulled when we were developing Amendment 34 to the CMP FMP, which was that king mackerel stock assessment amendment, and so the assessment output is provided, and we also have commercial landings information, recreational landings information, as well as some general life history data.

I'm not going to go over all of this in detail, in the interest of time, but I do just want to note two things. First, for the commercial data, and, Ira, thank you for reminding me of this, but one thing we need to keep in mind is that this is measured against the ACL, and so, back when king mackerel off of Florida used to switch between the Gulf stock and the Atlantic stock during certain times of the year, landings off of Florida, during the time when they would have been fishing on what was considered the Gulf stock, would not be captured here.

Now, of course, in recent years, they're sort of done away with that shifting, and the boundary between the Gulf stock and the Atlantic stock is now the Miami-Dade/Monroe County line, but sort of some additional context to keep in mind when you're looking at these landing streams. Again, I'm not going to go over it in detail, but, if it's something that you guys, you know, while you're having discussion, feel like we should pull up, it's available.

With that, I'm going to pull up the fishery performance report questions, and we'll sort of start generally, with, you know, have there been any substantial changes in the king mackerel fishery since that sort of 2017-2018 fishing year, which was the terminal year of the last assessment, the 38 update that CMP Amendment 34 implemented, and so if you guys just could have a broad discussion about what you think has changed since 2017-2018, that would be helpful, and then, once we move into the later questions, I will sort of give you an update on what said in the 2019 fishery performance report, but this Question 1 wasn't something we were asking back then, and

so this will be sort of you guys' first chance to get some stuff on the record about what you really think has changed since, you know, the 2017-2018 fishing year in the king mackerel fishery.

MR. LAKS: Go ahead, John.

MR. MALLETTE: I will say that kind of the one biggest changes that I've noticed is just participation in the king mackerel and Spanish mackerel fishery by recreational and charter boats, due to basically the economics. Like I had talked about yesterday, with the cost of fuel and things like that, a lot less people are booking full-day charters to go way offshore, and so, now, with charters, it's a lot more near-shore half-day trips, a lot more Spanish mackerel trips, and a lot of people are doing way more -- There's a lot more Spanish and kings being caught recreationally now than I think has ever been, that I have seen, just purely mainly -- A lot of it is just because people can't get offshore to the mahi, or they can't afford it, and so they're just doing something with the kids for the weekend, to go get something, and the easiest thing is going to be your Spanish and king mackerel, and I would probably say that's one of the biggest things that I have noticed, I would say in the last five to eight years, around the timeframe, period.

MS. WIEGAND: If you all could do me a favor, and, for the most part, I know where everyone is from, but if you could just mention specifically the area you're talking about, so that I can make sure that we're recording any regional differences, and that would be helpful.

MR. MALLETTE: Well, on the record, North Cackalacky.

MR. LAKS: Go ahead, Will.

MR. JONES: I agree with what John said. The charter fleet off of Morehead City, the small vessel charters especially, are, you know -- Including people like myself, and we fish for king mackerel during the entire summer, and, you know, many guys even fish for them into the fall, you know, and compete with the king mackerel tournament fleets out there, and they're definitely getting hammered hard, and it seems like, every year, they get targeted more and more, basically probably because of what John was saying, with the gas prices and all that, and people just don't want to go as far.

MR. LAKS: Go ahead, Chuck.

MR. GRIFFIN: In Charleston, South Carolina, I'm seeing a lot of the same thing that he's saying, and like a lot of the boats, the smaller boats, we're all targeting live-bait king mackerel fishing a lot, and definitely more frequent, not as many boats running offshore in the deep, and I've also noticed that the size of the fish is a lot less small ones, and this is kind of crazy, and the ones I'm catching -- I'm catching a lot of numbers, as many numbers as we were, but the ones we're catching are generally -- There's some big fish. The little guys, like we usually -- I'm not seeing a lot of little guys, and so I don't know where there's no new recruitment coming from, where we used to catch plenty of eight to fourteens, you know, and a lot of fish I've caught this year are over twenty pounds, and some of them are thirties and stuff, and that's what seems to be around.

MR. LAKS: John.

MR. MALLETTE: To Chuck's point, where I'm at, most of mine is -- I'm trolling drone spoons and bonita belly and squid strips and things like that, and I've seen way more -- In the last three years, I've seen more juvenile kings than I've ever seen, where -- Literally to the point where people were bringing them to the dock thinking they're Spanish mackerel, the little itty-bitty -- I mean, king mackerel in the sixteen to eighteen-inch range, like literally, and I've done a half-day charter where we're releasing forty or fifty of them like it's nothing, and I'm seeing way more increase in juvenile kings on my half-day trips, and even some three-quarters, in the last I would say three years, that I have ever have, ever, and so that's something that I didn't really think about until you said that, but it just popped in my head, and I'm up in North Carolina, again.

MR. LAKS: Thomas.

MR. NEWMAN: That's interesting too, because John is in lower North Carolina, or up around Hatteras, between Hatteras and Ocracoke, I've seen less juvenile kings, and usually there's like a transition period, when the kings will start showing up as we're catching Spanish mackerel in the gillnets, and normally we see a few of those juvenile kings, and I really haven't noticed any, the last two or three years, like we used to see, and there is also -- You know, you would catch a lot of marketable ones before the big body of fish showed up, and that is kind of declining as well, and we're not really seeing that little trickle-in of the kings. It's, when the kings show up, the kings are here kind of.

MR. LAKS: Well, from my perspective, we have what we call two seasons, and Season 2 just started, which is October 1 off of south Florida, and, being in the northern Palm Beach County area, we just don't seem to see those fish anymore, and just the winter fish that we get -- We just don't tend to see them anymore, and I don't know if it's climate change or what, but those tended to be smaller fish in the winter, and they would school up tighter. Then we would get -- We do get a run of fish in late April and May, which are the big spawners that come down, and we've had some fish show up the last few years, you know, a decent amount, but they don't seem to stay nearly as long as they used to, and they seem to be much more concentrated, right, and the fish seem to be -- All the fish seem to be in one spot, where, years ago, guys up and down the coast would catch fish, and now it just seems like, if you're outside that little area, you don't even get a bite.

You know, from talking to other fishermen, it seems that way, you know, all through their Season 2 fish, or the winter fish, and it's the same thing. They're in one spot, and there just doesn't seem to be multiple bunches of fish. They knot up in a little area, and not like I remember years ago, where three or four ports up and down the beach would catch fish, and, you know, I would be curious, and Steve fishes the same area, if that's what he is seeing.

MR. ENGLISH: Yes, and it's basically the same thing, you know, and it seems like it's a two-day window on them, and they're gone, and then they will show up, and we had a little bit of -- They showed up a little bit in August, there off of Stuart, and I think they caught a few on up the way a little ways, but not that -- Not that body of twenty-five-inch fish, twenty-four-inch fish, and that just -- It wasn't as good the last few years.

Now, last year was a horrible, horrible weather year. For Spanish mackerel, that season was just an absolute disaster for weather, and that hurricane destroyed the ocean, and it continued right on

up through North Carolina this year, and so that may have a lot to do with that, just this year in particular, but it seems like there's a little -- Not seeing what you saw, you know, six years ago.

MR. LAKS: Yes, and, just to your point about the August fish, we historically -- I didn't mention it, but we used to get a good August run, right, and that would last for three or four weeks of really good fishing, and we really haven't seen that in a while either, and so go ahead, Thomas.

MR. NEWMAN: Yes, and that's what I was going to -- I am relatively new to these fisheries, and I've only been doing it for, you know, four or five years, but I also know that these fish are staying in North Carolina longer. Instead of getting a pulse season, like we used to get, is what the guys are telling me, like a four to six-week, you know, kind of big burst of fish, and it's lasting two to two-and-a-half months now, and, also, last year, they had some really good catches.

Every time the wind would fall out, they caught fish right on through April, and, actually, a big body of fish came through in April, and they had some good catches, for just a couple of days, that, you know, that's pretty much unheard for a right good while, and I don't know the last time they saw that, but all the guys said that it had been ten or twenty years since they had a good spring run of king mackerel in Hatteras.

MR. LAKS: Go ahead, Brad.

MR. PHILLIPS: I've just got a question for you, and, I mean, what's your water temperature down there that you're fishing?

MR. LAKS: Well, that's one thing that -- In the wintertime, the water just doesn't seem to get nearly as cool, right, and it very well could be a climate issue, right, and absolutely, but we do not -- The water even looks different in the winter than it used to. It doesn't get green, and it stays blue, and so it very well could be an environmental factor that's causing that, and they're so temperature sensitive that I wouldn't doubt it. Chuck.

MR. GRIFFIN: I've noticed, over the last ten years, a great reduction in the cigar minnow population, and we used to have tons of schools, and I don't know whether the bait might be affecting them coming here, and, also, I just spend a lot of time spoon fishing, you know, with planers and that kind of stuff, and we would always stay as busy as you can be, and now we're catching like more Spanish and small stuff, and, when I change spots -- I just troll to the other spot, and, if you don't catch anything between the other spots, and you must as well pick up and run, whereas I used to be able to pick at them and not have to do that, and so that's the changes I've seen.

MR. LAKS: Steve.

MR. ENGLISH: I will say one thing on our kingfish, and Spanish mackerel too, and I think our shark problem is causing us massive problems on our fisheries. We've let these sharks get so out of balance, and the Spanish mackerel, in the fall, when the fish come down and lay off of Fort Pierce -- We fish the bait mackerel, which are the smaller, and we want them twelve to fourteen inches, and it used to be that you would find black colors of them out there, but the way we find them is we go out and wait and look until we see the sharks jumping, and, well, if you see the

blacktip jumping, they're right there with the bait mackerel, and the bait mackerel didn't do what they should have done last year, and I can attribute that to the storm.

It turned the ocean upside down, and it stayed upside down the whole winter, and so I'm hoping that this year is going to be different, but the sharks are causing us massive, massive problems in both the Spanish and king mackerel fisheries, and I think they're going to destroy our fisheries, if we don't do something with them.

MR. LAKS: Okay. Go ahead.

MS. WIEGAND: All right, and so we're starting to get into a few specifics, and so, before we go ahead and address everything that needs to be addressed under Question 1, I'm going to sort of move us down to these different sections to talk about, and so the first is, you know, fishing behavior and catch levels, and I won't, you know, go through each of these individually, since we already have a couple of fishery performance reports on file, but, here, we're asking, you know, have there been effort shifts to and from king mackerel, and you guys have already addressed this a little bit, and have there been considerable changes in fishing techniques or gears for king mackerel? Have you seen changes in whether people are fishing at day versus night? Do you actively avoid fishing for king mackerel in certain areas, to avoid undersized fish, or, you know, highly-regulated fish, and what are you seeing in terms of discards for king mackerel?

Just, back in 2019, when you all sort of completed this, or the previous AP members, and some were on both that completed this, but the AP, at the time, felt that the stock was in good shape, and they talked a lot about experiencing increasing catches, and seeing a wide variety of age classes and size, and this was sort of ubiquitous from fishermen that were talking from North Carolina, South Carolina, Georgia, and Florida, and so that was what you guys said was happening in this fishery back in that, you know, 2018 and 2019 fishing season, and so if you could talk a little bit about how that's -- You know, the same, or, based on what I've heard, maybe a little bit different now.

MR. LAKS: Well, I will jump in. Fishing behavior has definitely changed, right, and we just don't have the fish, and the price has gone up, and so you will get guys that are fishing for what we never thought, and like they will spend all day out there to catch ten or fifteen fish, because they're worth a ton of money, and that's something that you wouldn't have thought about doing ten years ago, and it's just -- In some ways, your effort has changed, to where it's become, you know, a boutique fishery, right, and there's guys that are literally spending a lot of time to catch a few fish.

Fishing techniques I think are getting smarter, right, and you've got to use lighter and lighter stuff. You know, from when I started fishing them, the stuff you can throw in the water and get a bite, you wouldn't even get a bite now, with the gear that we're using, and kingfish at night used to be tremendous in our area, especially in the summertime, and I just don't think we have the fish, and I just don't see the amount of people. Years ago, it used to look like a city offshore in the summertime, and we don't see that anymore.

I really haven't caught a lot of short kingfish in the last four or five years, and, you know, in the area that I fish, it's very varied, right, and you can catch just about anything with king mackerel, and so it's kind of not relevant when I'm saying that.

I do think that discard mortality is significant, especially when you take the fish that you get to the side of the boat that are eaten, and you're throwing back half fish, and, also, you know, some of the techniques that go back to the tournament, with the treble hooks, and fishing them that long, and it's hard to release a forty-pound kingfish, and it doesn't do well when you release it. Steve.

MR. ENGLISH: Yes, and, in our area, like I said, you're release them, and the sharks eat them anyhow, and, I mean, that's just a given, and, about three summers ago, and it was probably three summers ago, we had a pretty good charge of those little fish up off the power plant, that lived up at Fort Pierce, between Fort Pierce and our inlet, and all the boats that were trolling, and there was twenty-five boats or so, and everybody would find the small fish, and they would leave them to go find -- To where you weren't catching twenty-four-inch fish that you had to release, and you would go and find you another knot that would have five or six-pounders in it, and it wasn't hard to do. There was plenty of knots of fish, and so, you know, that's why I say that I'm attributing a lot of what is going on the last couple of summers to weather, and sharks, but that's -- You know, three years ago, the small fish were there in pretty good numbers.

MR. LAKS: Charlie, online, and then John.

MR. LOCKE: You know, so I'm up here in Wanchese, North Carolina, but I fish out of Hatteras, and I used to king mackerel fish. I mean, I came to Florida every year in the winter and fished for them, but I haven't -- I have not participated in the king mackerel trolling fishery up here, or the gillnet fishery in the fall, in about six years, because we have transitioned into catching sea mullet, which I will got whiting down there, and spot, up on our north beach here out of Wanchese, which was traditionally a fishery that would happen down off of Sneads Ferry the first two weeks of November, and they would have huge catches of sea mullet down there.

Well, that was twenty years ago, and all that has shifted up here now, with everything -- It's just crazy how the fisheries are shifting, and so I feel like, personally, I could do better staying here and fishing for these other fish, and so I haven't even participated, and there's actually a couple more boats that are up there, you know, these last two days that I've been fishing, from Hatteras, that were king mackerel fishing, but, because of the price, they have switched over to small-mouth netting, which is what I'm doing, and so there's a lot of -- You know, there's a lot of switching around, due to a lot of different variables in the fishery, and so you have -- You know, I've always said that's never been factored in landings.

You know, when you look at landings, a lot of the people don't understand what the trends are of other fish are more valuable. We have a lot of that going on in Spanish mackerel right now, because I didn't even Spanish mackerel fish this spring. We had terrible weather, like Steve said, and I started bass potting. I've got a bass pot permit, and we did better targeting sea bass than we would have catching Spanish, and so it's like I think there's a lot of fishermen that are jumping around in different fisheries, and it's affecting some of the landings.

Like, if I was a big king mackerel player, and now I'm fishing for something else, and so my landings aren't counting, but I did have a question. I never got in there with the shark thing, but, in Louisiana, I'm hearing that there's not even a Louisiana fishery anymore, and I remember -- Steve, you correct me if I'm wrong, but guys were traveling, and those guys would, every summer,

without question, July 1, would be in Louisiana king fishing, and like that's not even a fishery anymore, and is that because of sharks?

I mean, I'm hearing a lot of different things, and, you know, like what's going on in the Gulf, because there, for a long time, they had the Gulf and South Atlantic stock mixture, but is that a shark issue? I'm hearing there are sharks down there that are running the kings out of where they historically were, and I've heard a lot of different variables, but that was a huge fishery that actually used to affect our North Carolina market in the fall.

Sometimes, when it would last longer, and they would stay -- If they hadn't caught their quota, it would roll into the fall, and Steve probably knows what I'm talking about, but it would kill our market up here, because there were so many fish coming out of the Gulf, which it hasn't seemed like that's been an issue. Now we've got tournament-caught fish affecting our price, but what's going on with the Gulf of Mexico? Can somebody tell me what's going on down there, commercially?

MR. LAKS: Charlie, from the guys that I talk to in the Gulf, they're just not seeing them, right, both the guys that traveled over from my area and the resident guys, all the way from Texas. Some of the charter guys I know over there, they just are not seeing the fish, all the way through the Panhandle, and they're really concerned about it. They just listened to public comment at the Gulf Council meeting, a couple of weeks ago, and they were very, very concerned about the lack of kingfish. They're just not seeing them. John.

MR. MALLETTE: First of all, I wanted to kind of piggyback on something that Ira said about, with the prices of the king mackerel going up, and I know a lot of guys that used to talk crap about king fishing, and they didn't want to go do it, but, with bottom fishing closures and so many things, and now the price of king is going up, guys are putting bandits on there and going commercial fishing a lot more for kings, just to try to make some money, which I understand, and so there is a bigger increase on that.

As far as recreational, they brought up the sharks, and I am no biologist, and so I'm just going by my experience and my guessing, and that is, in the summertime, during our tourist season, running charters -- Like I said, I pull a lot of spoons and things like that, because the sharks, the little white dotters and things like that, have gotten so bad, trying to live-bait fish, that you almost can't do it, and so I pull spoons to cover ground, but I also don't know if it attributes to the higher water temps, literally getting into the nineties, or close to it, in the heat of the summer.

The barracudas have been horrible, and, usually, you will run into them eating your kings, when you get close to the artificial reefs and things, but literally just out on live bottom in the middle of nowhere, and like you were talking about dead discards, and, I mean, we might lose four out of ten fish to a barracuda getting eaten, or more, and so that's literally just -- And they're not big. They're small barracudas, and they're not much bigger than the kings they're eating, but I have just noticed a big increase in that too, and so that can have a lot -- As far as discards on the commercial side, and theirs as well too, and that's just what I've noticed.

MR. LAKS: Any other comments?

MS. WIEGAND: All right. Thank you, guys. Next, we'll move into some of the social and economic influences in the fishery, and, again, you guys have already talked about this a little bit, but, for the commercial sector, sort of how have price and demand for king mackerel changed, and especially, you know, has there been an increasing, or changing, demand for specific sizes of king mackerel? Then, again, this has been touched on, but what about demand for charter and headboat trips that are going to target king mackerel?

Then, sort of more on the social side, among all of the species that you guys target, how important would you say Atlantic king mackerel is to your overall business, sort of charter or commercial, and what communities in your area do you find to be really dependent upon king mackerel? Then I know some of you mentioned this earlier on in the meeting, but how have changes in infrastructure, so access to docks, marinas, fish houses, affected the opportunity to fish for king mackerel, and how have fishermen sort of adapted to some of these changes?

Again, back in 2019, you guys discussed that there had been a pretty big shift towards king mackerel, particularly in the charter industry, because it was sort of easy and reliable, especially when snapper grouper species were closed, and you could still go out and fish for king mackerel, and they also noted that there had been a shift in tournaments, away from sort of the multiday tournament to a more shootout-style tournament, and then, sort of for commercial price, it was noted that, in North Carolina, it has remained relatively stable, but, for Florida, the price of king mackerel can fluctuate drastically based on what's happening in the Gulf, and so that was some of the input that the AP had back in 2019, but we're sort of looking for more input now, and perspectives, from this AP on how the fishery is operating today.

MR. LAKS: Go ahead, Thomas.

MR. NEWMAN: The king mackerel is very important in Hatteras, this time of year, and it's right ahead of the holidays, and it's right ahead of the year-end closure, when we're catching these fish, for the charter and the commercial, and, like I said, it's very dependent, because, a lot of times, it gets you in the black, you know, before the season ends. I say Hatteras is very dependent on the Atlantic king mackerel fisheries.

MR. LAKS: Will and then Chuck.

MR. JONES: I mean, we kind of already covered it, but, as far as how important it is to charter businesses in our area, it's kind of like the main, you know, fish that the small boats target, when you've got people that want to keep some fish to eat and catch something big that fights hard, and so, between them and Spanish mackerel, it's one of the most, if not the most, important for any of the charter boats that are not going to the Gulf Stream.

MR. LAKS: Go ahead, Chuck.

MR. GRIFFIN: King mackerel is extremely important for the boats, and the same reason, basically. There's a lot less people going on further and longer trips, and the live-bait fishery is - You know, you fight the fish a little longer, and everybody, you know, gets a better thrill out of it, and, Spanish mackerel, I wouldn't say that's big where we are here. Yes, there are people that do it, but not a lot of targeting, and it's just kind of incidental. When we see a school, we fish for them, but not a whole lot there.

MR. LAKS: Steve.

MR. ENGLISH: Out of our area, Florida, Fort Pierce to the Cape, there is two fisheries, Spanish mackerel and king mackerel. That's the two fisheries that 90 percent of all fishermen depend on solely on those two products, and, without them, they wouldn't exist.

MR. LAKS: I would say that, you know, in our area too, Steve, that the effort is definitely -- People spend more time fishing for less, right, and, like I said, the price has gone up, and people just spend a longer time. Some of the things, and the infrastructure, in our area, is teetering on the edge. You're a little -- One developer has pushed away from the whole infrastructure collapsing. The fleet has changes, behavior, and a lot of guys are selling larger boats and going to smaller boats that they can trailer, just because there's nowhere to put a boat in south Florida. I mean, just the insurance they want to be in a marina now is just ridiculous for a commercial boat to even think of.

As far as the charter fishing, you know, in our area, we're very lucky to have several different amount of species to fish for, and so they're very important when they're there, right, and, I mean, every boat will target them when they show up, but you don't really have like people, you know, calling you to book a king mackerel trip, and most of our charter customers are just going fishing on headboats, unless they're specifically wanting like a sailfish or, you know, a fancy sportfishing charter, but your everyday meat fishermen are just coming down to the dock, and whatever is available they fish for.

MR. NEWMAN: I forgot about infrastructure. In Hatteras, our infrastructure is shrinking too. Just in the past twelve months, we've had two pieces of property get sold between my dock and the fish house, and that has -- They traditionally weren't being used, and some of our fishermen were just kind of hanging out in those slips, and now it's shifted those guys out of those slips, and we've also lost one of the three fish houses in Hatteras, about three years ago, and so our infrastructure is definitely shrinking as well, and, also, the owners of some of the few other places besides the fish houses to tie up, they're getting up in age, and we're wondering what's going to happen when they pass, and, you know, if the spots that aren't at fish houses are still going to be available to the commercial boats.

MR. LAKS: Go ahead, Chuck.

MR. GRIFFIN: Thomas, we're having the same problem. We're losing access. A big place here is Shem Creek, and we used to have -- There used to be fifty shrimp boats there, and we're down to one or two, and there used to be two fish houses, and we've got one that's sort of just a place you buy shrimp from, and the rest is gone, and there is no commercial fuel, and the property is just too valuable for a fish house, when somebody either dies, or sells out, because they're getting too much money.

We're even getting ready to lose McClellanville, which is a big shrimp area up here. I think Captain Russ is the last one, and he has a seafood house, and he's the last one that has maintained some commercial docks, and, when he goes, they're going to be gobbled up by houses. We've got one place left down in Edisto, in that creek, and it's still commercial, and they're keeping it that way, and Cherry Point, I guess is what you call it, Seafood, but, really, there's nowhere to put a

commercial boat. Like I've got to do trailer stuff, if I was going to do it, and that's the only way to be viable about it, unless you've got your own dock, but then there's nowhere to offload. You've got to carry them somewhere, and so that gets to be a problem.

MR. LAKS: Yes, and that's definitely true. Everyone is on a trailer by us, or drives their fish by truck to the fish house, and it's definitely an industry problem that is -- I think it's going to creep into the charter industry, if it already hasn't, that small -- Small charter fishermen, even like myself, and I was chased off the water in 2008, and so it's -- You know, it's going to be for the people who really aren't in the charter industry for profit. I don't see any more hands.

MS. WIEGAND: All right, and so next up is management measures. Are there new management measures that the council should consider, or are there existing management measures, size limit, trip limit, bag limits, seasons, et cetera, that should be changed, and are the current ACL and allocations appropriate for each sector, and, again, I do just want to note what you all said in 2019, and there was interest, at the time, in increasing the recreational bag limit. That is something that was done during CMP Amendment 34 off of Florida, increasing it by one fish, to align it with the recreational bag limit throughout the Gulf and the Atlantic coast.

Then the other thing that had been talked about were changes in the commercial southern zone limits, and sort of addressing broadly king mackerel management in the southern zone, because management off of Florida for king mackerel commercially is fairly complex.

MR. LAKS: Personally, I think, right now, management, especially in the recreational, is good. You know, I am concerned about some of the landings going down, and some of the recruitment studies showing not the fish coming into the fishery, but I think more is going to have to be looked into before anything can change, that we would change management-wise. The commercial, in the southern zone, is a little bit confusing, and we had talked about ways to maybe make it a little less confusing, but I don't really think there's a whole lot of want to get into that right now, and I think we've pretty much just learned where we are, and so I don't know if that's a very big concern at this point. Go ahead, Thomas.

MR. NEWMAN: Another thing, with management, that we discussed, during the SEDAR process, is we don't have very good survey methods for any of these pelagic species, any of these coastal migratory pelagics, and we really need to develop some sort of survey, so we can get some better data to put into these stock assessments, and that's super lacking on these very important fisheries that everybody up and down the coast utilizes, and, without having some better baseline data, these stock assessments are still going to be very questionable, every time we have one, and I think that needs to be a priority.

MR. LAKS: Christina, there was one thing that I forgot to mention, and it sort of goes -- I hope the port meetings make some awareness with management, and I think that we need to do a better job of letting for-hire boats in the Mid-Atlantic know they need charter permits for those fish, just so we can get a better handle on who is out there, and I don't think there's very many of them, and I think it's just they just don't understand or know they have to have one.

MS. WIEGAND: All right, and so, moving on to environmental and habitat drivers, and so do you perceive that the abundance of king mackerel has changed over the last ten years? Are you seeing changes in where the fish are available and when? Again, I know you guys have talked

about this a little bit already, and has the size of the fish you have typically encountered changed, and have you noticed any unique effects of environmental conditions on king mackerel? What are your observations on sort of the timing and the length of the spawning season? What do you see now in terms of recruitment, small fish versus large fish, and have you observed any changes in catch depth? Have sea conditions affected fishable days, and then have you noticed any change in sort of the seasonality of king mackerel?

Some of the things that you guys brought up in 2019, and one was sharks, a concern over sharks and the increase in depredation, and, again, I wanted to note that, as all of you guys know, the council doesn't manage sharks, but one thing they did do, with CMP Amendment 34, was, again, allow the recreational retention of cut or damaged fish, and so fish that have been bitten by a shark, so long as whatever was left of the fish met the minimum size limit, and so that's what the council sort of was able to do, within our purview, to address some of the issues that I know you all are having with sharks.

The other big issue that was mentioned were water quality concerns, typically in Florida, and then noting that temperature can be a pretty big driver for king mackerel, and, once the temperature drops, those fish are gone, and so, with that, I will let you guys provide any sort of additional input or how things have changed now versus then.

MR. LAKS: Go ahead, Kevin.

MR. AMAN: I'm from the Morehead City area, and I've just noticed that some of the tournaments that I have participated in, or not really participated in, but I've worked up some of the fish, and gathered, you know, some length information, and collected otoliths from those fish, and I've noticed -- I saw something about, you know, the large ovaries, and the eggs spilling out, and I haven't actually seen the eggs spilling out, but I've seen, you know, very large ovaries in the month of July, you know, like the middle towards the end of the -- From the middle to the end of the month, around the Morehead City area, and I didn't know if that was -- That seems to be -- It doesn't seem like it's changing, and it just seems pretty consistent, but I would have thought that would have, you know, maybe occurred sooner, rather than at that time.

MR. LAKS: I would just reiterate about the climate change, you know, with just the water warming up, and the fish don't seem to travel down as far as south as they have in the past. Definitely, over the last few years, it seems to be rougher. Go ahead, Chuck.

MR. GRIFFIN: Definitely rougher, but I've noticed the fish seem to be deeper than they were, and maybe that's a water-quality issue, and I don't know, or a temperature issue. If they can get down deeper, it's a little cooler, but we actually had pretty cool temperatures this year, where I am, but definitely I'm seeing the fish move offshore more.

MR. LAKS: John.

MR. MALLETTE: Kind of exactly what Chuck said. In my -- This is what has been stuck in my head is that, ever since Hurricane Florence, the fish moved offshore, and that was literally almost everything, bottom fish, king mackerel, Spanish mackerel, and everything moved further offshore after Hurricane Florence.

When I was looking up here, and I saw what other fish -- I was going to say something earlier, but it was just king mackerel, but I've noticed, when we're king fishing live bait and dead bait, there's been a lot more very large Spanish mackerel than I have ever seen too, as far as citation-sized Spanish, where we used to catch -- You know, a five-pound Spanish was huge, and I've got pictures, just on my Facebook, of a bunch we caught that are seven, eight, and we had one that was eleven pounds, and that's what we're catching on charters, where it was almost unheard of, and the tackle shops are getting people coming in and doing citations, which I'm sure the state keeps up with, but I guarantee you will see how many citation Spanish mackerel are getting turned in has jumped way up. We're getting big Spanish when we're live-bait king fishing, with spoons and things of that sort.

Like I said before, I'm just seeing a lot more juvenile kings, and it seems like I'm seeing more juvenile kings, in my area, around the Topsail and Sneads Ferry area, as opposed to -- But we're seeing way more very large adult Spanish mackerel, compared to more juvenile kings.

MR. LAKS: Go ahead, Will.

MR. JONES: In Morehead City, in the summertime, we have been having pretty consistent fishing throughout the summer for king mackerel, but not like -- Not big numbers, and not very many small ones, and it's kind of like everything seems to be over eight or ten pounds, you know, twelve, fifteen, or even twenty-pounders, and some guys are even catching, you know, thirty to forty-pound fish in the middle of the summertime, and, this year, we got pretty lucky on weather, but, in the last couple of years, there was a lot of windy days, during the summer, that we couldn't get in the ocean, at least with the small boats, and, in the fall, the last couple of years, it's always blowing hard out of the northeast, and it's hard to get off the beach.

Kind of echoing what Chuck was saying, you know, we're not having as much good fishing, like inshore along the beaches, as we used to. We are having to go ten or fifteen miles, or go to the east side of the Cape, which it's hard to get out there when it's blowing out of the northeast, and so --

MR. LAKS: Go ahead, Thomas.

MR. NEWMAN: Out of Hatteras, the weather is definitely playing a lot bigger role. We're getting a lot more extreme weather in all directions, and it is constantly switching up. You won't get ten days of straight northeast wind, or straight southwest wind anymore, and it's -- It blows a gale in one direction, and then it switches and blows a gale in another direction, and we have not got a lot of fishable days, the last several years.

MS. WIEGAND: All right, and then, I guess, last, but not least, is there anything else that you guys feel that the council really needs to know about Atlantic Spanish mackerel right now, especially, you know, given some of the concerns they've been hearing from public comment?

MR. GRIFFIN: I did forget to mention that I have seen a lot less Spanish mackerel, in the last couple of years, than we used to have. Four or five years ago, we were having big-acre-plus schools around, and you could just go out close and catch them, but I'm not seeing that now, in the last few years, but, like John mentioned, the fish are bigger. I've caught some really big

Spanish mackerel. I thought they were kings, until I got them in the boat, and so that's one thing that I am seeing. I'm not seeing the little tiny smaller guys, but I'm seeing bigger fish.

MR. LAKS: Go ahead, John.

MR. MALLETT: I guess we're going to be opposite again, I guess, between Charleston and where I'm at. Morehead is -- There's more Spanish now than -- I mean, there's schools of Spanish coming down that look like mullets. The Spanish is insane, the amount of Spanish mackerel that's up there when I'm at, but one thing that I would like to add to this other section, and I really didn't know how to classify it, as far as management, or as far as the council wants to go, whether it's bag limits or if there's issues you're finding with them, and I think survey the recreational people, because the commercial people are going to sell them regardless, you know, but, with the economics of it, there is so many people king fishing, Spanish fishing, things of that sort, but, if you talk to people, and say what's your favorite fish to eat -- If you say list your top five, king mackerel is not in 90 percent of these people's heads. They're going to catch them just so they can go catch something.

I don't think it would really hurt their feelings if you cut the bag limit back, and, in my world, that's almost sacrilegious to say, but I think, when it comes to king mackerel -- I honestly think that nobody would really -- It wouldn't bother them that much. They like catching them, but it's not their favorite fish to eat, on the recreational side, because, you know, with king mackerel commercially -- Even though we catch them here in North Carolina, and you catch them in South Carolina, or Florida or wherever, and the commercial fish are all pretty much ending up in a lot of the same places, commercially.

MR. LAKS: The thing is, John, that they're not even getting close to being caught to the quota, and so it's hard to reduce a bag limit when there's a bunch of fish out there. There might be one guy that wants to catch his bag limit, and that's not fair to him. Just, in all fisheries, recreational, you don't have to keep all your fish, right, and so we can all promote that. Thomas.

MR. NEWMAN: I just want to bring up that, you know, there was a lot of public comment made about it, and that's what I'm hearing from some my constituents, is the concern over the fecundity of the large female fish harvested during the tournaments, and the low recruitment we've been seeing, and so that needs to be brought to the attention of the council and stakeholders.

MR. LAKS: Yes, and I would add to that the declining catch rates, right, just all three of those things, and the council needs to look at it, and be aware of it, especially what's happening in the Gulf, if it's a similar trend. Charlie.

MR. LOCKE: I'm confused, and we -- Because she put up king mackerel, and then we all started talking about Spanish, and so are we talking about -- Does the council want to know about king mackerel or Spanish mackerel?

MR. LAKS: It's king mackerel.

MR. LOCKE: Okay. I had a comment more on Spanish then, and that's what I thought it was, is king mackerel. Thank you.

MR. LAKS: Anybody else got anything to add? Go ahead, Brad.

MR. PHILLIPS: I agree completely with John. The Spanish mackerel we've been catching, they're huge. They're catching them off piers, off the surf, and the surf is kind of a weird thing to be catching Spanish mackerel, but we've had -- Our charter boats, that's how they make a living. There is plenty, plenty.

MS. WIEGAND: All right. Thank you, guys, and so I will turn it back over to you, Chair.

MR. LAKS: All right. Well, we're a little ahead of schedule. We do have a few things, and I would like to bring something up in Other Business, real quick, and I will open it to you guys after that, and then we have public comment to do. The council has kicked around, for years, whether to do limited entry in the for-hire fleet. The Gulf of Mexico has it, and it had reached the council, for discussion, five or six years ago, and the Snapper Grouper AP has just passed a motion suggesting that there should be a limited entry in the snapper grouper fishery, for for-hire fishermen, and I thought it would be appropriate to give you guys an opportunity to discuss whether you think this fishery as well, or, for that matter, all for-hire fisheries, if it's time for it to be a limited entry.

I mean, we've all discussed that we've had problems with data collection, and, if we can't even get onboard to get our professional part of the recreational fishery to comply with things -- My personal opinion is it would help professionalize us, be able to be better informed, and a better quality of data reporting, and all of that could follow, if we did do limited entry, and that's my opinion, and I would like to hear what you guys think about it. Go ahead, Will.

MR. JONES: I would support it, and I agree that, you know, for the future, it's probably a good move to go ahead and make.

MR. LAKS: Go ahead, Charlie.

MR. LOCKE: So I would just say this, and why have we done it in every commercial fishery that they were worried about? Because they wanted to put a cap on it and have it controlled, and not let it keep growing and growing and growing, with no accountability, and I think that's an easy answer. I think you definitely need to do limited entry, because the problem we're having in every fishery that I'm involved in is the expansion, mostly, of the recreational harvest, and so -- I think the guys that charter fish, that do it for a living and that are, you know, serious about it, are concerned with the number of guys getting into the charter industry.

I mean, there's fly-by-nights popping up left and right around here, and, I mean, everybody has got a website, and everybody is running charters, and it's -- I mean, it's unfair, in a way, to say that, but, you know, I had to buy into the snapper grouper fishery. I was raised in the snapper grouper fishery, and, I mean, that's what I did, growing up as a kid, and I had to buy back into it, because that's just what happened, but, if you're serious about it, and if a guy is serious about wanting to get into the charter industry, and he needs, you know, a bottom permit to take these guys charter fishing, and it's just part of it, and so I would definitely be for a limited entry in the charter industry. I think it needs to happen.

MR. LAKS: Thank you, Charlie. Go ahead, Chuck.

MR. GRIFFIN: I am absolutely for it. I find too many people that -- It would make a big difference. We've got, like he said, a lot of fly-by-night, you know, people that are weekend charter captains, and things like that, but, you know, nowadays, with the new techniques of bottom fishing, spot-locking troll motors, and they can really pound places, and things like that, but they're really not doing it for a living. They might support their boat with it or something, but, you know, guys like me, we do it for a living, and I think it would definitely be a good thing to have a limited entry.

MR. LAKS: Go ahead.

MR. ROLLER: One of my frustrations, when we discuss limited entry, is it seems to always go down a couple of roads, and people get really bent out of shape, whether it's like catch shares or sector separation, and I guess my question, to the AP, is we hear a lot of support for limited entry in for-hire, and is there interest in it being more creative? What I mean by that is I look at like the SG 1, and a lot of the complaints that people have to them -- I think, you know, John said yesterday that there's somebody in Ohio with like six of them that they're leasing out, right, and that's what I kind of get scared of, personally, as a for-hire operator, that these permits would get consolidated in the hands of a few people.

Is there interest in looking at it in a more creative way, right, like greenhorn pools, or, you know, limited leasing, and the point of it is, if you don't use it for three years, you have to sell it, and, I mean, just sort of ideas like that. When we think about it, I would be curious to hear more thoughts of like big-picture, and not just do we support it, but could it look very, very different than some of the other limited-entry programs that we have?

MR. LAKS: Well, Tom, from my point of view, absolutely. There is definitely -- There is no one way to skin a cat, right, and there's ways this can be done, and my personal advice, having been through some of these talks before, is that the council does nothing right away, right, and don't change a control date, and don't do anything that you can't go back and do, and I would advise the council to make a workgroup, or a special AP, with people who are for it and against it, people who know the permit system, and get them in a room, and hash out a report that will let you have informed decisions on the questions you have, because just for it or against it, without knowing the availability, and the opportunities, to make this a successful program, and even to have, you know, people from the Gulf come over, who are in it, and so that would be my suggestion to the council.

MR. ROLLER: Very well put, Ira.

MR. LAKS: I think -- As a group, I think, if someone would like to make a motion that we would like to see limited entry in the for-hire fishery in CMP species, I would like to see someone make a motion.

MR. JONES: **I will make a motion to make the CMP for-hire permit limited entry.**

MR. LAKS: Is there a second? It's seconded by John. Is there any more discussion? **If you're in favor, raise your hand. It's unanimous, and Rusty --** Are you abstaining, Rusty?

MR. HUDSON: No, and I affirmed.

MR. LAKS: All right. **It's unanimous.** With saying that, that we made a motion, I would also like to make a suggestion of similar to what I just said, that the council does look into having some sort of workgroup, or whatever they want to call it, and I will let staff, and the council, decide that, or a special AP, ad hoc or whatever, to really discuss this in a rationale way, to see the options that could be done in this format, without leaving people out, and let's figure it out. Let's have the conversation, finally. If that's okay with you guys -- If you're all onboard in saying that to the council? Thomas.

MR. NEWMAN: (Mr. Newman's comment is not audible on the recording.)

MR. LAKS: I mean, I don't need a firm statement, and I can say it when I give the report, but we can do a firm statement that we would like it explored, but you can do better than I can, or that we would like them to take no action on anything until it's discussed, including control dates. I mean, I would suggest in all fisheries, right, and this is -- I think it needs to be a larger conversation, since most of us fish for all the different species. Chuck.

MR. GRIFFIN: What would that look like, the actual permit? What it would be saying? What would you think?

MR. LAKS: It would just be your current federal for-hire permit, and it would just be --

MR. GRIFFIN: Be added to it or something?

MR. LAKS: Well, it would get a number, but there's other --

MR. GRIFFIN: Would it be attached to the whole for-hire, and it wouldn't be like a separate king mackerel and --

MR. LAKS: No, and it would probably be the same three -- Again, part of the conversation to be had is there's other things that can be done. There is other ways to do this, and, like Tom said, there's different kinds of permits, and there could be transferable ones, and non-transferable ones, and greenhorn ones, and that conversation has to be had. Tom.

MR. ROLLER: I think that's a good point. It's really two different things. You have a limited-entry permit, but the real question is what do you do around it, and what are the rules, and the parameters, of that limited-entry permit, and, quite frankly, I mean, I look at like -- I go back to all of the discussions about, you know, the SG 1, and the SG 2, and I look at that, and I think we can learn from some of those things in the past, and make a for-hire permit, or a limited-entry permit, that is more suitable to the for-hire industry, right, and I would love to see some creativity there, and so I really appreciate this discussion.

MR. LAKS: Thomas.

MR. NEWMAN: Further on that too, I mean, you have different levels of permits on the commercial side, and like some permits allow to use X number of gear, versus not as much gear, and there might be some sort of training wheels, you know, permit, and you just let them catch

inshore state species and then work up to, you know, other species that are -- That we have fish allowed to still be caught, or are under too much pressure already.

MR. LAKS: Well, we have a little bit of time left. Is there anything that anyone else wants to bring up?

MS. WIEGAND: Real fast, I want to read this sort of statement into the record, and make sure that everyone here is onboard with it, and so this AP would like the council to form a workgroup to discuss limited entry for for-hire fleets. The workgroup should include fishermen who are for and against limited entry, staff with permit experience, and fishermen with experience operating under a for-hire limited-entry system, for example Gulf fishermen who operate under the CMP permit, which is limited entry. The council should not set a control date until this group has produced a report for review by the council.

MR. LAKS: Is there anything else that anyone wants to bring up in Other Business? Go ahead, Rusty.

MR. HUDSON: Thank you, Ira. With limited entry, you know, when we deal with like catch shares and stuff like that, and transferability, there's a lot of moving parts that are going to be involved in this, and I was caught up in the stuff that I warned you all about this morning, that showed up earlier than I thought, and so I got knocked off for a couple of hours, but, when I look at the king and Spanish mackerel fishing tournaments, and I -- Whatever you want to call it, but I did not choose to vote either way on that, and I felt that it had to do with being able to not really sell, because I have a problem with mackerel, just like with tuna.

If it's not handled correctly, and if it's not chilled, and if it's not got a way to be appropriately -- Somebody is going to get sick, and somebody is going to get sued, and that -- I just wanted to throw that out there, and I don't even want to get into the offshore wind activities, and I had some grief about that, a couple of years ago, and how it affects sharks, but we've got a shark problem, and you all brought all of that up, and I'm not really involved as much anymore, with some of my health issues, but I just wanted to say that it's been great being able to work with all of you all, because you're very smart about what you're doing. Thank you.

MR. LAKS: Thank you, Rusty. You've always added great knowledge to everything, and we all appreciate it. Go ahead, Charlie.

MR. LOCKE: I don't even know if this is something we can do, but it's kind of bothering me, because the more I've been thinking about it, but is there a way of -- I mean, can I make a motion to have the council investigate the discrepancies of the landed tournament-caught kings, versus what is sold as a tournament-caught king, so as a way of, you know, giving like maybe NOAA OLE a -- It might not be a problem, and it might be something that's in my mind, and do you see what I'm saying, and so this is the issue that I brought up before, about, you know, are we even going to do anything by eliminating the sale of the tournament-weighed-caught kings, but is there a way of looking at the numbers? I guess to ask the council if can we look at the numbers of what is weighed in a tournament, and what is sold as a tournament-caught king, and, if there's a discrepancy, having it investigated, to figure out where these fish are going, and where they're being sold, and I guess is there a way to make that motion? I am not trying to cause a stink, but I

still think there's something like there, that maybe we won't be getting to the bottom of by just eliminating the sale of tournament-caught kings.

MS. WIEGAND: Charlie, I have a motion on the board that I think is capturing what you're saying, and so it's to ask the council to request information on the number of king mackerel weighed during a tournament versus the number of tournament fish that are donated.

MR. LOCKE: Well, I don't even know if they're donated, and so that's what I'm saying, and like I think that's where this -- I think that's where -- So, correct me if I'm wrong, but Thomas is saying there's 10 percent, and I looked at the numbers, and, I mean, sometimes it was up to 50 percent, or 50,000 pounds, and I'm sorry, of tournament-caught kings sold, and 50,000 pounds I think I saw in one year, and, I mean, was there 50,000 pounds of tournament fish weighed in that year, and do you see what I'm saying, and I guess that's what I'm -- I want to know if there's a difference in the number, because I think there's going to be, and that's my motion.

Is there a way to get the council to -- Then that would give the council -- You know, that would give the council an understanding of maybe our concern that we have, from the commercial side, of something is going on here, and it's affecting our market, more than just us saying, hey, we need to stop the sale of tournament-caught kings, and maybe they would be able to see that better, and does that make sense?

MR. LAKS: Charlie, I understand what you're saying, but the problem is I don't know if they weigh all the fish, right, and they just weigh-in the few big ones, and then they donate all the rest, and they don't even weigh them at the scale, and so I don't know how we would get the information of the total amount of fish that were caught in the tournament, that are weighed, compared to the ones that are sold.

MR. LOCKE: So that's what I'm asking though, is what is donated, because, if the fish is weighed, and it becomes the property of the tournament, is that what the tournament is given permission to sell, or is it any fish that's caught in the tournament, regardless of whether it's weighed or not, because you were fishing in the tournament, and then it's designated a tournament-caught king, and are these guys with ten or twelve kings giving them to somebody, which what we think is happening is they're actually giving them to a guy that's going and driving them to Wanchese and selling them, kind of under the table, and that's what I'm trying to say, and I'm still -- I still think there's some kind of number-fudging going on, and I would like to know -- I don't know if I'm wording it right, and somebody help me out here, but do you get what I'm trying to say? I don't know if the council is going to look into that more informally -- You know, more -- Looking at the data that they have, and I don't have that data, but they would have it, or they could request it, to figure out what's going on.

MR. LAKS: I understand what you're saying, but I don't think they have the data, Charlie. I don't think the total amount of fish that are caught in the tournament are weighed, and only the ones that are brought to the scale, right, and so all of them are then donated, and that weight is all of the fish, but it's not the fish that were weighed at the scale, and so you're looking for two numbers, and there is really only one.

MR. LOCKE: Is the 50,000 pounds -- I guess, and maybe this isn't a motion then, but that's where I'm still confused, and is the 50,000-pound number, or the 10 percent of commercial sales -- Is

that weighed fish in the tournament, or just fish that people are fishing in the tournament and they said I'm going to donate these kings to the tournament?

MR. LAKS: No, and that's all fish in the tournament. Some of them might not have been weighed into the tournament.

MR. LOCKE: Okay. All right. That clarifies it.

MR. LAKS: Thomas has got a comment, or a question.

MR. NEWMAN: That number that I was referring to is the weight of the fish that the tournament donates/sells, but what Ira is saying is that, some of these tournaments, you're only allowed to weigh-in one fish, and then, if you bring in three, a lot of times, these guys are donating two fish that are not weighed on the tournament scale, and so the tournament doesn't have a record of that second and third fish, but it is still donated to the charity for sale, and so not all tournaments are created equally. Some weigh the aggregate of two or three fish, and some only allow you to bring in two fish, and so it's up to the discretion of the tournament, the tournament rules, to determine what is officially weighed in the tournament, versus what's actually donated.

MR. LOCKE: I guess that's not really a motion then, and I guess that's just we're not going to ever know that real, true number?

MR. LAKS: I think it would be hard to know the true number, because, if they've got six guys on the boat, they can bring twelve fish in, and, if they're only allowed to, you know, weigh three of them, and nine others can go into the vat, you wouldn't know what they weighed, but they would be in the final number.

MR. LOCKE: Okay. Then I guess just strike that motion. I was just trying to get some kind of clarity, for myself and the other commercial guys that are, you know, concerned about this, because we don't know what the council is going to do, and they may say, hey, we don't want to, you know, stop the sale of tournament-caught kings, and it would clarify what's really going on, or at least maybe bring it up to more scrutiny, I guess, if that's -- That's what I'm trying to do, is raise awareness that maybe we need to scrutinize this a little bit better.

MR. LAKS: Thank you, Charlie, and I will bring it up to the council in the report. Go ahead, Thomas.

MR. NEWMAN: This is something that I was talking to with Trish Murphey, one of the councilmen, and there was a request, at the June meeting, I believe, to look at some of these charities that are being donated to, and apparently it fell through the cracks somewhere, and so I'm hoping the council will bring that back up, or maybe the data is being collected right now, and it will be presented in December, but the council has requested the charity information.

MR. LAKS: Go ahead, Rusty.

MR. HUDSON: Thank you, Ira. Earlier today, one of the AP members talked about a refrigerated truck backed up, and there's accountability, to make sure that those animals that were iced on the boat go get weighed, or didn't get weighed, and either way, and then have a temperature probe,

whatever quality control is needed, even if it goes to a food bank, and staying away from the sales is probably a better thing, because, like I said, I know of million-dollar suits over tuna, and king mackerel is another case, if have food poisoning, or other issues, because of the handling issue, and commercial people know this, and the for-hire fleet, in a lot of ways, knows this, but there's a lot of the for-hire fleet that's not even participating in a tournament, and they probably have a way to sell stuff, and so we need to be able to make sure people are having faith in the food that we provide, as commercial and whoever else is allowed to sell. Thank you.

MR. LAKS: Thank you, Rusty. Thomas.

MR. NEWMAN: To kind of get away from all the technicalities of this, can we recommend that the Law Enforcement AP, or the council recommend the Law Enforcement AP, to look more into this issue?

MR. LAKS: That's a good suggestion.

MR. NEWMAN: **I would like to make the motion that we ask the council to direct, or ask, the Law Enforcement AP to look into black-market sales of king mackerel.**

MR. LAKS: Is there a second? It's seconded by John. Is there any more discussion? **All those in favor.** Go ahead, Rusty.

MR. HUDSON: Black-market sales is a whole different critter. You're talking about people that are actually on the scene and doing stuff. If they gave it to their brother, or their sister, or their cousin, it's not a problem, but putting it into a food bank, or putting it into the marketplace, you may have a problem, and, yet, they may think they're legal, and the black market, like some of the busts that occurred in the Panhandle a couple of years ago, during the pandemic, there's a whole world there, and so we have to be careful about the wording for law enforcement's ability to deal with this.

MR. LAKS: Go ahead, Charlie.

MR. LOCKE: One quick question, and I don't think it -- I think it should be -- Well, I guess we should change the wording to "black-market sales of tournament-caught kings", I think. Of course, maybe I guess there's a black market of normally-caught kings, but I think there's more stuff going on with like the four or five pre-fish days around the tournament, of these fish that are hitting the market, that's affecting our markets commercially, and so I guess it would be, you know, have the law enforcement discuss, you know, the illegal -- You know, I guess the sale of tournament-caught king, and I don't know, but do you see what I'm getting at? I mean, word it differently than just "black-market king".

MR. LAKS: If we want to change that, Thomas, you have to change it, and, John, you have to be okay, as the seconder, that he changes it, and so do we want to say something like discuss the sale of fish, the illegal sale of fish, around -- Well, illegal tournament sales of fish, or illegal sales of fish around tournament activity, or during tournament activity, or are you guys good with what's up there?

MR. LOCKE: I would say “around tournament activity”, around the tournaments, like that timeframe.

MR. LAKS: I think the motion should be good, and I will elaborate, when I give the report, what we are discussing, and so I think this motion, as it is, will cover it, if it’s okay with the maker and the seconder.

MR. NEWMAN: Yes, I’m good with the motion as-is, changed.

MR. LAKS: **All those in favor of the motion. It’s unanimous. The motion passes unanimously.** Anyone else have anything? Go ahead, Charlie.

MR. LOCKE: I have one more quick question, and this is just -- This isn’t me, but somebody that had talked to one of the guys who was selling some of these tournament-caught kings, and he actually said they were from South Carolina, a tournament in South Carolina, but he had drove them up here to North Carolina to sell them, and so I guess my question would be, and you know what I’m getting at probably on this, is the Lacey Act, and the Lacey Act is interstate transfer of fish caught in another state and sold in another without landing first in that state, and has anybody ever looked into that, and I don’t know if that’s true, and that’s just what was told to one person, that, no, these aren’t coming from a North Carolina tournament, and they’re coming from South Carolina, and does the tournament have some kind of, you know, clause in there that -- You know, I guess, once they’re weighed, they’re technically landed, and that covers that, and I guess that’s my question, and does anybody know the answer to that?

MR. LAKS: I don’t know if it would be a Lacey Act violation, and that’s something that we can ask law enforcement, or NOAA General Counsel, at the meeting, but I do know that South Carolina has a thing that you can’t sell recreational-caught fish, and that fish would have been landed in South Carolina, and so at least that would be a violation, and I also know that the tournaments in South Carolina mandatory want the fish, and so something is happening to them. John.

MR. MALLETTE: I mean, Ira, you kind of said what I was, and I think all of that still falls into that last motion of we want to stop the sales of illegal tournament fish. Once that goes to the council, then the council -- It’s up to them to get into the deep specifics, and, obviously, that’s going to be anywhere, and so, whether it was South Carolina or North Carolina, and it all falls under the same purview of that same motion, that we want to stop the sales of illegal tournament fish, whether it was illegal because it came from a different state or illegal because somebody didn’t actually donate it, like they were supposed to, but it all falls under the same thing.

MR. LAKS: I agree, and I will try to elaborate, when I give the report. Is there any other Other Business? Okay. We need to do public comment. Is there anyone in the room that would like to make public comment, or online that would like to make public comment?

MS. WIEGAND: If you’re online, and you would like to make public comment, you simply need to hit that hand-raise button, which is the button that looks a little bit like a Thanksgiving hand turkey.

MR. LAKS: Well, guys, I just want to thank you all for coming, and those of you online for joining. Thank you. This is my last in-person meeting, and so good meeting, all of you, and I’ve

got to know a lot, and I appreciate you putting up with me for all these years, and so thank you very much, and, if there's nothing else to bring to the AP, that concludes it. Thank you, all.

(Whereupon, the meeting adjourned on November 8, 2023.)

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Certified By: _____ Date: _____

Transcribed By
Amanda Thomas
January 16, 2024

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Report Generated:

11/09/2023 11:24 AM EST

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended
392-687-947	11/07/2023 12:31 PM EST	4 hours 27 minutes	46	34

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Report Generated:
11/09/2023 11:26 AM EST

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended
392-687-947	11/08/2023 08:00 AM EST	8 hours 14 minutes	52	38

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