

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPER ADVISORY PANEL

**Crowne Plaza
North Charleston, SC**

October 31-November 1, 2016

SUMMARY MINUTES

Snapper Grouper Advisory Panel Members:

Kenny Fex, Chairman
Dave Snyder
Scott Buff
Robert Lorenz
Wayne Mershon
Red Munden
Kerry O'Malley-Marhefka
Dr. Todd Kellison
Deidra Jeffcoat
Scott Osborne

David Moss, Vice-Chairman
Rusty Hudson
Robert Johnson
Andy Piland
Richard Stiglitz
Manny Herrera
Robert Thompson
Jimmy Hull
Jim Attack

Council Members:

Dr. Michelle Duval
Mel Bell
Mark Brown
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Council Staff:

Gregg Waugh
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Dr. Mike Errigo
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Julie O'Dell
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John Carmichael
Chip Collier
John Hadley
Dr. Kari MacLauchlin
Amber Von Harten

Observers/Participants:

Dr. Wally Bublely

Additional observers attached

The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council convened in the Crowne Plaza, North Charleston, South Carolina, October 31, 2016, and was called to order by Chairman Kenny Fex.

MR. FEX: Thank you, guys, for showing up and taking your time out. I'm Kenny Fex, Chair, and David Moss is Co-Chair. Do we have changes to the minutes? Brian Cheuvront is supposed to be here to do a presentation, and he's sick. We're going to have John. He's going to do that. It's about yellowtail, and so that will be a change. We will go ahead and get started.

MS. BROUWER: Good morning, everybody, and Happy Halloween. We had to shuffle a little bit, do a little reshuffling of the agenda, as Kenny mentioned. Brian can't be here today, and so John Hadley has kindly offered to step in and talk about the things that Brian was going to cover, but John has to leave. He has a plane to get onto at noon, and so we're going to start with the allocation stuff with yellowtail. Before that, we will give you a little update on the status of these recently submitted amendments.

I thought, Kenny, that you wanted to do a little recap of what's been happening at council meetings and SSC meetings, a very short sort of recap, and, also, we wanted to bring a couple of items up that are going to come up under Other Business, to sort of make sure it's on everybody's radar and you have a chance to think about it over the next couple of days so that when it does come up under Other Business, you will know what we're talking about. Do you want to --

MR. FEX: I would like to get approval for the agenda and the minutes. Is there a motion?

MS. BROUWER: We don't need a motion, but we can just say the agenda is approved as amended or something like that.

MR. FEX: The agenda is approved as amended.

MS. BROUWER: Then are there any changes to the minutes?

MR. FEX: Are there any changes to the minutes? Seeing none, the minutes are approved. I would like to highlight that I went to two council meetings, an SSC meeting and a Marine Resource Education Program meeting. The motions that were sent forth by the advisory panel from the last meeting, they did accept the one on limited entry that we brought forth. I would take note -- That's for the charter industry. I would take note that there's going to be a lot of opposition. You've only got 1,500 permits, and so you're only going to have 1,500 people for it. If you're for it, you might want to speak out, because there's going to be a lot of fishing clubs that are against it, and I could probably note that.

The next one was the black sea bass endorsement to try to allow the ones that lost out in. The only argument from the council was one from Doug, saying what about that guy that spent \$60,000 to get his endorsement? Well, since he spent \$60,000 to get his endorsement that he didn't get, I guess he would be happy that he would get an endorsement and he could sell that other one, and so I think that's one to counteract that one, but also that the council does not regulate due to monetary value of endorsements and shares and stuff like that, and so that would be my other argument.

The black sea bass mesh size, the council didn't take that. They said that they would think that the fishermen might just do that themselves voluntarily. I don't believe that, but I still think it ought to be checked into. The SSC did look into that. I wasn't around for that meeting. I had to leave early, and so I apologize. The other one was we sent a vision blueprint, and I incorrectly spoke. Robert Johnson brought that forth, and I sent that as a motion, and it was quickly to check to me on that, and I know that we did not approve them as motions, and so I want to acknowledge that. I apologize for that, even though several of them were already things that we had made motions for.

The Marine Resource Education Program, as you know, some of you have been involved with it. It's a very good program if you have any naysayers around that you think could be changed, feel free to advise them to me and the Marine Resource Education Program.

Last was the SSC meeting. Robert attended it, and they were looking at what fish we found most valuable, the most stock assessment fish we would want to have, and so we put our opinions forth, recreationally and commercially. I did note that they did see a need to better identify the user group, as we have, trying to look for a reef stamp to try to isolate the people that truly offshore fish, and so I was glad to see the SSC took note of that.

Also, they came up with a new abbreviation, MSE. I have never heard of it. It means management strategy evaluation, and so I figured I would take note of that. It was kind of new to me, and so, if you ever hear that come out again. That is it. I would like to thank the AP members that did attend the last council meeting in your area, and even out of your area. That is nice to see you guys putting in that extra effort, and I hope you guys take advantage and be involved in this, because you are the guys to be involved with stock assessments and in a lot of research programs and so, if you get your chance, take advantage of it, because it's your opportunity. Thank you. Let's go ahead and go around the room and identify yourself and what area you come from. Recall that you always have to say your name before you speak, please. Thank you.

MR. HUDSON: Rusty Hudson, Director of Sustainable Fisheries, representing the East Coast Fisheries Section, in part, today.

MS. KERRY MARHEFKA: Kerry Marhefka, owner of Abundant Seafood, and I'm here in Charleston.

DR. KELLISON: Todd Kellison, NOAA Fisheries, and I'm at the Southeast Fisheries Science Center, the Beaufort Laboratory. Just a reminder that I'm a non-voting member of the panel.

MR. PILAND: Andy Piland, charter captain from Hatteras.

MR. STIGLITZ: Richard Stiglitz, commercial fisherman, Florida Keys.

MR. MUNDEN: Red Munden, Morehead City, North Carolina, retired from North Carolina Division of Marine Fisheries.

MR. MERSHON: Wayne Mershon, Murrells Inlet, South Carolina, representing the commercial and recreational in our area.

MS. JEFFCOAT: Deidre Jeffcoat, for-hire charter captain, Savannah, Georgia.

MR. BUFF: Scott Buff, commercial fishing, Holden Beach, North Carolina.

MR. MOSS: David Moss, recreational fisherman, south Florida, Florida Keys.

MR. FEX: Kenny Fex, North Carolina, commercial fisherman.

MR. ATACK: Jim Atack, North Carolina, charter and scuba.

MR. JOHNSON: Robert Johnson, St. Augustine, charter and commercial.

MR. HULL: Jimmy Hull, Hull Seafood, commercial, Ormond Beach, Florida.

MR. LORENZ: Bob Lorenz, Wilmington, North Carolina, private recreational fisherman.

MR. HERRERA: Manny Herrera, commercial fisherman, Florida Keys.

MR. OSBORNE: Scott Osborne, commercial fisherman, Stuart, Florida.

MR. SNYDER: Dave Snyder, restaurant owner, St. Simons, Georgia.

MR. THOMPSON: Robert Thompson, Murrells Inlet, South Carolina.

MS. BROUWER: Thank you, everybody. I just wanted to give you an update of where we are with the amendments that we have submitted recently, or not so recently. Snapper Grouper Regulatory Amendment 16 is the one that addresses the closure for pots to protect right whales. That one was submitted a while back. We recently got word that the agency is working on the final rule. However, we are still awaiting completion of the biological opinion on the snapper grouper fishery, and it was supposed to -- Pot season starts November 1, and obviously that amendment is not going to be in place by tomorrow. Hopefully by November 15 is what I understand the agency is trying to work towards.

Amendment 36 was submitted in August. This is the one that would establish the Spawning SMZs, and so that one is under review. I don't believe there is a proposed rule that's been published yet. Amendment 37 was submitted at the very end of September. That has a regulatory deadline, and so that one has to be in place by mid-February. That one is, again, also under review. Those are the three that have gone in recently, and I just wanted to give you an update on those. Are there any questions, first of all?

Then we're going to jump right in and talk about yellowtail, and John Hadley is going to give you guys an update or an overview of what's that about. Also, I wanted to mention that we do have a pretty packed agenda, but we have plenty of time, and so we want to make sure that everybody has a chance to talk about things. If you guys feel like you need to get into a discussion that you really want to get into, don't be rushed. We have plenty of time to discuss things as much as you guys want.

MR. HADLEY: Good morning, everyone. My name is John Hadley, and I'm an economist with the South Atlantic staff. As Myra mentioned, I will be going over Snapper Grouper Amendment 44, which is looking at potential reallocation options for yellowtail snapper. This is also going on parallel with Amendment 10 to the dolphin wahoo fishery. That's not going to be discussed here, but some of the alternatives are very similar for dolphin as they are for yellowtail snapper, but, as I mentioned, we'll just be talking about yellowtail snapper for this one.

A general overview is the commercial yellowtail snapper fishery closed on October 31, 2015, due to projected landings indicating that the commercial ACL would be met, and so that was the impetus for this amendment to move forward. Looking at final landings, it turns out the fishery -
- The fishery was closed on projected landings. Final landings showed that there were approximately 412,000 pounds of the commercial ACL that went unharvested, and so the commercial sector underharvested in 2015. Additionally, the recreational sector did not harvest approximately 500,000 pounds of its ACL.

In response to the commercial closure, coinciding with uncaught quota, the council is considering options to prevent future closures and add flexibility in managing the yellowtail snapper ACL. Specifically, the council is considering ways to temporarily or more permanently shift allocation of yellowtail snapper ACL from one sector to the other, so that both sectors can have the longest fishing season possible, and so the specific action here is to revise sector allocations and, where appropriate, accountability measures for the yellowtail snapper fishery. Right now, there are six different alternatives, and four of the six are worded -- Most of them are worded to allow either sector access to additional ACL when needed or when necessary.

A little bit of background is the current yellowtail snapper ACL is approximately three-million pounds. A little bit under half of it is allocated to the recreational sector and a little bit over half is to the commercial sector. The table there is a modified version of what you had in your briefing document looking at the yellowtail snapper landings since 2012. You can see, in 2012, the commercial sector came fairly close to landing its ACL, 90 percent. It has dropped down since then.

The recreational sector, you're looking at approximately 60 to 75 percent per year. It varies annually, but, over there on the right, you can see there is a considerable amount of unharvested landings that are left in the water each year. The total fishery harvests approximately 75 percent annually, and so you're looking at about 25 percent left.

To begin, I wanted to go over the purpose and need, starting with the purpose, and I would like to get any feedback from the group. Feel free to chime in, but, as it's currently worded, the purpose of this amendment is to modify sector allocations, update the sector ACLs and accountability measures, and minimize the risk of closures in the fisheries for dolphin and yellowtail snapper. We can chime in on this later, if anyone has any input on the wording there, anything that stands out to you.

Going over to the need, the need for the amendment is to better achieve optimum yield for dolphin and yellowtail snapper while minimizing, to the extent possible, adverse social and economic effects due to closures.

I will walk you through the six different alternatives. I tried to summarize them here, more so than go over them word-for-word. They were in the briefing document. Some of them are fairly lengthy, but I tried to provide a summary here and pull parts of the document out. Moving to Alternative 1, this is no action. The current allocation and accountability measures would remain the same, a little bit under half to the recreational sector and a little bit over half to the commercial sector.

An in-season closure will occur if a sector's ACL is met or projected to be met, and so we saw that kick in during 2015, when projected landings on the commercial sector were that it would harvest its ACL, and so it was closed at the end of October. It was closed for the months of November and December.

Moving on to Alternative 2, this is closing when the total ACL is met. This would be changing the accountability measure. It's to maintain the current sector allocations, but revise the accountability measure to not close the harvest for either sector until the total ACL is met, and so harvest would not close when one sector meets or exceeds its ACL, as long as the other sector is underharvesting its ACL by an equal or greater amount. The fishery would close for both sectors if the total ACL was met, regardless of which sector landed more fish.

Alternative 3 is modifying sector allocations, and so this is more of a hard shift, if you will. Allocate a larger portion of the total ACL towards the commercial sector. As I mentioned, approximately fifty-two-and-a-half percent to the commercial sector at the current time. The different sub-alternatives range from 58 percent to 72 percent, and those are based on different landings, how landings broke down in the fishery in different years. That's where those percentages came from. You can see, in the little bullet points underneath, that would be the approximate additional poundage that the commercial ACL would receive or would increase by.

Alternative 4, this is creating a common pool. It's to set aside a portion of the total ACL that can be used by either sector as a common pool allocation. The sub-alternatives for that common pool range from 1 percent to 10 percent of the total ACL. These values range, in weight, would be 30,000 pounds to approximately 303,000 pounds. The ACL for both sectors would then reset based on the remaining total ACL along the current allocation lines. The outcome will be reduced sector ACLs for both sides, but either sector may use the common pool ACL when necessary, as long as landings are still available.

Alternative 5 is establishing a rollover credit. If a sector is not harvesting its ACL in a fishing year, a credit is established that would roll over year after year until used. Looking at this -- To begin with, the fishery itself needs to be -- The total harvest needs to be a certain amount under the total ACL, and so that's Sub-Alternatives 5a through 5c. It's 15 to 25 percent needs to be underharvested before a credit could be issued to either sector.

The carryover credit earned would be a certain percentage of the underharvested sector's ACL. Say, for example, the commercial sector, in this case, underharvested by 100,000 pounds. In Sub-Alternative 5d, which is 10 percent is chosen, then a sector credit for the commercial side would be issued for 10,000 pounds, and this would roll over year after year until used. You can imagine, if a sector is consistently underharvesting, the credit could become quite large, and so the final set of sub-alternatives there is to set a cap on how large that can be. There is one caveat built into this

one, where the sector ACL credit may not be used if the total ACL will be exceeded, and so there's always that cap there of the total ACL.

Finally, Alternative 6, this is establishing a conditional transfer, and this is borrowed from the Gulf of Mexico. They are looking at a similar situation with king mackerel. Conditionally transfer a certain percentage of the total ACL from a sector that is not landing its allocation, and so the donating sector, to the other sector that is landing all or almost all of its allocation, and so there's different options here for how much would be transferred, ranging from 5 to 20 percent.

I guess the stipulation here would be a minimum landings threshold for whether the transfer occurs is based upon the donating sector's landings. The donating sector would have to be substantially underharvesting, and consistently underharvesting, its ACL before any sort of transfer would occur, and this is based on the most recent five years of available data. Say 75 percent was chosen as the minimum threshold. The donating sector would have to be underharvesting by less than 75 percent each year. If it went over say 75 or 76 percent in a year, then no transfer would occur.

Questions for the advisory panel, there's a table on the right there. I know these can be kind of tough to keep in line, and so there's the alternatives and then the brief description of what each alternative encompasses, and so one of the feedback points we were hoping to get was are there any alternatives that should be changed or even not further considered that the group would like to discuss.

MR. JOHNSON: Just a question. When the fishery was closed, it was closed on projected landings, and how much under the ACL was that? Did you say 40,000 or 400,000?

MR. HADLEY: It was approximately 400,000, and so it was approximately 1.1 million pounds.

MR. JOHNSON: Okay. I am looking at all of these alternatives, and I'm thinking that we didn't even effectively really manage the fishery, and how are we going to -- Do you understand what I am saying here? It seems like the real problem, to begin with, was we didn't have a good handle on what the landings were, for some reason. In the commercial sector, where everything is reported through dealers, I am just curious, but how did that even happen?

MR. HADLEY: That's something that we're looking into. We'll have more information for it at the December council meeting, but that exact question has been asked.

MR. STIGLITZ: Alternative 6, how much of the yellowtail fishery does the Gulf not catch?

MR. HADLEY: I am not sure. For the Gulf of Mexico?

MR. STIGLITZ: Yes.

MR. HADLEY: I am not sure. I don't know, off the top of my head.

MR. STIGLITZ: Do you have any idea, Manny?

MR. HERRERA: They rarely reach over that 50 to 60 percent of it. However, I don't know if you're confused, Richard, but I don't think it has anything to do -- I think I know where you're

going, but I don't think it has anything to do with Alternative 6. They are just talking about the Atlantic side being able to use the Gulf measures, what they're using in the Gulf, to give us more of that recreational quota, if I stand corrected.

MR. HADLEY: I will clarify that. That was essentially the Gulf of Mexico is going through a similar action with king mackerel, and so that was essentially their mechanism being transferred to yellowtail snapper, and so they're two separate -- It's just being borrowed from the Gulf, but there wouldn't be any -- I guess it's borrowing the idea and not necessarily trading quota with the Gulf and that sort of thing.

MR. STIGLITZ: You're losing me on it, because I thought it was if we caught ours and they weren't catching theirs that you could borrow the fish from them. I misunderstood it then?

MR. HADLEY: Yes, and we're just looking at just South Atlantic yellowtail snapper, and so the commercial sector and the recreational sector, but just in the South Atlantic though.

MR. HUDSON: The total ACL, recreational and commercial, combines a little over three-million pounds. What is the OFL?

MR. HADLEY: I will have that for you in just a second.

MR. MUNDEN: John, of these alternatives that are offered here in Attachment 6, which ones are closest to the action that the Gulf has taken already?

MR. HADLEY: I know Alternative 6 is the closest. I know that they've been examining it. I would have to look at their last meeting, which I have the minutes on my computer here, but I would have to look at what their preferred was. They just chose a preferred, and I want to say it was along the same lines, but I would have to double-check.

MR. FEX: Jessica, would you know what we're talking about? Would you speak on behalf of this, please?

MS. MCCAWLEY: I know what you guys are talking about, but I don't have the answer on what exactly the Gulf is doing, but it's my understanding that they haven't been meeting their quota, but there is not a mechanism. It's one whole quota between the Gulf and the South Atlantic, and I can't remember the split between the Gulf and the South Atlantic, but I could look that up real quick.

MR. MOSS: I have a quick question for Manny, and I guess Richard. Just out of curiosity, how much does closing down the commercial fishing season in November affect you guys, because I know that typically around that time of year is when you start getting the smaller fish anyway, right? I don't know if you guys still focus on them or what you start doing in November and December.

MR. STIGLITZ: We changed the fishing season to open on August 1 now, and so there's not going to be a November closure. If there's a closure, it will be in the summertime, and we catch our small fish in the summertime and not in the wintertime. That was the reason to change the

fishing season. The prices are less, they're spawning, and, come June and July, the fish get smaller, and so it was very smart to change it to an August 1 opening.

MR. HERRERA: Ditto on what Richard said. Definitely smaller fish are in the summer, and that's when they're all roed up and doing their spawning season, and so that's into effect now. We already started our fishing year. It changed August 1, and so we're doing well, as far as that is concerned.

As far as any of these measures are concerned, they are all going to help the commercial sector as far as what I can see. The only thing we need to take into account -- I like what Rusty said. We need to make sure that, in any of these cases, that we're not overfishing and that it doesn't take away from the recreational sector too much. I think they have some to borrow, but I think any of these are going to help the commercial sector. As you saw, we didn't even meet our quota last year, and so I don't know.

MR. ATACK: These are combined, and is that why we missed it by 500,000, because we couldn't add the Gulf and the South Atlantic together? I don't understand how we can miss it by 500,000 on a 1.5-million-pound ACL. Number two is, the recreational landings, we won't know what they are for several months after a season closes, and so how can we really say that we can borrow from the recreational, because we know they're not landing anything, or not the right amount. When you find out, it's going to be too late, and, if we're under by 500,000, how do we know they're not going to miss it by over 500,000 on the ACL landings?

MR. HADLEY: That's a very good point. Several of these alternatives, the timeliness of recreational landings is going to be an issue, and those details, if the council wants to go down that path, need to be worked out, because you do have that substantial time lag there, where recreational landings are coming in in the different waves, and then the finalized landings aren't available until the following year, and so that's a very good point that needs to be addressed.

MR. JOHNSON: To that point, we do need to understand that we're relying on MRIP for those recreational landings, just to remind everybody. Then another question is Alternative 4, I think it's a great alternative, but when did we ever decide that we could rollover fish and bank fish? I have heard, the whole time I've been involved in this process, that that doesn't happen, but we're going to make an exception here? I'm all for it, but I'm just thinking, is this really going to fly in management?

DR. DUVAL: Robert, that was -- We were trying to do something that was a little bit like what HMS does. They have a -- It's not a rollover, but it is sort of a common pool type of allocation. I have to go back and look up the specifics of what it is, but we were trying to take from that, that tool, and tailor it to our needs here in the South Atlantic, whereby you could carry over some portion of unused quota or allocate it towards a common pool that would be used by either sector.

I have to go back and look up the specifics, but there are limitations on how HMS uses that particular tool. There is only so much that could be carried over or allocated to this common pool, and it doesn't continue to expand infinitely or anything like that, but that's kind of what we were looking at, was trying to take some of the flexibility that HMS seems to have and be able to apply it down here.

MR. MUNDEN: John, the reason I asked whether or not you knew what the Gulf had done for the alternatives is that it appears to me that we're kind of reinventing the wheel by coming up with all of these alternatives, and possibly the Gulf has already settled on something that works for them. However, going back to my days on the Mid-Atlantic Council, we had a management measure in the Bluefish FMP which allowed the councils to recommend to the Regional Administrator a transfer a bluefish quota from the recreational to the commercial sectors if it was predicted or projected that the recreational fishery would not take all of its quota for that year, based on the previous year's landings.

That's a little bit complicated, but, if you go to John Carmichael, he was involved in the preparation of that initial FMP. It worked very, very well for the Mid-Atlantic and the New England Councils, because, if the bluefish fishery, recreational fishery, has not taken its quota or is not projected to take its entire allocation, then the councils can recommend to the Regional Administrator -- I believe, for bluefish, the maximum is a ten-million-pound transfer, but the Regional Administrator can transfer a recommended amount from the councils or a smaller amount, and so you might want to consult with John Carmichael on that and just get the background on how that fishery operates.

MR. HADLEY: That was actually a similar option that went out to scoping, and the discussion at the last council meeting was essentially, due to the time lag of recreational landings, that that was taken out and the conditional transfer was sort of a hybrid version of two other alternatives that were in the scoping document, and so the conditional transfer is to address that, but that was one of the original ideas when input was being gathered to take this out for scoping, but thank you.

MR. LORENZ: In looking at this, I particularly have questions about Alternatives 3, 5, and 6. I just think, with all that going on, that adds -- One, they're rather complex alternatives in order to execute and, being in the recreational sector, I do have a lot of caution on what can become established reallocations of quotas, because one of the things that I would like to bring up is, in recreational fishing, it depends on the number of fish.

There will be more interest the more abundant the fish are, and that will be for those of us that are private or those that service us, the charter and the private industry. I have no issue with trying to get a few more fish to the commercial fishermen in years where they seem to be abundant.

Therefore, I kind of like the Alternative 4. It happens in a year. If the fish are there, the commercial segment can have a few more. It may help them in ways where they're having a bad year with another species, and, by the same time, if those of us in the recreational fishery continue for some time to underfish our allocation, that's just conservation. That's what we want and that's what leads us to more abundant fish stocks, which essentially aids recreational fishing activity, and so I would endorse Alternative 4 pretty highly. 1 and 2 are okay, but I do not like 3, 5, or 6.

MR. ATACK: My concern is why did we not catch the ACL? If the stock is real abundant and the effort is there and we're catching the fish, that's great. If the effort is there and we're not catching the fish and now we're going to put a pool next year where we can catch more, how do we differentiate between why weren't the fish landed? If the stock is hurting and we're building up this higher ACL because we're not landing it, that is contradictory to leaving the fish out there to help the stock. If the recreational are not catching what they are and there's going to be more abundant fish, and then we go ahead and give those more abundant fish over to the commercial, we've just got to be careful about overfishing the stock.

By increasing the ACLs because they weren't landed this year in the next year, because there's something going on with the stock that we don't understand, because we know how long it takes to make an amendment change and change the ACLs. I am kind of wary about inflating these ACLs, and the reason they're inflating is there might be something going on with the stock, where it's not there. If we can't catch the fish with the effort we're using, then why should we be increasing the ACL the next year?

MR. JOHNSON: I have a lot of heartburn with all of them, really, because I like Alternative 2, but the first time that the commercial industry forces a closure on the recreational industry, you're going to hear screaming, and the first time it happens the other way, you're going to hear screaming, and so it looks the commercial industry -- The only reason they didn't harvest their ACL the one year is they shut them down for two months, and so I'm really looking at the alternatives.

The only one that sort of makes sense to me is Alternative 4, where you have that common pool, but then you're going to take some ACL from the commercial industry on the front end, and that's my understanding, right? Automatically, their ACL is going to be less, but, in essence, they're actually going to get some of the recreational ACL, if they need it. I am not sure if any of this is needed if we can effectively monitor the landings. The big thing that I have the problem with here is MRIP using recreational landings for anything, and I'm sorry to say that, but that's just how I feel.

MR. STIGLITZ: Alternative 1, we just made a major change in the yellowtail fishery, with the opening of the season on August 1, three months ago, and I think it's going to make a major change in the fishery. It's not going to close the wintertime, when the guys get paid their best money for them. If the commercial sector gets closed down in the summertime, I think it's conservation. I am going to ask Manny on it, but my feeling is we just made a major change in the season, and I really think we need to let that go and see what it does for the fishery, because, if it stops some of these guys from catching these small fish in the summer, when they're full of roe, I think it's the time of year to close it.

If the commercial guys are catching theirs, the fishery is in great shape. I don't want to add more people fishing and I don't want to add more fish coming out. I want my grandkids to be out there catching them fish, and I really think that just changing our season, like we did this August, is what the fishery needed. If the commercial guys get shut down for a little bit, they're not against it. I don't think they are. I know my son is not, and Manny is over there shaking his head that he's not against it, and I'm for Action Number 1. Let's do what we just did last year and let's see how it works. If it doesn't work four or five years from now, we can always change it, but let's let work what we just did.

MR. HERRERA: Ditto to what Richard just said. We just had a major victory of having our fishing year changed. As you all see, we didn't -- I don't know what's going on, but we didn't meet that quota last year, and I'm a firm believer that if there is ever a need for a closure in our fishery, in the commercial yellowtail fishery, it needs to come in June and July.

Yes, there is a few, a very small percentage of people, down there in the Keys that may be opposed to that, but the major stakeholders in this fishery, none of us are against it, and so I think what

we're doing is working quite well. We just scored a major victory, and let's not fix something that's not broken.

MR. LORENZ: I am just noting what Manny and Richard said. The only thing that I'm going to provide is just a little more with Alternative 4, which I didn't think of the fact that you would have to take some of the ACL in the beginning. If that were to be a viable alternative for the future, if we were to think about it, maybe, in order to get it started, instead of the year it gets started, allocating a portion of that year's ACL. Maybe it could start and work with the common pool, with the fish for the common pool coming from any ACL underage from the sectors the year before, and so start it that way, rather than providing the hurt the very first year you do this. This is kind of a little more towards that rollover option, but not exactly the same.

MR. STIGLITZ: **I would like to make a motion that we accept Alternative 1.**

MR. FEX: We need a second.

MR. HERRERA: Second.

MR. FEX: Any further discussion? I believe we spoke a lot about this. I like to see you guys' conservative side on that, looking for the spawning closure. I would note that we've always looked to try to get a spawning closure for most species, and I do note the issues with MRIP. It is a questionable field. I do like the council's idea about trying to get optimum yield. We'll be looking at that here with the dolphin coming soon, and so the rollover part I was in question of though, because I know we can't roll over quotas, and so good point, Robert.

MR. ATACK: If we go with Alternative 1, basically we could table this whole amendment and save the staff some time. Then, later on, if it looks like we need to do something in this fishery, we could take this amendment back up and spend more time and work on it, and so staff would probably appreciate that.

MR. HUDSON: I looked up the OFL in the joint SSC discussion. They did have a number as high as 5.58 million, but they thought that was a bit risk-prone, even though the actual catches were way less. They decided that 4.61 included dead discards, million pounds, but that's joint between the Gulf and the South Atlantic, and so they further divided it down, down to 4.5 million, just for landed, and then they gave just a little over a million pounds to the Gulf and then the three-million-plus to the South Atlantic, and so it looks like there is some wiggle room there, by the time we get to the next assessment.

MR. MUNDEN: I find Alternative 1 to be somewhat problematic, because even though several members around the table have said that we just changed the season to August 1, how long did that take? Normally amendments take two to three years, and so I think that the point that Robert made might be a good point, that we would look at whichever sector did not harvest its allocation and then you could establish a pool from that, but if we say, okay, we're going to table this, that work has already been done by the staff, but, still, it would take several years to respond if we find out that this year we have the same situation we have with the recreational sector leaving allocation on the table and the commercial sector being closed down.

MR. FEX: I understand where you're coming from, and I know it's probably not going to shut down this amendment, I know, but it's nice to see the conservativeness of the commercial sector trying to at least understand that they want to be restricted somewhat, because they know a year-round fishery will be a problem. Some of us look at it that way too, but, yes, this is not going away. They spoke their opinion on it, and I'm glad to see that we're always taking the conservative side on it. Any more questions or comments? Seeing none, we will vote on the motion. **All for, thirteen for; those opposed.** Go ahead and comment.

MR. JOHNSON: I do like the idea of what Michelle said though about the credit for the unused. As fishermen, I've always thought if we don't harvest an ACL -- Sometimes there's a lot of fish left in the ocean, and they're still there. I don't understand it completely, but I hate to see that thought process just get thrown away, and so I don't know how to even handle that, but I think that's something worth pursuing.

MR. FEX: Duly noted.

MR. LORENZ: Mr. Chairman, I'm wondering, on what Robert said, is it possible -- I know we are putting Alternative 1 as the preferred, but could we also make a motion to keep alive, or keep reviewing under consideration, Alternative 4, with some modifications, and have more discussion on it for the future, put it in our back-pockets?

MR. FEX: You can. Like I said, I don't believe this amendment is going -- I think it's going to keep going, and so we'll probably be able to speak on behalf of it again. If you want to make it, I will make note of it, but I will note that this is going to keep going. You will see it at your next meeting, I guarantee it. It's not -- The no action just gave their opinion, and so you're more than free to make any motion you want.

MR. HULL: Just one further comment. If part of the purpose and need is to obtain optimum yield, if you look at Alternative 2, where you combine both ACLs, and both sectors then attempt to catch the ACL, you will -- That's the best way to obtain optimum yield, in my opinion, without harming either sector.

MR. FEX: Any more questions or comments? Seeing none --

MS. BROUWER: Okay. Timing on this amendment, the council is going to review your recommendations and talk about it a little bit more in December, and my understanding is that the schedule is to approve it then for public hearings, and so public hearings on this amendment would be held at the end of January or early February. Then, as Kenny said, you would, unless the council decides not to continue development, you would see it again at your spring meeting with the analyses. Then you can have a little bit more information in front of you at that meeting.

MR. HADLEY: All right. Switching gears, we're going to for-hire limited entry, and this is Amendment 11 to the Dolphin Wahoo FMP and Amendment 45 to the Snapper Grouper FMP and Amendment 31 to the CMP FMP. I just pulled some information from the briefing document that you all received.

As a general overview, the council is considering limiting the number of for-hire charter and headboat permits that can be issued at any one time. A control date has been set for June 15, 2016,

in relation to that, and so the council has decided to consider this as a means to address the upcoming logbook and reporting compliance for that for-hire logbook, potential vessel overcapacity and data quality issues, and so improving some of the issues with MRIP, where a logbook would improve that, fishery resource concerns, and to help with business planning.

A general look at for-hire permits in the South Atlantic, there are three for-hire permits for dolphin wahoo, snapper grouper, and coastal migratory pelagic. All are currently open access. There is a table in the document, or there are three tables in the document, showing the different permit numbers from I believe 2007 through 2015. There has been some variability over time. The highest numbers for each permit were generally seen in the late 2000s, and they have decreased since then, or through 2015. I did check yesterday, and the permit numbers have increased in 2016, and so you can get on the SERO permit website and pull the current permit holders, and so there has been an increase, likely as a response to the announcement of limited entry.

Some of the input received on limit entry, limiting the number of South Atlantic for-hire permits has been discussed in multiple settings. It was brought up during the visioning process, through public comments that the council received in 2014 and 2015. Public comments have been received at recent council meetings, and, also, the Snapper Grouper Advisory Panel has discussed it several times.

As part of the visioning process, limited entry was discussed as a management tool during the snapper grouper visioning process in both the 2014 port meetings and the 2015 visioning public input sessions. During the 2014 port meetings, it was mentioned in North Carolina and in Florida, and there were conflicting views expressed during the 2015 visioning public input process. There were some comments received that limited entry was needed and there were too many for-hire operators in some areas, while other areas did not need limited entry, that this was not needed at this time, and so there is conflicting input there.

Looking at some of the past council actions, limiting entry into fisheries is nothing new on the commercial side, certainly in the snapper grouper fishery. In past considerations, when working through the limited entry process, looking at how many permits would be issued, criteria for receiving a permit, whether a permit will be transferable, necessity of endorsements, decals and marking requirements for vessels or gear, and a permit revocation and appeals process.

There is a split opinion. Some are in favor and some are opposed, and so some of the issues -- The council thought that the issues might not be the same for all three of the for-hire permits. For example, the council does not have the same resource concerns for dolphin as they do for a species such as red snapper.

Whether or not limiting the number of for-hire permits is the best way to address the stated issues, and so that list at the beginning looked at some overcapacity issues and logbook reporting compliance, and are there other ways to get at these problems, or potential problems, than limiting entry in the for-hire fishery?

Also, some of the issues that may arise as a result of a limited-entry program are conflicts over who does get a permit and who does not get a permit, how to handle the permits obtained after the control date, and how new entrants can get into the fishery. Also, it was brought up during the past council meeting of conflicts that could arise between private anglers and for-hire operators if

sector separation occurs. Sector separation, just to be clear, is not part of this amendment, but that was an issue that was brought up, that if it happens in the future as a result. That's just to clarify that there.

Other considerations are, there again, necessity of limiting entry for all three for-hire permits. Coordination will be needed with other management councils for the coastal migratory pelagic and the dolphin wahoo permits. It will be necessary, and it may increase the complexity of implementation, if those two are selected. Additionally, the potential economic and social benefits for vessel owners and participants that are included in the limited-entry program and those potential losses for those that will be excluded. There is a list of questions, and we will go through them, from the briefing document, but, to begin with, do you think that limited entry into the for-hire sector is warranted at this time?

MR. LORENZ: I am going to speak as a user of this service. Being a mid-term baby-boomer that is thinking of selling his boat, I am looking to use the folks that will be impacted by this more, and so I would like to give you my perspective as a regular angler and your customer and future customer.

I basically don't like this, and I know basically the private recreational fishing sector does not like this, because it would probably lead to the slippery slope for, again, dividing the sector for the basis of the allocation of fish, and that will not be received very well. Basically, the way the recreational anglers feel is the best way, in order to manage fisheries for recreation, is to have the allocation of fish based on really a per-angler basis, a per-citizen basis. We don't ever want to get to a point where the service provider, those of you that provide a platform for us, by a partyboat or a for-hire boat, that you actually get more control of the fish. Those are for us, your customers that are on that boat.

Some of the arguments for this, like to limit the number of permits, don't really pan out, with respect to Table 1, because I'm seeing that the permits, for about eight years, are fairly flat, with the exception of South Carolina, but look at what has happened on the coast here of South Carolina and folks like me that are going to be moving to this area and why you have more demand for that service.

If you look at how this led in the Gulf, that is certainly no place to look, to put our South Atlantic Council to mimic those folks. They started with sector allocation or splitting the recreational sector, and that led to allocating the fish. That led to keeping the recreational anglers out. Their sheer masses, with their voting, are now going to their states to manage the resource, and now the federal government is saying that can't happen and we want to control it. We're just about ready to start a civil war based on fish down there, and so I'm not for this at all.

The other thing is to lock out potential new people, again, with the permits being flat, why do that? If the issue is to gain some of the aspects of better regulatory compliance, like folks who will -- Like the electronic reporting and that sort of thing, those are going to be your new people.

Anybody that's ever been in business knows the first people in the business that you hire, they are never mad that they got hired and got a job. They get cranky later with the job, and so I would presume that the new charter captains and the new headboat captains of tomorrow will be more amenable to some of the fishery controls that we have, and the other thing is the best captains of

tomorrow, five years from now, may not be in the business, and so, as your user and as a customer, I am very much against this.

MR. JOHNSON: I mean, I understand your point, but, first off, the number of operators isn't the issue. It's not that I want to exclude anyone. Management is the issue. Data collection is the issue, and, unless you live in a bubble, we've got another issue that we're going to be talking about this week called red snapper.

It's great to say that there will be new participants in this fishery, but there may not be a fishery left. That is my concern. That's not to play on the fears of this group, but if any of you were involved back when red snapper was kicked around in 17A, you start closing big areas of the ocean and there will be no charter boats. Recreational anglers will adapt. They will fish inshore. Then, when the areas are open, they will go offshore. If you're a charter boat, you need to fish to make a living. That is my concern. That is the reason that I first brought this to this group's attention, and it's not to exclude anyone. I am a free-market guy. It's not about that.

In the South Atlantic, we manage like we have three sectors, but we only have two, really. We have a recreational sector and a commercial sector. Now, what is it? Why do we even have a charter boat permit if we're considered recreational anglers and managed the same way? I just want to make sure that I can stay in business.

Just so this group knows, I have two vessels that I could have put for-hire permits on that I haven't. I've got a commercial vessel that operates, and I've got another vessel that's twenty-foot, and I don't really go in the ocean much in that. I could have put charter boat permits on those, but I didn't. Again, if you pay attention to what's going on with red snapper, if we keep going down this path, the only charter boats left are going to be owned by very wealthy individuals that don't intend to make a living.

People like myself, who have fished my entire life, since 1980, as a for-hire operator, we will be gone. We will be no more, and all we'll have, like I said, is just a bunch of wealthy individuals that have a boat and, to defer the cost of owning a boat, it's a charter boat. I really think this group needs to think outside the box here.

To address the Gulf issue, we're not talking about IFQs, and that's where the heartburn is in the Gulf. I don't want to see me get a personal slice of a fish pie. All I want to see is my sector to be accountable and to be managed effectively and to be managed in a way that allows us to stay in business, because you start having closures and it won't matter if you are a charter boat. You're going to be tied to the dock. When you're tied to the dock, you're not going to make any money and you're going to go away. You're going to be out of business.

MR. FEX: I would like to make a few points. We on the AP have supported this since 2012. I attended three visioning meetings, and, at each one, there was a support for it. Like I said, you're going to have a lot of opposition from recreational people.

I know that the council didn't have an issue with people coming up and getting caught for not having a charter permit and being able to go get one and showing up to court and saying, here, I've got a charter permit, and so there's a loophole in not getting caught for that, and so I don't have an opinion in this, since I am the Chair, but, also, in the Gulf of Mexico, it was stated a while back

that they like it now, from the people I've spoke with at the education program. The cost is only \$1,200 for one of them permits. I spend over \$2,000 a year to keep my permits and life raft and everything, just to keep going commercial fishing, and so I don't think \$1,200 is that much to buy into a fishery or an operation, but that's just a thought, and so any more comments?

MR. LORENZ: Okay. I would certainly be with Robert. For the purpose of the folks in the business, if they want to limit entry and have a greater control on the people participating, that's fine. The point I would like to make, and what I never want to see, is that becoming a sector that gets its own fish. For recreational fishermen, the fish belong on a per-angler basis, the per-recreational-angler basis, and not to the service provider, so that basically someone should be able to fish, whether on their own private boat, a friend's boat, a charter boat, or a headboat. They get to keep a certain amount of fish, and that is always open to them, as the recreational anglers of today and the ones of tomorrow, which we're basically talking the United States citizens, just about every one.

If a charter or a headboat captain were to keep some fish, they can keep what they would normally be allowed to as a recreational fisherman, and so I'm okay in having the sector have limited entry, as long as we're not going to find a way to slice the fish and give away a certain portion to that limited entry sector. That stays as a public trust and a common for all of us.

MR. JOHNSON: I really wish this would have been brought up after the red snapper discussion. I think it's really out of place in the agenda, because, when we talk about red snapper, hopefully the charter operators at this table will be concerned, because we should be. We want to be able to fish just like the commercial sector. We want to be able to continue to make a living, and that was the only purpose of why I ever brought this up to begin with, because I can sort of see the handwriting on the wall.

MR. HULL: Just a comment. Most of the charter boats, for-hire boats, in my community are more like commercial fishermen than recreational fishermen, and I agree that they service the recreational sector. However, they're also, because of that, because they're tied together, they are being harmed because of the unaccountability of the recreational sector, which shuts them down on these fisheries when the unaccountable sector catches their limit, according to MRIP.

Obviously, if you're in business, you would certainly like to have some certainty, and if I was for-hire, I would certainly be in favor of total separation from the recreational side and getting our own quota just like the commercial side to service the recreational fleet, and so the recreational sector may shut down. If the for-hire had their own sector carved out, recreational fishermen would still be able to go fishing.

MR. BROWN: Gregg, I would like to clarify what we discussed just a little while ago about the MRIP. I have been subjected to a lot of different surveys over the past, and I have participated in different ones, but Quantic was a contractor of MRIP, and I tried to opt out of it, and they told me that I couldn't. Ken Brennan was trying to help me opt out of that one, because I had so many different surveys that I was doing, and so I had the discussion with Gregg just a few minutes ago, and I asked him, I said, well, if we can't opt out of it, does that mean that we're going to be subjected to the MRIP numbers for the for-hire sector for years, and Gregg said we would. We may be dead and gone before we ever get anything changed with MRIP for the for-hire sector included into the stock assessments.

MR. WAUGH: Good morning. Yes, Mark, and part of what we discussed was that the sampling methodology is going to continue for the MRIP program. It has to until the logbook program for the charter vessels is implemented and becomes validated, and then the MRIP certified methodology, in the longer term, for the for-hire sector, we hope to make the logbook.

That's going to take a transition. For it to get to that level, then the states, similar to what South Carolina has done, the states are going to have to get onboard and require a logbook program for their for-hire vessels as well. That's the only way, long-term, you get the MRIP methodology to switch 100 percent to the logbook.

Now, in the interim, the agency and the council are going to have to have discussions and determinations about what numbers are used, because if we start to get similar numbers from the charter logbook program that we're getting with MRIP, then it's not too much of a big deal. If they're very different numbers, then that's something that's going to have to be looked at sooner rather than later, but you are right that the sampling program for the charter portion will continue until we get all states onboard.

MR. JOHNSON: Another point is we're going to have -- I think at this meeting that we're going to talk about reporting for the for-hire sector. Again, how is that going to work if it's just an open door, and I don't have any problem with limiting this to reef fish. That way, if somebody, especially in North Carolina or South Florida, where they do a lot of trolling and they want to be a charter boat, I don't have a problem with that. Again, my concern is red snapper and what's going to happen because of that fish and being able to stay in business, frankly. That's it. I just want to be able to stay alive.

MR. PHILLIPS: I just came back from the Gulf, and it was amazing to me to watch probably thirty fishermen, charter boat and headboat guys, go up to the mic and ask for electronic logbooks and ask for VMS, so they could be accountable and they could, kind of like Robert says, have a business plan.

Now, they've got a lot of stuff going on over there with how they split up red snapper and the states are open when the feds are closed, and so they've got a different ballgame, and I'm not saying that we should copy what they're doing, but I did hear that, and another thing that I heard was they had an EFP for the headboats, and so they've had electronic logbooks and they had a catch history. The charter boats did not, and so it really skewed the numbers to the headboats, because they could prove what they had and MRIP, with charter boats -- The charter boat guys were having to sit down with the headboat guys and figure out how to have some kind of an allocation between them where everybody could live.

Now, that's ongoing as we speak. It's not clean and it's not pretty, but they're trying to figure out a way to, one, be accountable, and, two, have a business plan and take care of like Bob's recreational fishermen, and it was a pretty eye-opening experience to look and see what they were doing and how they were doing it and see the problems that they have and the potential of some problems that they could deal with.

MR. LORENZ: What this is basically showing is that this particular amendment or initiative is really out there to treat the symptom of a disease, and I guess it should be known that way. If we go to this, the South Atlantic uses this to educate the public that this had to come about, because

of the inability of MRIP to follow through and the fact that recreational anglers are not accounting for their catches, nor are the charter boats, and that has to be well known to sell other things that we're going to talk about, which is going to be getting us permitted and getting those of us that are private recreational anglers involved in recording our catch in a timely basis and maybe us having logbooks. The disease is the lack of good reporting on what's going on. This, and what's happening to the businesses and the potential with red snapper, is just a symptom, and so this is going after the symptoms and not the core disease.

AP MEMBER: Just to throw some more confusion into it, in my opinion, as soon as a control date is set on an open-access permit, it's no longer an open-access permit, and the permit should then be numbered and identifiable. Currently, all open-access permits have no number, like a limited entry, and so there's a problem there, because, when you start -- If you transfer from one boat to another, they gobble all your permits together and then they reissue them as new, and so you could have had a charter boat permit for forty years. Then, all of a sudden, you've got a new boat and you're moving them from boat to boat. Well, potentially, you could lose that permit, because they can't identify that you had it prior to the control date. They should be numbered somehow once they set a control date.

MR. FEX: All right. I will take that to the council.

MR. HADLEY: Are we good to move on to the next one? All right. This plays off of a lot of the discussion that we had just now regarding the upcoming electronic logbook for the for-hire sector. In December of 2016, the council is expected to vote on an amendment that will require weekly electronic reporting for all vessels operating as for-hire.

Currently, only vessels selected to participate in a survey are required to submit landings, either electronically or via a logbook. What impact do you think this requirement will have on the need to limit the number of for-hire permits? A little bit of background is one of the reasons that the council is deciding to move forward with limited entry is to provide an enforcement mechanism, and so compliance with the anticipated upcoming logbook.

MR. JOHNSON: I think you have to have the one or just scrap this. I don't think this works unless you have some way to use either a carrot or a stick, and I hate to use that, but that's it. How are you going to have compliance? It's going to be very poor, because, if someone doesn't comply and you take their permit, they will just go get another one. There is no way to -- You're going to spend a lot of time and effort to set up a program, and you will get some benefit from it, but not what you could get. Again, I don't have any heartburn if you just limited it to reef fish, because that is my concern. That is the big issue here. That's what we're talking about.

MR. THOMPSON: This is what I was saying beforehand, in other meetings. As long as we go with the data collection, we don't need to restrict the number of permits. That's just my whole thing. You're going to find a lot of permits, especially in this area, have grouper and snapper just because of the sea bass encounters and that's it. You will see that they don't encounter -- They stay within ten miles of the beach, so to speak, and this takes care of it.

The reporting, the State of South Carolina has been pretty good. I have had to pay the fine a couple of times because I forgot to send my permits in. It was one month and one week. The electronics, you've just got to add that to the enforcement side. If you don't turn them in, your permit is either

null and void or you're going to pay that \$500 ticket. You ain't going to pay many \$500 tickets before you're going to put your information in once a week, Monday night or Sunday night or whatever it is. You will have your no-fishing and what you've caught that week and what you didn't.

MR. JOHNSON: I just wanted to ask Robert a question. That is a state permit that you're talking about, because there's no requirements for federal permit.

MR. THOMPSON: The State of South Carolina, we've had it on the headboats, the multi-passenger boats, for years, and on the six-packs. You've got to report your catch at least once every thirty days, and I can't remember what day of the month it is that you turn them in.

MR. JOHNSON: In the other three states, I don't think you have anything like that.

MR. THOMPSON: That's what this is trying to come up with, in the same similar thing. On the commercial side, we have electronic reporting now, and it's really easy. You do it at the end of your trip ticket and be done with it. You just move forward with the same ticket and you put a new name at the top of it.

MR. JOHNSON: Again, I understand that, but you would have to get all three states to come in line, and that's very difficult to get states to work together. We still have red snapper open in the State of Florida in state waters, the last time I looked, and so, I mean, I just see a lot of issues with the state doing it, and so I don't know how -- If it's just an open-ended thing, where anybody can just go get a permit at any time, if you revoke my permit or fine me, I can just go open up another company, another LLC, and get another permit next week, and I can do that forever. That is the problem.

We know in this room, and everybody on the council knows that fishermen are really good about getting around things and finding loopholes. That's all I'm after, is some way to identify who the participants are. We can have some kind of mechanism in there to let people in there at so much per year or whatever. I am not looking to exclude anyone, Robert, but I am looking to stay solvent as a business. Until we figure out who we are and not get thrown out with the recreational -- Not to pick on the recreational anglers, but the number is unknown. The data is unknown. We could sit here and talk about MRIP forever on this AP, and that is what is driving this red snapper assessment, an estimate of an estimate of an estimate of how many fishermen went and how many fish were caught and how many they threw back and how many died. Wow. I just don't want to be subjected to that.

MR. THOMPSON: I understand your point, but I'm just saying is I think, with this, what you want -- You're going to identify the fishermen that we already have if you get a reef fish permit. With this, you'll find out actually how many are fishing. Once you get that data, there may a twerk somewhere in there, but, limiting -- You can go back to infringing on the rights and freedoms of United States citizens by limiting what they can, and it's not the answer.

You're going to let people in, and like I said, I think you'll find out, if you get electronic and you have people complying, that they're not encountering offshore grouper and snapper fish in the charter boat industry that often. At one time, and Wayne can tell you, there were seven headboats in one marina in Murrells Inlet. There's one headboat in Murrells Inlet, period, now. There was

a commercial fleet of twenty-five boats at one marina, and there's not twenty-five in Georgetown County now. We've brought the number down. The effort is down, but this can take care of most all of your stuff. If we find that there's too many people going out there fishing for it, then we go at that time, but let's get their data inputted, just like we have for twenty years in South Carolina. We've been putting the data in, but it's never been used for anything, but we know how to fill out that form.

MR. MOSS: I completely agree with -- Well, I shouldn't say completely, but I agree with a good deal of what Robert Thompson is saying. Once you have a vessel to collect the data, I don't know how much limiting the entry is going to matter. I know, Robert, one of your concerns is that if somebody essentially breaks the rules and gets his permit taken away that he can go back and get another one and there is loopholes.

The problem is that anytime you create any kind of regulation, the other thing that you create is a black market for that, whether it's a law or whether it's whatever it is, and so they're going to find a way, and so I see what you're saying, but somebody that is doing -- The, quote, unquote, bad-doers of the world, they're going to find a way to continue to do bad.

I think the most important thing, and what you're getting at, is that we get accurate data to know what it is that we're doing, and myself as a recreational angler included, and, look, I will stick up my hand right now and say we're one of the biggest offenders of not having accurate data to be able to do the things that we all want to do, and so, to that point, and, again, not completely, but, for the most part, I agree with what Robert is saying. If we can somehow get this passed to where we're at least getting accurate data from the charter sector, that's kind of the first hurdle, and then we can start pounding me into getting more accurate data.

MR. JOHNSON: To that point, I'm sure there's plenty of council members in this room that can tell you that they've probably gotten numerous calls of, oh, I didn't know I had to have a federal permit. That, to me, is the issue. I looked online. You can go online and see all the federal permit holders, and I'm not going to call out people in my area, but there is -- I saw two or three people in my area that are charter boats with no federal permit. They've been charter fishing for years. Now, why would they not have a federal permit?

MR. MOSS: I think that that kind of speaks to more of, I guess, for lack of a better term, an enforcement punishment issue. To that, even if you have, and I have the great fortune and misfortune of living pretty close to Miami, and so, even if you make a law -- Even if you make the regulation or let's, for easy numbers, say that there is 900 federal permits that you're going to issue. That's not going to stop somebody from, especially down by us, that's docked right behind their house, saying, hey, I'm a charter boat and give me 500-bucks and I'll take you out to fish the reef. I don't think that that's going to stop anything.

I think that our biggest crux here, and what we all want to get at, I think, is getting as good data as we possibly can, but I just don't know that limiting the number of people that are giving us that data is going to help anything. I just want to try to get as much data as we possibly can. I don't know that, like what you're saying, that just being punitive to these people is going to necessarily prevent anything. It never has before in just about any law that has ever been created in the history of man. It might slow some things down, but the people that are going to do bad are going to continue to do bad or skirt the rules.

MR. FEX: I will have to say that North Carolina tried to do that, some kind of vessel reporting, last year or the year before, and there was a big uproar. Then I sit there and talk to the recreational guys and they're like, well, they need better data of what's really out there and they don't know what's going on, and so you guys can try not to support data efforts, but I think you're going to get the same result in the end, in the stock assessment, as Robert has spoken about.

MR. LORENZ: Kenny, just to bank off of what you said, believe it or not, when those discussions were going on in North Carolina, there were a few, and not many, and one is out of business now, charter boat captains that actually came to me and didn't want to get involved in the logbooks or anything. They actually went with my thinking that they were actually saying to put this burden on the individual recreational angler. They stated that I just provide you a boat to go on and, Bob, you go and report what you're catching. You find a way to do it that way, and so I just want to tell you that there are charter captains out there that would just as soon not get involved with this and put the entire burden on me as an individual angler, regardless of what platform I fish on.

MR. FEX: As I get involved with stock assessments and spend my time trying to solve problems, I will tell the recreational guys that you need to help.

MR. HADLEY: Moving along, and this has been -- Some of the discussion covered this already, but the hopeful input from the advisory panel was, if you're in favor of limited-entry permits in the South Atlantic, which of the following permits do you think should be made limited entry? Essentially, it's would you like all three or just the snapper grouper or the coastal migratory pelagic permit or the dolphin wahoo permit? What's the group's opinion on that?

MR. JOHNSON: I am okay with just the South Atlantic snapper grouper charter/headboat permit. We need to remember too, from about Stuart south or Jupiter south, a lot of the fishing in Florida is going to take place in state waters anyway, and there is nothing that's going to keep those guys from being charter boats, nothing.

They don't even operate in federal waters, and so it's not going to exclude them, period. The real issue is reef fish. That's where we have the MRIP problems. We don't have any problems with mahi or wahoo. Well, maybe cobia, but still, I think reef fish is my concern, and it's going to get clearer to the group, when we start talking about red snapper, where that concern is. **If you're looking for a motion, I will make a motion that we support limited entry for the snapper grouper or the reef fish permit.**

MR. FEX: Second by Richard.

MR. ATTACK: I guess I wouldn't go along with that motion. If we're going to do the one, we should do all three charter/for-hire permits at the same time and make them all limited entry or make none of them limited entry.

MR. FEX: I will take note that dolphin wahoo didn't have a problem with overages or anything like that in the recreational, and I don't know about the other, but that was noted by Robert's comments.

AP MEMBER: The comment about MRIP, I mean cobia was closed last year, and I think dolphin had an issue. Hogfish were closed the year before, and so the MRIP stuff -- The charter/for-hire,

these permits would be good if they were all limited entry or not, because it may not have happened yet, but if it hasn't yet, it might happen next year or the year after.

MR. JOHNSON: To that point, the reason I only would support it for the snapper grouper for-hire is just for simplicity of the permit, the way things work. That way, they wouldn't have to do anything with the other two permits. You would just have to have the one.

MR. HULL: My question would be as a little comment on this, before we possibly vote on it. As a high-liner in the charter industry, what would be the positive points out of us doing that?

MR. JOHNSON: It's real simple. When we talk about red snapper, they're going to be talking about spatial closures and seasonal closures. When I say closure, that means no fishing, from say eighty-foot seaward for all recreational fishing. The commercial industry would probably be excluded from that. They're very small, and, if you look at the numbers that are static, as has been pointed out here, the for-hire industry is very small as well. I don't know about the other for-hire operators in this room, but if you close from eighty-feet seaward for six or eight months, for me, I'm out of business, plain and simple.

The council is going to have to do something about red snapper, folks. I don't know if you guys have been paying attention, but they're considered that overfishing is occurring. Not overfished, but overfishing is occurring with a closed season, no take, just because of recreational discards. Now, I don't believe that number, but there is nothing that I can do about that, and so all I'm trying to do is make sure that I have a business plan that keeps me actually fishing.

Some of these alternative measurements for management, if we take some of those, and we're going to be looking at them, you will see that the ramifications are not good for for-hire operators, and so why limited entry? Because, if you don't have limited entry, every recreational angler is going to go get a federal permit. If you allow for-hire operators -- If you made an exception when you had this huge area closure that's mainly targeted at the however many million potential recreational anglers there are, you throw the charter boats in with that group.

If you don't have limited entry for reef fish, the first thing any recreational angler is going to do, he's going to get him a permit, so he can go fishing. I just want us to keep the for-hire industry solvent. I want us to be able to continue to operate. That's it, plain and simple. I don't know any other way to put it, and that's why the whole limited entry -- It's not that I ever wanted to exclude anyone, ever, but I do want to stay in business. It's important to me.

MR. FEX: Any more comments?

MR. HUDSON: Looking at the Tables 1, 2, and 3 for 2007 through 2015, and just looking at the 2015 number, going to the website on SERO, you've got the highest numbers in all three categories right now, and, of course, that's not in this analysis, but, for whatever reason, it has jumped by a hundred compared to 2015 for each category.

MR. LORENZ: I am just asking for knowledge, to learn a little, but, to Robert Johnson, how would the limited -- I guess I am trying to understand how the limited-entry permit would aid you to stay in business if red snapper continually stay closed because of the lack of accountability of the private recreational angler. The only way to get you what you want is to eventually separate

the allocation of fish within the recreational sector and give the private one group and give you your own allocation, and that was where my ultimate concern is going to be, and so could you clarify that just a little bit?

MR. JOHNSON: Yes, I can clarify that. You don't necessarily have to have a separate allocation, but, with electronic monitoring, you're going to know what every charter boat is doing. You're going to know how often he's fishing and where he's fishing. You're going to have all of that information. If you have a situation where you have to close down a large area to the private recreational, you could still allow -- It would be less than, what, 3,000 boats in the South Atlantic, and I don't know the exact numbers.

If you took the commercial and the for-hire sector and lumped them together, you could effectively monitor what they were doing in that area, and you could know what their landings were and what their discards were and all that kind of information. It's not the private recreational's fault. I am not picking on them, but there's no way that you can do that with that large number.

Again, Bob, I'm just wanting to stay in business. That's it. If you don't have limited entry, then there is nothing to keep you from going and getting a federal permit, nothing, and so what would happen is -- If the council said, okay, we're going to have to close spatially from eighty-foot seaward for bottom fishing for six months out of the year, but we're going to make an exception and let the commercial guys and the charter boat guys continue to operate, because we know where they're fishing and we know what they're catching, and it's a very small number of people, and it's important for their business, they will only be able to stay in business if we allow this to happen.

If you don't have limited entry, that for-hire number is going to mushroom. Everybody that is a recreational angler is going to say, well, I'll just go get me a permit and I will go fishing. That's it. That's it. I don't know how much plainer I can put it. Again, I don't want to exclude anyone, but I want to be able to stay in business, and I hate to be cliché here, but I see the handwriting on the wall, and it's not good handwriting.

MS. MARHEFKA: To that point, I have a question. When you apply for a for-hire permit to NMFS, do you have to show any kind of documentation that you have your six-pack or --

MR. JOHNSON: To that point, if you're an inspected vessel, you do have to send in your COI, so if you take more than six people, they know what your passenger count is, and so that is the only thing. If you get what they call a six-pack permit, anybody in this room can get one tomorrow.

MR. ATTACK: Anybody in this room can check the box and get the permit, but they don't have to give the number of their Coast Guard license, your six-pack license, or anything like that. To clarify on the motion, the motion says to support limited entry for the snapper grouper for-hire permit, and so I would be supportive of that, but it doesn't say "only". This motion does not say anything about the other two types of charter/for-hire permits.

MR. JOHNSON: Again, I think this whole discussion should have been moved past the red snapper discussion. Unfortunately, it isn't. I am not sure, on some of the alternatives we're going to see, if they're going to allow for trolling year-round or if it's only going to be spatial closures for bottom fishing. The reason I went that way, Jim, is it would allow somebody that wants to be a charter boat and wants to troll, especially in South Florida, where they don't really encounter the

number of red snapper, and I know, up in North Carolina, there's a lot of guys up there that probably don't have a bottom rod on their boat, that fish out of Oregon Inlet and that area. Those guys troll. You wouldn't be limiting participation in those areas. It's just basically targeting those people who want to catch reef fish.

AP MEMBER: This obviously gets into some contentious feelings from the recreational and the charter, but I will say it. The charter/for-hire needs to have their own sector. They need to have their own allocation. They need to be separated from the recreational sector, and it's unfortunate that that's the way it has to be, because of the way that the reporting is going on the total lumped-up recreational, but, for them to survive, we're going to have to go the way that the Gulf has been going and turn into what they call tribes. You're going to have all of your different tribes.

I believe that they do need to be separated, because they are more commercial fishermen than they are recreational fishermen, and they don't need to be tied to the recreational industry of people that are not really in business and they are recreationally angling. Of course, that's the other end of it, and then Bob has his end of it on the recreational side, where they don't want to lose any of their quota and they don't want to have something to shorten their short season already in a lot of these fisheries, and so there is the two sides, and so where do you find common ground in it, but obviously there really isn't any common ground. It's we need ours and you need yours.

MR. MUNDEN: John, does the proposal for limited entry for the charter sector provide that these permits be transferable?

MR. HADLEY: That hasn't been worked out yet, to my knowledge.

MR. FEX: I will note that it is transferable in the Gulf, but that's still in the whole amendment and you make it up as you go. This is just the beginning of it, and yea or nay on the idea.

MR. MUNDEN: Mr. Chairman, a follow-up comment. I agree with what Jim is saying about making this apply to all three types of permits, but, looking at the number of permits that are held by other states, looking at the information that's provided, particularly with dolphin wahoo and coastal pelagics, you're talking about states north of the North Carolina border, and I think that just complicates the whole process, and so I would support what Robert Johnson has proposed, that this just be for snapper grouper, because that would address the problem that we're having with the fishing in that complex.

MR. FEX: Very good point.

MR. ATTACK: A recent example of what Robert was talking about may happen this past year with the cobia is there was different fishing days for cobia in the summer whether you were a private recreational person or whether you had a charter/for-hire permit. The charter/for-hire permit could land cobia in federal waters when the recreational couldn't, and those people, if they thought about it, could go apply and get the open-access permit, which would change their number of days they could go fishing in their landings. The regs were written to try to keep the catch down to a certain amount, and, if it's not limited entry, then people can get around that by going ahead -- That happened this year.

MR. LORENZ: One question. If you have limited-entry permits, that starts to put a greater economic value on them, and so would there be a mechanism so there can't be consolidation within those permits, and, in other words, a very high-dollar operator or a group of investors could start to buy all of those permits and bid the highest and thereby consolidate and even form, in this industry, a problem like we saw in New England with the alleged things going on with Carlos Rafael, and so would it be limited that somebody can't consolidate these permits and end up getting essentially big charter fishing going?

MR. FEX: You could do that. That's some mechanism that -- It happens in all fisheries. It has happened in snapper grouper, and so I mean we can't stop that. We don't regulate the monetary value of the permits or shares or endorsements, and so, unless you put a cap on it inside the amendment. Otherwise, it could.

MR. LORENZ: Which I would like to see.

MR. JOHNSON: If you look at the Gulf, and I don't know when they went to limited entry. It's been a long time, but the permits are still pretty cheap over there if you want to be a charter boat. I charter fish because I love fishing, and I'm pretty good at it, and I've done it for a long, long time. It's not the most lucrative business.

If I worked the hours that I work fishing at some other job, I would probably be a lot wealthier, and so I don't think the monetary value of a for-hire permit is ever going to approach the commercial industry, and I think there's plenty of ways you can set this up to allow people like Jimmy, who bought boats or had a permit and then transferred it to a new boat he bought, there's ways to address that. Again, I am not looking to exclude. I am just looking to identify and effectively manage the for-hire sector.

We sit here and say we don't want sector separation, but we call it a sector, and I'm struggling with that, and so it is separate. It's managed separately, but it has no protection as a separate group, and not that this is even protection, but it's just that we need to be able to manage it effectively, and how can we manage it effectively if we're including it with I don't know how many million other anglers? That's an issue.

MR. STIGLITZ: Could you ask for a copy of an occupational license? I know, to get my blanket license in the State of Florida, I can't get it without a Coast Guard license and my occupational license, you know charter. I mean, I do charter fish a little tiny bit in the springtime, but could you ask for this, on these permits, for proof of an occupational license? That would stop every Tom, Dick, and Harry from just applying for a permit. You would have to have a dock and you would have to have a place to run your -- You become a business.

MR. JOHNSON: To that point, Richard, I'm sure every state is different. Probably every county is different, for that matter, and so I think you're just muddying the water. I wanted something pretty simple, to just say, hey, let's identify who they are and let's -- We can even -- I think the wording in what the council chose is just a moratorium, isn't it? What did they say? I can't remember the exact wording, but, basically, it's just saying, okay, we're going to freeze it, so to speak.

They can always come back at a later date, if they have a bunch of people calling up and harassing them and saying, hey, I want to be a charter boat. It's just a way to address my immediate concern, which is red snapper management and what's coming out of that and how that's going to affect the people in this room that charter fish.

DR. KELLISON: This is a little out of my area of background, but I have been reminded, during this discussion, by somebody following remotely that, with the council's potential move toward electronic reporting in the charter sector, that having limited entry can encourage higher compliance rates with that reporting. Thank you.

MR. FEX: All right. Any more questions? We need to vote this up or down. **All those for the motion, please raise your hand, thirteen for; all those opposed, three. The motion passes.**

MS. BROUWER: I just wanted to clarify that the council hasn't had any discussions as to the specifics of how a limited entry would look like, and so they haven't talked about transferability or how to cap things, and it's very early in the process. They're going to be talking about this, if this moves forward, and so just to make sure that you all know where we are. The council would be approving this for scoping, is it's my understanding, in December.

MR. HADLEY: One more point of discussion in regards to the control date. There is a control date set of June 15, 2016. The council is not obligated to abide by the control date. It doesn't require them to take any action, but do you think that new permit holders obtaining a South Atlantic for-hire permit after this date should be excluded? Essentially, how much should the council stick to the set date of June 15?

MR. JOHNSON: I would like to hear from maybe Michelle or somebody, one of the council members, of how many calls have you gotten from people who just actually said, hey, look, I really didn't know that I had to have this thing? I know ignorance of the law is no excuse, but, again, I am not looking to exclude anyone, especially some guy that just maybe really didn't know and has been a charter boat.

DR. DUVAL: Robert, I haven't gotten any calls from anybody saying they didn't know they had to have this permit. My understanding is that there are folks out there, I think mostly some inshore guides, who simply haven't kept up with things. We've got a lot of inshore guides in North Carolina that dabble in the offshore fisheries as well, and maybe it makes up 25 or 30 percent of the business that they do, and some of them just simply haven't taken the time to apply for those permits. I think, for some of them, it is more of a deliberate thing, and so I think it's probably a mix.

MR. HULL: This question goes back to what I stated earlier about in the Permitting Office in general, transferring your permit to another boat, when they're open access like that, they can't track them, and so they just issue a new permit. You could have held this permit your entire life. If you did that, they issue it after that date, you lose. You would have to go then buy one.

Not only that, in the Permitting Office, you could send in your permit package and it could land on their desk and sit there. You could have sent it in and dated it prior to that, but it could sit there until after that before they open it. It's just a -- There is a lot of messiness here, and so I certainly wouldn't support that, until the messiness is worked out of it somehow and people are protected

that have actually had these permits. Then, for no reason, no fault of their own, they lost it because of the messiness.

MR. FEX: To your point, you're saying if you had a permit and you lost it because you didn't renew it, and is that what you're saying? If you have that permit, then I'm kind of lost on that, because you're saying that you're not going to get a new one because you didn't have one before.

MR. HULL: I didn't say renewal. I said if you had some permits and they were on a boat and you were going to move to another boat that you owned, you bought a new boat, because it's an open-access permit, they just issue a new one. There is no tracking of it, and so it's new, and so that's why I said, as soon as the council puts a control date on these open-access permits, they need to be numbered. The ones that are already in existence, they should be numbered at that time, so that they can actually track them, and I talked to the lady in the Permits Office that runs it, and she agreed, but she said -- That was what she said, that we have no way of identifying these permits, and those were her exact words. She said, the stuff comes down to me, and I have to implement it, but said that she had no way of identifying those.

MR. FEX: Like I said, we'll try to address that with the Permits Office, to figure that one out.

MS. BROUWER: I was just going to make sure you knew that the folks in the Permits Office would be part of the plan team that would develop this amendment, and so all this sort of thing would be sorted out with them at the table.

MR. STIGLITZ: I am totally against the date until the council can make these not an open-access permit. The first thing they need to do is make it not an open access permit. Like you said, anybody in the world can just apply for one and get it, and so they need to do that first, before they can come up with a control date.

MR. FEX: Yes, but I believe the council, that's what they have to do, is set a control date first, and then go to limited entry. I apologize, but that's the route it has to go. That's why they changed it to that date. I was there at the meeting, and so unless they can figure it out otherwise.

MR. MUNDEN: A little history note for John, and I'm sure you can go back to people like Michelle and get a clearer background than I can recall, but when North Carolina established limited entry for the commercial sector or limited the number of commercial fishing licenses, they established a certain number of licenses that could be issued, and then they established a pool of licenses that, if you came forward before an appeals board and showed that for some reason you missed out on that license, and provided catch records or whatever, than that board could allow you to purchase a license.

I am not really sure about licenses that are surrendered. They may go back into the pool, but no matter how large that pool was, and it was something like 500 to 1,000 licenses, and it's very, very difficult to go before that group, that review group, and get a license unless you do have the background, and so this would be one way of addressing people who just dropped the ball and didn't move forward with applying for it before the control date. I do support the control date.

AP MEMBER: I think Jimmy's point that they should be numbered, that's something that should happen, so we can at least know who has them. In his case, it's not like he had a permit and let it

go. He had a permit, and he just transferred it to a new business, and so there would have to be -- I mean, I support the control date, because I think if you continually move it down the road that you're not accomplishing what you're trying to accomplish, but I think you have to have some kind of mechanism, much like what Red just talked about, where you could allow someone who was legitimately in the business to stay in the business, so they wouldn't lose out. I don't know how to word that in an amendment.

MR. FEX: That too could be designed in the amendment itself. This is just setting the control date, setting a cap on the amount of permits and setting Jimmy's non-numbered permit in there too, and so that's just all it is, is standard procedure.

MR. HUDSON: The written comment period ended last Thursday night, and, as of today, and I don't know if it's the final number, but there 942 comments, and most of them are a form letter that seems to be driven by the concerns out of the Gulf of Mexico. My second thought is, with regards to our commercial permits, both the snapper grouper and the coastal migratory pelagics are already a limited access in the commercial.

With the recreational, these are all open, but the one problem I see with the dolphin wahoo is that it's open access in both cases, and so that one is going to have some problems, because I know the American Bluefin Tuna Association weighed in, and there's a lot of dolphin fishermen up in the north, north of North Carolina, that have concerns about this entire situation.

The rest of them are driven by that Gulf of Mexico thing of the recreational private and the for-hire over there over red snapper, and so that's what they're worried about, and they're saying only do something if it's the last resort in the form letter. I haven't gone through all nine-hundred-plus, but it looks pretty familiar when it's form letters. Now, my experience with amendments and control dates is, once they become stale, it's really a legal decision at that point as to whether it's defensible or not by the agency.

MR. HADLEY: Thank you, everybody.

MR. ATTACK: I had one thing to go back to. I think we should give the council some direction on how we feel about the for-hire permits and whether we want them all to be limited access. We did vote on the snapper grouper, but that didn't really say we were for or against the other two limited access permits. **I would like to make a motion to the council saying that we would like to support limited entry for all three of the for-hire permits.** That way, we can vote as a panel and let them see what that head count is.

MR. FEX: Can I get a second to this motion?

MR. WAUGH: Just a question of the intent here, because, in my mind, this confuses the first motion, because you're lumping snapper grouper in there. If the maker of the motion's intent is to find out the support for coastal migratory pelagics and dolphin wahoo, then make this motion to support it for those two. Otherwise, you're --

MR. ATTACK: **Okay. Let's modify the motion then.**

MR. JOHNSON: I will second it, just for discussion. I don't support it though, and let me tell you why. In Florida, and I'm sure in South Carolina, and probably North Carolina, you have these guys that fish inland waterways, mostly, in these bay boats, and a lot of them do fish for king mackerel.

They will run out six miles or eight miles on slick, calm summer days, and they're not my concern. It's the guys that's reef fishing. That's my concern, and, again, I am not looking to exclude that, though. That will allow them to keep doing what they're doing, even if they didn't know they were supposed to have a permit. Hopefully they have gotten one.

MS. MARHEFKA: I don't support this, but, just for the sake of discussion, I think the issues that Red brought up earlier about the multijurisdictional, and I think the fact that dolphin wahoo is still open access for the commercial fishery makes it complicated. I also think we're the Snapper Grouper AP, and I think it's appropriate for us, at this moment, to deal with that. I personally would be much more comfortable if those two were handled within their own fishery management plans, for those reasons.

AP MEMBER: I agree with that. We shouldn't be messing with that. Let's concentrate on the snapper grouper.

MR. FEX: All right. Any more discussion? Let's take a vote. All those for the motion. Go ahead.

MR. ATTACK: I was just going to say that I just wanted to have us vote for it, because we were asked the question, and so I'm good with this.

MR. FEX: **All those in favor of the motion, please raise your hand. Seeing none, the motion fails.** Did you want to make a motion on the control date, and that was the last thing, for or against it? We don't need to? All right. Never mind.

MR. HUDSON: On that control date, there were two previous control dates, and they were identified as being stale or outdated, and so just keep that in mind as we get further down the road another year or more.

MR. FEX: We're going to go ahead and take a ten-minute break.

(Whereupon, a recess was taken.)

MR. CARMICHAEL: I'm here to give a brief report on the charter vessel and headboat reporting amendment. You've gotten a number of presentations on this at your prior meetings, and so this is just to bring you up to speed on where things stand now. The council is planning to take final approval on this at their meeting in December, and it has three actions, the first one being to modify the frequency and mechanism of data reporting for charter vessels, and so this is implementing electronic reporting for the charter vessels, similar to what's in place now for the headboat vessels.

At our last meeting, you guys gave comments on the required data elements, and, since that time, the council took your comments under consideration, as well as those of the SSC and others, and

has come up with a list of core data elements, which is very similar to what is now required of the headboat program also.

The other action deals with the frequency of reporting and the timing of reporting for headboats, and so it just changes the time of the reporting week. Right now, it ends on Sunday. You have to report by Sunday following the week. As you recall, the preferred alternative moves it to the Tuesday following the week that ends on the Sunday, and so you have through the weekend and then you have until Tuesday to file reports for the headboat vessels.

The last action deals with location reporting for the headboats and require that they provide location reporting, and the council has chosen location reporting, a detail and system that's similar, again, to what is used for the headboats, and the hope is that, if a very similar system is put in place for the charter boats as what is used for the headboats, that you could choose either direct entry of your lat and long or use it by selecting from a position on a map.

One thing to note is the detail that's being asked for at this point is greater than that which is required in the South Carolina program that is currently in place, just to let those from South Carolina be aware of that, but it's similar to what's being done in the headboat program.

The other point is when the data are provided to people. It's not provided at that high level of resolution, but it's aggregated into larger area blocks, so that people can't just go online to some provider of this information and see exactly what was caught at what exact point. When it's discussed at SEDARs and other things, the data are aggregated to larger areas, and that's often a concern. What you caught and where is maintained as confidential information.

With that, as you recall, we're approving this in December. That's the plan. It will hopefully go in place sometime next year, and then there will be a period of time where this program has to be designed and all the details worked out for the system and put in place outreach and training and testing and all of that. Then we anticipate that there will be some side-by-side operation of this electronic reporting as well as the current MRIP reporting, which is underway, so that they can figure out what sort of calibration may be necessary for different reporting.

We understand that, when you go to mandatory reporting like this, that you may get a different perception of what's actually being caught than what you're getting out of the survey now, and everyone is aware of that and wants to make sure that there aren't any unintended consequences from that, like potentially going over say a catch limit simply because the reporting approach changed, and so there will have to be side-by-side efforts for a number of years and then an adjustment made to say to adjust all the management limits or what have you to figure out how we adapt the new catch reporting program to existing regulations, so that we don't go over or go way under because of just simply changing how we're reporting. It will be a number of years before this is the only way in which reporting is handled for the charter boat industry, but that's certainly the plan, long-term. With that, are there any questions?

MR. JOHNSON: Thank you, John. Just a clarification on something that I said earlier. I mentioned electronic monitoring, and I did not mean to use that term. What I was talking about was reporting, and so I just wanted to make sure that's clear on the record, that that's what I was talking about, reporting and not monitoring.

MR. PILAND: John, you said a number of years of side-by-side comparison of the data, and is there -- Do you have any idea how long those number of years are? Is it one year or two years?

MR. CARMICHAEL: I would say at least two we would want, because you always wonder, if you get one year, if it's an odd year. The way our luck goes, often, if we plan for one year, it would be a year with an awful lot of hurricanes or something going on that you might think would affect what you're actually observing. In most cases, we would always want two. If there were some way that we could get three, that would be even better.

MR. PILAND: I would have to agree with that. In my circle of charter boat friends, the fear is, when you start seeing the real data, that it will be a knee-jerk reaction to the number of fish that are being caught. I have also heard that the numbers could be lower, which would be good, but my personal boat doesn't get surveyed much at the dock, and the numbers on my boat seem like they might be higher than the estimates, but it's good that I can report back to my colleagues that there will be side-by-side for more than one year. Thank you.

MR. ATTACK: I would think it would have to be several years for the statistical analysis on it and compare one to the other. You might start looking at the data, but, before you can -- You would have to really do a good side-by-side for a few years.

MR. CARMICHAEL: If that's all, thank you. I appreciate your indulgence, and you should look for this to be discussed by the council in December and hopefully final approval.

MR. FEX: Gregg has something that we were supposed to look at at the end of meeting, under Other Business, but I would like to get it thrown out now. That way, we might be able to generate some ideas, some pros and cons, to whatever his thing is, and so take a listen, please.

MR. WAUGH: Thank you. We have been pursuing ways to get our Citizen Science Program going and looking for funding to address some of our data shortcomings, and the National Marine Fisheries Service has a source of funds, \$7 million last year and \$7 million again this year, and hopefully \$7 million next year as well, and this is for electronic monitoring and electronic reporting.

We have submitted, or are in the process of submitting, and the deadline is today, three projects, and I will just briefly touch on them, and Amber can come up and give you a little more detail on the one that she's heading up, and John is welcome to come up as well, and Chip for the red snapper one, but I will just give a brief overview and then they can hit it in a little more detail.

The one that John has put in is focused on scamp, and it's developing an app to document the length of discarded scamp, the depth that they're discarded at, take a picture of them, so you have the species ID and length, and to have that data go into the upcoming scamp research stock assessment.

The second one is outreach that Amber has headed up, and this is to complement the charter reporting that we just talked about. We want to do a lot of outreach. We have an ongoing pilot project with the Atlantic Coast Cooperative Statistics Program testing out an app on a -- It's available on a tablet, and that will accomplish the reporting. We're trying to make it as simple as possible, so that you can do it either at home or onboard your vessel, but that outreach, we'll do a

lot of training and have a help desk. There will be a help desk for the scamp project as well, and so Amber will give you more details in a minute about that one.

Then the final one is to complement our red snapper efforts, where we're looking at the potential of a red snapper -- You all have recommended a stamp. The council has looked at this several times, and there are problems with moving forward with a stamp, a federal stamp, and so what we're looking at is we're putting in a proposal that would work with the Snook and Gamefish Foundation. They will develop an app to give an electronic permit or certificate for recreational fishermen, and that will identify you as a private recreational fisherman that's fishing for and intends to retain species in the Snapper Grouper Fishery Management Unit.

It will collect data on where you're catching the fish. If you're discarding them, you snap a picture of it, so we'll have the ID. It will have a ruler or something in there so that we can get the length, and so it will do two things. It will identify the universe of people that are going offshore to fish for snapper grouper species, private recreational anglers, and a second part of it will allow them to report their catch and discards electronically, and so this is a way to improve our estimates of MRIP data, and we'll see where they come out.

This work, similar work has been done in the Gulf, and they have compared some of the angler-reported data from a similar app that the Snook and Gamefish Foundation has developed. Where there's been sufficient coverage and they account for how often people go out fishing, the numbers are very comparable, and so this will give us another way to reassure the recreational sector about the data that's going in. Whatever data are collected, we hope then in the future will go into stock assessments, and that will complement the stamp and reporting requirements that the council is looking at in Amendment 43.

That's a quick overview, but I would like to give Amber the opportunity and John and Chip to provide a little more detail and answer any of your questions, and we can address more of them during the meeting as well.

MR. HULL: Gregg, one question. That \$7 million sounds pretty good. We've got some money to work with to try to implement that, but my question is, if you develop a recreational red snapper app, it really isn't -- This would be more of a tool that they would use if they were required, if the council moved forward with some type of a stamp, or is this something that would stand on its own without the stamp requirement?

MR. WAUGH: Two parts to that. The \$7 million, that's money that is available to NMFS nationally, and so this is a competitive program within the National Marine Fisheries Service. We are working with the Southeast Region, the Southeast Fisheries Science Center, and they are submitting the applications in partnership with us, and so we're competing nationally, and so any comments you all have or support would be welcome.

The pilot will be used voluntarily. We're looking for fishermen to test off of each of our four states, and so that will go forward. Then, if the council should make this a requirement, to have a stamp or some some sort of license certificate and that the private recreational anglers report, then the mechanism to do that will be there and in place. Amber, do you want to come up and hit a little more?

AP MEMBER: Gregg, how would that work then? It would be a voluntary app?

MR. WAUGH: Initially, because there are no regulations -- In a previous snapper grouper amendment, we gave the Science Director the authority to require electronic reporting from private vessels, but that hasn't been fully implemented yet, and so there is some authority there, but we need to gather cost information on what it costs to issue a permit and what it costs for fishermen to provide the data, and so those are things that will be collected during the pilot, but the pilot will be voluntary, and we would test it out just like we're doing now with our charter boat electronic logbook, and so that part will be voluntary, but should the council retain this and decide to go with this adaptive management approach in Snapper Grouper Amendment 43, this would apply to all snapper grouper fishing.

If you wanted to fish, private recreational, if you wanted to fish for a snapper grouper species, you would need to have this electronic certificate, and you would have to -- The council has to talk about this, whether we're going to select a portion or require all of them to report, but the intent would be, under the amendment, that that would be mandatory, just like it is for headboats and just like it's being proposed for charter vessels.

MS. VONHARTEN: As Gregg mentioned, there is currently the pilot project going on in the region with the for-hire captains testing out this mobile app technology, and part of that proposal is also going to develop a mobile app for law enforcement officers to help them with reporting compliance and being able to know what they should be looking for, the information they should be looking for, if they were to ever stop people, in terms of captains' compliance with reporting.

To kind of help with training for that information as well as eventual implementation of electronic reporting in that sector, this proposal is going to develop a training toolkit. We're working with Harbor Light software, who is developing the mobile app for the pilot project. We're working with them to develop a training toolkit, which will be video modules as well as printed materials, but the bulk of it is going to actually be in-person training as well as webinars.

There will be monthly webinars offered as well as quarterly trainings in each state, for a total of about forty-four in-person classes offered to captains to come and learn how to even just -- Just how to use their tablet or how to use their computer, just because there is a lot of different skillsets across the sector, and then also how to set up their accounts and how to enter their information and then, of course, why that information is being collected.

Then, for the compliance app, we'll be working with our law enforcement advisors from our AP to kind of give some feedback and input on maybe what some of the information should be included in that app as it gets developed, because that's being developed later in the pilot project, and then also developing a training toolkit for law enforcement officers on electronic reporting requirements and how they can use this app.

We're also going to be working with Ken Brennan at the lab up in Beaufort to also complement some of this information with the headboat reporting requirement information, stuff that they can send out in letters to their headboat folks as well, and then also we're working with Harbor Lights to develop a help desk customer service center.

That's probably one of the most critical components of the proposal, because that hasn't really been factored in at this point, and there's obviously going to be lots of questions and lots of folks needing help with troubleshooting once this goes live, and we need to have the resources in place to get captains answers to their questions, so they can go fishing.

We're working with Harbor Lights to implement that as well as a complementary online discussion board that we're going to be developing at the council, a fishermen's forum, which will be an online community fishermen's forum for stakeholders, and we will have a specific discussion board on that forum, just for for-hire captains, related to answering questions about this technology. That's the gist of it, and then additional training in year two.

MR. FEX: Any questions? Thank you, Amber.

MR. CARMICHAEL: We have another project idea to collect discard characterization information for the upcoming scamp assessment, and so, as we've seen, discards are increasingly a larger source of removals from the different populations, and so understanding the size, age, et cetera, of those discards and being able to characterize them for the assessment is increasingly important, but it's very difficult to get that kind of information.

Observer coverage is extremely limited in our fisheries, and so, as you get into some of these more rarely encountered species, such as scamp, your chance of getting enough fish measured to even understand what sizes are being discarded and why fish are being discarded is really a problem, and so the idea for this project is to develop a very efficient reporting tool so that you could provide information on the scamp that you discard.

The view is that if you have a fish and you're going to throw it back, you can take a picture of it and answer a few questions about it and then submit that data when you get back in range. As you know, if you're not in internet range when you're out there doing it, it would be stored on this application and then it could be submitted and then we would be able to access that information for the upcoming stock assessment.

There is a lot of programs out there that collect catch information, some that are geared towards anglers just voluntarily reporting their catch or talking about their trips, but, in a lot of cases, they ask for an awful lot of information, and it might be more information than we really feel like you're likely to get. While there's a lot of use of that and people are drawn by the novelty of it, after a couple of trips, it seems that folks just get sort of tired of all the information they have to enter.

The idea on this would be to make it very efficient, so hopefully a lot of people will be willing to do it and people will be willing to do it over time, so that we can get enough observations of these fish, and we know, being scamp, there aren't that many of them that are really going to be encountered, relative to something like say black sea bass, and so we're hoping to get funding for this and have the tool developed and be efficient, something that will work on any type of phone, and then get the data to us.

With a kind of rare species like that too, the obligation of an individual to reporting this information is not going to be all that great. It's not like we would be asking for something that you see fifteen of every trip. The burden of doing that is going to be much higher than something which maybe you only see fifteen of a year, and I don't know, and so we're hoping that we get funding on this,

and then we'll get the app developed and then work out, kind of in the citizen science type of approach, to get people involved and give us the information.

MR. FEX: I like the idea of it. You said like for the discards, and so that would be only undersized fish, I take it?

MR. CARMICHAEL: It would be for whatever reason you happen to discard a scamp. Some may be undersized, or there may be some that get the bag limit, depending on what's going on, or if they're out of season.

MR. FEX: I think that would be a great idea, if you could expand it to the red snapper, just like when I catch them and they're really big and I throw them back. Even though I have to throw them back, it would be nice to be able to take a picture and to quantify that, or at least have you guys see them.

MR. CARMICHAEL: Yes, and, ultimately, that would be our plan. We want to roll this out with scamp and see that it works with a manageable data situation type of species, but I think, ideally, getting this rolled out across the board, you've got enough people doing it, and we would start getting a lot better information for characterizing those discards.

DR. KELLISON: John, who is the targeted sector, or is there a targeted sector?

MR. CARMICHAEL: There isn't. It's all fishermen. We want to get it across the board, since everybody has discards. That's another kind of a unique thing. Normally, there are targeted sectors with this, and we talked with the app developers, and it was kind of difficult at first to get them to focus on just the discards, because they tend to think, well, we want to have as many features as we can and offer as much functionality as we can so that lots of people will want to use it.

That's good for like the first month that somebody uses it, but that doesn't seem to be able to get people to commit to this for eighteen months or two years or forever reporting this, and so I'm hoping that, within the fishermen, you guys understand how important these discards are and knowing whether they're above or below a particular size or they're immature or mature fish is very important to the assessments. As we have assessments coming up, that there will be a good commitment to provide this kind of information, if we make it efficient and easy.

MR. JOHNSON: With this app, are you actually going to take a picture of the fish?

MR. CARMICHAEL: Yes, that's what we would hope, that people take a picture of the fish, because then that addresses any species ID concerns. Not everybody probably will, but, as many as we can, we would like pictures taken.

MR. JOHNSON: I am being the devil's advocate here. Say I'm a recreational guy out there in my thirty-foot Yellowfin, and I'm fishing in February and I catch a scamp, because I'm trying to catch something else, and I bring him up and I've got this wonderful app on my phone. Wait, my phone is in the console. Let me go get my phone. I just don't know. I am not trying to be a fly in the ointment here, but you may end up causing more dead discards waiting on somebody to -- I don't know, but what does the group think about that?

MR. CARMICHAEL: I think that's a good point to bring up in the training, and we've seen this as not saying that the pictures would be mandatory, and so I think part of the training would be to say if you need to access your phone and get it out and you think that's going to contribute to the mortality of this fish, by all means, just record its length and a couple of things about its condition, perhaps, and get us that.

MR. JOHNSON: To that point, to me, just being able to report it. Maybe not take a picture or measure of all of that information, but just have an app so I can say, hey, I went fishing today and I released two scamps, and they were approximately this size and they were in this depth.

MR. LORENZ: I think using the scamp as sort of a pilot species I think is excellent, because I know, in the group of us recreational anglers, catching a scamp generates a lot of excitement, because it's not a very common thing to do, but I do agree with what's been said and what Robert has said of finding a way that we handle those fish very quickly. Taking a picture takes time, and, as you said, don't make us technicians with too much data recording, because, the more time we take, the more likely that it is to be a dead discard, and so there will be a real art to how to get -- I think pictures are important, but just a few key facts, so we can put the fish back in the water, and maybe have some guidance and outreach on just how much handling on can that fish tolerate.

MR. MOSS: I will just echo what essentially has already been said. I think if you make the picture optional, if there's any kind of discrepancy, if you're not 100 percent sure what fish it is, but, Robert, kind of to your point, I know, as a recreational angler, there's two main reasons why you go fishing. Number one is to bring something home and number two is to be able to show pictures of everything that you caught to your buddies, and so I don't know how much of a problem that would be. I know, when I catch something nice, I don't seem to have a problem getting my phone out to get a picture.

MR. MERSHON: Most people aren't going to realize there is two different kinds of scamps. One is the yellowmouth and one is the, we call them the broomtail, and the other one we all a bastard scamp or a Morehead City scamp or whatever. Is that going to be addressed, because they both - I know any fish house, on a commercial level, that you go to, they're throwing them all in together and calling them scamps.

I was probably the only one who ever separated them, and that was only because I saw what happened with triggerfish. We threw all the queen triggers in with gray triggers and they closed us down, and so we started separating them, because there ain't no sense in putting something against your quota. Now, will that be addressed? Most people don't even know the difference, and so will that be addressed on your app, maybe to explain to the people the difference in them?

MR. CARMICHAEL: I think one of the things we would do, as part of the training, and maybe if we can put it efficiently within the app, is some cues to identification, but we are aware of the potential overlap in things that are called scamp that may also be yellowmouth, and so I think getting some information on what people think is scamp, and maybe some of them turn out to be yellowmouth, will certainly be helpful as we go, but, yes, we're aware of that overlap, and that is actually one of the things that will be looked at when we deal with the assessment, too.

DR. KELLISON: Just following up on Wayne's point, they're tough to differentiate sometimes, and I've been in discussions, or almost arguments, among people that I consider really

knowledgeable fish people about whether one is one or the other. Thinking hard about how you would handle that diagnostic, maybe getting people to take a close-up of the caudal fin, for example, would be a good idea.

MR. CARMICHAEL: I think maybe when we're going the training about it, to say, you know, if you think this is a scamp, it's better to take the picture of it and send it in than to decide and be wrong, and certainly that's fine, and that's why we're thinking the pictures are valuable. In ideal cases, you can put the fish on a board, or on top of a cooler with the length measurement, and snap that picture. Then you get both right there, and, if it were bleeding or something, you would be able to see that. Maybe, if the hook is still in its mouth, you could see hook location.

I didn't mention this, but I know you guys are interested in it, but we also wanted to ask people if they used any sort of descending devices. Did you vent or did you use something to send them back, because that can be -- How widespread those things are used can really influence what the ultimate discard mortality rate is, and so we're hoping to get some information on that as well.

MR. BUFF: This kind of goes along with what we're talking about, but, as far as these logbooks, like for us, we're doing trip ticket logbooks per boat. We're doing state trip ticket for the state and we're doing federal tickets for the feds, from our fish house. From what Wayne was talking about, some of this stuff is -- Even when you're keying it in a computer, it's not separated. It's all -- You have one code number, and every bit of that is being coded to that one group of fish, and so it would be nice -- I know this is not going to happen today, but, long term, if all this logbook stuff, if all this was taken into consideration, because it would be nice if all this stuff meshed together. We're just doing trip tickets after trip tickets after trip tickets, and it seems to me like that could be somehow meshed together, to where the state and the feds and everybody -- That it was just done one time and it was done. That's just a little food for thought there.

MR. CARMICHAEL: Yes, and I think the council shares that sentiment. If you look at some of the language in that charter boat reporting amendment, it's very much to the point of wanting the fishermen to be able to file one report and have it accessible to everyone who has to use it, and the same certainly extends to the commercial fishery as well. The council is really trying to take the steps that they can to get all these different entities on the same page and to accept a single report across the board.

MR. FEX: I definitely do like the idea of that, though, and scamp are a pretty hearty fish. You can leave them on the deck for a minute or two and he will be all right when you throw him back. He's hard to pick up after a minute or two. He gets his wits, and he's ready to bite you back, and so, thank you, John.

MR. COLLIER: The third grant we worked on was looking at recreational reporting, having an electronic tool that private recreational fishermen could report their catch. For several of the snapper grouper species, they are essentially rare events. Species like yellowtail, gray snapper, and black sea bass, they're not necessarily rare events, but all the groupers, especially the deepwater groupers, and different things like that, they are essentially rare events, and you guys have recommended requiring a stamp for the private recreational fishermen, and this app and this grant would be potentially exploring those, prior to any regulations going into place.

It would be provided by a third party. It's going to be designed after iAngler, which is already in place and can be used by recreational fishermen. It's designed more for inshore species, and so they would modify it for offshore species. In order to be able to use that app, you would be required to have a permit. In the first year, it is going to be an optional group, between 100 and 200 anglers.

We are looking to be testing in the pilot phase for this, and they would be fishermen from the Keys all the way up to Cape Hatteras, and so it's pretty good spatial coverage. We're looking to get catch and discards for a variety of species. Similar to John's program, we would also have an application where fishermen could take a picture and that could be submitted into the database as well and could be analyzed later for length and also species identification, and I think that's all of that one. There is some data transfer and stuff like that, but I don't think you guys are too worried about the data transfer.

Some of the information that is going to be provided will be submitted to the ACCSP, and so that data can be pulled out. It's going to be more or less aggregated data that could be pulled out and viewed by the public, and so it's not going to be a single fisherman's location, but it would be multiple fishermen aggregated, if they want to see where different fish were caught or different things like that. Any questions?

MR. ATTACK: I had a question. In your mind, if you had a recreational boat and you've got like three or four guys on it, do you want each one of them to have the app on their phone or are you looking at just the guys that owns the boat having the app and then anybody that catches the fish, he does all the record-keeping, or what are you guys thinking about?

MR. COLLIER: Right now, we're targeting individual anglers, and so it would be four guys reporting their individual catch and not necessarily for the entire boat.

MR. MOSS: I think on the iAngler app, if I'm not mistaken, you can list the number of people that you're with on there, and then you can actually break it out, to where you can say it was caught as a group or me individually or whatever. It used to be like that. I don't know if it still is. I haven't used it in a while.

MR. FEX: Any more questions? Seeing none, thank you, Chip.

MR. WAUGH: Thanks for allowing us to give you all that update, and this is an opportunity that came about relatively recently, and our staff, on top of all of their other duties, jumped and have put together these three proposals, and so I just want to acknowledge their extra help in putting that together. The total cost for year one is about \$431,000, which is about just a little over 6 percent of the \$7 million, and so we're going to make the biggest push we can.

The decision is within the National Marine Fisheries Service. Like I said, we're working with the Center and the Region, but we're going to make the biggest push to have this money spent in the South Atlantic. We feel that it addresses important data shortcomings that we have. The Gulf is awash in oil money, and so we feel it's a good time to actually have some money spent in the South Atlantic Council's portion of the Southeast, and certainly any support you all can -- If you think this is important and you want to approve a motion or something, but any support would be helpful, because, as I said, this is a competitive process.

I have reviewed the proposals. The proposals are very good. They address priorities that have been identified in the electronic monitoring and the electronic reporting. They're certainly high council priority goals, and they dovetail with addressing shortcomings in our assessments and the private recreational data, and so we would certainly appreciate any support you all might be able to offer. Thank you.

MR. JOHNSON: Gregg, do you want a motion on each individual item, or can I just make a motion to cover all three?

MR. WAUGH: You can cover all three. That would be fine.

MR. JOHNSON: **I would like to make a motion that the AP supports all three of these.**

MR. FEX: Any more discussion on the motion at hand?

MR. LORENZ: Maybe just to help, I would like to ask a question of Gregg, just for better understanding. Support can mean a lot of things, and it's as a group and it's as individuals, and so I was just wondering what is the pathway in order to get this money. It starts with you making a proposal, and where all does it go? Who kind of looks at it? What is the pathway to get it out and approved and back to you?

MR. WAUGH: There is a review body within the National Marine Fisheries Service that has the -- I believe it's the Regional Administrators, the Center Directors, and some folks from Headquarters. I think ACCSP is involved too, because this is part of what they call the FIN, or Fisheries Information Network. It's a group internal with NMFS, and they may have a few other people involved in that process. Just so you all know, the funding would come from the National Marine Fisheries Service to us, and then we would contract with these groups to have the apps developed.

MR. MUNDEN: Gregg, would it help to prioritize our recommendation for these three proposals?

MR. WAUGH: If that's something you all wish to do, you certainly could. I view them as complementary, and, again, to me, we have never applied for this money before. It's 6 percent of the total, and so we're certainly going to do everything we can to get all three projects funded, but, yes, Red, if you feel that you want to list them in priority, that would be fine as well.

MR. JOHNSON: It's up to the group. If someone feels strongly about one being listed as number one and giving them some kind of order, but hopefully they would get funding for all three, but, if your thought, Red, is that they may only get X amount of dollars, enough to do one, does the group have one they think is more important than the other? It's just a question.

MR. MUNDEN: I would be satisfied with the motion as it is.

MR. FEX: Do we have any more questions or comments on the motion at hand? Seeing none, let's vote it up. **Those in favor of the motion, please raise your hand. The motion passes.** We will go ahead and break for lunch, and we will convene at 1:30 with mutton snapper. Thank you.

(Whereupon, a recess was taken.)

MS. BROUWER: This is dealing with mutton snapper. You already took time to discuss this amendment in the spring, and you made several recommendations to the council, which they took into consideration. There were some changes that were made since you saw this amendment in the spring, and so I wanted to go through and point those out to you and then give you the opportunity to ask questions or clarifications or whatever, and so this is just a summary document.

I also have available if we need to pull anything up out of the main amendment document. This is the last time that we're going to talk about this. The council is scheduled to approve this amendment for formal submission at their December meeting.

This is, again, to remind you, this is an amendment that came about because mutton snapper had an update done to the assessment, and the update showed that the adult biomass of mutton snapper was lower than the previous assessment had shown, and so there had to be a new ABC specified. Then, also, there was some interest to put in place some management measures to reduce harvest, in particular during the spawn.

The summary document just shows you the various recommendations for OFL and for ABC. Again, another thing to remember is that mutton snapper is assessed as a single stock, and so it includes the South Atlantic and the Gulf, and then the ABC gets apportioned between the two councils. 82 percent goes to the South Atlantic and the rest goes to the Gulf.

The other thing the council did with this amendment is, similar to what had to be done for hogfish, the council is specifying ABC in numbers of fish. They're also specifying the recreational ACL in numbers of fish, and we talked about a methodology that we're employing to make sure that the allocation percentages remain intact while specifying the recreational ACL in numbers of fish, and it had to be done differently than it's been done for other species, because the council is also considering an increase to the minimum size limit. Then, of course, you increase the minimum size limit and your weight changes.

Anyway, there is eight actions in this amendment. The first four deal with just basically specifying those biological benchmarks, your MSY, and so the preferred alternative is what came out of the assessment. The MSST, which is that level below which a stock is considered overfished, is being specified as 75 percent of the spawning stock biomass at MSY, and you see what the value is up there.

Then come the ACLs and the optimum yield, and so you have what is currently in place and what's allocated to the commercial and the recreational sector, based on the existing allocations, which are going to remain, and so the preferred sub-alternative -- There's going to be a little bit of a reduction for -- Like I said, it needed to be done, because the stock has been estimated -- The adult stock is smaller, and so those are -- There is your recreational ACL, like I was saying, specified in numbers of fish, and then you have the different values out of the projections for the stock assessment for each of the upcoming years, and then the value for 2020 would remain in place until the council changes it. If I'm going too fast, make sure you let me know if you have questions or whatever.

Then this table just shows you average landings over the last five years, so you can see more or less what you can expect in the way of reductions. Then there is an action to specify that recreational ACT. That is, again, not tied to any management measures, but it's still being

specified, should the council want to utilize it for management, and that's their preferred, is to put it at 85 percent of the recreational ACL. Again, that's in numbers of fish. Here, we start getting into the various management measures.

The main thing that is going to have an effect on the projected landings is going to be the increase in the minimum size limit, and so the council's preferred is eighteen inches total length, and the current is sixteen inches total length, and so this table here shows you the percent reduction that is expected from current levels at the ten fish bag limit. We're looking at a good bit of a reduction from the minimum size limit, but there would not be any expected closures as a result.

I also should point out, before I get any further, that the council worked very closely with FWC to make sure that the same management measures that are going to be put in place for federal waters are also being adopted in state waters, and so FWC has already taken action to adopt these changes, which are exactly the same, as far as management measures go, that the council is looking to adopt in December. Jessica is here to provide any additional details, should anybody have any questions as far as what the FWC recommended.

MR. FEX: I talked to Jessica, and I was at that council meeting. FWC wants to see a five-fish bag limit throughout the year for the recreational. Commercially, they would like to see a 500-pound trip limit. During the spawning season, they wanted a five-fish bag limit, if I'm correct, and a size limit at eighteen inches. It won't have that big of a reduction at first, but, the following year, it should be reduced, because the size of fish ought to increase, and so that would change the reduction.

MS. BROUWER: Moving on, the amendment, when we talked about it in the spring, we didn't yet have estimates of what this change would do as far as commercial landings, and it's looking like it would affect the commercial sector very little. The majority of fish that are landed are well above that eighteen-inch minimum size limit, and so it's looking like only a 4.2 percent reduction for the preferred for the commercial sector.

Action 6 would designate the spawning months for regulatory purposes, and, right now, there's only restrictions for the commercial sector during May and June. The preferred is to determine that April through June would be the official spawning months for mutton snapper for regulatory purposes, and so that just tacks on one month at the beginning.

For the recreational bag limit, as Kenny said, currently, it's in the aggregate, the snapper aggregate, ten fish per person per day, and the preferred is to keep it in the aggregate but then lower that bag limit to five fish per person per day. Recall that you had recommended a reduction to three fish per person per day, and that was considered.

We got a lot of public input, and so did the FWC, and they determined that just reducing it to five was appropriate, especially because you're going to get more of a reduction from just increasing the minimum size limit. The bag limit really doesn't do a whole lot, and that's because most people are not really catching that ten fish bag limit anyway. Most folks are getting three mutton snapper per person per day. Here, you see, at the different minimum size limits, what your projected landings would be, and so, for the five per person, for eighteen inches, the expected recreational landings would be about 50,000 fish.

For the commercial, the AP had talked about this at length in the spring, and you guys have recommended no action. You wanted to keep the commercial at that ten-fish bag limit. However, the council is following the FWC's lead and reducing or proposing to reduce the bag limit for the commercial sector during those spawning months to five fish per person per day or five fish per person per trip, whichever is more restrictive, which basically leaves things the same way they are, and it just puts in a restriction on multiday trips.

Then, as Kenny mentioned, for the remainder of the year, the non-spawning months, there would be a 500-pound trip limit, and this table here just shows you the percent reductions at the various alternatives that were considered. For the regular season, July through March, at 500 pounds, you can expect to see a 3.7 percent reduction in commercial landings, and then combine that with the expected reduction during the spawning months, which is 13.6, and so you're looking at a little bit less than a 20 percent reduction for the commercial sector. Any questions so far?

Then I put this in here. It's interesting to show that commercial landings are highest actually during the spawning months, which is when there is an additional restriction for that sector, and just to show you, over time, that I think this is 2010 through 2014. These are figures that have been included in the amendment that weren't there when we talked about this in the spring. We've got a breakdown of numbers per person per day, and, as I was saying, the majority of folks are harvesting well below the ten per person, and this is per vessel per day, because the council also considered per vessel limits. That's what I have for you.

Here, as I said, you guys have already given the council your recommendations, and I wanted to make sure that I showed you the additional analyses that we did since you saw this in the spring, and so, if there's any questions, I would be happy to answer them.

MR. HERRERA: So there would be no changes for the spawning season for the recreational sector and it would be five for the whole time?

MS. BROUWER: Yes, and thank you for that, Manny. It's a year-round bag limit, and so there wouldn't be any difference for the recreational sector for the spawning months.

MR. FEX: I would note a restriction that's probably going to matter, I guess, if the commercial gets one more extra month of spawning, because I think they extended the spawning, and so I think you would be limited one extra month on your commercial landings, I believe. Is that correct?

MR. HERRERA: Being in the commercial sector, we have such little quota, 100,000 pounds, for the coming year, that I could see this helping, to be honest with you, and so I don't necessarily have a problem, per se, myself with it. I would like to hear what other people have to say about in the recreational sector during the spawning months and if that should stay at five or should it go a little lower than that?

MR. MOSS: I guess, as a recreational angler who loves to go after muttons, to be perfectly honest with you, even during the spawning months, unless you're going to a few of those spawning aggregation sites out in the Tortugas or Western Dry Rocks, which I know isn't quite what it used to be, there is still not many recreational anglers that are hitting that five per person per day.

There's a few guys that really know what they're doing and where to go, yes, and they may hit it, but, even during the spawn, most of the recreational anglers that are out there, and I realize I am kind of painting with a broad brush, but most of the recreational anglers that are out there still aren't getting their five per person per day, which is why it was even bantered about to go down to three, but they left it at five, which is going to show a considerable reduction, and so I think that we're okay with it.

MR. LORENZ: Just a question for Myra, to understand a little more. I just find it interesting that -- What is the reason for that distribution of those fish per day? It just seems like a lot of folks can catch two, almost making it look incidental, yet I find it amazing that from three out to twelve that it's like pretty steady. It's not a curve that I would expect to see is all, and that's interesting. Then, all of a sudden, some people can twelve.

MR. FEX: That might be sampling error, sampling a good vessel versus sampling a bad one. Like you have a guy that goes out to the Dry Tortugas and does well and he comes in and they sample him and he's at twelve-plus per day, and so that would be the only rationale.

MR. MOSS: Again, this is kind of anecdotal, I know, but, like I was saying, most people will get one or two. You tend to not get the big kind of pods of them, schools of them, unless you're going to specific areas specific times of the year, and then you will really get into them thick, but it's not that common to get usually more than two per person down in our area, like I said, unless you're going way out west.

MS. BROUWER: Also, Bob, this is for -- This came from the commercial logbook, and then you see that it's a plus-group. It's twelve-plus, and so some vessels had more than twelve, but, during May and June, the commercial sector is restricted to ten per person per day, and so we wanted to just give the council an idea of, if they went with a per-vessel limit, how is that really going to affect the landings, and there is no restrictions on the number of people that can be on a vessel unless you're a dually-permitted vessel. Then my understanding is there is a restriction on the number of people that can be on that vessel, but not if you're just a commercial vessel.

MR. JOHNSON: This is for the year, correct? We don't have it by wave? It would be interesting to see what it was during the spawning months, but it's not a big deal if you don't have it.

MS. BROUWER: Let me see if I can pull that up. I think I have a table that shows, and maybe not, but a figure or a table, and so I'm pulling it up, hopefully, here.

MR. JOHNSON: The reason I ask that is I just wonder if the recreational sector and the commercial sector are both going to show more trips taking larger amounts of fish during the spawning months, and it's sort of skewing this, because we're looking at a year-round basis, whereas there may be a couple of months that these guys are catching ten fish a per person or per trip or whatever. The numbers may be totally different if you just look at the spawn. Just from listening to Manny, he says that that's usually when most of the landings are commercially being caught.

MS. BROUWER: Yes, you are correct, Robert, and so here is the table that shows you the breakdown of landings by wave for the recreational sector, and so there's your average across the

bottom, and you can see that, during Wave 3, that's when your landings are highest. That's May through June. Then, for the commercial sector, let me pull that up here.

This figure here, let me just make it a little bit smaller, so you can see better. These are pounds per trip, but then you have -- Hold on. Maybe that's not the one that I want to show. No, I think that's it. You can see that if you just do a very quick breakdown here and compare the trips during the spawning months, May through June, 1,400 trips, to the rest of the year, there is a good bit more effort during those months for the commercial sector, and the landings show that, the figure I showed you earlier, which I don't know where it is. Here it is. It shows you that, during the spawning months, the landings are also higher for the commercial sector.

MR. JOHNSON: Thank you, but I guess it's really a moot point if the minimum size limit change is going to solve the issue, and so that's just for my own curiosity.

MS. BROUWER: Sure. If you all don't have any questions or anything else that you wanted to talk about mutton, like I said, this was meant to be an update. The FWC has already approved the changes, and theirs are going to take effect in January. It's going to take a little bit longer for the council. We're going to submit this amendment hopefully very shortly after the December meeting, and then it takes several months for the regulations to be put in place, and so they're still going to be -- Sometime there in the beginning of 2017, you're going to have different regulations in federal versus state waters, but then it eventually will catch up to each other.

MR. COLLIER: Similar to what John did this morning, I put together a little PowerPoint that I haven't really given out to everyone, but it's just taking excerpts from the options paper for Snapper Grouper Amendment 43, which we're titling red snapper and recreational reporting. We are recognizing the fact that it is going to be very important to get some additional data from the private recreational fishery, and we want to make that very apparent in the naming of this amendment, and that's why we're adding that recreational reporting onto that.

The purpose and need for this amendment, the purpose is to revise annual catch limits and to revise management reference points and management measures for red snapper and revise reporting requirements for snapper grouper species for the recreational sector. One of the driving things for that was you guys have always mentioned, or have mentioned in recent years, the need for a recreational stamp, and so the stamp is to better identify the fishing universe for snapper grouper species, and then the reporting requirements would be to get better data than the MRIP program.

Typically, we're hearing that we don't like MRIP, MRIP is not working, and the estimates are wrong, and so we're trying to figure out a way to solve that issue, and hopefully we come up with a way that everybody can be happy with, but we'll see.

The need is red snapper is experiencing overfishing, and we still need to rebuild the stock, based on the best scientific information available. We need to improve data collection for the snapper grouper species, and, very importantly, we need to reduce bycatch. Robert has been talking about that pretty extensively this morning, and it's a recreational discard issue is what we're having with red snapper right now, and that needs to be rectified in order to end overfishing.

There is twelve management actions that we have in here. I have broken them down into what I think is some almost units, when you consider it. Actions 1 through 5, it's basically that we're

meeting the Magnuson-Stevens Act requirements in defining MSY, defining the MSST, annual catch limits, and different things like that, and we will go through those, but, some of those, we have to abide by the law, and we do have a range of options for each of those.

Action 6 deals with a large closure, similar to what was recommended in 17A. Nobody liked that. Luckily, that large area closure didn't go into place, but, since the stock is still experiencing overfishing and we need to reduce bycatch, large area closures could come into play in order to end overfishing. The next actions, 7 through 12, are some recommended actions that the council developed themselves, and it includes commercial measures, recreational measures, best fishing practices, recreational reporting, and all of this is to enable a snapper grouper fishery and a red snapper fishery to occur in the future.

It's not going to be an open-access or anything like that. It's a very limited fishery that could occur for red snapper, based on the stock assessment results, but we still have to end overfishing, and that's a very important idea here. We had the ABC was exceeded by 150 percent, and the majority of that was dead discards. I think there were over 500,000 red snapper we estimated in 2015, and that number would need to get down to under 100,000 in order to have a fishery.

I have the latest SSC recommendations for ABC, and I also have the previous year as well. The top graph is the ABC, both in pounds and numbers of fish. Right now, we're looking at managing this fishery based on numbers of fish, and so, in 2017, the ABC is going to be 17,000 fish. In 2018, it's going to be 18,000 fish. In 2019, that's going to be 20,000 fish. That's going to be landed fish. If you include dead discards, you can add roughly 35,000 fish on top of that, and so, like I said, it's about a 30 percent discard mortality rate for recreational dead discards, and so, if you have 100,000 fish that you're discarding, 33,000 would be about a 30 percent discard rate, and so we do have to get the numbers down quite a bit.

If you look at previous numbers, the ABC was much higher than they are now, and so, in addition to ending overfishing, we are dealing with a much smaller pie to begin with, and so that's going to be additional regulations that are going in place in addition to ending overfishing, and so we're going to be in a very complicated situation. Management is probably not going to be just one easy task. It's going to be significant hits, and not many people are going to like the results of it.

Red snapper is a very difficult species to manage. It's an aggressive fish that bites the hook pretty readily, and we recognize that, and we are trying to figure out different ways to do it. One of the ways is hopefully fishermen are going to change some behavior in order to avoid some of these areas. You can try to do it without regulation, with recommendations, but we would like fishermen to be actively engaged in avoiding red snapper.

Starting off with Action 1, this is going to be slightly different than what was in your briefing book material, but it was based on the recommendation of the IPT, was just reduce the overall amount of alternatives and just focus on 1 and 2, because, essentially, Alternative 2 could include all the other recommendations that were in there, 3 through I believe 6, and so the SSC, at their last meeting, recommended an FMSY at 30 percent, which is similar to what we have up there now. The difference is it's going to be based on the SSC recommendation, as opposed to a static value that was in there currently. We can go through these one at a time, if you guys have any recommendations, because we do have twelve actions, and I have a feeling that people will be bored by the end of it if I keep talking the whole time. We do have all afternoon though.

For Action 1, if you guys would like to make a recommendation, that would be great. If you guys don't have enough information, you can say we don't really need to make a recommendation on here. It's pretty open. This is a pre-scoping document. It's kind of an options paper, and so it is lacking a lot of information, detailed information, but it is provided -- Some information that was available is provided in the overall book.

MR. HULL: Action 1 uses the current calculations in place currently to derive whether we would have a season or not?

MR. COLLIER: This doesn't necessarily get into the season part. This would just be defining what your MSY alternative was. We will get into the season a little bit down the line.

MS. BROUWER: Jimmy, this would basically adopt the MSY that came out of the SEDAR 41 assessment, and the SSC had -- The council had some specific requests of the SSC for their meeting, and they said, well, you know, can it be established at 26 percent of SPR or what about 20 percent, and so the SSC had a lot of discussion about that, and this is what they have recommended, but it comes out of the latest stock assessment.

MR. HULL: Yes, and I thought that there was hopes that the SSC would actually somehow find, with these different options that the council had requested they look at, that we would actually get some fish out of there to help curb this overfishing somehow, and so I guess they didn't really get anything very useful out of that?

MR. COLLIER: They did get some useful things out of that. It wasn't un-useful, but it's just, with all the alternatives that they were looking at, overfishing was still going to be occurring, and so they -- It's not that they weren't going to get additional fish, but it was overfishing was occurring and it was going to be occurring at all the rates that they looked at, and they didn't really see much need in changing from F 30 percent.

MR. JOHNSON: But they really didn't specify what level of overfishing was occurring. Are we overfishing a little bit or a lot? Just to say that overfishing is occurring is not very helpful for the council to make a decision that's going to have the ramifications that the decision they're going to make is going to have.

MR. COLLIER: They didn't give a quantitative number of level of overfishing. They were confident that overfishing was occurring, based on all the information that was provided to them. It's difficult, and they recognized the fact that a lot of the information to determine overfishing was coming from the estimates of dead discards from the recreational fishery.

MR. JOHNSON: Not to beat a dead drum here, but we saw earlier today where they estimated landings on a fish, yellowtail snapper, and missed it by 400,000 pounds, and we're going to ask a group to consider all of these alternatives that are none of them are going to be good, but we don't really know if we're really overfishing or a lot or a little. We're just confident that it is occurring.

Just one more thing. This AP should really be looking closely at all of this, because this could be really devastating. This will turn red snapper into a choke species and shut down vast areas of bottom to all bottom fishing, and this is really serious and it's really ugly.

MR. LORENZ: I will just offer and admit that -- Chip, I read this a number of times, and, for this Action 1, to give you advice as part of an advisory panel, I can't do it. I got lost in the weeds, and so I've got to take your best word for it. There are many things later in this document that I could easily comment on, but this was somewhere -- I, for one, wouldn't know what to say or to offer.

MR. COLLIER: This one isn't an enjoyable one to start off with. It's more semantics than anything else, and that's what makes it difficult. It ends up with the exact same value in both of them, and so it's just for future changes it makes it easier.

MR. ATACK: For future changes, in what way does it make it easier?

MR. COLLIER: Right now, F is at 30 percent SPR. That's the set proxy for it, and, for the future, that proxy could change, based on SSC recommendation, without an amendment. That would be the difference there. It would allow a little bit more flexibility in defining what MSY is without having to go through the amendment process. I am not hearing any desire to make a recommendation on this one, and so we will go on to some other ones.

Here is another one that you guys probably won't really want to comment on much, but it's defining the minimum stock size threshold. That's used to determine when overfished is defined, and so each of these is a little bit of a buffer from the spawning stock biomass at MSY. We're not going to be using this until we rebuild the population and so, based on some projections, it could be twenty years down the line, but if you guys have some recommendations for a certain value that you would recommend using -- If not, we can go on to some more high-profile actions.

Action 3 is revising the annual catch limits. In the most recent SSC meeting, they suggested that we use landings and discards when developing the ABC for red snapper, and the ACL will be based on just landings. If you look at the ABC, we have three different options. Here we have the ACL could be equal to the ABC, and we also have the ACL equals 95 percent of the ACL and 90 percent of the ABC.

In Alternative 1, and I believe that's what you were referring to last time, Jimmy. That's where there is a way to calculate a season, if a season would be allowed, and basically it looks at the overall ACL from the previous year, to see if you exceeded it. If you did not exceed it, then you could potentially have a season, looking at previous years landings and the percentage of the ACL that was caught, and so a percentage of the ABC that was caught.

If you choose Alternative 2, it would remove that calculation, and then you would start using the ACL from the new stock assessment, and you would come up with a new way to get your ACLs. One thing that has changed here is the commercial and recreational allocation changed slightly, and that was due to the change in the calculation of recreational landings. In the most recent assessment, they used the angler point intercept survey in order to recalculate the red snapper landings, and so the overall recreational landings went down slightly, and, therefore, the recreational allocation went up slightly. It changed by I think less than 1 percent, 1 or 2 percent, somewhere in there.

Here are the ACL values, depending on which alternative is selected. In Alternative 2a, the total ACL would be 17,000 fish. The ACL equals the ABC. In Alternative 2b, the ACL would equal

16,100 fish, and, in Alternative 2c, it would equal 15,300 fish, and that's for both the recreational and commercial sectors, and that's landed fish and not dead discards.

MR. HULL: Sorry to interrupt you again, but that's using Alternative 2, 2a, which eliminates the old calculation, which is something that I think that probably -- I think the council was wanting to remove that calculation, I do believe, and try looking for something, alternatives. Thank you.

MR. COLLIER: Going on to Action 4, establish a recreational ACT, we have six different methods to calculate the ACT. Right now, there is no ACT specified for the red snapper fishery. Alternative 2 is the typical way the ACT is calculated. It uses the recreational ACL, and then you subtract, due the PSEs, or half, whichever is greater, and I think it's right at 48 percent is what the PSE for red snapper is, and so it's pretty high for the landed portion of the catch.

Alternative 3 is just a flat 85 percent of the ACL. Alternative 4 is 75 percent of the ACL and Alternative 5 is 65 percent of the ACL. Then Alternative 6 is looking at by how much the ACL was exceeded in previous years, using the average of the past three years that it was open, and so 2012, 2013, and 2014, and then subtract that from the ACL in order to get the ACT. That ends up being very similar to Alternative 2. They were both in the high 40s, and so it's pretty similar between those two. These are the values that would come out for the different alternatives, and this is for the recreational ACT, when we're designing management measures, we would be aiming at harvesting between 6,000 and just over 10,000 fish, depending on the alternatives that are selected.

MR. HULL: Does that include dead discards or that's harvest?

MR. COLLIER: That's just harvest. Action 5 revises optimal yield for red snapper. There are six different alternatives for this one, optimal yield at 98 percent MSY, and that's currently what is in place during this rebuilding plan, but there are several different ways that you can define optimal yield, and we have different options in order to get there.

Alternative 2 takes the commercial ACL plus the recreational ACT. There is not a commercial ACT that's recommended, and, therefore, that's why there's a difference between those two. Alternative 3 looks at 75 percent of the MSY. Alternative 4 is looking at 75 percent of FMSY, and so that's slightly different. It's just a different way of calculating MSY values.

Alternative 5 is OY would equal ACL, which could be a portion of the ABC or a complete ABC, and so it could range between equal to ABC or down to 90 percent, similar to what was in Action 2. Then Alternative 6 gets away from a point value and estimates a range of values, and so it would be the OY is a long-term average catch, which is not designed to exceed the ACL, and will fall between the ABC and the ACT.

MR. LORENZ: I would sure love if Dr. Todd would speak, but I know, for a lot of this, I think you're kind of out of the league for some of us, or am I the only one?

DR. KELLISON: I can go on record by saying this is out of my area of expertise as well.

MR. COLLIER: This is a very technical part of the amendment, and it's kind of prescriptive, and this is a lot of what the SSC gets into in making their recommendations there.

MR. WAUGH: What the council is considering here is we got in a place where we were setting numerical estimates for the OY, and you're supposed to achieve OY, and so, if for some reason, we were under our optimum yield, then the council needed to consider taking some action. What they're considering here with Alternative 6 is to get away from some specific number and say it's the long-term average catch can't exceed the ACL, and it falls somewhere between the ACT and the ABC, and so it's to give themselves a little more flexibility and to recognize that your long-term yield is going to go up and down.

It's going to fluctuate as the stock fluctuates without having it to meet some specific number, and, if you don't meet that specific number, then you've got to try and do something. It's more an effort to -- It doesn't change any of the regulations or levels that affect you all, but what it does is it acknowledges that long-term variation in catch over time. That's the intent with Alternative 6.

MR. LORENZ: I will go back to an old thing you do in managing an industry. We are kind of advisory or management. We will tell you what we want you to do, is get us some fish. How to do it, we're not going to tell you. I guess we're going to delegate that.

MS. BROUWER: I see these first few actions of many of our amendments. It's the biological benchmarks or it's those parameters that need to be specified, because, as you assess a stock, you have the information to specify them, but certainly we don't present this information to you all to get you to recommend anything. It's mainly for information. Then, when we get into management measures, that's where you come in.

MR. ATTACK: It looks like, if you go to Alternative 6, basically your definition is the long-term average, and so you will achieve OY.

MR. COLLIER: It's defined as the long-term average catch, which is not designed to exceed ACL and will fall between, and so it has to fall between the ABC and the ACT. It's not the -- If you go too high or too low, then you have to adjust management measures in order to avoid going beyond or below, but this is when the fireworks should start, in Action 6.

Action 6 is to establish a closed area to reduce red snapper bycatch and mortality. We have different options here on how to specify a closed area. It can be based on depth or it could be based on red snapper abundance or it could be based on red snapper discards or it could have a seasonal and spatial component.

We don't have any of this information worked out yet. We want to get some kind of information from the public on if they think this is a good approach to take and certain areas that they think should be closed, if areas should be closed at all, and an example of a closed area, this comes from 17A. This was the preferred option back then, and so it was a significant area. It basically went from I think it was the hundred-foot line out to the 220-foot line with the closure at 220 feet beyond, and that was going to be in another amendment, and so it was essentially closing a significant portion. Going back to the different alternatives, and even if you guys like this action, let's discuss it.

MR. JOHNSON: I was the chair of this group when we went through the MPA discussion, and this group sort of fell in line with that thought, that if we close these certain critical habitat areas

that it was going to solve everything, and there would be, to quote Don DeMaria, reasonable limits and fishing and all of these wonderful things.

Fishermen, I think, in general, got behind it, and here we are, just right down the road, sort of, myself, feeling betrayed that we're told one thing and that doesn't solve it, and I know this is way off in the weeds, but I am just very frustrated with the whole process, because we see -- The people in this room see what's going on out there on the water. They know what's happening, and for the SSC not to even be able to determine how much overfishing is occurring and just to say that overfishing is occurring, and to not give the council really any direction, other than to just sort of punt the ball to them, and then now we're going to look at all of these, and, like Jimmy said, none of them are good. Someone is going to have a problem with any of them.

Most of us have a problem with all of them, but I just wanted to get on the record to say that, because we're being asked almost to do something that's impossible here, and we're being asked to do that based on an assessment that I was involved with that the driving factors are very suspect, and the recreational discard numbers, most of us don't have any faith in, and we've been asking for eight years to do something about that data, to get it better, to improve upon it, harping on it, time and again and time and again, and nothing has happened, and now we're faced with this as a solution.

MR. LORENZ: I have read this a lot, and particularly after this would have some comments, but, as we go through, these keep coming up, depth and abundance and discards and then some type of a season. Basically, I will have further comments, but, to me, Alternative 2, that's kind of a simple one to get your arms around and enforce. There's a lot of reasons why people won't like that.

Basing it on red snapper abundance does make some sense. Where snappers are abundant is where you're going to have discards. I don't know how valuable Alternative 4 is. Like with 3, you have your science and assessments to do it right. As Robert and everyone else has been saying, to base it on Alternative 4, on red snapper discards, that's the squishiest criteria or data that you have and so, as it keeps coming up, I kept wanting to strike that out, going with abundance. Where there's abundance, there's likely to be a lot of discards. You're not going to have a lot of discards where there aren't any fish.

Then Alternative 5, it sounds like there can be some thought on that of seasons and spatial red snapper abundance, but I guess I made a lot of words, but Alternative 4, basing things on red snapper discards at this point, I question the value in how messy that is.

MR. HUDSON: I am kind of at a loss of why you don't even have Alternative 1, no action, up there, because that's what we would prefer. We don't want a prohibition. We know that the expansion of the range of the biomass, listening to what the gentleman said in South Carolina at the council meeting, start at sixty-something foot, just like we do down our way, and keep on going offshore, and you can't get away from them. You have to keep pulling your anchor and keep moving on, and so we know what's being seen on the ocean is not what's being seen in the stock assessment, and it should have never gone forward the way it is.

They may have changed a lot of their assumptions since SEDAR 15 as to the size of the recreational impact, back during World War II and the 1950s and 1960s, and the more we educated them about

the reality, and this didn't even count the foreign fleets that were in our waters, from twelve miles on out to 200 miles, up and until 1977, and they can't even get a grip on that.

This is not a highly migratory species, but the range is expanding, and that says a lot, but, again, just how many red snapper do you want? Zack proposed that to the review workshop. Just how many more do you want? Four times as many was what it more or less was implied, and his statement was really good. He said, where are you going to put them? It's getting that outrageous, and so anybody that's been fishing since the 1940s, the 1950s, the 1960s, the 1970s, they know that what was occurring in the 1980s is not occurring anymore.

We have turned this entire boat around, but, instead, you are wanting to sink us, and the commercial and the for-hire on discards is not the problem. Until anyone in this country, much less this council, embraces what to do about the private recreational, you're putting the onus on the people that have put in the biggest price for eight years now, and that's outrageous. Thank you.

MR. HULL: This is my backyard. This is where all of us in northeast central Florida make our living, and we've been able to make our living on amberjack, vermilion, triggerfish, and we fish from a hundred feet out to 180 feet and beyond, and we avoid red snapper. We have learned to avoid red snapper. We fish up under the boat, but these closures, if those areas in deep water to us, we'll be out of business. We're finished. We cannot commercial fish for triggerfish, vermilions, and amberjack inside of a hundred feet. We don't fish there now and the fish aren't there, and so it will be the end of us. It will be the end of the charter boats that bottom fish, like Robert. He had to go to those depths, and so it's just a horrible scenario that we can take red snapper and turn it into a choke species to destroy an entire sector of this region, and that's exactly what this will do. It will completely put us out of business on the commercial side.

Now, on the recreational side, they're talking about opening it up within a hundred feet. Well, recreationally, you might be able to go recreate some people inshore and do a little bottom fishing, but not for us. We have learned to live without red snapper. We avoid red snapper, and we're able to do that. I will fight this with everything I have, as hard as I can, and enlist everybody I can, and they need to do whatever they can do, the council, the agency, whatever they can do with these other options, to try to cure this problem and not do this, because this will absolutely destroy our industry.

MR. JOHNSON: I don't see any alternatives here that do address the specific concerns that Jimmy just said, the concerns of the commercial and the for-hire industry in our area. Like he said, and, again, I'm not anti-recreational fishing, because, at the present time, charter/for-hire is recreational, and that was my whole purpose of the limited entry discussion earlier today, but, like I stated then, I just want to be able to make a living and continue to provide for my family and employ my five or six employees that I keep, and I'm not alone. There's a lot of people in our area like that.

If I look at these alternatives, I don't see any, other than no action, that allows for that to happen. It would be nice to see some alternatives that maybe address specific -- Again, we're only talking about less than 3,000 boats, when you're talking about the charter and the commercial industry combined. It's not a great number, and to just punish them because of this -- That's how I see it, and I hate to use the word "punish", but there's got to be another alternative here. There's got to be another plan before you start putting people out of business. Recreational anglers could survive

with a reasonable season, or they might even benefit from it, because they might actually get to keep some red snapper.

There may be a spatial opening that allows them to fish for a couple of months in that deeper water. The recreational anglers that I've talked to in my neck of the woods are not totally against that, because they see what's happening, and it's not working either, but I understand that a lot of people don't understand that I am considered a recreational angler, as a charter boat operator, and, until the council addresses that, I am done. I am treated just like the other however many million there are, and that's really important.

As far as the commercial sector, I mean we know just about everything they do, and why would you not even allow them to go fishing? Their discards -- I mean, anybody that does a lot of fishing knows that the bulk of the red snapper population, and I'm sure the research shows this, is between eighty and 120 feet. That's where they live, and so you're not going to really -- I know barotrauma goes up with depth. I understand all of that. I've done a lot of work with red snapper for the last eight years.

I am not sure what benefit you're getting from that. It's a numbers game. You are just trying to keep a large amount of people off the ocean and keep them from interacting with these fish, to limit the discards, and I think that you have to address that by not destroying the commercial and the for-hire industry.

MS. BROUWER: I just wanted to kind of clarify and maybe help move things along a little bit. This amendment, the council is going to be talking about it in December. They're going to be approving it for scoping, and so what they need right now from the AP is basically some feedback on the range of possible alternatives to take out for scoping or which actions to take out for scoping.

For example, if the AP doesn't feel that this is an action that should even be included in the scoping document, you can recommend that the council not include this action. That's the reason that you don't see Alternative 1 up there. It's basically understood. We're not at a point where we're asking you to recommend a preferred or anything like that. We are asking, is this a range that is appropriate to take out to the public? If it isn't, then I think that would be useful to the council, if you can say, you know what, council, this action is going to get no support whatsoever and you may not even want to consider it.

MR. LORENZ: The one thing that would be important to me and I've been trying to get my arms around is, under the Magnuson-Stevens Act, what is going to be important? Is it important that the biomass -- Is it important, but what trumps what? Is it the biomass to be brought up to a sufficient level, and then I understand that we are to get the age distribution out closer to what an unfished resource would be, and I might ask, at this time, if we're focusing so much on trying to get to that age distribution, we may already have the biomass, which is what may be indicated by people saying they're catching so many fish, and so is there a way to manage the fishery with a lot of the small fish, knowing that with time, we will get there, to that proper age distribution, but having a lot of strong controls now, with maybe a higher biomass, and without the age distribution, may be very unfair.

MR. FEX: The thing that trumps it, I believe, is to end overfishing. We're exceeding our ACL by the dead discards, and so that's where our issue is. To your point, Robert, maybe an issue is

recreational, to keep them inshore of a hundred foot during a certain time of year, since the commercial and the recreational charter have a better grasp on what they're doing. That might be an option, but, believe me, none of these are favorable to anybody, but that just might be something.

MR. JOHNSON: That is an option, but, not to keep beating the same drum, charter/for-hire is recreational in the South Atlantic, and so, unless we do something to address that first, you're going to destroy -- The charter industry is not -- Most charter boats, myself included, we don't have like this massive amount of wealth that we've accumulated so that we can suffer through a year or two of bad management.

We don't have that money. Most businesses don't. You can't close a restaurant for two years and then open it back up, no. We have to have a way to make a living, and what I'm seeing here doesn't address that. Now, if there was an option here that put the recreational sector into a reasonable season, and they could agree -- I mean, most of their fishing is going to take place between May and October anyway, for the most part, in most regions.

Something like that is more along the lines of what I was thinking when I first started this all, but, again, you have to exclude your professional people that make a living. Like it or not, that's what we do. We make a living off of what we do, and so, until we address that, and how we address that, I don't know, but that's what has got to happen, in my eyes, for this to work.

Then the recreational angler, again, they might see fishing like they have never seen in their whole careers, and they might actually be able to go out there and keep some fish, but they may not be able to fish certain months of the year, but they're all going hunting and watching football games and doing a lot of other things, and so I think that there would be some support. I can't speak for the recreational sector, but I do know, for some of the people that I've talked to in my area, they would support it, but the thing that scares me is when you look at something like 17A. It starts excluding areas, and then people don't want any management, if they don't see that they're part of the problem. Then it falls right back on the shoulders of poor little-old northeast Florida, and that's where I live.

MR. COLLIER: So do we want to keep this action or do we want it removed?

MR. JOHNSON: I hate to be the only one talking here, but I think there's got to be another alternative. You have to -- Last time, I went and got some sea bass pots, because you could still sea bass pot fish in the closed area. Then, through a series of events, I lost that right, because I didn't have any landings. I really only got them because I thought they were going to take away my livelihood. Now I see it happening again, and I can't even sea bass pot fish. I think they allow commercial diving, but I think the first thing we need to do is have an alternative here that doesn't have commercial fishing in it at all.

MR. COLLIER: We do have that under Action 8. We're at Action 6. Actions 7 through 12 is kind of -- We're getting into a different -- It's more of an adaptive management approach that is a little bit more flexible and not just as broad-sweeping as this one action is.

DR. KELLISON: Maybe it would be helpful, Chip, just to run through the rest of the actions, just so what will be discussed, and then come back to Action 6.

MR. COLLIER: We will go into Action 7 and Action 8. Those two will deal with managing the recreational and commercial fisheries and not necessarily the best fishing practices and the reporting. Action 7 is to modify or establish management measures for the commercial sector, and we have these defined in two different ways.

In the beginning, in Alternative 2, we have -- We would prohibit commercial harvest in or from the EEZ, based on a few months, or it could be year-round. There was some mention that, with only 5,000 fish, is it even worth opening up the commercial fishery. Alternative 3 is to modify the commercial trip limit for federally-permitted vessels, and there is going to be a range of trip limits that would be associated with that.

Alternative 4 is establish a minimum size limit, and Alternative 5 would be to establish a maximum size limit. For this, you could select multiple options within there, to get whatever management recommendation you wanted to. The other way to go about this is, in order to have a certain season, if that was the most important part, that season would be associated with a set size limit and a set trip limit, and so you would have a range of alternatives under that size limit, and this clearly defines what the overall goal is and how choosing one action actually influences what can result in the other actions.

Alternatives 2 through 5 is one way to do it, and Alternatives 6 through 8 is another way to do the exact same thing, and we're just trying to get information from you guys on what you think might be the best way to do it, to try to get it explained clearly to the fishing public that, if you want to have a season, you're going to have to have a size limit and a trip limit. It's not going to be you're only getting a season.

MR. HUDSON: With regards to the when, whether it's two months or four months or six months, we already know that in most regions that April through October is the spawning season, with the height right around July.

With that said, that may vary a couple of months between regions and seasons, depending on cold water and warm water, et cetera, and so that's a big deal, because the main part of this recreational discards, I will bet you, is occurring during those warm months when the recreational can go out and do their thing, Memorial Day or right after spring break or whatever, and right on through until just about Labor Day. After that, you get into a time of the year where the weather may be problematic for them and they have to work for a living, they're not on vacation, et cetera, and so I would say that you need to think about not having people fishing during the height of the spawn.

MR. COLLIER: The council has recommended that for several fisheries to try to avoid spawning times for fish, and I just want to point out that this was for the commercial sector.

MR. BUFF: In the Gulf, we're targeting b-liners, and there's a quota bank there, to where we can buy a bycatch, which it's kind of the same, but it's not the same as what we're talking about, but we can actually go to that quota and buy bycatch quota, which is the red snapper, because you basically can't go fishing without the snapper quota, because they're so abundant, but my suggestion would be is, if we get a size limit and if we're going to have a season, why did we not put a small number of fish on that, so people are not targeting them, and be able to use that to get some information, in a small number, and maybe a bigger size limit, to try to get some fish so we can get some information to where they're being caught and when for assessments.

MR. JOHNSON: I'm sort of confused, because I know we're not going to have a season, because overfishing is occurring, but if we do, and I guess this is looking down the road, is what this discussion about. If we do have a season, why wouldn't the commercial sector mimic the b-liner opening for the red snapper? Maybe take that small number and have a split season, again, to be fair to the northern states, and split it between that January 1 opening and that July 1 opening, because there are some small -- Chickens probably get caught in the b-liner fishery.

I wouldn't want to see -- To Rusty's point, for the commercial sector, there is no reason to have it open during the spawning time. They're not really -- My experience with the red snapper is the commercial guys aren't going to be fishing where they spawn. They used to when they found a spawning aggregation, when it was open. Yes, you stopped on them and you caught them, but most spawning aggregations that I have ever fished were in between eighty and 110 feet of water, and so most commercial guys, myself included, when we commercial fish, we're out there on the shelf edge, and there's just not that many spawning aggregations you're going to run into out there, and I think the science backs that up. I may be wrong, and, if I am, I will be corrected.

MR. FEX: I see your point. The problem that might be in our area is the size of our snapper. I rarely catch them on my little hooks catching vermilion. It's usually targeting grouper in May and June. I catch big snapper, and so I see your point, because of the co-occurrence of the species, and that might be a regional issue, but I rarely bring them up on little hooks. The bait is so small. That's just a point.

MR. JOHNSON: To that point, then consider a May 1 opening when you open up the other big-mouth species like gag grouper and your shallow-water grouper. Maybe that will work. I am just trying to figure out, if you're going to manage them, have them open with one of those two groups.

MR. HULL: Folks, you're not going to have a season. Until you get control of the recreational dead discards, this is all just foolishness, in my opinion. You should be concentrating on that and that alone, and we don't want closed areas. Talking about size limits and trip limits on red snapper for the commercial sector, we've learned to live without the red snapper, and we can fish and avoid the red snapper.

We want to keep what fisheries we have and not be put out of business because of the red snapper, and so, for us to comment on potential size limits and trip limits and this area and that area, it's pretty moot. It just doesn't make any difference at this point. We just would take red snapper and try to control the recreational and let us continue to catch our b-liners, our triggerfish, and our amberjack and try to survive.

MR. FEX: Jimmy, I understand that. The downfall is the samples. If you don't have landings, you don't have TIP samples, and I know that would be useful, at least to see the status of the stock every now and then. We see that with speckled hind and warsaw. We don't have samples and now we're don't know where they're at either, and so I understand where you're coming from, and we're on the same boat, but we're not solving that problem right here. We're addressing this motion at this time. Thank you.

MR. HULL: Just one more comment. The science is not getting any better, folks. It's getting worse, okay? All of your biomass is getting ready to be reduced with every stock assessment, and so it's really bleak. Things are looking bleak here. This is not a good time.

MR. ATTACK: I agree with Scott. If we're going to have say a 5,000 fish thing, why not just use it as bycatch and then count those as bycatch at one or two fish per trip, and it's got to be a certain size or whatever we do. Then, when that bycatch hits that quota, then you can stop keeping bycatch, but, if you open it up for a season, they're going to be gone, and so I just think it would be good to -- You get some of your data that way, by allowing them to keep some of the bycatch. If you want to not keep bycatch during May and June or whatever, when they're spawning, you could put that in there, but, the rest of the time of year, if you're catching some bycatch, then allow however many you decide it to be, whether it's one, two, three, or four, per trip.

MR. FEX: I just think this action is an option for us to keep fish and keep samples, and I see your point, Jim. I don't think I could go back to the commercial guys and say, no, we gave our commercial landings we could have had to bycatch for the recreational to save the fishery. We're on the commercial trip limit, and these options are here. If you guys want to vote on them and pick one, but it will be a way down the road until you see them at the next meeting.

MR. HUDSON: Right now, Alternative 1 technically works, because 2016 is virtually over. By the time this amendment plays out through scoping and the proposed rule and the final rule, 2017 is over. Let the public weigh in in a certain way, because we're definitely representing a small portion of the public, and we're not happy with what we're seeing here, and we know what the cause is. The science just does not catch up with the reality on the ocean.

We have data stream potential from the commercial. We already have observers on the headboats. The charter boats could use a little bit more benefit there. We've got people like Robert that is actually taking FWC out there, and so, with that said, it's back to the private recreational again. There is the problem, because they even are in denial about this massive amount of discards, and so is MRIP and APAIS wrong or are all the fishermen wrong? That's what I am trying to say, is that, somehow, we have a process we have to go through over the next year.

MR. JOHNSON: On that note, I will make a motion that we choose Alternative 1, no action.

MR. COLLIER: You guys don't need to be choosing alternatives. You're just looking for a range of alternatives, if there are certain ones that you don't like or certain ones that we're missing. For this action, what I would really like for you guys to focus on is whether or not you like the idea of having, similar to Alternative 2 through 5, where we specify different types of management measures, where it's commercial is separate, where the commercial season is separate from the commercial trip limit, which is separate from the commercial size limit, or do you like them lumped together, like Alternative 6, where you're going to have a season and that season gets you a size limit and potential bag limit? Which one do you guys think is an easier way to comprehend? Is there a way that you guys like better?

MR. HUDSON: With that said, yes. When you go back and look at the 2012, we had a truncated double opening, but it was an absolute this is all the days you can fish, and so we did not catch the allocation with 2013 and 2014. We were able to actually go with fifty pounds and the seventy-five pounds, and we were able to catch most of the allocation commercially across a few months, and most of that, I think, started late in the summer, and so we were trying to avoid a lot of that spawning time.

There is some anglers there to make sure that data stream and being able to work with it, and you don't even need the size limits. I mean, come on. There is every range of animals showing themselves. The thing that you're not seeing is fifty-year-olds that make everybody feel warm and fuzzy, whereas a ten-year-old can be the same size as a fifty.

With that said, we have some examples that we have already lived through in the two mini-seasons for the commercial, because that third one and the first one, just like I say, you just go back and take a look at that a little bit. Now, back to the recreational, you always hear the same thing of why are you fishing right in the middle of the spawning season with us, and so therein lays part of the problem of how to deal with it.

MR. LORENZ: I will just comment, for conversation. Based on what Rusty said, for the commercial group, if they could please comment, is there any sense, if you're trying to hone this down, to eliminate something like the Alternative 4 on a minimum size limit, that the only thing that's going to make any sense for the recovery of the snapper are the large fish, and so, if they're taking seventy-five pounds, keep what you catch until you get your seventy-five pounds and go and don't have a minimum size limit on the red snapper for commercials. Does that make sense?

MR. HUDSON: With what Bob just said, historically, commercially, we preferred the fish that were probably closer to that twelve to twenty-inch range for the market, the chicken snappers. That twelve-inch is a one-year-old and the twenty-inch is a three-and-a-half-year-old. The bottom line is that, once you start getting into the bigger fish, historically, twenty or thirty-pounders, they weren't as desired, because you didn't get that nice proportion that went on a plate real pretty. That's why vermilion are smoking right now. They're doing pretty good, in that sense, and so I like the idea of no minimum size, but, at the same time, we're not going to be fishing in tight where the little ones are. We're going to be trying to get that better range of fish mixed up with our other stuff.

MR. FEX: The good thing about having no size limit too is for the science, and so, if you have a year class, a small-sized year class, coming through, it might show up in the twelve-inch size limit up in the Carolinas, and vice versa with the large fish. The no size limit, I think, would be beneficial, just for the science side, because we don't want to discard fish either.

MR. ATTACK: On Alternative 9, you don't show it up there, but I know some people that wouldn't be very happy with Alternative 9. Why should that gear type be cut out of the picture? Alternative 9 is no commercial spearfishing for red snapper. If there is a two-fish limit or whatever the limit becomes for the trip limit for a commercial, whether you do hook-and-line or spear, and I don't think that would be fair.

MR. FEX: Jim, I think I snuck that one in.

MR. COLLIER: Sorry about that, Jim. I just didn't copy and paste properly. I apologize for that, and so this is going into the options paper. The Alternative 9, the reason that was put in there is recognizing the fact that this is going to be a bycatch fishery and they did not want a targeted fishery on red snapper. If you're going to be catching red snapper with a spear, you're obviously -- Well, hopefully you're targeting that fish.

MR. THOMPSON: The one I would like to have is the maximum size limit taken out, especially. The little ones sometimes do have -- Like most everybody has discussed in here, if you get a twenty-five-pound fish, he don't make it, ever. It's rare that he goes back down, and so, if you put a maximum fish limit, you're just killing that fish anyway, and so you might as well bring him in for a benefit.

MS. MARHEFKA: Chip, to your specific question about how the alternatives should be worded for the scoping document, I personally, based on what everyone is saying, believe that it should be the way the first group -- They're separate, versus them all together, because of the input we're getting about whether or not there should be minimum and maximum size limits, and so I would keep them separate and not have those ones at the end that are grouped together, and that's kind of what you were looking for from us, right?

MR. JOHNSON: I guess I would agree with her. I think, when we did have the little mini-season or whatever you want to call, it worked pretty well. I mean, fishermen -- No one was going out and targeting red snapper. It was just part of their catch that they were allowed to keep. There was no minimum size limit and no maximum size limit, but just a trip limit, which is not enough to, like I say, make a trip on red snapper, and so I think that's -- I think that was the way to go, and I don't see any reason to try another way.

DR. DUVAL: Robert, based on what you said, which is the status quo, sort of no action, the mini-season approach, I think, as you consider this scoping document, if you guys have any advice on potentially restructuring the mini-season, because, right now, there is a -- It can't start before I think a certain date in July, before like the last weekend in July. If there is an inability to have the fishery open for less than like three days commercially or something like that, and if there is less than a weekend of recreational harvest, then it wouldn't open. There is a bunch of parameters, I think, associated with that mini-season. If you guys are thinking that's something that should be maintained, I think hearing any feedback on any tweaks the AP would want to see would be helpful.

MR. JOHNSON: To that point, that was why I just recommended opening it up May 1, when you open up gag grouper, all your shallow-water grouper, and your amberjack for the commercial sector. That would hopefully, whatever small ACL they ended up with, you would have it done by the time those fish really went into full spawning mode.

MR. COLLIER: Going into the recreational side of things, Alternative 2, I did exactly what Kerry said not to do. I had them lumped together as a way to do it, but it gives you the list of options within one of these sub-alternatives, and let's take 2a. You have a season there, and you would also have a size limit. You can have a maximum size limit that's associated and a bag limit, and so that's -- These alternatives we have broken out into separate alternatives, and so it's going to be structured exactly the same way as the commercial is structured.

I also have these broken out into alternatives for the private recreational fishery, the charter/headboat fishery, and the charter boat fishery, and then there is an alternative that groups them all together. If you guys have any recommendations on how to do that -- Should we have them separated with those four different styles, with the private recreational separate from the charter boat and separate from the headboat, or can we lump all recreational fisheries together as

far as season, size limits, and bag limits, or are there other options that you guys think we're missing within that?

MR. ATACK: I guess one option I don't see is where you start in like August or September, because I think the problem with the mini-season we had, when we did the mini-seasons, was we were doing them in July and the snapper were still spawning then, right?

MR. JOHNSON: The first time they opened up the mini-season, it was in, I think, September, and there was a lot of pushback from some of the states because they felt like it was unfair, and then there was also concern about whether fishermen -- You're only going to give them X amount of days to fish, and are they going to push the envelope and go when they shouldn't, and so you had safety-at-sea concerns, which are all valid.

I don't have the answers here, but a question I do have is these seasons, are these taking into consideration some of these other proposals? I am trying to figure out how we're getting a season when we're overfishing. I'm struggling with that, because, as Jimmy said, we know we're not going to get a season, and so we're sitting here talking about having a fishing season when we're not going to get one. In fact, we're just hoping, me and him and some of us, we're just praying that we're even allowed to go fishing. We don't care about red snapper anymore. We're over that. We've been over that for a long time.

I can't speak for every for-hire captain, but I would give up red snapper for the rest of my life if you would just let me go fishing, and so I am struggling with this, Chip, because, I mean, we're being asked to come up with these ideas about something when we know we're not going to get it. It's like dangling something in front of us when we're not going to get it, and so what is the point?

MR. COLLIER: You're right that it's very difficult. It's a small recreational quota that would be allowed, and potentially starting in, likely, 2018, and that small quota is like 5,000 to 10,000 fish. It's not many fish, and it's not much of a carrot to dangle in front of a recreational sector when maybe just three intercepts could exceed the ACL, and so it is very difficult to go through this and think of the management measures that would be acceptable.

Let's ignore this part. There's a huge range of alternatives here, and then we will go into probably the stuff that concerns you and Jimmy here more, is looking at establishing a fishing area, an allowable fishing area, for the recreational sector. That's Alternative 6, and so that would be a defined area which would be open all year, based on certain depths, and the range of depths goes from 150 feet down to sixty feet. That's the range, and I have just two up here, as an example. These aren't the full range, because, once again, we're not really eliminating options, but we're just trying to consider, are we getting the full range for scoping and is everybody going to have a chance to really comment on everything that's in there?

Alternative 7 would have a snapper grouper fishing season. With that fishing season, you would be allowed to go outside of that open fishing area, in order to maybe encounter red snapper in deeper water or even target some deepwater grouper species. Right now, those deepwater grouper species have a two-month season, and so this could be used to tailor it towards those.

Alternative 8 is to prohibit recreational harvest and possession of all snapper grouper species in an area, based on red snapper discards, and Alternative 9 is a closed area based on red snapper abundance. Some additional comments that could be beneficial when we're looking at alternatives for this is do you guys think, if Alternative 8 and Alternative 9 are acceptable, are there certain size areas that are unacceptable, either minimum size limits or maximum size limits, for these closed areas? That can help us begin our analysis. It gives us a range to deal with, as opposed to we could make a hundred one-by-one boxes that could -- Well, it probably wouldn't do much, but that's an example of what we could potentially do.

MR. JOHNSON: I think the first thing we need to come to grips with is we shouldn't have any kind of size limit. If dead discards is what got us here, why would we put size limits on something? It makes no sense. To even have that, that's -- To me, that doesn't make any sense. You want to encourage people to keep the fish and not discard it. That's about all I've got, other than what I've already said.

MR. COLLIER: I agree with you that we do want to reduce the number of discards, but 70 percent living is better than no percent living, and so that is the alternative. I mean, that's the benefit of the size limit. You do have 70 percent of the fish that are surviving. If we didn't have a size limit, we would have increased harvest in those years that we did allow those recreational harvests significantly.

MR. JOHNSON: To that point, then I would consider, and I would love to hear what the group says about raising the minimum size limit. Any of us who have done work with red snapper know the smaller fish tend to go down a lot easier than the big ones, and so, if we're going to get some benefit from bumping that minimum size limit up to twenty-two or twenty-four inches, maybe that's the way to go.

MR. STIGLITZ: I don't know if this would work or if it wouldn't work, but, in management areas where they hunt, they have limited -- It's open part of the season, and they only let so many people in, and maybe, with the recreational sector, you could come up with some kind of a lottery system to let -- I don't know how many boats there are, and this is hypothetical. It's just an idea to throw out on the table to keep the recreational sector out of there, other than a certain number, and let them come in there and fish for a day and let them keep two fish or -- It's a hypothetical, and it may be an idea of something other than I've seen up here. I don't know if it would work. I think everybody knows the theory that I am going at.

You can't just throw the whole recreational sector out, but they throw the recreational sector out of hunting areas and don't let you go in there and hunt unless you have your special permit, and it's just an idea. I don't fish there. It's not going to affect me one way or the other, but I'm trying to throw something out to maybe give somebody else an idea that they can jump and go off of. Maybe somebody can go with it and do better than I just did, but --

MR. HUDSON: From my experience in being on headboats and charter boats since the 1960s catching red snapper, most of our reefs in our region are sixty-five foot to a hundred foot where we fish, whether it was the slow boats or the fast boats, historically. The thing that I see missing in this analysis is October through April. If you want to figure on being inshore of a hundred, with the smaller fish, you're going to have a whole lot less barotrauma issue. In other words, a lot less

discard mortality, but, anything outside of that, it gets a lot more problematic with the barotrauma outside of a hundred or whatever.

Again, back to the October through April, you're not impacting the spawning stock at all by the private recreational, except for where they're allowed to fish at certain points bottom fishing, and you know that there's going to be two choices they're going to have outside of a hundred foot. It's trolling for other fish, which could include big red snapper coming up in the water column, which is being done more and more now, or it could be just limited to the bottom fishing during the spawning time inside of a hundred foot or 110 or 120. I don't know, because, really, the only observations you've got is from the headboat, and that's since 2005, on the discards.

MR. JOHNSON: Chip, in any of these alternatives, we're talking about putting a depth component on it, but is this for the whole South Atlantic? I mean, it's important for me -- Just to give the group some context and why I'm so passionate about this, where I live, we have no natural habitat until you get to twenty-one fathoms. It's thirty-four miles, 126 feet, 120 feet. That's it. All we have is a few artificial reefs.

I live in a very unique area, where it's just nothing but sand, and so that's why I'm passionate about it. You say a hundred foot, and that means nothing to me. You would have everybody in the world trying to crowd on a half-dozen artificial reefs, and so my option would be to run up off of Jacksonville thirty miles to fish, where everybody and their brother is going to be fishing.

It's important to me to see that, if we're going to cause some pain, that it's everywhere, that this is going to be a regional approach, because I think it's easy for the group. As Richard just said, it's not going to affect him. It's real easy when something doesn't affect you, and so I need some clarification. When we start talking about depth components, is that for the whole South Atlantic?

MR. COLLIER: Alternative 6 is for the whole South Atlantic. That would be an allowable fishing area at a depth below a certain value.

MR. JOHNSON: Okay. Again, if there was some way that the council could look to allow for federally-permitted for-hire vessels to fish and the commercial sector to fish, then I think that you could probably get the recreational sector to go with something that would allow them a couple of months in the deeper water and then the rest of the year it would be black sea bass, and they would still have something to catch, but, for the charter fleet in my area, we couldn't survive.

MR. LORENZ: I would just like to comment on Richard's idea. I mean, it kind of makes some sense if we're going to actually start some day to have a season, if we get to the point where the recreational anglers are permitted or have a license. Then, in addition, if you want to keep a license for snapper grouper to fish, just to fish, and then a tag for possession of a snapper, I guess that could work, but that could be very costly to administer.

Then I have just one second comment. I wonder, in order to hone this down a little, do you really need Alternative 8, based on snapper discards? We know snapper discards are a problem. We know they're not well documented, what they are with the recreational fishermen, and, there again, I will say we're not going to have a lot of red snapper discards where there aren't any red snapper, and so I think Alternative 9 kind of takes care of everything and hones it in a little, if we were to

just eliminate Alternative 8. If we're fishing and they're abundant, we're going to have discards. If they're not abundant, we're not going to have any. That's just a comment.

MR. COLLIER: Just to follow up on that, the reason that 8 and 9 are there is 8 would be based on commercial and recreational data. 9 would be based on MARMAP and SEFIS data, and so, in the past, there's been some skepticism of SEFIS data, and so this gives the alternative to rely more on the fishery-dependent data, in order to make management decisions. That's why those two alternatives are there.

MR. LORENZ: Thank you.

MR. HUDSON: With what you're saying on 9, if that's independent, that's chevron traps, and that becomes problematic, in our region, as soon as you get offshore too close to the Gulf Stream. They start trolling up on the surface with the chevron traps, and so it just seems -- How do you do the abundance? We never got the cameras with the lasers to measure them. There's a whole lot of things we did not do over here the last six years, and it's a shame.

MR. ATTACK: On Alternative 6, the different alternatives of 150 feet, 100 feet, and ninety feet, typically every thirty feet is one atmosphere, and so, from a barotrauma standpoint, if you're trying to make step changes in where you're going to fish versus barotrauma, I would like to see an alternative with 120 feet, because then you would jump from ninety to 120 to 150, when you're looking at your alternatives. Do we need to make a motion to get that added or not?

MR. COLLIER: Yes, I will add that.

MR. JOHNSON: That was a point that I was going to bring, too. It seems like it just went from 150 to 100. Then you stepped it down every so many feet.

MR. HUDSON: Historically, our big ledge is 165 foot, at the top. Generally, you are not fishing at the bottom of it, at 200 or 210 foot, and, with our Oculina stuff all up and down, you're not going to be anchoring up in the 220 or 240, and so the idea out to 165 at least gets you to the top of the big ledge.

MR. ATTACK: In our area, we have a lot that's 120 and in. You've got a lot of area between ninety and 120, and then, once you get out to 120, then it kind of -- It would cut out of a lot of our area.

AP MEMBER: This question, I guess, would be for Chip. You started out by saying that we have to reduce these recreational discards to a pretty massive reduction. I think it was 500,000 down to 100,000 or something like that that you had mentioned, and so, if you look at all of these options and alternative options and things that are here to look at, which it's mind-boggling to try to configure it all, but has anybody done any work to figure out -- I mean, it's early in the process, I know, but does anybody have any idea what it would take to be able to ever get to where you needed to be? I guess it's kind of like you have to pass it before you know what it's in, that kind of scenario, and I don't know, but has there been any preliminary work or ideas of what we're looking at, other than we know we need to reduce it by 400,000 discards?

MR. COLLIER: What you're referring to is how that reduction of 400,000 discards translates into the amount of area that needs to be closed and different things like that?

AP MEMBER: Or area to be closed and all of the other potential options which the council members have come up with in the last several meetings that this has kind of been getting kicked around. There was a lot of other alternative management and ecosystem-based management style and on and on that may be an accumulation of a little of this and a little of this and a little of this to accomplish what we need to accomplish. I guess that's ultimately that it would come out as you keep digging in, but I didn't know if there was anything to clue us in as to where we're headed.

MR. COLLIER: No, we don't have that defined yet, because it hasn't gone out to scoping quite yet. We haven't done any of the detailed analysis. As you've seen, there is a lot of alternatives, and there is additional alternatives coming in at the end, and so we're going to have a lot of analysis to do, and we're trying to incorporate everything that we can, but we are pretty data limited.

Looking here, this is the number of private recreational intercepts, by state, from 2013 to 2015. For red snapper, it's pretty low in every state, with the exception of Florida, and so, when you begin to divide these things up seasonally, by state and different things like that, you run into very limited information, and it's going to be difficult to really break things down and figure out what we need to get to, but we're going to do our best in order to analyze all the data and get you guys meaningful numbers, and, at some points, they might be qualitative as opposed to quantitative.

AP MEMBER: Just one more final thought on that is so, when we're looking at all these sub-alternatives, that goes back to where we were before. Until you know -- Basically, you're setting this up for scoping, and so you might as well just include everything you can possibly include and let people start looking at it and evaluating it, and then you're not -- I know you're not locking yourselves into these things, because the council could come along with another idea and include it there, and so I think the point would be to keep everything you can possibly keep on the table to evaluate to try to make the pain as easy as possible.

MR. JOHNSON: Those intercepts are self-reported data? That's basically somebody is stopping somebody at a ramp or a dock and saying, hey, did you fish in federal waters greater than three miles and did you catch a red snapper?

MR. COLLIER: Those numbers were did you catch or release a red snapper?

MR. JOHNSON: Okay, and we were talking earlier about getting some apps on a phone so people could identify the fish they catch. Wow. I'm sorry, but I just can't get over that we're using self-reported data from recreational anglers to destroy an industry. It's mind-boggling. It's not dead fish. It's not fish that we saw on a dock.

MR. THOMPSON: This goes back to a little bit of history here. We started with a 240 closure, and it proved to be a terrible idea. Everybody had to fight and kick and scream to get it thrown out. We ended up with MPAs, because we were going to have fish fountains coming out of these MPAs, and the fish were going to be everywhere.

Well, with no data and no research or nothing, we decided they didn't work, but, instead of doing away with those, we now want these special spawning zones, which we've had rammed down our

throat, and we have no data, no research, and nothing on them, of some more fish fountains that are just going to have fish everywhere. Under the guise of so we can keep one or two red snapper a year, we're going to close down half of the viable bottom in the South Atlantic. This kind of looks like where we are. Do you all see it? Does this make sense?

MR. WAUGH: Just to correct the record, for people listening in, that's not correct. We do have data, and we do have research ongoing. In fact, there's a meeting here on Wednesday setting up research, and so I know you're not for it, but that's just not an accurate characterization.

MR. THOMPSON: I know I may have oversimplified it, but I know there's been some, but it's not been much. There has not been much proving MPAs one way or another. Like I said, we go forward with the belief that it's going to be great and wonderful when we do it, but we don't have any real data that says it will work or not.

MR. JOHNSON: I would argue that MPAs and management is working really well. There is so many doggone red snapper in the ocean that we can't even go fishing without accidentally killing them. I mean, that's really what we're talking about. I mean, instead of punishing fishermen, management should be going, all right, way to go, look what we're doing with this biomass. They're everywhere, and people can't even go do anything without encountering them.

Instead, we're taking the success of management and using it to punish the very people you're supposed to be managing for, and it makes no sense, and I know that's not helping you, Chip, and I'm sorry, but it's just -- I don't think I'm the only person in this group that is really struggling with this whole process.

MR. FEX: All right, guys. Let's take a fifteen-minute break and be back here at 3:35.

(Whereupon, a recess was taken.)

MR. FEX: All right, guys and gals. Todd wanted to explain something to us. Go ahead, Todd.

DR. KELLISON: I actually had a couple of comments. One is to follow-up on a comment that Rusty had about basing information about the distribution of red snapper on fishery-independent sampling, and I would just say that the data that we have are what they are. Since 2010, the trap, and, beginning in 2010, the video survey, and the spatial footprint expanded significantly, to have much better coverage, particularly in the southern and northern ends of the region, and there are a good number of red snapper up there in Raleigh Bay, north of Cape Lookout as well.

The information content conveyed from those survey data are more limited prior to 2010. Again, we do have the video data post-2010, but you're right. The data are only as good in areas where we have data. In areas where the stream comes in close, it's difficult to fish that gear without losing it. We don't have good data. I know people -- Historically, there was longlining in those areas, and it's difficult to get a vertical line down on some of that bottom, and so those data are only as good as where and when they have been collected.

You mentioned not having lasers, and so we can get lengths from the traps, but there is issues with the size selectivity of the traps, and we don't have any size information from the videos. In the Gulf of Mexico, they use stereo video cameras that you can get size information from, and I think

we've talked about it at these AP meetings before, but we haven't gone that route yet in the South Atlantic not because we don't recognize the need for it.

We talk frequently with our assessment biologists, and they would very much like to have that information from the video survey, but it's an issue of the cost of gear and losing gear. In the South Atlantic, it's not uncommon for us, and I don't know if Wally is still here from MARMAP, but our SEFIS group might lose four or five traps with video cameras a year, and probably MARMAP is doing the same. The video arrays that they use in the Gulf cost upward of like \$80,000, and the cameras that -- Now, the GoPro technology is sufficient. The GoPro outdoes any of the other high-definition video cameras that we used to use, and so we use GoPro with deepwater housings if we need them now, but they're still relatively inexpensive.

If we lose a trap with a couple of GoPro, it is what it is. It comes with the territory, but if we start adding really expensive stereo video cameras, then we start -- Well, if we lose several traps that way, it's going to impede our ability to maybe replace that gear for the following year, and so I promise you and everyone here that we are -- I was just talking to somebody this week about some recent advances, where people are trying to turn GoPro into stereo videos. There have been some challenges with that. A number of people have published papers on it, but we recognize the need for it. You're right that it is a need. It's something that we don't have right now that we hope to be able to provide in the future.

MR. HUDSON: To that point, I remember when you all finally got down and you got established and you showed up in our backyard in 2011. They had to put asterisks beside your catches of red snapper, because they were quite excessive compared to the places back to the north in previous times, before you all even came into existence, because MARMAP was the one doing a lot of the work before.

As far as the vertical lines, if you're talking about Electramate versus like a bandit, it's a whole two different worlds on a vertical line versus the twenty-hook thing that MARMAP does, and, again, when we tried to educate you as to all of our reefs and stuff like that -- We understand what kind of gear it took. I could not set bottom longline in my role for snowy, for instance, and blueline tile in that region, because I would lose it, but I could bandit fish. That way, you would have something going, but we had red snapper and Kitty Mitchells and whatever we want to talk about.

This was stuff we were trying to help you all with back in 2009, 2010, and 2011, and it's now going on 2017 now, and so you told me, and I think it was either the last meeting or the meeting before last, about this possibly less expensive camera that could do the measurements that you would hopefully be able to procure and employ, which would be a great thing, because we loved having you in our backyard and being able to see what we see, and so thank you.

DR. KELLISON: I anticipate that we're going to get there, but I hope it's sooner than later. The second thing I wanted to comment on is the MPA science that Robert brought up, that we're not doing anything, and, again, we recognize the need, the same with fishery-dependent surveys. It's definitely not that science is not occurring. I think probably it's more at a level of science is not occurring at the level that it needs to be occurring for us to really determine whether these MPAs -- What effect these MPAs are having.

Every year, some scientists at the Southeast Fisheries Science Center Panama City Laboratory get money, and they go out, usually on the NOAA Ship Nancy Foster and do ROV surveys in the MPAs, as many as they can. Their time at sea is limited, and it results in -- It's data, but it would be helpful to have more. I know that Jeff Buckel at NC State University has done work at the Snowy Wreck. There's a lot of anecdotal science that really good things are happening out there. He's got a proposal in, which I'm hopeful will get funded, to go out and repeat their study, which potentially will show benefits from what's going on there.

I did want to point to, just yesterday, a paper was published in the *Bulletin of Marine Science*, and I'm a coauthor on it, where we compiled a lot of the -- Well, we compiled basically all available ROV, and in some cases submersible data, from the MPAs. In some cases, that went back to 1989. I think, for the paper, we ended up cutting it to the earliest years were 2001, just because of consistencies of method, and so we looked at it from 2001 to 2014.

Those were data that were collected from our SEFIS group out of the Beaufort Laboratory and from the scientists at Panama City and from George Sedberry, some of his students over a number of years, and the issue is, even when we pull together everything that's available, it still just gets to my original point that we're not doing a good enough job of getting out there.

If we could design the best way to go out and measure these effects, it would be much, much more than we've been able to do so far, and so we need to -- That's one of the conclusions that we have in our paper, is we need to find a way to step up the effort to do that, and so we recognize the need is there, and I hopeful -- Gregg mentioned that there's a meeting on Wednesday to talk about work in these SMZs, and I'm hopeful that we can learn from our experiences so far and find a way to effectively assess what's going to go on there.

MR. FEX: Thank you, Todd, and I would just like to advise you guys that he is like a science guy, like he says. He gives us recommendations, or vice versa. You might be able to give him recommendations of what we're missing here on the science side, and so thank you, Todd.

MR. COLLIER: Just a few more actions for red snapper, starting off with something that you guys have recommended in the past, looking at what we're calling a permit now, but it's essentially the same thing as a stamp. It just has a different name. That's what the Southeast Regional Office asked that we call it. They asked that we call it a permit, because that's essentially what it's going to be, is a recreational permit.

That permit could be required for just red snapper or species associated with red snapper habitat, and so vermilion snapper, triggerfish, some of the groupers. It may be avoiding some of the deepwater species, but you guys have recommended a stamp for the deepwater species, and so the last alternative is for all species in the Snapper Grouper Fishery Management Unit. In order to validate or renew or maintain, there are some alternatives in there listed for that, and then there's Alternative Number 4, which you guys had given comments on in the past for snowy grouper, which is a harvest tag, and you would be required to have that harvest tag to harvest or possess red snapper. If you guys have any other ideas for a permit or a tag system -- If these are sufficient for now, we can go on to the next part, which would be recreational reporting.

MR. JOHNSON: Did the council consider two separate tags or two separate stamps or permits or just one? I mean, obviously we need just a reef fish permit or a stamp, whatever we want to call

it, but, for those handful of recreational anglers that do target deepwater species, which that's a difficult thing to estimate catch, and I'm not saying right now, but, probably somewhere down the road, that would be a very nice thing to have in management, because even fewer people than would purchase a reef fish stamp -- There's even a smaller amount of fishermen that would actually go purchase a snowy grouper or a golden tilefish stamp, and a deepwater complex stamp is what I would call it.

MR. COLLIER: The major driver for this amendment is red snapper, and so they're primarily focusing on just one kind of stamp. If you were to establish a stamp or a permit, you would definitely be able to develop it in such a way that you would be able to capture information on deepwater and shallow-water species at the same time.

MR. LORENZ: I would just like to make one comment, and that is that Sub-Alternative 2c does not appear like that would be a valuable one at all, because, if we're trying to get a handle on the red snapper, and then maybe I'm sure we'll be in there with some of the grouper, we're going to defeat ourselves with all the number of people that are going to have to buy it just because of sea bass, and they're going to be twelve or ten or six miles out, and so I'm thinking that Sub-Alternative 2c has no value unless you're going to attach some depth to it or something, where folks are going further out, but 2 and 2b are enough.

MR. HUDSON: Having been on the HMS AP for a couple of decades now, we had to wrestle around with first dealing with the tournaments and also the HMS recreational permit. Now, we at least know a lot more about the universe, on that level. It wouldn't hurt to talk to somebody about that, probably Randy Blankenship over here in St. Pete or somebody like that, and get some intel on that particular approach, because it took us a little while, but we got it done. That way, we can at least know what's going on with the private guys, which was different from all the other groups, the professionals, that were already having to be in compliance, and so I'm just throwing that out there.

MR. ATACK: I kind of disagree with you, Robert, on no value there. I think there would be a lot of value to know, number one, how many people actually participate in this fishery, and, as a subset, you would know how many are for red snapper. I'm going to have to buy the red snapper if I think I'm going to hit a red snapper, and so the only reason I'm going to get a red snapper is if I'm out in the snapper grouper fishery, and so I think that Sub-Alternative 2c is probably the one that would give you the most value for what we're looking at here.

MS. MARHEFKA: The established conditions to renew or maintain, does it go without saying that if there were violations that that's something that would also be handled? Would they be able to maintain or renew their permit if they had violations? We will lose our permit. We have the potential to have our permit taken away if we have adverse action, and I don't know if this is the place to do it, but, if we're going to go down this road of having the recreational sector have permits or tags, I think there needs to be the same situation.

MR. COLLIER: I am struggling with it. We don't necessarily want to confine law enforcement's hands and all those actions associated with it. What we're trying to do is establish conditions to renew or maintain the permit and not necessarily revocation of a permit, and I think that's what that would be dealing with.

MS. MARHEFKA: Maybe they don't need this to say that. Maybe a lawyer could speak to it, but maybe it doesn't need to be written that way in here. That's what I was kind of asking. If it does, then you're opening that up, I see, to include a ton of other things, and I don't want you to have to do that, but I also don't want it to tie the hands of the fact that all you have to do to keep your red snapper permit is report your logbook and you can do anything else and keep it, and so I would just ask the attorneys, maybe. I don't need an answer to it at this moment, but I'm curious about that.

MR. MOSS: Kerry, I know you're not looking for all of the answers, and certainly I don't have them, but I think for this, for the purposes of what we're doing here and whatever the punitive action is for offenders down the road is something that law enforcement needs to deal with. Personally, I wouldn't want to see anybody lose their permit because of them doing something stupid, mainly because, and I'm all for this, is this is going to be finally a decent data collection tool for the recreational anglers.

When you start taking that away, we start losing some of the data, good or bad, but we start losing some of the data. For anybody that keeps a fish out of season or under the limit or over the limit, there is so many different penalties and things that they have to go through, and I think that that's something that is way out of us.

MS. MARHEFKA: Don't think I was -- I wasn't sort of implying that if you get caught with one too many fish or a big fish that you lose your whole permit. I mean, we wouldn't, I don't believe. It's a scale of your offense. I just like that idea, in general, and not red-snapper-related, and so maybe I shouldn't have brought it up, but, if there's going to be a recreational permit or tag or whatever, then I think that needs to be part of the carrot and stick, just like it is for us. That's all. In general, I wanted to make that comment, and I certainly don't want to bog us down, but I don't want to take anyone's permit away over like a long fish.

MR. JOHNSON: To me, the most important thing of this whole process is you're just going to identify who these people really are. That's the most important thing, and anything else we get is gravy, but we don't really even know who intends to go reef fishing right now. We just know who has got a saltwater license. That's all we know, and so this is just such a huge step in the right direction, and it's just frustrating that it hasn't happened.

MR. COLLIER: Just to follow up on David's point, and I probably should have made this clear when I was discussing it, but Alternative 3 is really in there to make sure that we get the data, and that's what we're trying to get to, is to have good recreational reporting data.

MR. STIGLITZ: Is there going to be an actual logbook, or is it just going to be something that they can fill out on their phone? I've got logbooks to fill out, commercial fishing logbooks, and they're a pain. My wife hates me. I am done at the end of the month. My wife hates me. I hear about it every month, and you're not going to get recreational people to do that, but if they can pick up their phone and do it, but I'm just asking on that.

MR. MOSS: I don't disagree with you, Richard, but remember a couple of things. Number one, as a commercial fisherman, you're probably having to fill out about fifty times more data than I as a recreational angler are going to, and so I agree with you that it would be a lot easier if we could

just do an app, but I know, and this is something that I was discussing with a few people, that we've been kind of kicking down the road since essentially I've been on the AP.

To me, any way that we can get the data, and I don't care if they write it on a napkin, but any way that they can get that data, I'm fine with, and if it's a logbook -- Like I said, as a recreational angler, if I can go three or four times a month, that's a pretty good month for me. I know, for commercial guys, it's a lot different, and you're having to go through certainly a lot more data, a lot more input, than me as a recreational, and so I don't think that that would be as big of a deal, but obviously the app would be the best idea, but any information is going to be good information at this point.

MR. STIGLITZ: On my logbooks, they want to know how many ice cubes I use. They want to know if I bring water. They want to know if I bring food. They want to know if I burn diesel fuel. They want to know every inch of the day on my logbook. As I was saying, my wife hates me at the end of the month, because me and her have to go through all of this stuff, and, to get the recreational sector to do that, they're not going to do it. That's why I was saying that we talked about apps and stuff earlier, and if it was -- Everybody has got one. I've even got one. I don't know how to use it, but I've got one. My grandkids can do beep, beep, beep and be done if they can do it on a phone, rather than go home and -- My grandkids won't do their homework, but they will pick that up and use it.

MR. JOHNSON: Richard, I don't think they're going to go after economic data on the recreational sector. I know what you're talking about. I fill out a logbook, and, personally, I don't have an issue doing it. It doesn't take me fifteen minutes. It's anywhere from six to twelve species, but it does get -- They ask my guys, well, how much did you spend on groceries. You know, grocery expense and some of those things, I think they're just trying to get that information for other reasons, but I'm assuming it's going to mirror sort of the commercial logbook, or that's still up for discussion? Are they just going to get area or species? I would say depth. Maybe not area, but depth data and species data. Is there a list that the group can see, or we haven't gotten that far?

MR. COLLIER: We haven't gotten that far. In the grant, we did put together a list of items, but we haven't developed it for this scoping document. It's more or less will the public be acceptable to all of these different actions and starting there. Then we'll define and probably take some of the charter book logbook amendment, take some of that information and carry it forward into the recreational.

MR. JOHNSON: Being the devil's advocate here, I have heard time and time again from recreational fishing groups how the best use of the resource is recreational fishing, because it generates so much income, and so maybe we should include how much fuel did you burn and how much bait do you buy and all of those things, if we're looking -- I mean, it's just something for consideration.

MR. COLLIER: As we're collecting all of this data through a different data source, the Marine Recreational Intercept Program is still going to continue, and they still do have that economic side of their survey that they will continue to do. They don't collect all that detailed information of how much fuel did you spend, but they do collect some economic information, and so that still will be collected through the MRIP program. I don't know if it will be collected through this as well.

This is going back to that table I showed before. This is the number of intercepted trips through the MRIP survey, and, to me, it drives home the point the need for some kind of recreational reporting requirement. When you're looking at 2013, one private recreational red snapper trip reported either catch or discard of red snapper, and it just becomes pretty difficult to manage based on these numbers, and we would like additional information to refine management in a better way.

Going on to Action 10, this is going to be modify reporting requirements for private recreational fishermen, and sorry the text is so small up there, but it was included in the options paper. Alternative 2, that is require private recreational anglers to complete electronic logbooks, and so there are sub-alternatives within that. It could be 20 percent, ranging all the way up to 100 percent of the private recreational anglers that have a stamp and report their catch. That would be in order to possess species in the Snapper Grouper Fishery Management Unit.

The reason we have a range of alternatives ranging from 20 percent to all is we're not certain if our data warehouses can hold all the recreational data. We think they can, and that's why all is in there, and that's the direction we would like to go, or that's the direction the staff is leaning. The council will have to make decisions on that.

MR. HUDSON: Are you referring to the ACCSP role now, as of the beginning of this year, with MRIP and APAIS? What I was reading a little while ago on their website is it's Georgia to Maine, and I guess Florida falls under a different thing, but, when you go west, it only goes to Louisiana, because Texas has a total exception from MRIP, and they, of course, have a 365-day red snapper season out to ten miles there.

MR. COLLIER: Alternative 3 looks at different time periods for reporting. It ranges from monthly to weekly to before you either take the vessel out of the water or you depart the vessel. Alternative 4 is just to give the option of completing paper logbooks. We think that would be a significant impact on the National Marine Fisheries Service, if that was to be reported via paper, but that is a viable alternative for now, and that's why it's included.

Alternative 5 is it would be slightly different than what we've been talking about with a stamp and recreational reporting. Alternative 5 would take the place of both of those, and what that would do is you would be required to report a catch of a red snapper prior to returning to shore, and Alternative 6 is similar to Tails and Scales, and I think that's the name of it. It's down in Louisiana or Mississippi, where you have to hail-out prior to going fishing. Then you also have to hail-in when you come back in. During your hail-in, you would report your catch of snapper grouper species. In order to hail-out after that, the next time, you would have to have closed the previous trip, and so it gets at the data collection part, where you have to provide that information at some point, in order to have a valid permit for the next trip.

MR. FEX: Chip, who would they actually have to hail to? Would it be the Coast Guard? Would they be it for that, or would be the hail-in and hail-out person?

MR. COLLIER: Essentially, it would be an app. You would hail-in via the app, and it would give you the permit number for that trip. That would be used to validate that you have hailed out. Then, when you come back in, that's when you would hail back in.

MR. MOSS: I get that we're not supposed to be voting on any of this stuff right now, but, that last one, I don't see it working going through Port Everglades Inlet on a Saturday. The hundreds and hundreds and hundreds of boats that are going through there and people trying to hail out with apps, I can't imagine that there's a system that wouldn't get bogged down from that, just that alone, not to mention the fact of the number of people who simply aren't going to do it.

MR. ATACK: Chip, on Alternative 4c, the wording on this is about using a NMFS-approved reporting sheet, and is that a piece of paper or is that electronic on your phone, or what is that NMFS-approved reporting sheets? What is that?

MR. COLLIER: Alternative 2 would just be electronic logbooks. Alternative 4 would give the option of paper or electronic logbooks.

MR. ATACK: Okay, because it talks about having to be completed prior to disembarking from the fishing vessel, I guess your paper report, if that's a paper report.

MR. COLLIER: Correct.

MR. JOHNSON: I just think probably simple is better to start with, just get some real basic information. Remember that right now we don't have any information, and so just basic information. We will identify who the people are and identify the depths they're fishing and how often they're fishing. Then species, I just don't -- I am a little bit hesitant on the species, because some recreational anglers do struggle with identifying fish, and you're getting self-reported data, which can really mess things up. I'm a little hesitant on that, but you could put it in there, I guess, but I just think basic, to start with, is the best approach.

MR. ATACK: I agree with that. We don't want it to be too onerous, because, when this goes through scoping, you're going to get such a backlash if you say you all have got to hail-out and hail back in. They're going to read that and -- You know.

MR. LORENZ: All I will say and weigh in on this is one of the biggest issues is going to be anything that you require with private recreational fishermen prior to disembarking from the vessel, because a lot of us, we get back and we jump off and we clean the fish and do it the next day. The fact is that I may be on somebody else's boat and I myself may want to be super compliant, but if the boat owner isn't compliant, that's going to be a problem. I may automatically be out of compliance a lot, because I would call you once I get back to my truck, which is often where I leave my cellphone when I'm on somebody else's boat.

That's one that -- I would probably get rid of anything that says prior to disembarking from the vessel and go with some other time period. As far as hailing, I don't know if that's such a bad idea. We can call up the night before and tell you're going on a fishing trip. Then, when we come back, we can tell you that we went or we decided to scrub it, which can often happen. We will often decide, at 3:00 A.M., that, no, we're not going anyway, and so I'm okay with that.

MR. COLLIER: Any other comments? All right. Action 11 is revise accountability measures and establish adaptive management for red snapper. Currently, there is a pretty long list of accountability measures for red snapper, and, as we've talked about, one of the accountability measures is, if you exceed the ABC the prior year, there is no season the following year, and so

this would -- If you choose an alternative other than Alternative 1, you would be getting rid of that equation to manage the fishery and potentially go to a different group of accountability measures.

In Alternative 2, it looks at two sub-alternatives looking at total landings and total ACL to determine if a season would occur the following year, and then Alternative 3 looks at closing the recreational landings based on projected landings streams. Alternative 4 is looking at the ACL, and that would be looking at changing management measures due to if it exceeds the ABC, which that would be landings and discards, and then the sub-alternative would just be looking at landings only.

Then, continuing to Alternative 5, if the stock is overfished and one sector or component exceeds a certain percentage of the discards, adjust management measures for the sector with the highest discards, and that would be getting to what some of you guys are talking about of don't punish all of us for the actions of one of the sectors, and so this would be an accountability measure trying to get at that level. In order to do that, you could have different management measures, and those are listed through 5a and 5b.

Alternative 6 is, if the ABC is not exceeded and landings do not exceed total ACL, then there would be the potential to change management measures if certain things are in place, such as decrease the minimum size limit, and so you would allow more fish to be harvested, or you could potentially increase the bag or trip limit.

Those are alternatives in case we go too far in management. It's not likely right now that we would be going too far, just given the amount of cuts we have, but we would like to have some adaptive management approaches in there to show that, if things do improve, that, yes, we can increase the bag or trip limit and potentially decrease the size limit.

MR. HUDSON: In the document that you have here for the forty-three-page Amendment 43, on Action 11, where you have Alternative 1 up there, it had four different points. Point Number 1 is very important, because of the independent monitoring of the catch per unit of effort, and that's been going on at least since 2010, if not a little before, and so, to me, that's a no-brainer. That's going on every year, and there should be some kind of trend to the CPUE if the independent survey is that good. Otherwise, the rest of it is fishery-dependent, and then the evaluations every three years and adjustments through framework, that is supposed to be a faster way of doing it, but, anyway, it all sounds good on paper, but, like I said, I didn't see it up there in your presentation. There it is. That's off of the big document.

MR. COLLIER: It's in all of the documents, but it's just this was way too much to put on a slide. I'm just trying to simplify it.

MR. HUDSON: Would that also include the FWC work that's been done, because I know we have the federal component of the independent.

MR. COLLIER: These accountability measures that you're reading up here, they essentially have no influence on management in the following part. It's where you begin to look at this part right here. This is what's in the codified text. It says the AM for both sectors listed in federal regulations are, and so you have the commercial and then you have the recreational, and those are the true AMs. The other stuff, yes, we could track those. There wasn't really a management response due

to certain changes in that, and so what we're doing here kind of clarifies what actions would take place. Is everybody good with the range of accountability measures? It includes a lot of the same stuff that's been in other amendments.

Then Action 12 is to require the use of best fishing management practices when fishing for snapper grouper species, and this is one thing to reduce bycatch and also discard mortality, and so we have Alternative 2, which would require that a venting tool or a descending device be onboard, whether it be a recreational, and that's one option, or commercial, as another option.

Alternative 3 is to require single-hook rigs on recreational fishing vessels, and Alternative 4 is modify the requirements for stainless-steel circle hooks, and there is sub-alternatives under Alternative 4. Are there any additional best fishing practices that we could maybe consider, in order to reduce discards and bycatch?

MR. HUDSON: With this equipment, it would be nice if somebody had a way to verify their ability to either have it and/or be able to use it. We in the commercial industry, like with sharks and dealing with turtles and sturgeons and whatever, we have the ability to go to a class and be certified every three years, and I would say that, based on what I understand about charter boat and headboat, they're required to have a lot of this equipment now too, but they may not also be going to class, but we're getting ready to make all of our shark fishermen go to shark ID class, just so that they can deal with this confusion over which shark are they looking at.

MR. HULL: This is helpful stuff here, especially for the recreational fleet, to learn how to avoid red snapper while fishing for other snapper grouper species that we have learned to do, such as fishing for vermilion up in the water column, up under the boat, and don't go to the bottom. You learn to fish up under the boat and target the animals you're targeting without interacting with red snapper, and that's something that -- Of course, these descending devices, obviously you need to have those on there, so if you do happen to catch a snapper, even though you're trying not to, you can have a chance to get him back down.

I think that the education part of it, as to how to target vermilion and triggerfish and stuff without going to the bottom, would be something that could be valuable. Of course, that's not anything that I guess you can measure. I don't know how you can quantify that they're going to be doing that, but it seems like it could be useful.

MR. FEX: I don't want to teach them our tricks.

MR. JOHNSON: What is the logic behind the single-hook rigs versus two-hook rigs? Do they think you're going to catch just one at a time instead of two at a time or -- That's the logic? Because, in my experience, you catch the bigger red snapper on single rigs. We use double rigs for sea bass and vermilion. I have no problem going to all single rigs, but I just am not sure what benefit that would really give you.

MR. COLLIER: The reason it is in there is to reduce the catch rates of snapper grouper species.

MR. JOHNSON: Okay, but snapper grouper species and not red snapper?

MR. COLLIER: Well, I mean, it would --

MR. JOHNSON: If you're going for say a limit of vermilion, you're going to have to fish twice as long, and potentially, if you're in an area where red snapper are, you're going to potentially catch more. A lot of times, when you stop on a spot, the first few times you go down, you will get your b-liners, but, the longer you stay there, the more active the larger fish become. I am just throwing it out there. I don't know what kind of benefit that would really give, and, when you start putting gear restrictions on anglers -- I mean, we're not talking about snowy grouper. We are talking about reef fish in general.

MR. ATACK: My question was the 28 degrees North. Can somebody explain why that circle hook rig -- Is it 28 degrees North versus the whole South Atlantic?

MR. COLLIER: That was for the yellowtail fishery.

MR. LORENZ: I think this action is actually one of the best of the things that are on this paper, and I would encourage it, even sooner and outside of all the rest of the things. Then, when we get into things like descending devices, open it up. There is quite a few. A couple of years ago, I noticed that, in spite of fishing with some doctors, they could really butcher some fish with the venting tools, and so I went out and took milk crates that I put decoy weights on, and, for some of the smaller fish, with fifty feet of line, you push them down, and that has worked fine.

Low and behold, I take the MREP program class, the scientific thing, in April, and aren't the people in California using just such a device, and so I think there's a lot of education on very simple and stupid things that would really work, and I actively want to encourage them, besides just the basically commercially available hooking and descending device.

MR. JOHNSON: Is this just the recreational sector, or is this all sectors? Because I'm still on the two-hook rig. I don't know how these guys that commercial fish do it, but I know how we do it. With a bandit, we have more than one hook if we're b-liner fishing. We have multiple hooks, because you're trying to go down and get them.

MR. COLLIER: Alternative 3, which is the single-hook rigs, that's just for the recreational sector.

DR. KELLISON: I was just going to tell a good science story quickly about descending devices. We have heard, I think, from the west coast, how effective they've been documented for a number of rockfish species. From your experiences, they appear to be effective for species here, in the Gulf or on the east coast. For the last hour, I've been looking at some videos that Mark took of red snapper that he's been putting down with a Seaqualizer, which is one of the commercially-available devices.

In January, at the Citizen Science Workshop, I became aware of a dataset of a recreational tagging program that South Carolina DNR has been running since maybe the 1980s, or maybe before that. It's a long-term program. They don't put a lot of resources into it. Basically, it's one guy, and he gets some tags. If he talks to recreational anglers, he gives them some tags, and they can tag some things. Then, if people catch them, they get reported. There's not a lot of information in the database. Often they don't have locations of where they tagged them and where they recaptured them, but there's a lot of information on warsaw grouper.

There were a lot of warsaw grouper that were tagged in it, and it turned out that they are tagged almost all by one captain off of the coast of Florida in the 1990s and the early 2000s, and we ended up talking to that captain, and he was pretty proactive at the time. He was a charter captain, and he stumbled across a wreck that he felt like only he knew about it. It had a lot of warsaw on it, and, over a couple of decades, he would stop there with his party at the end of his trips and let people -- I can't remember when the limit went away for warsaw, but he let them catch one and keep one, take one home, but, if they were small, he would tag them and throw them back.

He took good care of his fish. He made his own venting tools and vented all of them. If they didn't go back down, he netted them back up, and made his own descender device. He estimated that he did that with about 25 or 30 percent of them, but, over the period, he tagged 196 warsaw for one little wreck, and seventy-one of those he and his party recaptured, which is more than 36 percent, and so this is -- It's at the shallower end of the warsaw range. It's in about fifty meters of water, but, still, it's pretty good.

He recaptured more than 36 percent of those, and then I think this is the most amazing part. Of those 36 percent that he recaptured, he recaptured thirty-two of those a single time, twenty-three of them twice, ten of them three times, four of them four times, one of them five times, and one of them six times. The one that he recaptured six times, unfortunately, he ended up keeping it. He ended up harvesting that fish, and so it might have even survived to another recapture, but, to me, that just suggests that, if fish are taken care of, they can survive that release.

This is kind of conflating two different things, but, talking about red snapper and seasons and maybe considering not catching them during the spawn, I know, in the Gulf, there is data that suggests that their mortality is a lot higher when they come up through a strong thermocline, and so when that water is hot on top, and so maybe thinking about a couple of these things, when fish are being released and how they're being released. It could have a real effect on their post-release mortality. Thanks.

MR. COLLIER: That's all the red snapper that I wanted to discuss today. Thank you, guys, very much for your time and your comments. I think that's going to make this options paper a lot better.

MR. FEX: All right. It seems like we've still got about a half-hour left. There seems to be an issue with the longline endorsements. Some people want to have their catch history attached to the endorsement. Some of us on the AP have already dealt with this. We knew this was going to be an issue.

NOAA Fisheries wants the landings to be stuck with the permit. That's just easier for them to deal with. The concern I would have is somebody is just trying to buy up all the endorsements to own the fishery, and I wouldn't be supportive of that, but I don't have an opinion on this, and so she will bring up the document. If anybody has got an opposition to have the landings attached to the endorsement, here is your time to speak.

MS. BROUWER: Currently, the landings, as you know, belong with the permit. When you transfer that permit, the landings remain with the permit. If the permit has an endorsement attached to it, the endorsement does not carry the catch history with it. This is the way that the black sea bass pot endorsements and the longline endorsements for golden tilefish were designed.

At the time that the council was considering the black sea bass pot endorsements, they engaged in a discussion of, well, should we perhaps allow the endorsement to carry the catch history with it, and so what you have here in your Attachment 8 basically is -- The front of the document is a summary of the minutes that are attached to it, when the Snapper Grouper Committee talked about this back in -- I forget when it was, back in 2012, when they were looking at the black sea bass pot endorsements.

At the time, the AP had also held discussions, and they had recommended that the catch history remain with the permit and not the endorsement, and they went through and explained why that was their recommendation. I am not going to go through this. I trust that you've read all of your attachments, like you always do, and you have the background.

The minutes are attached, so that you can see the -- Bobby Cardin was actually the Chair of the AP at the time, and he was present at this meeting, and he explained the rationale behind the AP's recommendation. This came up again during public hearings for Amendment 35, which just became effective, I believe, this past summer. I can't remember, but it was recently.

That was the one, recall, that clarified what the requirements were for the longline endorsements for golden tilefish. We had the issue of sometimes people were waiting to renew their permits, so that they could fish on the hook-and-line quota after the longline quota had been met, and so the council went through and we did this amendment to clarify that that was not the intent of that program. During those public hearings, people came forward and requested that the council provide rationale or engage in discussions again, to maybe consider allowing the catch history to be attached to the endorsement, and so this is why we're talking about this again.

The council finally got a chance to address this a little bit during the September meeting. It had been scheduled for a previous meeting, but they hadn't yet had time to discuss it, and what they did is basically talk about, well, it sounds like we had sufficient discussions and this is everything that we said and the rationale and why it is the way it is now, and so they asked that this be brought back to the AP, so that you guys could have a chance to again recommend one way or the other whether a catch history should continue to be attached to the permit and not the endorsement, and so that's why we're here with this topic, and so if there's any specific questions that you have for me or if you want to just go into the discussion.

MR. JOHNSON: Thank you, Myra. I guess the purpose of this is to -- You have basically an endorsement, and so there's a set number of participants in this fishery. Currently, they are operating under a trip limit, I think, and they have a separate ACL for the longline. The only rationale I see for them wanting to do this is, at some point, somebody is going to be pushing for some kind of catch share?

MS. BROUWER: I believe that was the concern, and that's why the folks that spoke up during public hearings wanted the council to talk about this some more, because it is a fishery that is structured in a way that it could lend itself to being put under a limited access privilege program type of thing, and not the council is considering that, but I believe that you're right that that was why this was being brought up.

MR. JOHNSON: How many participants are there in the golden tile longline fishery?

MS. BROUWER: There is, right now, twenty-two or twenty-three vessels that have endorsements to fish with longline for golden tile.

MR. JOHNSON: Myself, I don't feel comfortable weighing in on an issue that I have no stake in, and I would like to know what the participants think, because they're the ones that this affects, and so to have this group weigh in on this, to me, it doesn't seem appropriate, because -- Is there any longline -- Jim Freeman is not here. There used to be one, and so it's sort of hard for us to have an opinion on something, just in my opinion.

MS. BROUWER: Just to highlight some of the things that were brought up, at the time, we talked to the Permits Office, and I remember Roy Crabtree said that the Permits Office should be consulted on this, because they're the ones that keep track of all this stuff. There were issues with how do you deal with the two-for-one, and, if you sell one and retire one, what happens to the catch history, and so there was the potential of it becoming really messy and some folks being able to basically just collect endorsements in order to beef up their catch history. The AP, at the time, thought, you know what, it's simpler to just keep it with the permit and let's not even go there, and that was how that started.

MR. JOHNSON: But you can't stack your endorsements. If one guy has two endorsements, he can't catch two trip limits on the same boat. He would still have to have two vessels operating. I am just trying to understand the need, and is it only for the golden tilefish fishery or are they talking about this in the black sea bass pot fishery as well?

MS. BROUWER: No, this came up just for golden tile.

MR. JOHNSON: Just for golden tile, okay. The reason that I included this for black sea bass is, by the time the council did Amendment 18B, they had already hashed all of this out when they talked about the black sea bass pot endorsements, and even though the golden tilefish endorsements are a little bit different, because you do have a separation of the ACL, the rationale is still the same.

MR. MUNDEN: I am like Robert. I can't see any benefit of this, other than someone trying to increase the catch history of fish he didn't catch. I dealt with a tremendous number of permits for black sea bass and scup and summer flounder when I was with the Mid-Atlantic, and we just didn't really get into the issue of catch history once someone had qualified for a permit. I would like to hear from the fishermen, or at least find out what the real motive is behind this.

MR. BUFF: I may be wrong, because I don't know much about this, but is that not a transferable endorsement?

MS. BROUWER: Yes, they are transferable.

MR. BUFF: So it is not a limited -- I guess it is limited access, but, just so everybody at this table understands, these are about \$125,000 endorsements, just so you guys know. They are very, very expensive. I was just curious.

MR. PHILLIPS: I have talked to some of the longline guys, and why they wanted the catch history is because there were some of them that were thinking, because of their derby fishery that is two

months, or it was two months before the latest assessment, but we won't get into that, but, if they had -- They spent \$100,000 or more for the endorsement, but then they didn't get the catch history, but it made it where the industry couldn't decide any kind of management where they might go and say, all right, well, this one has got this catch history and set up some kind of management options, like voluntary catch shares or something like that, where they could stretch their season out. Then the guys that bought in and spent so much money didn't have a catch history.

Then you had to go split it up equal access, and so the guys with the history, as you well know, didn't want to go there, and so that was a lot of where that came from, is just trying to figure out what to do, because they spent so much money, and you're right that the endorsement has to go to a boat, and so I think Permits could track it. It wouldn't be that messy, because it's going to have to go on a boat. Anyway, that was basically where it came from, at least one or two fishermen.

MR. JOHNSON: To that point, that's sort of what I was thinking, but I was exactly the opposite. I thought if somebody sold their longline endorsement for golden tile, either they were just tired of the fishery or they may have not that had that high landings. They may have not really been a high-liner, so to speak, and so, if I was the guy that decided that I wanted to get into that fishery and bought an endorsement for a hundred-grand and then somebody comes back and says, well, yes, but your catch history on that endorsement is not that much -- If they had known that upfront, they might not have bought the permit or the endorsement is what I'm saying. When you start changing things after the fact, I don't know if that's fair to the participants. I don't know if you understand what I am saying, but that wasn't in place when they purchased the endorsement.

MR. BUFF: We found out what fair was on our sea bass traps, but, just so you guys know, to the boats that I know that do this in the winter months, their income was more off of their longline endorsement than what their boat's total gross is for their snapper fishery. I know that really doesn't matter, but they're doing more money in two or three months with that endorsement than we're doing all year long with our boats, in total gross.

MR. STIGLITZ: Is there some kind of a catch share program to be set up for this fishery? I am not understanding the reasoning behind it, because, if you buy a permit with the endorsement, you can go fishing and you can put your own catch history on there, or is somebody trying to buy these permits up and sit there and hold on to them until they get to be more valuable or stack them or -- I don't know what the theory is behind it, but, if there's no catch share program going on or anything, I don't understand what's the big deal, because, if you buy the permit and you can go fishing, you can put your own catch history on there.

DR. DUVAL: Some of those endorsements have been sold already, Richard, and so there's been a number of black sea bass endorsements that have been sold. This is exactly getting to your point. That sea bass pot endorsement has moved from one permit holder to another, and that permit holder who purchased it is now building his or her landings history of black sea bass pot landings. Similarly, there has been -- I don't know how many of the golden tile longline endorsements have changed hands, but there's been probably just a very few, maybe two or three. It is a significant investment, and I think, again, like Myra tried to explain and Charlie tried to explain, the concern came up from people who had invested all of this money.

Maybe they were outfitting their boats and gearing up and didn't have the opportunity to actually get out there and put some landings on their permits since gaining the endorsement, and so there

was additional concern that they wouldn't be able to recoup their investment and that there might be, down the road, a catch share program that would come around that would be based on landings history and that someone who sold the endorsement would be in a position to actually be awarded shares in an IFQ, yet they had given up the ability to actually do that by selling the endorsement, and that would not fair.

It has taken us a long time to get around to this. We were originally supposed to discuss this during our June council meeting last year, in 2015. It was a really long meeting. It was a joint meeting with the Gulf Council. This was one of the things that we had to punt on, and then we actually didn't pick it back up again until I think the last council meeting in September, and so we wanted to bring it back to you guys to get some additional input.

If you've read the document that Myra put together, it was a crazy conversation that we had. We went around probably two-and-a-half times before deciding how to try to do this with the sea bass pot endorsement, and so, by the time we got to golden tile, we were not ready to mess with it again.

MS. BROUWER: I think it would be helpful for the council, when they take this back up in December, if they do -- They will be discussing golden tilefish, but they're going to be talking about the assessment and the results of that assessment, but I feel that they want to know where you guys are and do you still maintain the same recommendation that the AP -- The AP membership, obviously, has changed, and so they wanted to give you all the chance to provide a recommendation, as far as this is concerned.

MR. JOHNSON: The way Michelle explained it just then sort of gave me pause, because she is talking about somebody that has sold their longline endorsement, but have landings on their permit, and to think that they might qualify for a longline endorsement in the future, it seems like you could address that through some kind of management decision, rather than this, but, again, there is no longline endorsement holders on this group, and so it might be the wrong place to be looking.

MR. FEX: I do say this though. If it was one, would that one sway us all the way? That could be the one on the negative side or the positive side on that, and so that one could be a bad way to look at it, but we did kick this around. This was nothing that -- We knew this was going to be an issue. People that bought into this issue and people that got that endorsement knew this. Anybody that bought into it had to have some grasp of what was going on. When they bought into it, and I mean I feel bad for them that they invested that money, but they still have an endorsement. They're still making money, and so you guys have an option to change it right here or do nothing, and so feel free.

MR. HERRERA: I've got to imagine that, if you have the endorsement, that you're allowed to participate in the fishery. If you sold your endorsement, you're out of it, and so why do you even need to mess with it? Just leave the endorsement and make the person available to fish it.

MR. HUDSON: I know Jim Freeman does the wreckfish, and he was on this panel for that, but his company, his father's company, does the lion's share of a lot of golden tile endorsement landings from longline, and is still on the panel here?

MS. BROUWER: Yes, he is, and, unfortunately, he's still dealing with hurricane issues and he was not able to come to the meeting for that reason.

MR. STIGLITZ: Is there a control date on the golden tile?

MS. BROUWER: Not a recent one.

MR. STIGLITZ: I am lost, I guess, because I don't understand what the problem is. If I've spent \$120,000 for a permit, when the season opened, I believe I would be out there using it, and I would put my own landings on it, and I wouldn't have to worry about it then.

MR. OSBORNE: I'm not a longline endorsement holder, but I've been involved in this fishery my whole entire life. I just don't do it on my boat. I run the boats, and I deckhand and everything. The only reason that you would want to attach the history to a longline endorsement is because of a catch share situation down the road, because this is what they're talking about, Richard.

Say I have a permit and an endorsement, and I have been fishing all along, and all my history is going on my permit. I sell you my endorsement, and you go fishing, doing your thing, and, four years down the road, we go to a catch share and I get the history. You may have some history, but you might not have all the history that that longline endorsement made on my permit. Therefore, I am going to get the shares, and I can sell them back to you. These guys that are buying these endorsements want to make sure that they're going to get those shares, if it goes to a catch share, or they're going to buy up all the endorsements and then want a catch share. That's where this is going.

MR. STIGLITZ: You cleared it up, right then and there. That's what I was trying to figure out, what was going on. The people want to keep their endorsement and keep the numbers to it. Thanks.

MR. OSBORNE: Exactly, yes. It's a pretty aggressive derby-style fishery right now, but, the way it was designed, the guys wanted the endorsement to cap the participation in the longline fishery, and they're all fishing on the same trip limit, but, if you go swapping and selling endorsements, that doesn't mean anything. That just means you can fish right now, as is, but, if you go to a catch share, it's like, wow, where did the history go? Well, it's with the guy I bought the endorsement from. It depends on the years you took for qualification or anything, but that's what it's all about.

MR. STIGLITZ: If you were to buy a golden tile permit, how could you go fishing without the endorsement, or can you just get all the endorsements you want?

MR. OSBORNE: No, it goes on your unlimited snapper grouper permit. The longline endorsement is attached to that. You have to have both to participate in the fishery. You could buy my longline endorsement and go tile fishing right now with your unlimited snapper grouper, but, the way it stands, you're not going to get my catch history. It goes on your snapper grouper permit, like everything else.

MR. JOHNSON: Scott, that really cleared it up for me. Thank you for that, and so, really, even if you put a control date on it and started it when they went to the endorsement, it wouldn't solve anything, because some guy might have had the endorsement for a couple of years and then sold it. I could see why they would want the landings to go with the longline endorsement. **That makes sense to me now, and so I would make a motion that that's what they do.** Myra, you

have made note that there are no endorsement holders here, and so the council can take this with a grain of salt.

MR. OSBORNE: Just for the record, I'm not saying it's a good thing, but that's what it's about.

MS. BROUWER: Did I capture that, Robert.

MR. JOHNSON: Yes.

MR. HULL: Since this has gone around and around and been hashed around several times by when there were longline endorsement holders involved, and this is the solution they came up with, now your motion is to change that, and so it sounds like they already have hashed this around and the prevailing outcome was what you see. Is that right or wrong?

MS. BROUWER: No, I don't think that's entirely true. I think, like I said, the council talked about this at length in relation to black sea bass pot endorsements. Then we instituted the endorsement program for the golden tile, and there were no further discussions. The two different types of endorsements, they're similar, but they're not the same. The one for golden tile would lend itself more potentially to a catch share program, because you have an ACL that's attached just to the folks that use that gear, and so it's a little bit different.

I don't know that the golden tilefish folks that received the initial endorsements engaged in very much discussion about this at that time, and so, now that the original program is established and the eligibility and those folks -- There has been a couple of transfers of endorsements since then, and now people are thinking about this more long term. You know, what's going to happen if there's a catch share, and so that's why that's a little different.

MR. JOHNSON: Now I'm confused again, because I don't really like catch shares, because it doesn't hurt somebody that hasn't been in the fishery that long, and they may be competing at a high level. That's a good point that Jimmy made. **If they have already sort of hashed this around, I want to withdraw my motion, if that's possible.**

Just on this comment, if the longline endorsement holders for the golden tilefish fishery at some point want to go to a catch share system, then they can address this issue themselves as a group and not have a bunch of people in a room that have no stake in the fishery making decisions.

MS. BROUWER: Robert, we can't really withdraw the motion, because it's already been seconded, and so I would recommend that you vote it down if you don't want to entertain it. If the seconder is okay with withdrawing it, then -- Okay. Then so do I understand then that the AP's position is to just keep things the way they are until maybe we have somebody on the AP that holds a longline endorsement and they can speak on behalf of those folks? Okay.

MR. FEX: All right, guys. It's five o'clock. Thank you for your participation in everything, and I guess we'll meet here at nine o'clock tomorrow. I appreciate it.

The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council reconvened in the Crowne Plaza, North Charleston, South Carolina, November 1, 2016, and was called to order by Chairman Kenny Fex.

MR. FEX: I appreciate you all coming here again this morning. We're going to start out with the Vision Blueprint for the Recreational Sector. Myra will lead us through that.

MS. BROUWER: Good morning, everybody. What I have for you this morning are two options papers, and so we're very early in the development process for these two amendments, and these two amendments are a result of the council's vision blueprint. Recall that they worked on a blueprint for the snapper grouper fishery, and so there is a final document that outlines priority items and, of those items that were included, the committee discussed which ones they wanted to approach first, and so that's how these two documents came to be, and they're separated into one that addresses management for the recreational sector and then the other one we will talk about afterwards is the one that addresses items for the commercial sector.

Like I said, these are options papers, and so the committee hasn't yet decided on the actions that will remain, and so I think the AP has a lot of leeway to recommend things, mainly suites of alternatives, under each of these various actions, and so that's hopefully what we can get out of the discussions this morning.

For this regulatory amendment, there are several actions, and so what I've done in each of these two documents is a little bit of background of why this is being considered and what the council intends to do. The first one has to do with the various aggregate bag limits, and the committee and the council would like for you to consider how those are structured, and so here, up on the screen, you see what is currently in place.

We have an aggregate for snappers of ten fish per person per day, and it cites the different species that are included. It's lane snapper, yellowtail, gray snapper, mutton, queen snapper, blackfin, cubera, and then there's some specific details on cubera snapper and silk snapper. Of course, red snapper, there is no harvest allowed. Then we have the bag limit for the aggregate for the groupers, which is three per person per day, and this one is a little bit more complicated, because there's all kinds of exceptions, and so one of the things the council would like to do is also just streamline the regulations, make them a little bit less complicated, and basically just see if we can rearrange some of these in a way that makes more sense.

For the groupers, we have gag, black, snowy, misty, red, all the shallow-water groupers, and we have a maximum of one gag or one black grouper, but not both, per person per day. Then snowy has a per vessel limit, and then harvest is only allowed May through August, and then golden tile is one per person per day, and then there is a handful of species without a bag limit, and so those are included in the twenty-fish aggregate, and that includes the porgies, gray triggerfish, bar jack, and almaco.

What we've done, or what I've done, is put together some potential alternatives, and so Alternative 2 would be to establish an aggregate for deepwater species, and so those would include snowy, yellowedge, misty, queen snapper, blackfin, silk, tilefish, blueline, and sand tilefish, and the current restrictions would remain in place for the tilefish and for snowy grouper. Then there would be sub-alternatives based on whatever range of bag limits the council wishes to consider.

Then there's an alternative that looks at establishing an aggregate bag limit for shallow-water groupers and then again, depending on the ranges of bag limits the council wants to consider, we would develop sub-alternatives for those. Alternative 4 looks at modifying the twenty-fish

aggregate for species without a bag limit to X fish per person per day, possibly, if the council wants to consider excluding certain ones from that aggregate and maybe have separate bag limits for those, and so gray triggerfish and maybe the jacks complex and any other ones that they would want to consider.

Alternative 5 would be to modify the ten snapper per person per day limit and have different numbers of fish per person per day for those, or maybe they would prefer to establish a new ten-fish aggregate that would include species in the current aggregate and the ones that are currently in the twenty-fish aggregate, and so you can see that there is many ways that we could rearrange this, but this is just what I came up with.

The council hasn't even had a chance to talk about this, and this is why I think whatever you guys can contribute and recommend will be really helpful, because that will help them in December when they look at this and approve it for scoping, to kind of narrow things down and have the benefit of having had your recommendations and your discussions when they talk about this. You see that I have left some room there to type up your recommendations, and so let's hear some comments.

MR. JOHNSON: This group, I know in the past, has expressed the desire to have almaco jack removed from the jack complex. It closed for the recreational sector and the commercial sector this year, and that is part of that jack complex, and I didn't realize -- I knew it was important to the commercial guys, but I had a couple of headboat operators call me up crying about why can't we keep our bar jacks anymore. I think a reasonable recreational bag limit for almaco jacks and removal from the jack complex, and couple that with a reasonable trip limit for the commercial sector for almaco jacks.

MS. BROUWER: Because these amendments are structured separate recreational and commercial, if we can just get the -- I am going to, as you all come up with recommendations or whatever, and not to say that these are all AP recommendations, and so we can just hash it out, but I will just start typing it up, so you can see it. What would be some reasonable bag limits for almaco?

MR. JOHNSON: We're talking recreational?

MS. BROUWER: Right. Right now, we're only talking recreational. We will get to commercial later.

MR. JOHNSON: I would like to hear from the group, some of the charter boat operators and recreational fishermen that are in that fishery.

MR. MOSS: The only problem that you're going to run into, from what I see from the recreational side, is identification. There's a lot of recreational guys and boats that have people that run them that can take care of that, but a lot of the recreational guys aren't going to be able to -- They won't be able to identify the difference between yellow jack and almaco and amberjack. They look at them and just say amberjack, a lot of them.

The same thing is going to happen with grouper. That's why I was looking at like the blacks and gags. That way, you can have one of either. Down in South Florida, a lot of recreational people,

everything is either a black or a gag, regardless, and so just be wary of that when you start thinking about bag limits, that you're going to have a lot of misidentification with some of these guys.

MR. THOMPSON: I would like to see the same thing as the almaco with banded rudderfish. Especially our headboats really needed banded rudderfish. They've been closed with them in the jacks complex also, and we've got a lot of them. I'm saying three to five of them, recreational, would be plenty, but we just really need them for the headboats more than anywhere else.

MS. BROUWER: Robert, there is a Sub-Alternative 4b that proposes a bag limit for the jacks complex. Is that something that would address that?

MR. THOMPSON: That's the one I like. You could just take the lesser jacks and eliminate the greater, but to keep those smaller ones open longer would be good.

MR. JOHNSON: I don't want to see the complex, period. That's the problem. The banded rudderfish, in my understanding, is what drives that complex, and it closes down the almaco jacks, and anybody that fishes can tell you that there is a ton of almaco jacks. I know there is in northeast Florida. They're everywhere, and if there could be a two-fish per person bag limit or something like that.

As far as specifies misidentification, I could maybe someone misidentifying a banded rudderfish with a lesser amberjack, but an almaco jack is a totally different fish. He's got a broader body and a higher dorsal fin, and I don't want to say that ignorance of the law is no excuse, but, if we're going to fish, we need to know what we're catching. I just think we have requested this, I know the commercial sector has, for a long, long time, and I think this is the first time that I've heard the recreational sector complain about it, but I did get some calls about it.

MS. BROUWER: You were suggesting, and I'm sorry, but a separate bag limit for banded rudderfish by itself?

MR. THOMPSON: Just if it was one a day, if it kept it open. Like I said, the problem is they have more almaco down that way and we have more banded rudderfish, and it is the banded rudderfish that's closing us, and so, if we could limit it to two, keep them at two or whatever keeps them open for the recreational. You've got to figure the numbers. There's a lot of juggling that goes into that, and how do we do it?

MR. JOHNSON: To that point, I don't like this complex. Maybe I am not making myself clear. I know that the council has a lot of issues with stock assessments and things like that, but these fish are tied together, and no one is benefitting from that. You hear Robert Thompson complaining about the banded rudderfish being shut down, and I am complaining about the almaco jacks, and so they really need to be separated out.

MS. BROUWER: Okay, and that is an action that was at one point included in a regulatory amendment that the council was considering, and that was just disbanding the jacks complex, and so would that be something the AP would want to then recommend, that the council reconsider just removing the jacks complex?

MR. HULL: Absolutely. That's what we've intended to try to get done, and we need to bring it back up to them. It's causing a lot of heartburn for everybody on the recreational side and the commercial.

MR. FEX: I will take note, and I know I don't have an opinion anymore, but we have had motions towards a triggerfish trip limit, and my concern was the commercial side and keeping the recreational amount of triggerfish, which I think was the demise of our triggerfish stock, and so I just would take note to that in there.

MR. BUFF: Being you brought that up, and I think I bring this up every meeting, but why do we still have a recreational bag limit on a commercial fishing boat? I can't understand. If the fishery is in such bad shape and we're overfishing so much, why can we take it on both sides of the fence? It should have to be either one or the other, and it puts the boat owners in a terrible situation, with everybody at this table knows what those guys do with those fish. They're not taking them home and eating them, and so why would we continue to let this go on, and we promote it. Even for the marine fisheries guys at our place, it's just a disaster. We know when the guys carry the coolers off the boats, we know where they're going with them, and there's nothing we can do about it.

DR. DUVAL: Just to give folks a little bit of history, the reason that the retention of a recreational bag limit was allowed on a commercial vessel when the commercial season was closed, but the recreational season is open, was to allow for retention of incidental catch. If the commercial sector for gray triggerfish has been shut down, but you're still interacting with those animals, the idea behind -- This has been in place for many, many years, before my time on the council, but the idea behind allowing retention of a recreational bag limit was to try to cut down on dead discards. You're not allowed to sell those fish, but to just retain a recreational limit.

I think the complaint that you've brought up, which is mainly that when your recreational bag limit for something like triggerfish is twenty fish, that's a lot, and it can lead to black-market sales and all kinds of illicit activity that nobody wants to see, and I think this is not -- This is on the council's radar screen, but part of the problem, I think, is the use of the term "retention of a recreational bag limit", and what I would like to get to is simply retention of an incidental catch, and whether it's twenty-five pounds or fifty pounds or a couple or three fish, but something that is not going to have fishermen to harvest those fish with the intention of selling them out of a cooler somewhere.

That's something that we would like to try to address, but I don't want you guys to -- I just wanted to make sure that people knew the history behind that. It was just to allow for some incidental retention, to try to cut down on dead discards, but I don't want to derail the conversation here, because you're talking specifically about a recreational amendment and not a commercial one, but I just wanted to make sure folks knew that, and, yes, we would like to address it.

MR. FEX: I would like to make a comment to that, first. I was around when that was going on, and another concern I had too was the commercial guy. If he's out there with his recreational boat catching commercial king mackerel and he stops and catches grouper and keeps them, he would be doing the same thing, and so I'm on the other side with that, because I'm the commercial guy not wanting the commercial guys to sell the fish, and we had a motion two years about the triggerfish recreationally. That wasn't going to really affect the recreational fishermen, but it was going to affect the commercial guy taking twenty fish home, and so I recall that in the motions, and it's in the history, and so I just figured I would bring that up.

MR. BUFF: Just let me assure you guys, everybody that's in here, that if that guy can catch twenty of those fish, he's going to catch twenty. I don't care what he's got on the boat other than that, but he's going to catch them twenty fish, and they're going to stand right there on the dock, and they're going to put them in a bag, and they're going to take them somewhere and sell them, because that money goes straight into the pocket. It's not going nowhere else.

It's not going to the boat owner, and all it's causing is problems for everybody that is involved, and we will even, as the boat owner, get part of the ticket or the fine, whatever you want to call it, and we have nothing to do with it, and it's just something that -- If it's so bad, why would they take them regardless? If they're going to target those twenty or fifteen or ten, whatever they can catch, they're going to bring those home, and that's going straight in their pocket and nowhere else.

MR. JOHNSON: To Scott's point, the AP actually did have a motion at one time to disallow the retention of recreational fish. I understand Michelle and what her point is, but your point is very valid. That happens, especially when you have a species that has a high bag limit. I think, in Florida, that you have to have a recreational fishing license to retain recreational limits as well, and I don't know if that's the same in every state. I don't know if this is the time to make a motion, again, to that effect or not. I would support it if somebody wanted to do that.

MR. BUFF: **I make a motion that we disallow the recreational catch on a commercial fishing boat or we cut the bag limits down to where they're** -- Well, you can't do that, because it's going to affect the recreational guys.

MR. JOHNSON: I will second that.

MR. FEX: I would have to also say another thing that might come back on you is, currently, a charter fisherman can go out fishing and take a charter trip and keep a recreational bag limit. That would be a cause that I would be against, because, me being a commercial fisherman -- I am not allowed to keep that, but then another person that's doing the same thing, making a trip and making financial gains off of a trip, is allowed to do it, and so I would just say that, because I will argue that case later.

MR. JOHNSON: I can't speak for every charter boat operator, but we do retain the captain and the mate's bag limit, and those fish go home with the customers. Sometimes they go home to my house. I have a hard time begging fish from someone else's limit. We already have a law that disallows the sale of fish caught under charter. I think it's a totally different thing. What we're talking about and what Scott is talking about is when species is closed commercially and they're being harvested on a commercial boat because there is a recreational fishery open.

Those fish are making their way into the market. My concern is the same concern he has, and, as a boat owner, I don't want some knucklehead on one of my boats breaking the law thinking he's going to put some cash in his pocket and I'm not going to know about it and me get in trouble for it.

MR. MUNDEN: Scott, do you intend for this motion to address all species or just snapper grouper?

MS. BROUWER: I think, since you're the Snapper Grouper AP, you really can't be making motions about the other species, I would think.

MR. LORENZ: I'm just always looking at the regulations for simplicity, and I would just bring up the thought, and please criticize it if so, but there is any sense to, where we have this twenty-fish aggregate, to put in a very small limit, perhaps, and let's take a number, of no more than five maybe of any one species?

MR. STIGLITZ: Is this just for when stuff is closed? I would like to have -- I can have a recreational bag limit on my boat, and then, with mutton snappers, I think that was made up on the mutton snappers that the commercial guys didn't have a recreational limit. It's not an actual closed season, but I just want to make sure that the commercial guys will still be able to go catch mutton snappers during a spawning closure, but I just want to make sure that this is just when something is closed, because I still want to, when I'm lobstering, if I catch a mutton snapper in my trap, I want to be able to bring the recreational limit home, and as long as it's just when stuff is closed.

MR. OSBORNE: I don't want to get into a situation where, just because I have a commercial boat, I can't keep a recreational boat on there, but I'm pretty sure this was a state thing, but, in Florida, the FWC used to -- Say I'm on a commercial fishing trip and the fishery is closed for commercial. Once you exceed the recreational bag limit on any kind of fish, you're commercial fishing. If I have ten groupers on my boat, but b-liners are closed, and I put my recreational limit on there, now I'm in violation. Just because my relatives come down and I want to take them out fishing, and my boat is registered commercial, I don't want to not be able to go out there and catch recreational limits of fish with people on my boat that are recreational fishing.

I mean, I might do that once every five years or something, but I don't think that it's ever been written as law like that but that's all you have to do. If the boat exceeds a recreational bag limit on any species, you're on a commercial trip, and then you can make your case on that, but just because you're a commercially-registered boat and you have federal permits that you can't take somebody out fishing for fun --

MR. ATTACK: I understand your concern, Scott, but that's really, I think, an enforcement issue. I mean, some people might be doing what you're saying, but the majority of the people are probably following the law, and what's wrong with the crew being able to take three or four black sea bass home when black sea bass are closed commercially or something, because that has happened in the past, where people have been pulled and they've had just a couple of black sea bass that they were going to go eat, and they got a citation. They went to the court and they would up winning the case, but why change this for just a couple of rotten people?

MR. FEX: I have seen it. I have argued with my crew member, and he saying I need them fish, and he's got twenty or eight fish, and he's got mad at me. I sell those fish, that's what he was telling me, and Scott knows about it, and that's why I fought so hard for that motion a long time ago, and so I know it's going on too, and I'm not for it, but I can't solve it by that one.

MS. MCCAWLEY: The FWC rule now says that you can't be a commercial and a recreational fisherman for the same species on the same trip. In other words, if you were going to go out and take black sea bass commercially, you cannot also bring home your recreational limit of black sea bass, but if you want to bring home your recreational bag limit of lobster or something else, you

certainly can, and so you can be a recreational and a commercial fisherman on the same trip, but not on the same species.

I do think that the issue has been what you said, about how people that have a commercially-registered vessel are wanting to also take their family out and participate in a recreational fishing trip, and I think that were some issues with that. I know that was something that the Gulf Council was looking at trying to fix.

DR. MACLAUHLIN: Richard had brought this up, and so, for king mackerel and Spanish mackerel commercial permits, the current regulation is that if you have one of those permits on your vessel that you cannot fish for or retain that species at any time, and so the council just approved an amendment to change that, because it was only for king and Spanish. We just approved it, and we're working on getting it submitted, which is going to change it to allow the vessels, if they have the federal commercial permits, but commercial is closed in that zone or when the recreational is open, they can retain the bag limit. If they go out on a private recreational trip with their family, they can keep king mackerel even if king mackerel is closed. We just changed that, or are in the process of changing that, for mackerel.

MR. JOHNSON: Maybe this isn't the way to go about it. Maybe we just need to address the bag limit on some of these recreational species, because we've tried to do that in the past on gray triggerfish and failed miserably, but twenty gray triggerfish is way too many for a recreational angler. On my charter boats, which are considered recreational, my guys don't want to cut twenty triggerfish for every person on that boat, and so maybe we're looking at it the wrong way.

The only reason I supported it, Scott, was trying to look at something through a recreational lens. They can't dabble in commercial fishing. If a recreational species is closed and a commercial species is open, they can't go keep the recreational limit, and that's the argument I hear, and so you have to look at both sides of this equation. For law enforcement, it would probably simplify a lot of things, but whatever the group decides.

MR. HULL: I feel like you're coming around now to the way I feel, that this is the wrong way to cure the problem that you're having with your potential crew selling the recreational bag limit. I think there needs to be another avenue to that, rather than this broad stroke that is going to affect a lot of other things that we can't even think of right now.

DR. MACLAUHLIN: I would suggest, because I really do think that this is much more of a commercial fishing issue, because I really want to talk about it in terms of what Michelle brought up, in that it's not really about being able to keep a recreational bag limit. It's about keeping incidental catch that would die anyway, and so I would like to hear that discussion, but I don't think this is the place for that, and so I wonder if it wouldn't make more sense to address the recreational bag limit in terms of recreational fishing. Then, when we get to the commercial amendment, we can try to have another version of this discussion.

MR. FEX: Yes, that's fine.

MS. BROUWER: There is a motion on the floor, and I guess I'm hearing that you -- Are you going to withdraw the motion? Is that okay with the seconder? Are we going to vote on it?

MR. BUFF: **I will withdraw the motion.**

MR. JOHNSON: I will withdraw my second.

MS. BROUWER: Does the AP then -- Would you guys want to recommend an appropriate bag limit for gray triggerfish at this point or do we retain it within the twenty-fish aggregate?

MR. HULL: I think that we should talk about the bag limit on triggerfish as twenty -- As you hear from most of the charter boats, twenty is too much per person, and it's overkill on a charter boat for everybody to have twenty triggerfish. They don't want to deal with it.

MR. LORENZ: Then I would put there, strictly as a recommendation, for the consideration of the council for the twenty, and maybe even for the species to be a ten-fish bag limit, and to have what I would just call a smaller limit, just a smaller amount, that any one species cannot be more than four or five or whatever. That might be plenty of fish, but to bring that into consideration. It's simple, and it avoids gluttony.

DR. MACLAUHLIN: Can you remind me where we are? Did the triggerfish assessment already come through and where we stand with trigger?

MS. BROUWER: The assessment for gray triggerfish was not approved as best available science. There's a lot of issues with aging, and so I don't know when it's going to come back around in the SEDAR schedule, but we can talk about that when we get to that item on the agenda.

DR. MACLAUHLIN: I was just curious. If someone is going to take this out eventually, I assume they're going to want a biological reason why the bag limit is being reduced. I don't have a problem with it, but I'm just thinking of the pitfalls, and so I just wasn't sure where that stood.

MR. FEX: I think, last year or the year before, the recreational was closed on triggerfish, and so there's a kind of good rationale, and I think we're still stuck with -- They didn't accept the stock assessment.

MR. MOSS: I want to kind of work backwards to what Bob Lorenz was saying, and if there could be some discussion on taking any fish in the twenty aggregate and only so many of any one species. I know I speak for my South Florida recreational bubble, but I would be perfectly fine with five of any one species, if we wanted to go that route.

MR. JOHNSON: I don't mind aggregate limits, per se, but I think a lot of recreational anglers are uncomfortable with that. I think they do better when they say that I can have five sea bass or I can have five vermilion or I can have five triggerfish. If you start throwing that only this many can be of this and that, and you're going to lose them. That's just my personal opinion.

MR. LORENZ: My clarification was just there are the species that have an aggregate limit, and anglers know that you will only take five of any one, and so there may be ten species, and, when you hit five of any particular type, that's it and move on to another fish. That's the spirit of that.

MR. JOHNSON: Right, but, as it's worded now, like in the snapper, you can have vermilion. They're not in the snapper aggregate bag limit, but the five gray snapper or mangrove are, and

yellowtail are in the aggregate bag limit as well, and so you could have either ten yellowtail and no mangroves and no muttons, and it complicates things for some people.

As a charter boat operator, I understand all of that, and I am not shooting the idea down, but I'm just throwing that out there, because some people, with these aggregate limits, you ask a lot of fishermen and they don't even know there is an aggregate limit on anything. They just know that they can keep this many of this and this many of that.

MR. MOSS: I think that was going, at least the way I understood the way Bob was talking, it was for the aggregate species without bag limits, to do a maximum of only five of any one species, and so five almaco and five bar jack, until you get to your twenty. Then, however you get to your twenty is up to you.

MR. JOHNSON: Thank you for that clarification.

MS. BROUWER: Are there any recommendations on establishing aggregate limits for deepwater species or shallow-water groupers or something that the AP thinks the council should consider?

MR. THOMPSON: The deepwater species is a mess, especially recreational. A lot of people want to do it, but it's tough figuring out what you can keep. It needs to be looked at, the deepwater, and I don't know what the fix is. I really don't have a recommendation, but it needs to be considered, again. We've got to do something, if it's a three fish per person limit or something like that, but I don't know how to get to where we need to get.

MR. LORENZ: I will add another caveat to what Robert said and come back to what Chip presented to us yesterday with Amendment 44, and the mention of we don't know what to do, because you will drop three hooks or so down, and each one of those is a specification of single-hook rigs, and that would avoid at least some of that. It's just a thought.

I have been asked by some of my colleagues that we also ask that the council put a spatial component or a depth component on that. That is where we would consider the specification of single-hook rigs, and so I guess we're specifying what the deep water is for deepwater species, in order to do the single-hook rig.

MR. THOMPSON: I would make a recommendation of at least fifty fathoms, 300 feet.

MR. JOHNSON: I would say 240. In northeast Florida, you're going to start seeing your snowy grouper and blueline tile and deepwater species from really about 240 foot on out, to 260 or 280 being the sweet spot.

MS. BROUWER: Any other recommendations on how to reshuffle the aggregate bag limits?

MR. STIGLITZ: One fish. If you drop down in 300 feet of water and you catch your second snowy grouper, he's dead. You throw him overboard. Anything else you catch in 300 feet of water, when you bring it to the top, it's dead. You can have a one-fish on snowy and a one-fish yellowedge, and you can have a one-fish queen snapper. When you're trying to catch that queen snapper, you might catch ten snowy. Here we go again with release mortality.

If you catch it at deeper than 240 foot, it's dead. I don't care what you do to it, it's dead, and to throw it back in the water and watch it float away is horrible. I don't even know what the limits are on the different deepwater species, but most of your deepwater fish, when you catch them, are a decent size, and one fish per boat. To go out and there just keep pulling stuff up off of the bottom and watch it float away is ridiculous.

MS. BROUWER: Richard, currently, there are specifications for some of the deepwater species. We have one snowy per vessel per day, May through August, and blueline just went back up to three per person per day, May through August, and so one of the things that folks brought to the council's attention when we were doing the port meetings and all of that was to line up some of the bag limits, to make sure that species that are caught together are going to be -- To minimize discards. That was a big thing that kept coming up, is we have to minimize discards. It seems complicated, but I think the council is struggling with it, and so, if you guys have any specific recommendations, that would be really helpful.

MR. STIGLITZ: I will go back to where I was, one fish. I mean, one fish. We're struggling with a lot of things. That man is fixing to get out of business over release mortality, and to keep letting it go on is ludicrous, and to let somebody go out there and just keep dropping down on the bottom trying to catch his three tilefish and kill ten snowy is crazy. You can't tell me that you're going to go out there and target tilefish and not catch something else. There might be one or two people that are that good, but the majority of people ain't that good. They drop down, and when the pole goes like that, they reel it to the top. I am going back to one fish.

MR. JOHNSON: These species are per vessel, right? The three tilefish, is that per person? The snowy is one per vessel, and blueline tile is per person? Wow. I can see where that would be a problem. I would like to hear from one of the council members what some of their suggestions might be.

MR. HARTIG: Richard, to address your snowy statement that none of those fish survive, the information we have from the latest studies indicate that those fish do survive, and we have tag returns from snowy groupers now. We also have some acoustic tagging that's being done on snowy groupers, and Todd probably knows more about that than I do, but they have actually released those and they have tracked them with going along on the bottom, and so they did survive.

I understand where you're coming from about the mortality, but we know, at least with snowy, and we don't know with the other species, but, at least with snowy, if you particularly use a descender device, you have a much better chance of that animal actually surviving, and the other thing that happens in different regions of the council's jurisdiction, like with blueline tile in North Carolina, I mean you can fish for blueline tile without interacting with any other animals, and so you have to take that into consideration as well. There is more to it. I understand that it would be nice to look at some of these other species and see if we can get some of these animals back down.

Now, they use the rigs. They keep that descender on their line, and so, when they're going back down to get another fish, you're actually letting that fish back down to the bottom at the same time, and so I think, over time, that we're going to see that we do get some survival rate and it's not as bad as we thought originally, because I thought, just like you, that everything that we caught was dead from that depth, but that's not the case.

MR. STIGLITZ: Does that happen on recreational boats? You're talking about recreational fishing? I don't know of a recreational boat going that has a descender device on it and that sends them back down to the bottom and knows how to handle fish to make them survive.

MR. HARTIG: Well, I think a lot of these descender devices have been actually developed by recreational fishermen, to be honest with you. I have bought descender devices from recreational fishermen, and, actually, the information that I saw originally on descender devices came from recreational fishermen early on, and this was six or seven years ago when I saw the first things of recreational fishermen in the Gulf sending red snapper down to 240 feet, and they had it on video.

When the descender left, the fish just bolted off, because all that pressure had been released in that animal, and so I think that, over time, more people will start using those. Whether or not we should require a descender device, that's something we need to discuss, but we would hope that the best fishing practices, as people learn about this and have concerns about the resource, that they will end up using descending devices for the larger fish. Now, for smaller fish, there is other devices, like weights, and I use a basket for black sea bass, and those things work well, but, for the bigger fish, you need to use a specific device to be able to get those back down to the bottom.

MR. PILAND: I used one of those descender devices on snowy grouper and red snapper, and they appear, from a charter boat captain's perspective, to be very efficient. At our Citizen Science Meeting that most of us were at, we had a presentation from the Sea Grant group on the descending devices, and there is plenty of evidence that the descenders improve the mortality rate. I understand Richard's concern about the catching of snowy while trying to catch tiles. There are ding-dongs that drop six-hook rigs, but that's a ding-dong.

It's not Robert and I that know what we're doing and trying to obey the law and trying to help manage these fisheries. I feel like that the boats that are fishing for grouper should be required to have and use descending devices, and that would help with a lot of issues. Your red snapper mortality would go down, and his concern with the over-catching of snowy would go down, and it would just be a better place for all of your species with a mortality issue.

MR. HULL: Those are really good points, and looking at the current law as it stands, you're just going to get so confused if you mess with this. We may be better off to just do as you say. I think we did talk about, in the past, requiring recreational vessels to have descending devices, and I think we would be better off going that route than going and messing around with this at this time. Let's start that way and then see how it goes and progress further, because this is more mass confusion. It's just too much.

MR. FEX: I will take note that that was one of our recommendations when we saw the presentation a while back. Go ahead, Michelle.

DR. DUVAL: Thank you, Mr. Chairman. Just to remind everybody, the aggregate grouper bag limit was not this convoluted previously. We went from a five-grouper aggregate to a three-grouper aggregate back in like 2009, I think, and, within that aggregate, there were things like one black or gag and then one snowy per person, and then it came to one snowy per vessel. Then, when we went through Regulatory Amendment 20, the one snowy per vessel became one snowy per vessel from May through August, and, because of the analysis that we had, it showed that even

with just one per vessel year-round, which is what the three grouper aggregate was, we would not be able to stay within the annual catch limit.

Now, I know everybody sitting around this table is very aware of the uncertainties associated with the MRIP estimates of harvest, but that is why a lot of these aggregate limits have become so convoluted and complicated, is that we were trying to -- We're under a rebuilding plan for some of these species, like snowy grouper, and we were trying to make sure that measures in place would constrain harvest to the annual catch limit that we had available.

Again, that's why blueline tilefish was three per person per day year-round in that aggregate. It went down to one per vessel for a while, and then, when we got the new catch level recommendations, we decided to constrain that harvest to when the recreational season is popular, which is May through August. It would align things with snowy, so that we would presumably reduce some discards, but that's why it went back up to three per person. I just wanted to give folks a little bit of the history on how some of these aggregate bag limits got so convoluted. Is there some way that would be less confusing to the angling public that we could construct some of these aggregates while dealing with unintended discards on those species that tend to be caught together? I will leave it at that.

MR. ATTACK: Just a question on the last comment there. Was that for all vessels fishing or certain depths or are we looking at requiring descending devices for anybody that fishes in the snapper grouper complex?

MR. FEX: Andy, would you like to speak on behalf of that?

MR. PILAND: I don't see a reason not to require descending devices for boats fishing in the snapper grouper complex. It works, and it's not expensive. It ain't hard, and it don't take a lot of time, and it reduces the dead discards. I would have to say anybody, whether it be a recreational twenty-foot center console or a fifty-foot charter boat, it's part of playing the game. On a commercial boat, it's part of playing the game. It's going to help every aspect, every sector, with their future of fishing.

MR. HULL: I agree, and I support this. It's part of some of the behavior changes that we've been talking about that are going to have to happen. All of these little changes and these little improvements are going to add up to help these things like massive closures, and so this is a step in the right direction. Things like this are a building block, and adding all of these little improvements is going to help us out tremendously, and it just makes good commonsense when you're in the situation we're in.

MR. JOHNSON: These other species in the deepwater complex, are there significant landings for yellowedge and misty and queen and blackfin snapper and silk snapper? Where are those landings coming from? I guess the reason I ask that question is are we going to have fisheries other than the months that we have for snowy and blueline tile, when you expect to see some effort in the federal waters, and is there going to remain effort in that deeper water in the recreational sector year-round, trying to catch silk snapper or some of these other species? Do we have significant landings on those? Do we know anything about them? I know we don't have any kind of stock assessment on them.

MR. COLLIER: Landings for those species are pretty low. They are sporadic, especially for things like yellowedge. They are not common on the east coast. They're more common in the Gulf of Mexico, but they can be found here and there. Sometimes they are observed. The hard part comes in with this rare-event species is the recreational fishermen have a difficult time of identifying them, and so they could be in -- They could be not observed by the port sampler, and so that's part of the issue as well. A fisherman is calling a catch a deepwater grouper, and it just could go into the overall grouper category, and that's some of the difficulty in some of those landings. Yesterday, we did talk about an offshore season, and so a two-month or four-month season, and that sounds like what you guys are describing for this stuff, and so keep that in mind, that some of that could be covered in Amendment 43 as well.

MR. JOHNSON: The season that we were looking at yesterday obviously was from a hundred-foot out, and that's not what I am talking about here. I'm talking about we have this season for species, for snowy and blueline tile, and I'm not trying to be restrictive, but, if there really isn't a fishery for these other fish, are we still going to have people out there in that depth discarding blueline tile and snowy grouper in hopes that they might catch one of these other species? That's just a question, and I'm not proposing anything, but I'm just curious how the group feels about that.

If you're really wanting to get after dead discards, there would be no reason to even be fishing that depth if these are so rare events. That's why I'm trying to get at where they're coming from. They're part of this aggregate, but where are they coming from? Who is catching them? Is it South Florida, extreme South Florida? Is that where this is coming from? I'm just curious.

MR. STIGLITZ: I don't know what goes on everywhere, but, in the Keys, we have had massive amounts of recreational boats deep-dropping. They're going out there catching rosefish. While they're catching rosefish in 800 or 900 foot of water, they're interacting with snowy grouper, and they're either throwing them under the deck of the boat and bringing them to the dock or they're throwing them back in the water and they're watching them float away, and I don't know about in Key West, but I know around Marathon -- A buddy of mine builds fishing rigs, and, the last four or five years, he has made a fortune making deep-drop rigs for all the recreational boats.

All the charter boats in Marathon, every one of them has electric reels on them, and every one of them are out there deep-dropping. I don't know what goes on up here and in north Florida, and I'm sure they're doing it in Key West too, aren't they, Manny? In the Keys, it's been a major transformation in the charter boat sector and the recreational sector, because every one of them has got them electric reels deep-dropping out there.

MR. MOSS: Just to what Richard said, there is Tortugas guys now that will do special -- They go all the way out to Pulley Ridge and specialize in just doing the deep-drop stuff for silky and queen. They'll get some snowy, and it's exactly what Richard said all the way up through Palm Beach County, and I don't know -- I don't know how it is, Scott, up in your neck of the woods, but I know, like I said, that Dade and Broward and into Palm Beach County, there's a lot of guys out there deep-dropping now catching these things, and they're even going during the day deep-dropping for swordfish and incidentally getting some of this stuff, because it's a different rig, I know, but there's a lot of guys deep-dropping with electric reels.

MR. JOHNSON: Thank you for that. I mean, I'm not trying to cut down a fishery, but I'm just trying to understand where those species are being caught, because I know, for a good portion of the east coast, it really doesn't make sense for anybody to be out there fishing in those depths, off of St. Augustine, for example. Why would you be out there if it wasn't during the time when you could retain blueline tilefish and snowy grouper, because you're not going to catch these other species.

MR. MOSS: Just remember, down by us, it's not an even an hour boat ride to get out to those depths, down off Palm Beach County, and those guys -- They will hit it, and I was telling Kenny, in fact. You could leave at noon, leave work early, and be out there by two or three o'clock deep-dropping.

MR. THOMPSON: Just to report from the north end, in the spring time, we fish for golden in that depth, before the blueline. In my area, before the snowy season opens, we don't have interaction with snowy on the golden -- They're not out there. That's not to say that it won't ever happen, but that's my experience, and I fish more than anybody else out there, and we don't have the interaction.

MR. HARTIG: The other complicating factor is, once you get south of Jupiter Inlet, a lot of the species that are in the subtropical complex, which is vermilion and the red porgies, fish of that nature, south of Jupiter Inlet, they are deepwater species. If you're going to catch vermilions in South Florida that are large enough to keep, most of those are going to be caught in 240 to 360 feet of water, and so you're having that other problem, where you're trying to catch a vermilion and you can catch a snowy and you can catch a blueline and you can possibly catch a yellowedge in some areas that you're actually fishing for vermilion snapper.

The only thing that saves that area is the current runs so hard most of the time, and the time when recreational fishermen can actually fish there is relatively limited, and so that area does get protected somewhat from just the conditions, because I mean I see the recreational -- I fish that area a lot, in the deep water, and I see who fishes where, and I see how they fish. They fish differently than I do, and it's problematic for them to be able to get any bottom time to fish effectively, in most scenarios, unless the current is almost dead, and so that's just something to keep in mind.

MR. HULL: **I would think that we could make a motion that would simplify a lot of this and just have an action to require a descending devices requirement on all depths for recreational fishing boats.** That's going to go a long way, and we'll see how that works out, because there is just too many angles with all these different species that are prosecuted at different depths, but the descending device would cure a lot of those things. I don't know how to word it, Myra, but just require descending devices on all recreational vessels that fish for snapper grouper species, regardless of depth, if you want to throw that in there.

MS. BROUWER: Did that capture what you wanted to say?

MR. HULL: Yes.

MR. BOWEN: This year, I was fortunate enough to work with several different descending devices at several different depths, and, as the fellas were out there deep-dropping, or the fishermen

were out there deep-dropping or the ladies or whoever, they have the equipment on their vessels to use the descending device properly by getting the fish down, but when we come up on the mid-shelf, and we're using lighter tackle without electric reels and smaller weights, the equipment that you use may not be able to properly descend the fish down to the bottom with just the descending device, and so I would ask maybe to have some conversation or thoughts about not only the descending device, but up in the shallower water, where you're not using four or five or six or ten-pound weights. There needs to be some other tools, coupled with the descending device, to make sure the fish can get back down to the -- Not necessarily the bottom, but fifty or sixty feet. Jimmy is kind of looking at me strange.

Like on the charter boat, from my experience, on a charter boat, when we're fishing, we are seeing red snapper, but we're using sixteen-ounce sinkers or ten-ounce sinkers to fish with, but, when you catch that snapper using a sixteen-ounce snapper, it won't get a twenty-pound snapper back down to where he needs to be, and so I would ask just for something to go along with the descending device. Thank you.

MR. OSBORNE: Yes, that's a simple one. You just have another rod ready to go with heavier gear or a hand-line and a bucket ready to go. That's all you need.

AP MEMBER: This is something I did want to bring up. I think that the council needs to designate some funds to have some education on the proper use of the descending devices, either through Sea Grant or something, but just to get that to the different boat shows and whatnot, set up the booth and set up the video and make it free, get you some DVDs or whatever. Like Zack said, it's a new device, and so let's get people educated. CCA loves to educate, and so we can get them to spend some of that all that money they raise. We just need to have some sort of program to help get the education out there.

MR. HULL: Maybe we would add to that motion of proper design that is approved by the council to do a certain type or -- I don't know how you would word it, but I understand what Zack is saying. You've got to have the right equipment to do the job, and so it would have to be approved or -- Well, people make their own, and so it's just -- I think we've gone a long way.

The instance is we're going to do more good with this than harm, and so also, when the recreational fleet is permitted or stamped for the snapper grouper fishery, which we recommended, that the training would automatically go along with that and some things could evolve that needs to happen. This is all developing and evolving now for them, and so this is a step in the right direction no matter what. We can criticize it in a lot of ways, but training and education and there's been an awful lot of information about descending devices for a long time, and it's really enjoyable to see it happen in front of you and to learn about it.

MR. JOHNSON: It was quite a few years ago that I made a recommendation that -- I'm just throwing it out there, but, if you want to hunt, you have to take a hunter safety course to learn more about learning how to use a firearm, but how difficult -- If this is so important to us, how difficult would it be, really, for someone, when they purchase that reef fish stamp, to have to at least watch a video or get a pamphlet, get something that sort of lays out these things, like how to properly use a descending device.

Species identification seems to be a real big problem. If they're going to be in the fishery, they need to know how to do these things, and I don't know how you could tie that into the reef fish stamp and some kind of brief educational pamphlet or online video. We would have to go watch a video and do a short little test and click on the boxes, so they could take a certificate to go get their stamp or something like that, but just some ideas, if anybody has any.

MS. JEFFCOAT: Fortunately, a lot of the manufacturers of these descending devices have multiple videos online. If you were to google it, you could probably bring up twenty-five videos right now, and so it would be beneficial if we could connect to some of those, and that would help.

MR. MOSS: I agree completely with you, Robert. I think that it wouldn't be that big of a deal to just watch a ten-minute video before you get approved to get a stamp, have a little ten-minute video on some things, fish identification and some best practices. Descending devices does need to be included, and then a little five-question, like you said, click the right box. When you pass, you get approved. Then you get your certificate and go to the store and get your stamp.

MR. HULL: This is something that could be, once it gets in use, it could be factored into stock assessments, and it could affect the discard rates and all of these things. They will be able to factor this in, which this is a big thing.

MR. LORENZ: I am also going to comment. The use of these descending devices isn't hard. It was more of a challenge for me to learn how to use the de-hooking device, and, as Deidre said, there were plenty of YouTube videos on that to look at.

MR. FEX: Okay. It seems like we're all in favor of this. Any more comments or questions?

MR. STIGLITZ: I like your motion, but what constitutes fishing for snapper grouper? I would like to see it say "retention of any fish in the snapper grouper complex". If you're out there fishing on the bottom, trying to catch a grouper, and a lawman can pull up, and then I'm tuna fishing, and he can't dispute that, but, to retain one on your boat, you have to have that on your boat. I am asking.

MR. COLLIER: We have a similar motion in Amendment 43, and the way it's written right now is to require descending devices in order to harvest or possess snapper grouper species.

MR. STIGLITZ: That's fine.

MR. HULL: If you would read that?

MS. BROUWER: Sure. Currently, the motion reads: Do not change the composition of the aggregate bag limits at this time, but require the use of descending devices of proper design in order to harvest or possess snapper grouper species.

MR. HULL: I am good with that.

MR. PILAND: I am good for a second on that.

MR. FEX: Let's go ahead and vote. **All those in favor, please raise your hand, twelve.** Do you guys want any more comments on the recreational?

MS. BROUWER: We have a couple more actions to get through, or possible actions at this point. Another thing the committee wanted to do was to reevaluate the current shallow-water grouper closure, and so the options paper has some background information on how that came to be. There was the rationale that was included in Amendment 16, talking about why this was biologically a good approach, and so I have included that discussion in the options paper.

Also, back in April of 2015, this group discussed the shallow-water grouper closure as well and made some motions. There was a motion to recommend no action on removing the spawning season closure for shallow-water groupers, and there was another motion where you recommended that the council move forward with identifying spawning areas for shallow-water groupers that may be appropriate at some point to designate as spawning SMZs, with the intent to eventually remove the spawning season closure once those spawning areas were identified and protected.

Possible actions and alternatives would be to modify this recreational annual prohibition on the harvest and possession of shallow-water groupers, and so you've got Alternative 1 there as the no action, which is, during January through April of each year, there is a prohibition on the possession of the shallow-water groupers, and there is also, in the current regulations, for a person onboard on a vessel on which is a valid federal charter vessel -- Where a charter or headboat permit has been issued, the provision applies in the South Atlantic, regardless of where the fish were harvested, in federal or state waters, and so that's currently what's in place.

Alternative 2, I have to retain that prohibition, but perhaps exclude certain species, and so I've listed all the species that are currently included in there, in case the council may want to maybe just remove certain species from it. Alternative 3 would be to prohibit recreational harvest and possession of shallow-water grouper species annually, and then there is a temporal component, and so if the committee wanted to maybe look at some of these rolling spawning season closures that kept coming up during our port meetings. I know there is a lot of complicating factors with that, but, nonetheless, it was something that was brought up, and that's why it's currently in this options paper for folks to consider.

Then, of course, we haven't really spent very much time refining these, and so there would need to be a lot more work behind establishing the appropriate months, if this were to go forward for analysis, and then, during development -- Remember when the council was trying to do an amendment that was specifically to address issues in South Florida?

There was a joint effort with the Gulf Council, partly due to recommendations from this AP that there be some level of very specific management just for South Florida, and so during that year-and-a-half or so that the council spent trying to put that together, they discussed possible changes to the shallow-water grouper closure, and so these alternatives here are some that were considered at that time.

Now, that amendment never really was developed. The South Florida Committee sort of fizzled out. It became very complicated, but, nonetheless, we figured that we could bring these alternatives back for the committee and to the public to possibly discuss, and so Alternative 4 looks at removing the shallow-water closure for south of 28 degrees. Alternative 5 would modify it also

south of 28 degrees, but then there's several months there to choose from, and maybe it could be modified just for a portion of the time.

Alternative 6 addresses specifically excluding black grouper from that prohibition and then establishing a separate seasonal closure for black grouper, and then there's sub-alternatives that would give the council the choice for when that would be. Alternative 7 addresses gag, and, again, maybe consider prohibiting recreational harvest south of 28 degrees, and the same thing, as far as that temporal component, maybe just prohibiting it south of 28 degrees for certain months of the year.

Alternative 9 addresses red grouper and scamp in particular, and this one specifically would say that south of 31 degrees North latitude and then, again, similar to Number 2, with that temporal component. I realize these are complicated, but these are some that were already discussed, as I said, in light of that desire to do something just to address the needs of South Florida.

MR. JOHNSON: I have heard from several members of this AP that grouper fishing is still pretty tough. I am not sure why we would even mess with this and why we wouldn't just keep the closures that we have in place. Now, I can't speak to black grouper. I don't know whether they spawn at a different time, and I would like some information from some of the people in that fishery, but I think I asked the question once before of how many people here are regularly getting their limit, recreational bag limit, of grouper? Some of us do, but not often, and the story I hear from fish house owners, I heard one guy say that he hadn't seen 300 pounds of grouper come in on one of his boats. If that's the case, I am not sure if this is going to be helpful. We need to look at really what's going on with our grouper species, if it's environmental factors or what's going on with them.

MR. FEX: I would have to echo what Roy Crabtree said, that the four-month closure is about perfect, even though some people don't like it. That was his comment. Go ahead, Michelle.

DR. DUVAL: Part of this is being driven by concerns about red grouper and scamp. People are not seeing those fish, and they're very concerned about them, and they are seeing roed fish all the way up during the month of May, up in the northern part of the range, and so they would like to see some shift, in order to protect those fish.

Part of the shift, consideration of a shift, in the shallow-water grouper closure, as Myra mentioned, was because it wasn't quite aligned with when those fish are spawning in other regions, and so that was why we wanted to move forward with this. This was one of the biggest things that came out of the port meetings that we had, and I definitely appreciate the concern around the table that folks don't want to minimize that protection, and we don't want to do it either, but we're getting hammered back home about red grouper and scamp and the concerns that we need to do something about it. What I have heard is the months of April and May are pretty critical up at that end, and so part of it is being driven by concerns about these species.

AP MEMBER: Thanks, Michelle, for that. With that information, if you to were looking at Alternative 3, and I'm not saying that that's exactly what you would want, but some type of adjustment regionally that could take into account the different areas of the range, that's kind of what I think Michelle is alluding to.

MR. FEX: I will have to make comments to what Michelle said, because I am a North Carolina fisherman, and I am around the -- I was involved with two years of conversion factors, and that's where you bring in old fish and you bring in -- We get them in December. They start having roe in December, the red grouper do, and so what would happen too is if you did make a closure for May for red grouper and scamp, as we went out and pursued gag, we would be catching those red grouper and scamp, and we would be discarding them, and that would be detrimental.

We don't want to be out there bright and early in the beginning of the season, and so there's a double edge to that side. I am going to go fishing in December, and I'm going to bring in those red grouper, just to prove that, and so go ahead, Robert.

MR. JOHNSON: Thank you, Mr. Chairman. Dr. Todd, could you help out the group a little bit on maybe what research has shown, as far as the spawning times of these species? Is there any reason to extend it on either end or exclude a month?

DR. KELLISON: That's a great question. I mean, I guess, in general, we've done a good bit of work on spawning and spawning aggregations in reef fish, and, as most of you probably already know, most of them have extended reproductive seasons, and some species literally spawn all year round, but they have peaks over like two months. My guess is the duration of that extended period, maybe it's consistent across the range, but the timing of it varies across the range, and so trying to get a series of months that fits all of the species, my guess is that it would be -- I think that's going to be difficult, regionally.

MR. JOHNSON: Thank you for that, and so, really, that was why they set this originally closure up. It's sort of the biggest bang for the buck kind of thing, and we do have an assessment coming up on scamp and red grouper in the future, and so would it be more appropriate maybe to revisit this after those assessments? I know Michelle is getting hammered at home, but it would be nice to see what they come up with.

DR. DUVAL: Red grouper is going on right now. It's a standard assessment, and so I think the SSC is scheduled to see that in April. Remember that we're going to have scoping for these visioning amendments in January, and so we need to make sure that we have the appropriate range of alternatives in these documents, and so I think there will be -- You will see this again at your spring meeting, and you will see the results of public input as well, and so I think -- I appreciate all the concerns that are being expressed here, and, in terms of revisiting this once these two species have had assessments, scamp is multiple years out, and there is a lot of concern about scamp as well.

MR. BUFF: Where we're at in Holden Beach, for the most part, what we're seeing the most in fish is the scamps. Everybody blames it on the water temperature. The water temperature where we're at has been really, really high. The fishery as a whole, and I told Robert this this morning, I can't tell you the last time one of our boats unloaded 300 pounds of grouper, and we used to catch 500 or 600 or 700 pounds, and so I tend to lean towards there is something going on somewhere, and it could just be an off year, but the red grouper have been non-existent for us where we're at, but everybody says it's the water temperature.

MR. HARTIG: From the recreational perspective in South Florida, and Scott knows, because he has fished for these animals almost as long as I have, but I mean that's what I targeted in the winter

for years and years, before the closure. That's what I did, and so the initial was the two-month spawning season closure, and so I said that's fine, we need to do it, and then the four-month came in, and that was pretty sure to continue rebuilding the stock at the time that assessment was done, and so we had the four-month closure, but it really impacts South Florida substantially, because, on most years, the fish are all gone by May 1.

We rarely get a chance to fish for those animals at all, and if the spawning season was extending, because those fish are coming there to spawn and that's what they do. I mean, I've got tags from South Carolina right in Jupiter, and so those fish come down the coast to spawn. If that was extending, we would see more fish in that timeframe. We would see more fish in May, which we don't.

When I got to look at the gonads, and I've looked at the gonads of all my fish, and I've done that for years and years. When I saw hydrated eggs, it was in March when most of the smaller fish spawn. Now, the bigger fish spawn first, but those smaller, fifteen to seventeen-pound fish, they're all gravid and spawning in March. Now, you will get some -- If the moon falls into April, you will get some fish that will spawn in that time too, but, mostly, it's in March, based on what I had seen, and so some way to get the recreational fishery some access to this.

Now, the spawning aggregations, we watched them go away in South Florida. I mean, we watched them go away, and the center of abundance was still South Carolina, and there was still lots of fish being caught, but those fish that used to take the migration down to South Florida had almost been all caught up, but, since that time, since the closure, and since we have finally -- In the recreational season, we were allowed to harvest one fish per person for a number of years, and that didn't work, but, once we finally shut it down completely to no catch, we have seen the aggregations reconstitute all the way to Fort Lauderdale, and so there are some fish making that migration that has historically been an important part of the species biology, and so some way to get a little bit of access for the fishermen in South Florida.

Now, I see you're saying, well, they're not doing that great, but, in terms of fairness, there should be so many fish allowed to be caught in each group of fish, commercial and recreational, from a fairness standpoint, at least for allowing some access to recreational fishermen in South Florida in April, even if it was just two weeks in April, the last two weeks. At least allow them two weeks to be able to have access to those fish, and I would rather see the month of April go to both commercial and recreational, but even two weeks would at least allow people access to at least one grouper that they can catch. I get a lot of comments from the recreational, the headboat fishery down there, of when are you going to start addressing this, and that's my spiel.

MR. MOSS: Just to echo what Ben said, January used to be the time for grouper fishing down there in the Keys, for recreational, and I'm assuming for commercial as well. Now it gets to be kind of rodeo. The first week, depending upon the weather, everybody goes out there to get their grouper, of course, you know, barring weather. If you don't get it usually within that week-and-a-half or two weeks, it's like they kind of -- I don't know if they're all caught up or what, but January used to be the hot time, and I don't know if the landings are off now because people aren't fishing them during the hot time or they're not keeping them during the hot time. Well, cold time, but hot time for grouper. Like I said, if you don't kind of hit that one-week window right when it opens, they're closed down.

MR. STIGLITZ: I like the status quo. It seems like it's working, but what I would like to make sure we do is, if it's open for recreational, it needs to be open for commercial. I think it's great for the four months. We were not for it, but it seems to be working. I don't know how it's working down in Key West, in Manny's area, but my son, in his fishing, is doing better grouper fishing since the closures. I know Rick and Jimmy are doing better grouper fishing, once it opens back up again. They're seeing more fish, and I believe it's working, and I'm sort of like everyone else. If it's working, leave it alone.

MR. FEX: I would have to say the same, too. I fished in North Carolina, and we were -- It did restrict us, and so please don't think it was one-sided.

MR. JOHNSON: I have done some work with gag grouper, shallow-water grouper, spawning aggregations with the State of Florida, and I can echo the same thing that Ben and David are saying. That's when they bit the best, because that's when they would spawn, and I think everybody that fishes can say that.

What we're saying is fishermen will access it either the tail-end or somewhere real close to that spawn, and I love catching grouper, and my customers love catching grouper, but we've learned to survive without that four-month season, if that's better for the resource, and then we still hear all this testimony around the room that people aren't seeing them like they used to, and so I still think we need to look someplace else on shallow-water grouper. I think it's an estuary problem, myself, but anyway, I am sort of with Richard. I don't know if it's appropriate right now to be -- I feel their pain, and I understand, and I have people in east Florida that would love to see gag grouper opened up in January and February, because that's when they're there. They're there to spawn, and so, anyway.

MR. FEX: We're going to take a fifteen-minute break and let people check out of their rooms, if they have to, and whatever, and so we'll meet back at quarter to, please.

(Whereupon, a recess was taken.)

MR. FEX: All right, ladies and gentlemen. I know we had a break and everything and time to talk it over, and have you guys changed your minds on anything or do you still want to stay status quo? What is the opinion of the panel?

MR. HULL: **I would like to make a motion that we choose Alternative 1, no action, and then also with a caveat in there that we just need a lot more information.** I'm sure we're going to see this again, but, at this time, I don't think that we can really do anything with the knowledge that we have and the needs that we need, and so I would just choose what's already in place, which seems to be adequate, which is Alternative 1. I would make that motion.

AP MEMBER: I will second.

MR. ATACK: I agree with that, I guess except for, up our way, we don't see a lot of red grouper, and we're concerned about the scamp, and so I agree with keeping the closure like it is, but maybe, in certain regions, protect the spawning period for those other grouper, and so that will come out probably in public scoping, but I would consider closing scamp and maybe red grouper for the month of May, to where they were allowed to spawn before they're taken. I know we would have

some more discards, but, with descending devices, maybe we can keep that discard mortality rate down, but it would help with rebuilding the stock.

MR. HARTIG: I wanted to get the AP's -- On fishing for scamp, is it a bycatch of many other fisheries? Is it when you're fishing for groupers? I know I've caught them fishing for vermilion, and not very many of them, but I have seen them in association with that, but, most of them, I've caught fishing live bait when I was trying to catch other grouper. I am just trying to figure out, if we had a spawning season on scamp and red grouper, which would be later in the season, is there a way where you wouldn't catch quite as many in normal fishing operations?

MR. FEX: I know, up my way, they co-occur. I know scamp, I actually don't see a problem with them. They have actually topped what I've caught for the last two years in a row, and so I really, from my perspective, don't see a problem with them at all. I'm throwing back the small ones and using little hooks, and so they co-occur, but, to take that out and make May another closure, it would hurt me commercially grouper fishing, because gag is not my main fish, and so I'm not -- Anybody else?

MR. JOHNSON: Correct me if I'm wrong, but red grouper and scamp both have a two per person bag limit right now, recreationally, right? There is a three total aggregate limit, and so you can actually have three scamp or three red grouper, and so maybe we're looking at this the wrong way. We're concerned about these species, yet we have a three per person limit on them, the most liberal of the bag limits on any of the shallow-water grouper species. Maybe the group needs to -- I know we have a motion here that we need to vote on, but maybe we need to think about addressing the bag limit on these species versus getting all up in the weeds about closing it down during the different months of spawning.

MR. LORENZ: Just to answer Ben's question and come off of what he said, as a private-boat angler with similar folks like that, scamp is a little more incidental for us. We're going out there looking for the red and for the gags and the fishing is going to be done in ninety feet to maybe 160 feet of water, because we're not using electric reels, and, for us, the scamp is just a treat when we get back. It's incidental.

MR. THOMPSON: For us, prior to the four-month closure, January and February and March was our prime commercial time, and, when I say us, that was for the charter fishing and the commercial fishing offseason, and that's when we went after scamps, primarily. During May and June and July, that's more charter fishing for the recreational general public, private boats, and it's an incidental catch, because you can't take a lot of those people and tell them how to feel the -- The bite is different, and there's a different discard level on this spot, but that's just our experience in the little microcosm we're in.

MR. HULL: In our area, it's incidental. It's mixed in with the other grouper. We don't specifically target scamps. There may be times when there's a hot rock or something where you can go back and you will catch them for a little bit, but I think that, to what Robert said, a better way to maybe help protect those two species would be with reducing the bag limit and trying to leave more fish in the water. That's going to amount to the same thing, this broad closed -- You know, additional closed during the spawning time, and so I still think that this is the best way to go. It's been working pretty well, and then, if we want to add additional protection to those two species, maybe we go the route of in the bag limit.

MS. JEFFCOAT: Off the coast of Georgia, May is a very important month for us for the scamps. We certainly don't need to close during that time.

MR. FEX: Any other comments? It's in the form of a motion. **All those in favor of the motion at hand, twelve; all those opposed. Seeing none, the motion passes.**

MR. JOHNSON: I would just make a recommendation, Myra, to have them put the -- You had recommendations, but just have the council maybe look at adjusting the recreational bag limit for red and scamp.

MS. BROUWER: Okay, which was the first action we talked about. If you don't mind, it would be useful for the council -- We could totally just go back to the previous action and maybe get some recommendations from you all on what an appropriate bag limit would be for those two species.

MR. JOHNSON: If the group wants to. It seems that everybody is saying that they're -- We're hearing that they're in bad shape and that the assessment is not going to be good, but we still have three fish per person, and so --

MS. BROUWER: Would it be accurate to say that the AP might recommend to the council that they consider removing red grouper and scamp from the aggregate bag limit and look at individual bag limits for those two species, or how do you want to word it?

MR. JOHNSON: Myself personally, I would be okay with just one scamp, one red grouper, one gag per person. That's still three grouper per person, and I would much rather have one than none, versus having some kind of a closure because of an assessment that says that overfishing is occurring. I would rather try to get ahead of it a little bit. I can't speak for the group, but, for me, as a charter boat operator, three grouper a person is a lot, and you're not going to catch that very often, actually, and so, even one scamp per person and one red grouper per person or one gag, or you could even go to a two-person aggregate bag limit and only one could be a gag and the other one could be a scamp or a red grouper. There's a lot of stuff we could do.

MR. STIGLITZ: I like the second part of that, go to two fish and you can have no doubles of anything. I mean, two twenty-four-inch groupers, how many fish does a recreational person need to have? If you get three fish, one red and one black and one scamp, you can sit there and fish all day and not catch a scamp, and you're going to catch these other fish and be releasing them and killing them. I like the two fish and as long as there's no doubles of anything.

MR. THOMPSON: That doesn't really work for us, because we catch a lot of scamps. We can fish for gags, but, if we only get one scamp, then I'm done. The red grouper, we might get a few, but, until you get up there towards the North Carolina line, we don't catch that many. Are you going to add the graysby and the coney in there too and the rock hind? If I get two coney and two rock hind, I'm done.

MR. FEX: I would recommend, as an alternative, to just change it to an aggregate of two fish, if not in this motion, than another one, but, for scoping, just to have it go out to public comment to where we're going to change the three-fish aggregate to a two-fish aggregate, and you could leave the wording the way it is, but the most you're going to get is two reds and two scamps and one

gag, but it would be good to have that option go to scoping, so you can get some public comment back from that, versus the one of each species as another option out for public scoping.

MR. JOHNSON: To back up a little bit, we've got red hind and graysby and all these other species that are included in that aggregate, and we probably don't need to address that. You wouldn't want somebody to catch a graysby and -- You don't want them to fill a bag, but I think that our concern here is the red grouper, scamp, and gag. That's what we need to address in the aggregate, and I think it would be appropriate to remove some of those other fish and maybe have them in some kind of subset. We could get a hind aggregate or something, because they all are hinds, right, the coney and the graysby?

MR. FEX: All right, guys. Do you see any more recommendations you would like to put forth?

MR. ATTACK: I would like to see another comment about consider revising the bag limit, the aggregate bag limit, from three fish to two fish.

MS. BROUWER: Okay, and so my understanding was that you recommended the council consider removing gray triggerfish from the twenty-fish aggregate and specify a lower bag limit, but you didn't say what that would be, and then Robert suggested that maybe, under the twenty aggregate and the ten-snapper aggregate that there could be a specification that no more than five fish could be of any one species, but that was just a suggestion, but, if that's not appropriate for gray triggerfish, then please feel free to suggest a different bag limit.

MR. PILAND: Up on the northern end, Hatteras and Oregon Inlet, the triggerfish is a targeted species. We have people book us to go trigger fishing. I do agree with Robert and Bob that twenty per man is too many, but I have to disagree with the five fish being a practical limit. I would say that it is not. Because we have a directed fishery in so much of my state, you would be effectively eliminating a fishery. The charters will not book us for five fish, and I would expect that Robert is going to see the same thing. I am not sure about other fisheries specifically, but, as a consumer, I can't see where ten fillets the size of your hand is going to send me. Thank you.

MR. FEX: What numbers would you suggest?

MR. PILAND: I don't know. Maybe ten trigger, probably, is reasonable. I would defer to another captain that does this, Robert maybe.

MR. JOHNSON: I think we've talked about this in the past before, the ten fish. I think we recommended ten. We may have recommended five at one point. We've made a lot of recommendations that have never -- Triggerfish, for some reason, never have gotten any traction, but I would support a ten-fish bag limit. I am probably a little different than you guys that keep triggerfish, but I don't have many people that say, oh, great, a triggerfish, and we catch big ones too, but I could live with five, but I understand your point, and so ten is fine. I think just anything that sort of keeps it from twenty. Twenty is too many.

MS. BROUWER: Obviously, for analysis purposes, we're going to need to have a range, and so what would be an appropriate range for us to analyze? Is it five to ten or seven to twelve or -- Can you give me some bookends?

MR. PILAND: Ten to fifteen, because I have to admit that twenty is too many, and ten to fifteen is what I would recommend, personally. Sometimes we've got big ones, and sometimes we've got little ones. We just got a size limit of twelve inches. Ten to fifteen is what I would recommend.

MR. FEX: I will note that the AP did agree on eight back in the day.

AP MEMBER: I was going to agree with -- We dabble in charters also, and some people are going to come and charter your boat specifically to go and harvest triggerfish, because they're thick at that time, and I get it, and so I have to agree with what's been said. I think that five is too few and you're going to lose business. People don't have an incentive to go. It's not enough meat, and I think that fifteen is a reasonable deduction.

MS. BROUWER: Okay, and so, going back to the shallow-water grouper closure, we approved a motion recommending that the council take no action. We have all of these alternatives that have been suggested. Are there any of these that you would recommend that the council not consider for inclusion in the scoping document or do all of these look reasonable to be taken out for scoping? We have ten of them, and so, if we could narrow it down, perhaps, a little bit for the council, that would be helpful.

MR. JOHNSON: Alternative 9, sitting here talking about red grouper and scamp and how some people are seeing a problem with them, why do we even have that in there? We could just remove it. If they're species of concern, then --

MS. BROUWER: Any others, besides 9 and 10?

MR. MOSS: If we voted, which we did, to continue on with the prohibition from January through to May, really any of the alternatives that are excluding anything from that, which I think is, if I'm not mistaken, 4, 5, 6, 7, and 8. Those are versions of exclusions, and so we can effectively scrap just about all of those.

MR. JOHNSON: Alternative 6 though does deal specifically though with black grouper, and I'm not sure -- That's on the extreme southern end of the range, for the most part, and species identification is always an issue with black grouper, for some reason, but I don't know if we want to remove that.

MR. FEX: There is an assessment coming up too on that one.

MR. THOMPSON: I would probably defer to after the assessment, like you said. I know, the last few years, they're catching a lot of them, and they've got a lot of people. That's when their tourists are there, March and April. Just for them, they may need that black grouper. For us up here, we're not going to catch them, or go fishing for them, but there might be three that you catch a year. We might need to look at that. The charter guys in the Keys, we don't have anybody from the charter right now. It seems like we had a bunch of them at one time, but that's something we might want to look at.

MR. FEX: I think that's one of the reasons to leave it in the amendment too, for scoping. That's a very good point. Thank you.

MR. ATACK: You're talking about removing Alternatives 4, 5, 7, and 8 from the document? Is that the recommendation? You might want to clarify that.

MR. FEX: She's typing that up. Sorry about that.

MR. JOHNSON: Not to beat that horse again, but, you know, I'm looking at all of these alternatives, and it just shows the huge difference between South Florida and the rest of the region. All of these alternatives, they are addressing their concerns, and we don't have anybody on this AP, other than we have David Moss and Manny over here, but I'm just -- Obviously these are concerns that were brought up during scoping, all these South Florida issues, and I don't know how we're going to address those. It's just sort of glaring out at me, South Florida.

MR. STIGLITZ: I would like to make a suggestion that if they do change anything that they keep it the same for the recreational and the commercial at the same time. If they want to open up black grouper for the month of January for the recreational side, it needs to open for the commercial side at the same exact time.

MS. BROUWER: We will have a chance to discuss that when we get to the next amendment, which is the commercial sector.

MR. STIGLITZ: I was wanting to put it in both places.

MR. HULL: I think Robert makes a good point, and Michelle said that we're going to see this again, and maybe just leave everything in there until we're further along the line and let people have a chance to see it and speak on it, rather than eliminate them.

MR. FEX: Is everybody all right with that?

DR. KELLISON: For me, sort of the reason I'm here is to be a science connection, but -- To your question to me earlier, Captain Robert, we don't have great data on some of these species, and Chip and I and Michelle were talking during the break, and the red grouper data, we have two papers that I looked at during the break, the one for the South Atlantic, the data collected prior to 2000, and so that's a long time ago, and the reason that we don't have good data for the species that we're talking about is because they're winter spawners, and all the independent work that we do tends to be April or May to October.

One of the things I wanted to do, one, is acknowledge that we have some data limitations here, and go back and convey that to funding sources, which tend to be like MARFIN or the Cooperative Research Program, to put those in as a priority so that we can update some data collection to better inform us in the future, when we want to discuss this, and so I will do that. Thank you.

MR. HULL: Which is good to hear, that potentially down the line we could get some more information, but it doesn't help us now. That's why I was saying we should leave this in. You were talking about leaving a document for scoping, and I think that all those options came from somewhere, and it's probably the concerns of people and they should be left in, and we shouldn't eliminate them. Let's eliminate them a little further down the line.

MR. LORENZ: I will agree with all of what's been said, but I will focus on what Robert Johnson said. This could be so much -- At least for the private recreational fishermen, if there wasn't always this issue of trying to adapt to some of the things necessary in South Florida, and so bringing to folks attention that there needs to be some focus on how to deal with some of these species in South Florida that don't always tag the rest of us in, because, quite simply, up here in my area, the conservation can be very similar to what was proposed, of going to a two-fish aggregate and one of the scamp or the red grouper, because, at least within the private recreational fishermen, which is a lot of boats, we do a mixed day.

We're going to go out there and we're going to start out with the dolphin and the wahoo or something trolling, and we're going to stop later and do some grouper and then we're going to finish the afternoon maybe with some dolphin and, on the way back, hit some mackerel, and so it's very simple. It would be a very simple conservation measure, if you're talking to a lot more folks like myself, and so maybe there needs to be a little more focus on South Florida, and how that's done, I don't know, but they seem to have some specific needs and issues.

MR. FEX: Have you guys got any more opinions to put forth? Otherwise, we'll go on.

MS. BROUWER: The next item in this options paper is removing the size limits for deepwater species. There are three deepwater species that have a size limit, and that's silk snapper, queen snapper, and blackfin snapper. Of course, this would be minimizing release mortality and the possible alternatives, very simply, are just individual alternatives, just to retain flexibility for the council to determine whether they all need to be removed or one and not the other, but, for analyzing purposes, this was just, to me, the best way to approach it.

This is something that we've talked about before. This action had been included in a regulatory amendment that never got developed, because we were waiting on things, and the visioning process was ongoing, and so I know that this is something that the AP has already talked about and made motions in support of removing these size limits.

MR. STIGLITZ: **I would recommend that we remove the size limit on all three alternatives.**

MR. FEX: All right. Any questions or comments on this? Seeing none, let's go ahead and vote it up or down. **All those in favor, raise your hand, all those opposed. Seeing none, the motion passes.**

MS. BROUWER: The next action is to modify the minimum size limit for black sea bass, and this is something that recall when the council was considering increasing the bag limit, and this was done through Regulatory Amendment 25, the analyses that were prepared for that amendment showed that we had a pretty significant discard problem with black sea bass, and so the council would like to consider, in this amendment, modifying the minimum size limit.

Under possible alternatives, currently, the size limit for black sea bass for the recreational sector is thirteen inches total length south of Cape Hatteras, and so the alternative to that would be to modify the size limit, and then the only two that I thought might be appropriate to analyze would be twelve inches or eleven inches, and whatever feedback you all have on that would be great.

MR. HULL: This is a real problem in our area off east central Florida. If you read the analysis, ninety-two-and-a-half percent of the black sea bass caught on recreational trips, private and charter and headboat in the South Atlantic, were discarded for being undersized. We saw all of this before, and it's a huge problem, actually, off of our area, where generally have smaller-sized animals, except for in the wintertime. Then we get a big influx of spawning fish.

We really need to do something here to help the fishermen in our area, the headboats and the charter boats and the private recreational guys. The commercial fishery, we already have an eleven-inch size limit, and we're happy with that. I recommend that we bring it down to the same as the commercial, the recreational, to eleven inches. It will do the job and it will work and it will be fair and it will be easy. It will help the stock, without all of these discards, and you will help the fishermen. **It's a win for both, and so I would certainly make a motion at this point, because we have gone over this a lot, that the council reduce the recreational size limit on black sea bass to eleven inches.**

MR. FEX: Do I have a second for that?

MR. LORENZ: Second.

MR. FEX: Any discussion?

MR. LORENZ: This could actually be a great idea, actually, for the snapper, because one of the things at least we see up in North Carolina is, if you stay inside of about twelve miles, you're basically not going to catch any legal sea bass, and so that pushes the folks that want to do them to go out to maybe eighteen miles, where you're picking up seventy or maybe you'll pick up ninety feet of water here and there, and low and behold, there can be a snapper. Who knows? Folks may have a lot of fun fishing closer inshore.

MR. JOHNSON: I would have rather seen it go to twelve, and I'm sure the AP members realize that this is going to end up with -- Especially you, Jimmy, but this is going to end up with a closed season in Florida, most likely, because you're going to reach your ACL. When you lower that size limit, especially to eleven inches, coupled with the council went to a seven fish per person bag limit -- At the last AP meeting, I recommended twelve inches and five fish, just to try to have some kind of year-round season.

In our area, in St. Augustine, which is just over from you, we catch a lot of twelve-inch fish. We don't catch near as many thirteen-inch fish. It seems like that twelve-inch is the sweet spot. Eleven inches is not real big. I think, if you couple that with seven fish, what you're going to find out is that you're going to reach your ACL. When recreational angling for the biggest, best sea bass in northeast Florida happens, it's not going to happen, because there's going to be a closed season. I can't really support eleven inches.

I would much rather see the AP go to -- I know we just raised the bag limit, and I understand why the council did it, because it makes them look good, and I hate to say that, but the truth is that we weren't really reaching that seven-fish bag limit, and the analysis showed that. I still don't understand why we did what we did and so, anyway.

MS. JEFFCOAT: For Georgia, or probably other places nearby, I don't think the size limit should change at all, for exactly what Robert said. We're going to have that ACL met really quick with eleven and possibly twelve, and so we could find ourselves in a worse situation in the end.

MS. BROUWER: I just don't want us to get all wrapped up into whether eleven is better than twelve or whatever, but is this an appropriate range of sub-alternatives that the council can consider for now? Obviously they will have the no action to choose from as well, and are there any other sizes that should be included for consideration?

MR. HULL: I would be willing to -- **This is good to have these discussions, and I would be willing to change the motion to simply say that we recommend that there be some reduction, that the council reduces it from, or at least consider reducing it, from thirteen to some smaller level.** Again, we have different people and different habitats all the way up and down the coast that have to deal with this regulation, and your area is different than mine.

Again, ninety-two-and-a-half percent is being discarded, and the headboats in my area that dock right next to me, they are expecting me to speak up on this issue at this AP, and I am, and they do a lot of half-day trips inshore. It's pitiful what they're discarding, and they're actually hurting the stock rather than helping it by having this, because those fish, most of them, they don't get taken off the hook quick enough by the tourists, and they end up floating away, and so it's a problem. It really is a problem in my region, and so that's why I brought it up. For us on the commercial side, we like the eleven-inch size limit with the gear that we're using, and so I thought that it would be helpful to make them the same, at eleven.

Some people may think it would be helpful to make them the same at twelve or whatever, and so I would be willing to change that to just not pick a number, but just say that we recommend that something be done and that there be an analysis on the length of the season by reducing it, and I think we saw a lot of that already, but I've forgotten most of it now, but I think that Mike has done a lot of analysis on that, I believe, and we could probably look at that, and we're going to see all of this again, but we definitely need to do something about it.

AP MEMBER: Could you all just remind everybody when the sea bass year begins and ends currently?

MS. BROUWER: For recreational, it begins in April.

AP MEMBER: Well, we will see this again, and so I'm going to leave that alone right now.

MR. HUDSON: Looking at the ACL, the waves for the recreational, it appears that May and June, that wave, is 134,000. By August, it's 103,000. On each side, April is 33,000 and September and October was 36,000, and so that sweet spot of landings coincides with all the charter fishing.

MR. HULL: I am happy with that motion, if the seconder is happy with it.

MR. FEX: All right. Any more discussion of the motion at hand? Seeing none, let's vote it in. **All those in favor, raise your hand. I see none opposed. The motion passes unanimously.**

MS. BROUWER: Okay. That is basically the actions that are included for the council to discuss in December, and so here is just the timing of this amendment. They're going to review your recommendations in December and make whatever needed changes to the amendment. Then we're going to put together a scoping document and take that out to scoping in late January and early February. They would then review those comments at the March meeting, review the effects analysis, and approve it for public hearings in June of 2017. Then we would have public hearings in August. We are still looking at another year, during which we're going to develop this amendment. Are there any questions or any other suggestions for the council?

MR. HULL: This may not be appropriate, but I wanted to bring up the triggerfish size limit. Would that be other business later? Okay.

MR. FEX: What we're going to do is go ahead and have Amber do what she was going to describe to us. Then, when we come back for lunch, we will talk on the visioning amendment for the commercial side. Then, after that, we have the Other Business, and then we should be done. I just wanted to switch it out a little bit. That way, we're not halfway through it. Are there any problems with that? Feel free to speak.

MS. VONHARTEN: I just wanted to give you a really brief update on the Citizen Science initiative that the council has been working on. As you all know, we had a workshop back in January, which a lot of you all were able to participate in, and we developed a Citizen Science Program Design Blueprint, which is kind of the framework that hopefully will help drive how the program will develop.

Since you all last met and I actually showed you the blueprint, we've been just working on trying to secure some funding, and we have submitted some funding requests and proposals to NMFS, and we have been trying to chase down some of that money, so that we can at least try to hire some staff, because that seems to be the most pressing need right now, as well as trying to develop a kick-starter project, and so it's an initial project that would launch the program and kind of outline how the program would actually support projects.

You heard a little bit yesterday about some of the proposals that were recently submitted, with the scamp proposal kind of being an example of a citizen science type of project that could fall under the Citizen Science Program. We also had the opportunity to travel to the International Marine Conservation Congress. Myself and Ben Hartig and Julia Byrd and Leda Dunmire went up, and we're all part of the organizing committee for the Citizen Science Program. We went up and we presented at a symposium that kind of looked at partnerships on actual science, and we got to present our council's work on that.

Then we also had a focus group with some of the conference participants. That was a really unique opportunity, because the workshop we had in January brought all of you guys together, our fishing experts, but, at this conference, we had a lot of experts in the field of citizen science at the congress, and so we were able to talk to them about some of the different program components that were outlined in the blueprint, dealing with communication and data management and project management, to get their feedback on what works for citizen science projects, in the realm of citizen science, and they were able to give us some key recommendations that we can incorporate into that blueprint moving forward.

Then, in September, after we briefed the council on that work, the council decided to go ahead and make a transition and elevate the Citizen Science Initiative to a council-level committee, and so there is now a Citizen Science Committee at the council level that will help kind of outline and lay out the process for moving forward. Our first committee meeting will be at the upcoming December council meeting, and so they will probably see some of the things you all heard about some of the proposals and initiatives. Was there anything else, Gregg? Okay. Any questions?

MR. FEX: Any questions or comments or anything? Go ahead, Ben.

MR. HARTIG: If I may, since you guys did discuss the jacks complex today, and this falls into it, but this is an idea that's been in the back of my mind for a long time. The almaco and the rudderfish, they fall into the ORCS process for the SSC, because of what was said around about the species identification problems. We don't even really know what the landings are, because we have species identification problems, but, pushing that aside, I was thinking about bringing something to the SSC where we decided -- Let's just say we're going to do an assessment on almaco, and it's going to be a length-based assessment and it's not going to be age-based assessment, and it's going to be based on fishermen actually providing the information for the assessment.

The idea is to get representative fishermen from the recreational and commercial community to get measuring boards on their boats, and they would measure the almaco. The information would be submitted to the Science Center. Now, the Science Center would have to weigh in on how it was developed, but it's just one way I see of possibly -- Almaco, all of us who fish for them should know that the catch limit on almaco is lower than the productivity of the stock, at least from what I've seen and from what I hear you guys saying.

There is quite a few almaco in the ocean, and we don't even have a size limit on them, yet they still seem to be doing very well. One of the things that I've seen over the years is that if you look in the draft, in the sargassum, over time, it's the most abundant jack we see in the drift on a yearly basis. When you see a piece of wood come by, most of it is covered with almaco, and so some of this information -- Even some of those could be collected through this, and so using citizen science to possibly get a more informed catch limit I think would be an excellent way to approach this. It's something that's been in the back of my mind, and I just wanted to bring it up and just be thinking about it, because some of you would hopefully be involved in the project.

MR. FEX: Thank you, Ben, for that information. Does anybody else want to make any more comments before we break for lunch? Seeing none, we will return at one o'clock, please.

(Whereupon, a recess was taken.)

MR. FEX: Ladies and gentlemen, let's get back to our seats, please. We are going to start on the visioning amendment for the commercial sector. Myra will run us through this.

MS. BROUWER: Similar to the amendment that we just went through, this is an options paper for Regulatory Amendment 27. This deals with actions that would address management of the commercial sector, and so the same sort of thing. The suite of actions that are included are those that were singled out as priority items over the short-term in the snapper grouper vision blueprint.

As of the September meeting, the committee gave us guidance to look at possible actions and alternatives to do four different items, and so they wanted to talk about split seasons for deepwater species in the, quote, unquote, small-mouthed species, and so your vermilion and your gray triggerfish and red porgy. Then they talked about maybe evaluating how the ACL is apportioned between those two seasons. There may be some room to tweak that, to optimize the catch, and then minimize, of course, discards.

They wanted to consider trip limits and trip limit step-downs where there are none currently, and they wanted to especially address the needs of, quote, unquote, traditional bandit boats. We don't really have a definition of what that is, and so we're going to need -- That's one of the things that we intend to bring up in December, is what exactly constitutes this traditional bandit boat.

They talked about lowering the vermilion trip limit in the second season and to look at trip limits by time period, and so weekly or monthly and that sort of thing, and to also, again, reevaluate the shallow-water grouper closure, because, if that's going to be done for the recreational sector, then it has to also be done for the commercial sector.

Then one item that was sort of floating out there for some time was this fishing year change for the hook-and-line sector portion of the golden tilefish fishery. Recall that the AP had recommended that they consider making the start date of that fishing year I believe it was March 15. These items are included, and, for some of them, it was pretty obvious what the range of alternatives might be. For others, it's very blurry, and so here we go.

What I have done is basically just give some background of, for example, how the seasons are structured. One of the things that the committee wanted some feedback on was should there be a commercial season for deepwater species, and so they mentioned snowy grouper, yellowedge, blueline, and golden tilefish. Wreckfish would also be one of those deepwater species, but that one is managed under an ITQ, and so it's probably not appropriate to include it.

Then, of course, golden tile is managed with gear endorsements. Then, for red porgy, that's something that the AP had already talked about. Again, this is an action that was left over from the previous amendment that never got developed, and so it's coming back and being put in this amendment, and the idea there was to exclude red porgy from the annual spawning season closure, but establish the commercial split seasons, and that would be done to minimize the discards. I have also put in here the motions that you approved back in April of last year. You did recommend that the council consider that commercial split season for red porgy.

Again, similar to what we did in the amendment for recreational, it's the same sort of thing. A possible action might be to implement commercial split seasons for snowy grouper, blueline tilefish, yellowedge, and golden tilefish, and that would be for the hook-and-line sector only. Currently, the harvest is allowed year-round. Then the alternatives would be to do the same thing that's been done for vermilion and gray triggerfish, under Alternative 2, where you have the year divided into two six-month seasons and then you split the ACL 50/50, and the same sort of rollover provision, to where if there is any ACL left over in Season 1 that it can roll over to Season 2, but then you can't carry that over to the next year.

Alternative 3 is the same sort of thing, but then it gives them an option to allocate the ACL differently, and so maybe 60/40 or 40/60, whatever is appropriate. Then Alternative 4 would be

to split the year differently and not necessarily six-month seasons, and so they would have an option to split it differently and also apportion the ACL differently. That's just what I have come up with, and, if you have any ideas, that would be great.

MR. HUDSON: The yellowedge grouper is part of the deepwater complex, whereas all the other species there stand alone, and would you be anticipating pulling that out for the 50,464 pounds whole weight?

MS. BROUWER: Sure, Rusty, and this is from the discussions the committee had back in December. They mentioned yellowedge grouper as being one of the ones that they were interested in including, a split season for the commercial, and so that would definitely be something to consider and to tell them this would have to happen.

MR. HUDSON: With that said, I know I hear it a lot in our area, that the first four months of the year is dominated by needing a white meat, and you have your golden tile that's already there, but I would just think that like the 60/40, versus the 50/50, that might actually be more applicable for that time of year, and I'm just throwing that out there.

MS. BROUWER: Are there any other ways that you could suggest, as far as alternatives go? Is this suite of alternatives appropriate to have this discussion? Do you see any red flags in what I've got here?

MR. JOHNSON: We manage these fish through seasonal openings and ACLs, and are they all opening on January 1? Okay. I was just trying to clarify what they're after here, and so the alternative being having a second opening at some point and opening it and closing it, similar to what vermilion are?

MS. BROUWER: Yes.

MR. JOHNSON: It might be more -- I know that snowy grouper are very important to us during that first opening, as part of a vermilion trip, because we'll just jump off of there a few miles and catch our snowy. The other species, I don't personally interact with, but I guess maybe a fish house owner would probably be better to talk about when is that -- If you open them up and then close them, is there going to be a time, say during April, that there is really no product? There already is? Okay. The way to address that would be maybe to -- Anyway, that was my question, Kerry.

MR. FEX: I do want to make a comment on that. I think some of the guys were wanting the hook-and-line to start in August for the golden tile, and am I correct on that?

AP MEMBER: We came up with March 15.

MR. FEX: The only reason I was going to say that is golden tile would be the one you could catch by itself. All the other ones would be -- The deepwater could be just everything except for golden tile, and so a January opening, I believe, because that is a hard-bottom fish, and then golden tile could open in March. I just figured I would make that comment.

MR. JOHNSON: So snowy closed this year before the May 1 shallow-water grouper? Does anybody know?

AP MEMBER: It was 6/14.

MR. HUDSON: To that, the longline did, but we have 25 percent of the total allocation for the hook-and-line, and, as I'm looking at it right now, only 75 percent has been caught of the hook-and-line golden tile, and they've got less than two months to catch the other 30,000 pounds.

MR. JOHNSON: I was particularly asking about the snowy grouper, and I was just trying to clarify that.

MR. HUDSON: It closed on June 14.

MR. JOHNSON: Following that train of thought, it seems like it would probably be appropriate to keep snowy just like they are, if we're worried about having that fish for the marketplace, because, if you go to split season, then you just have a worse situation, where you're not --

MR. BUFF: I don't have an answer, but I'm going to throw my two-cents in. Just be really careful how you move this stuff around, because we've created markets for these fish, to where most people never even knew what a golden tile was at a restaurant, and we're basically cutting and selling every one we catch at our place, and so, when you start jockeying this stuff around, just keep that in mind. Like, for us, today, there are places running on golden tile right now. They can go and make their trip, and five boxes is about a \$500 stock, and so that at least puts their lights on and the boats running and there's fish coming through the door for the fish house.

As far as the snowy grouper is concerned, if you go back and pull that up, it's over by about 20,000, and so this coming year is going to be really short, if you pull that up and look at it, if it comes off the next year, which I think it does, and so just kind of keep that in mind.

MR. ATTACK: The only thing I was going to mention that the snowy grouper closed on June 14, and the recreational was open, I guess, at that time, and so those two seasons don't align, the way it is now.

MR. SNYDER: Scott had a great point that the popularity of tilefish has gone through the roof the last couple of years, and the price on our stock has gone up probably three or four-dollars a pound the last year alone.

MR. FEX: The longliners start in January, and then, if they were open in March, the stock or the product on the market would extend it, and so even just that little bit of a shift, the longliners would keep a steadier price for it, more on the market.

AP MEMBER: Scott, that's what that was all about. Traditionally, the hook-and-line fishery has been a fall fishery, and, before we separated it, we weren't even getting to fish for many years, because the longliners were getting the bulk of the quota and we were shut down in a few months, and so we never even got to participate in the fishery.

Through discussion with different fishermen and whatnot, we just kind of -- It just didn't make any sense to start out the fishing year with an overlap of the hook-and-line sector and the longline fishery all at the same time. It was like, just get started later and if, it goes all year round, great, but, if it doesn't, at least you can pick up where the longliners leave off and you fill your market and you're going to make it through the fall anyway. You might not get you to the bitter end or something, but it might be that way anyway, no matter what you do, and at least you are guaranteed to fill the gap and get the fall fishery, when it's good fishing.

MR. HUDSON: Keep in mind, and we're not discussing it today, but the golden tile assessment update that just occurred, we may be looking at a two-thirds reduction, and that will apply to both of those gear types.

Second off, the whole thing is titled splitting the season, and so I just threw the 60/40 out there as a concept that a lot of people look at that first half of the year predominance, and, yet, when we get into the reality, some of them might want to catch 100 percent of it in that first half of the year, depending on how well they can catch, but the hook-and-line component of the golden tile has definitely shown this year that they could not, so far, catch that entire quota starting with a January 1 opening date.

One of these animals, if we take the yellowedge grouper out of that complex, will have standalone quotas, and you have to approximate when they will catch whatever, and so it's really a stakeholder decision, and I'm just looking at the fact that people like frontloading that stuff, because of the shallow-water grouper closure.

AP MEMBER: Last year, we did catch it. The previous year, we did catch it and it closed, and so it's a toss-up, but it's just when do you want to guarantee that you're going to be fishing and then take the risk on the other end. If we get that big reduction, that's something that we have to deal with.

MR. HUDSON: That's the golden tile you're talking about? When I look at the yellowedge grouper, my history with it, there is some places that you can find them, but it's not as extensive as like snowy and blueline tile and golden tile.

MS. BROUWER: Would there be an issue with discards? I am thinking of folks in the Keys that have said that changing the fishing year for hook-and-line for golden tile would not be good for them, because then they would be discarding golden tile when they were fishing for other deepwater species, like blueline tilefish. Is that something that, in your opinion, would be an issue or not really?

MR. HUDSON: Yellowedge is in a different location from the golden tile, back inshore a little bit, generally speaking, like 450 feet. Snowy, you can find that anywhere from 200 foot right on out to 660 foot, just depending on the type of bottom that they're in.

MR. OSBORNE: Tilefish are in their own zone. They live in the mud. There are some small places where you might catch a yellowedge, generally, but, for the most part, it's a pretty clean fishery. There's nothing else there on that mud bottom.

MR. HUDSON: Usually, like what Scott brought up, if we saw a snowy out in the mud somewhere with the golden tile, we're going to look for the wreck.

DR. DUVAL: My apologies if you guys have already gone over this, but one of the reasons that this was brought forward was -- Again, this was an idea brought forward from visioning, but also, you all have had some previous discussion about the differences that occur in South Florida. There are differences that occur in the northern part of North Carolina as well, and so commercial split seasons was something that those folks wanted brought up, because the access is different once you go south of Hatteras than it is north of Hatteras.

There is fewer species available, and, I mean, it's very similar to a South Florida type of situation, and so that access to those deepwater species, with a start date of January 1, becomes restricted when some of those quotas are caught up very quickly, and so the last time the council put in a split season for snowy grouper was in Regulatory Amendment 20, and so that was about two years ago, and one of the ideas that was brought up and included in the range of alternatives here was you looked at how the historical landings had been apportioned throughout the year and looked at, I think, a split season of January through April of 40 percent and then 60 percent allocated to the rest of the year. I will just throw that out there. There's equity issues on the northern end of the range as well as on the southern end of the range.

MR. HUDSON: Currently, the blueline tilefish, and we're starting SEDAR 50, and I'm not sure exactly when we're going to finish it, when it's going to come back to the council, but the reality of the situation is that this amendment probably won't even become effective until 2018. The end of next year, it will go for secretarial review, and then we're still talking several months at that point, and so, by the time we get towards the end of this amendment, we should have some idea of where the blueline tilefish is going, since we've got it involved with the Mid-Atlantic now too.

MR. HULL: As a fish house owner and a restaurant owner, during the inshore closure of grouper in January through April, having these golden tilefish available in the last few years has really pulled us through, and, with what's coming, we might have a big reduction in golden tilefish, and so, just thinking of next year, or when this happens, we will see relief for us with some whitefish, like black sea bass. If we get a good pot fishery in the wintertime, we will get a little bit of relief there, but it's tough. That time of year is some of the busiest time of year for restaurants, the holiday time and the wintertime, and product is hard to come by.

I don't have any answers, but if there is any way to improve upon what we're doing, but the snowy closed June 14, and so we were supposed to get six months out of it last year, and so what is, a 200-pound trip limit right now? I don't know if -- The only person that's going to catch 200 pounds of snowy is if they're already there doing something else. You just can't make a trip. If you're vermilion fishing, then you can push offshore and target and get some snowy to add to your catch while you're doing something else.

Anything that we can do though to keep some type of product during the shallow-water grouper closure is important for us in our area, as is most any fish house or restaurant. What we did have, with the ACLs that we had, was just about making it. With these reductions that are coming our way, it's not going to make it, and we're not going to have tilefish. They're going to catch that very rapidly.

MS. MARHEFKA: To add to that, from a market perspective, one of the things we've shifted into greatly is using wreckfish. We can pretty much sell to our customers wreckfish and golden tilefish interchangeably. With wreckfish closing in January and not opening again until April, having that tilefish is important, and so I'm just saying that so everyone understands the market components. Having some kind of thick whitefish all year-round is ideal, and we're lucky that it can be pretty much any of those for us, but, as an advisory panel, we need to think about that.

MR. BUFF: I don't even know if I want to bring this up, but just keep in mind that there's a really fine line here between what we're catching and the imported seafood and where the tipping is in where we're at. I'm sure you know this as well as us, but, when you have all this imported seafood on the market, it can be hard to get rid of compete with your local products, unless you're selling it to local restaurants.

When you're trying to ship this stuff and put it on trucks, it's really hard to compete with that stuff, because it's so cheap in price, and I kind of look at it as the shrimp. The shrimping industry has almost taken over by this boxed shrimp that comes from Ecuador. It's the same size and it's consistent, and all the restaurants use it, and so just keep that in mind. We're at a really fine point there, to where we're about to tip one way or the other, because you can't keep the stuff on the market. From my standpoint, I just want something for my guys to do twelve months out of the year, and I really don't know what it is, but I just want them to be able to work and to keep fish on the market.

MR. JOHNSON: I haven't looked through this real thoroughly. Is there any place in here where there's a consideration, when you're doing these split seasons, of a change to the trip limit, like to a hundred pounds or something like that? It's not necessary a step-down, but just right on the front-end, and it was a hundred pounds. Then we got an increase, and so it went to 200 pounds. When that happened, we sort of did make a little bit more of a directed fishery for snowy, probably, in some areas, so people actually went out to make their trip on snowy.

My question is would it be beneficial to go back to a hundred pounds, to address maybe having those fish in the marketplace longer, if it's part of a trip? If it's a part of a trip, it's just a bonus, is how we looked at it. That's how we still look at it, actually. I would just like some discussion and thoughts on that.

MR. FEX: I have to say, in my area, I actually did see people go out there. Before, they wouldn't go out there for that hundred pounds, and I knew that was going to happen when we did that, but they're actually taking advantage now. I don't have an opinion, but what do you all think?

MR. BUFF: From our standpoint, the snowy and the tilefish kind of all went together. If you're going to make that jump to go catch the tilefish, you can catch the snowy while you're there. Scott, you may know more about this than I do, but I don't know if you could keep all three of those connected somehow. It's a pretty long run to make that happen, and so, if all of that was open at the same time, would it be better to have it all at once? I don't know if that makes sense, but it's just something to think about.

MR. HUDSON: The ACL commercial for the snowy is 125,000 pounds gutted weight, and they took less than six months to catch it, and so you're catching 20,000 pounds a month during that time, and that's filling a big void that's caused by that deepwater grouper right now.

MR. HULL: The boats that I deal with and my own boat, we're usually amberjack fishing. Then we'll jump offshore to a wreck and catch a few snowy occasionally when we're amberjack fishing, and so amberjack doesn't open until March. They're closed now, and there's a bunch of quota left, by the way, and so it's different for every boat and every scenario.

As you said, we should be careful about what we do, but I don't know that we could really make a recommendation that is going to suit everybody's wishes and desires. It's kind of damned if you do or damned if you don't. Somebody is not going to be happy with what happens, and so it's a tough one, and I think this is basically you're asking us if we have the right alternatives to go forward with scoping and can we add any alternatives to this, is basically what you're asking us, and I can't see that -- There is lots of X's in here and lots of blanks that need to be filled in, and I think that's probably as best you can do.

MR. FEX: Would you like to make a motion towards what we went through? We did look at a split season on these, and it didn't show what we offered up as trip limits. Could we do that on the small-mouthed, just while we're here? I thought we passed it. All right. Thank you.

MR. JOHNSON: Does the group have a problem throwing an alternative up there that did look at a split season with a reduction in the trip limit from 200 to 100 pounds? Is it already up there somewhere? I think it might address the concerns of the people that say that they feel like they're not being able to participate in the fishery. Granted, a hundred pounds of snowy is not a lot of money, but, if we're trying to have a scenario that makes a lot of people happy, it might be the best we can do.

MR. HUDSON: One of the things that I would like to see, if I was the public and this is going out to scoping or a proposed rule, is an idea of sub-alternatives for each species, instead of making you think for all four species you have to make this decision of whether you're going to split or allocate percentages and stuff like that.

MS. BROUWER: Okay, and we can always -- As we go through, feel free to say, hey, let's go back to the previous action or whatever. I realize that a lot of these things kind of go along with each other, and so it's fine to go back and forth. The next action would be, as I mentioned earlier, excluding red porgy from the January through April prohibition on commercial harvest and establish a commercial split season, and so the alternatives are to basically just do the same thing that we have for vermilion and gray triggerfish, apportion that commercial ACL 50/50 between equal seasons, six-month seasons, and then another alternative that would look at some different percentage of the ACL being allocated between the two, and then any other options that you all think might need to be included as well.

MR. JOHNSON: I really like Alternative 2. We had a lot of discussion about this, about doing anything we can to reduce discards. They're out fishing for these vermilion and triggerfish during that opening, and they're discarding these red porgy, and so I think this is a huge step in the right direction.

MR. HUDSON: The red porgy quota is 164,000 pounds whole weight, and it's still open, because there's only 102,000 pounds caught so far. Opening up those other four months is going to make it more likely that we can catch that allocation.

MR. HULL: I like Alternative 2 myself, for the same reasons of discards and being open the same time as the co-occurring species.

MR. HUDSON: Speaking of co-occurrence, when I was bandit fishing for snowy grouper and blueline tile, there's a lot of nice, fat red porgy in certain areas.

MR. FEX: In the winter months, we catch the larger red porgies. I would like to see that. That way, we can actually bring them to the dock and get the samples to the right people.

MS. BROUWER: Moving on to commercial trip limits and trip limit step-downs, one thing that came up was the AP has discussed recommending that the trip limit for vermilion in the second season be lower. Currently, there is a 1,000-pound trip limit until 75 percent of the ACL is met or projected to be met, and then it's reduced to 500 pounds.

I know that I believe that Kenny had expressed some concern that, unless there is a restriction placed on the number of trips, a lower trip limit in the second season might not have that intended effect, and then, as I said earlier, there has been some interest among council members to look at the specific needs of traditional bandit boats and coming up with some alternatives that would preserve that portion of the fishery. Then we would need to come up with some way to define what that is. What is a traditional bandit boat versus a day boat? What is the difference there?

There was also some interest in looking at trip limits for the jacks complex. This is something that you all discussed at some point. Again, it was one of those actions that was included in a regulatory amendment that didn't get developed, and you had recommended that the council consider a trip limit of in the range of 300 to 500 pounds for almaco jack, and so here, I don't even have any alternatives fleshed out, because I just didn't have enough information to come up with anything specific, and so whatever recommendations or pointers or considerations or cautions you want to throw out there, that would help the council discuss this in December, and that would be great.

MR. JOHNSON: To me, a traditional bandit boat is a boat that spends more than one night at sea. You have a lot of guys that have smaller boats that might spend one night, but they're going to be in the next day, but you have some boats that may stay for three days. Some of them stay longer, but, for my business, I guess it would be classified as a traditional bandit boat, and three days is about what they're going to do. For the trip limits, they're going to have it by the end. If they don't, something is wrong. I am just throwing that out there for just discussion from the group of what would they classify a traditional bandit boat as.

MS. BROUWER: One thing that had been thrown out there during discussions at the committee level was maybe vessel length might be something to bring into the equation, and I don't know if that makes any sense to you all.

MR. JOHNSON: It could, but I think that the days at sea is probably more appropriate, because the smaller vessels actually are pretty adequate for days at sea, and there is quite a -- I think there's been a big growth in the day-boat fishery, as opposed to the traditional boat, because of the restrictive ACLs we've dealt with, and it just changes.

The traditional boats, it depends on where you are on the coast as to whether you have a traditional boat or a day boat, because, unless you have a high-speed boat -- For instance, up off of Georgia,

to the offshore waters, you can have a faster boat, but most people don't. They have a traditional, slow-speed boat and so days and time at sea would probably be the best indicator.

MR. ATACK: Why do we need to define it? What will this definition be used for?

MS. BROUWER: Well, as I said, there were some council members that wanted some actions that would take the needs of those boats into consideration, so that they could tailor management to their needs in particular.

MR. JOHNSON: What you put up there is not exactly what I meant. What I'm saying is that probably forty-eight hours, if you had to put a time component. The boat leaves the dock and spends the night and he's out there the next day and he's out there the next night, too. It's usually a slower boat that's traveling in an area that has to go a little bit further distance, and I think the concern, as I understand it, just from listening in, is some people feel like there are some areas where guys are going out and pounding this thousand-pound trip limit of b-liners and going right back and going right back out.

There are boats that do that. I know of a boat that does that, and it is a traditional bandit boat, and he's going six-handed. He's loading up everybody he can find and he's making money. His crew isn't making a whole lot, but he's making all the money, and so I don't know how you curb that kind of behavior.

MS. MARHEFKA: I think this discussion is so complicated on so many levels. When we first addressed this, or not first, but when it came up in the spring, I was thinking about those guys. They're in north Florida, right, and they're going out six-handed, and they're switching whole crews over and sending them back out, and I just had a lot of outrage over it, but I'm going to be honest with you. I have a traditional bandit boat. It's thirty-nine foot, and it goes about seven knots, and the way we survived, once the 500-pound trip limit went into place, is Mark overnight trips on that boat, not forty-eight hours, but he drove all night and fished all day and drove home, and then he turned around and did it again the next day, just he and one other guy.

My point is this gets incredibly dicey, and I think that it gets to such a bigger issue about the fishery. We've had these long conversations about do we even have the right boat for this fishery anymore or is it time to get a smaller go-fast boat, and all of these things. I don't know what -- I feel like we need to have a discussion of where are we trying to go. I mean, are we trying to keep the big bandit boats in the fishery, and are we going to manage it that way, or are we just going to let forces work and some of us will get smaller, go-fast boats? It's just an incredibly complicated issue, and I tell my story just because I've been on both sides of it, and it's not that easy.

MR. FEX: I like your point, Kerry, because that is a fact. You can make a faster group, and then you're going to get to the trip limit, and that's my concern, with the one day boat that goes out and catches a hundred pounds and then goes out and does it again, and we're not forcing us to diversify our catch, but it's hurt us. Now we're not catching the grouper, because what are we doing? We're out there catching the b-liners as hard as we can overnight. That's part of our fault, and now that it's put us in that position, that's why I said something about the amount of trips you could do per month, but nobody is going to be agreeable on that, and so it's a positive and a negative.

MR. BUFF: Kerry, I brought this up I think in the first meeting. At some point in time, we're all going to have to decide in what direction we're going to go, or we're all going to die a slow death. This fishery, I fear for every single boat, and I've got both. I've got small ones and big ones, and so I guess I'm on the fence on both sides. If we make them all work -- Just like you guys, we don't have a choice. We've got to make it work, but, at some point in time, and maybe not today and maybe not next year and maybe not five years, but we're going to have to decide that this is the direction that we're going to take, because this is the amount of fish that we can catch, and it's just the facts.

MS. BROUWER: Going back up, maybe we should just look at some of these one-by-one. Is there a recommendation for the council to consider modifying the trip limit for the second commercial season for vermilion? If so, what would be an appropriate change for the council to consider?

MR. JOHNSON: I think I brought this up, and I don't have -- I am good with it either way, but my point was, during that second opening, you have a lot more species available, and, instead of having this discussion we just had about boats going out and turning around and going again, if you went from 1,000 pounds to 750 or 700, you might curb a little bit of that, but, again, I don't have any real hard feelings on it, but that was my thought process and why I said that maybe they could look at a smaller trip limit the second opening, because of the availability of all the other species.

MS. MARHEFKA: They're interacting with them right now. Mark can't get away from them, and so maybe still being able to catch them -- They're going to catch them away, and do we want to throw them back or keep them? I just don't know.

MR. BUFF: Kerry, what's your opinion on a 750-pound trip limit, I mean for what you guys do?

MS. MARHEFKA: I am fine with it, for us. We would be able to survive and that would be okay. I do think about what Kenny was saying. There are always going to be those guys that are going to go try to catch it really quick, before anything else, but I don't think you can regulate that out. Personally, financially, 750 pounds -- Something all year is better than nothing for a big portion of the year, for us.

MR. BUFF: Two parts. I don't know about everybody else at the table, but somewhere in the \$3,500 to \$4,000 range is what makes us profitable per trip, and so, with all this stuff open, it would just be nice for it to last longer. That's my goal, is to keep the guys working the whole twelve months and not have to shut the doors for three or four and pay rent and insurance and yada, yada, yada. The second part is, Kenny, what do you think about that? You're a single boat, and what do you think?

MR. FEX: I would be fine with it. It's amazing how we started. I couldn't get people to do a 1,500-pound trip limit. Then it went to 1,000 and then it went to 500, and now we're -- I'm fine with it, but it's just one of them things we've got to do. I am supportive of the market, always, because I know that affects us, and so what is going to be the step-down, and that's going to be the question next.

MR. JOHNSON: The current step-down is 500, but I mean, next time we come around, we'll be able to see, hopefully, maybe some -- Will we see analysis or the council will see analysis of what it would do to the season, on projections, and how much -- We might see that it's not worth the exercise, or we might see that it is. I think it's worth at least pursuing.

MR. ATTACK: I was just going to say that we probably need to give them some numbers, whether it's 700 or 750 or what you want. We've got to put some numbers on this, as a group.

MS. BROUWER: Other ideas that have been brought up is maybe considering specifying the trip frequency, maybe for the vessels with the golden tilefish longline endorsements. At one point, those folks had wanted to look at options of maybe fish on and off, two weeks on and two weeks off, and then I think this was at a time when the first stock assessment for golden tile was underway, and so that idea just sort of went away at that time. Is there any desire to revisit that or to add a trip limit step-down for the longline or not do anything about that? Then what do you think about the jacks complex, if that is something that the council should be looking at?

MR. JOHNSON: Being that there is no golden tilefish longline fishermen on this panel -- However, I do have an association with some, and we have some others that have associations with them, and it's always been just exactly what it says here. They want to catch their fish and go ahead and get through the ACL and be done with it, in the longline fishery. Then they will go -- Generally, what longline fishermen do is they fish for golden tilefish and then they fish for sharks, and so I know that's what most of them have told me in the past, and so I don't know if you want to mess with this unless they were to speak up on it.

MR. FEX: I do see a trip limit option for jacks. Does anybody want to speak on behalf of that?

MR. JOHNSON: It's difficult to speak, really, on a trip limit when we don't even know what the ACL would even be, because we really need an assessment on almaco. They're part of that complex, and I think this came from a guy that I know that exclusively jack fishes. He probably catches more almaco than anybody on the east coast, and I asked him, and that was the numbers that he gave me for a trip limit.

MS. MARHEFKA: I would like to see it stay in there, because I personally would love to have banded rudderfish all year, or as long as possible. I have a really good market for that, and losing it halfway through the year is hard.

MR. JOHNSON: I need clarification. Right now, there is no trip limit on banded rudderfish, and so somebody can get on a bunch of banded rudderfish and just go catch as many as they can fit in their box?

MR. HUDSON: Based on the allocation I see right here, you've got 147,000 pounds of almaco jacks, and you've got 38,000 pounds of banded rudderfish and 4,000 pounds of lesser amberjack. That's the entire complex, and I've heard of two places where banded rudderfish are extremely important to the commercial market, particularly up in North Carolina or down off of Lauderdale.

MR. JOHNSON: I am just trying to understand. We've never done a stock assessment on banded rudderfish, and so the 38,000-pound ACL came from -- It's not in the ORCS, and where did it come from? Rusty, do you know?

MR. HUDSON: That might have been some ORCS, but 26 percent is the commercial allocation. Whether it's the ORCS work or not, I don't know, but they have an allocation of 74 percent to the recreational for banded rudderfish, where it's almost 50/50 for almaco.

MR. JOHNSON: I don't remember it being in the ORCS workshop, and so I'm just curious of where did we get the number from to set for this fish?

MS. BROUWER: All unassessed species, the SSC has to recommend an ABC, and so they go through the control rule and apply the appropriate tier of that control rule, and so it was either done through ORCS or through even that lower level of the control rule, where the SSC used expert judgment and went down their decision tree to suggest an ABC, and, of course, that would be based just on landings.

MR. JOHNSON: I have some experience with banded rudderfish, because I used to run a headboat back in my early fishing career. When you get on those things -- We hated them. You can't get away from them, and so that just doesn't seem like many fish at all.

MR. FEX: Any more recommendations?

MR. JOHNSON: I mean, we need some of those fish in the market and for the anglers. It seems to me, and I'm not sure where we got the numbers from, but if we're -- Especially almaco jacks. They're very abundant throughout the region, and fishermen want to catch them. I just don't know what my recommendation is, other than we need to just get some assessments on them.

MS. BROUWER: Mike Errigo just came and clarified that, yes, the ABC for banded rudderfish was done through the decision tree tier of the ABC control rule, which is the very last one, and so it's the data-poorest level. There were several species ID issues that the SSC pointed out for that species.

MR. HULL: When was the jacks complex closed?

MS. MARHEFKA: August.

MR. JOHNSON: When we look at these commercial landings, we can't even break out how many of them were almaco or how many of them were banded rudderfish, and we're just looking at a jacks complex number, and so I just think we need to really look at that complex. Obviously these fish are important.

MR. COLLIER: The landings can be broken out down to species, but we have the ACL as a complex ACL, and that's how they're tracking it. We do a detailed analysis, and we will provide you species-level landings.

MR. HARTIG: I've got a question and then a -- I have fished for these fish. In the spring, they show up in tremendous numbers, and then, after that, we see very few. We will see some recruitment, and we may catch some smaller ones throughout the year, but the main body of fish goes elsewhere, and I have never known where they go. Do any of you catch any number of banded rudderfish any other time than spring? You catch some, the big ones, eight or nine pounds?

That's the man I ever known that really encounters them outside of the springtime, and so at least I know they go to North Carolina.

To me, it seems like this is a fish that actually goes probably offshore. I have seen some pictures in the deeper-water reefs, those 1,200-foot areas off of Miami, where I have seen what they thought was banded rudderfish in some of those photos, but it's an interesting fish, in that the only time it's available in number is during the spawning season, when they show up on the shelf, and you really do need a trip limit, because I can catch 1,000 pounds in a half an hour, and I stop at 1,000 pounds, because that's all the market will bear in that time, but if you get a full market to take care of those 1,000 pounds that you're capable of catching in a trip, you're going to shut down the whole complex in a very short period of time, and it would be prudent to put some kind of a trip limit on the jack complex, so that we don't get into a situation where we burn through it so quickly, you know one species over the other, but I don't know what that number is.

MR. FEX: I do want to say something to that. These banded rudders, I have really never seen them around when I've been fishing, and I guess I am seeing more of them, but I'm questioning if there actually -- Regardless, and another thing, I think we're getting fifty-cents a pound for them. To try to assess a fish like that, at fifty-cents a pound, that has really no monetary value, and I know that we don't want to put that on it, and the same thing with almaco. That's why we assess fish, is the value to the market. Some are ahead of the others, and grouper are that way, and so I just figured I would throw that out.

MR. HUDSON: That's probably what led to the banded rudderfish being three-quarters recreational, because we were doing day boat fishing through the 1970s and 1980s and stuff, and, when they came through, we would take the eight-ounce sinkers off and fill the boat and then just carry the people in and fillet them, but, when they're around, and they're only around for just a short time and then they're gone.

MR. JOHNSON: In the jack complex, that closes when the complex is met, and so it could be all one species or it could be a combination, and so I just wanted to make sure that I understood that. Like Jim has got some MRIP numbers here, and it has the wave in the year when they're all landed. It's the first two months. That was for the recreational sector, I know, but that sort of disputes what Ben just said, that he only sees them in the spring, but they are very aggressive fish, and I would back Ben up on that, and I think maybe we need to look more at that 300-pound trip limit if you're wanting to make this, but it's up to the guys. I don't fish for them, but from 300 to 500 pounds is a good start.

MR. HULL: And make it for all the species in the complex and not just for almaco.

MS. BROUWER: Anything else on trip limits or any other species that we haven't covered? Now is your chance to tell the council that you should consider this or whatever, and so don't be afraid to get creative.

Then we're going to move on then and revisit the shallow-water grouper closure now for the commercial sector. Again, it's the same sort of thing here. I put the same rationale in there, because it is applicable as well to the commercial sector, and then the motions that we already went over that you guys made previously. It's the same sort of thing in the way that I structured the alternatives, similar to what you've already seen, identical to what you've already seen, for the

recreational sector, and so if there's any issues that you want to bring up that are specific to the commercial sector, and I know Richard was wanting to make sure that some things were highlighted here.

MR. STIGLITZ: If they make any changes, they should be for the recreational and the commercial at the same time. If there is any changes, if closures change or anything, don't let the recreational start earlier or don't let the commercial start earlier than the recreational. Make it all at the same time.

MR. HERRERA: I would like to personally see it stay the same. My big criteria for that is there's a lot of talk in the Keys about taking more territory for the sanctuary, and our big argument, or my big argument, was we're already taking care of the spawning with the groupers by having it closed, and so I would much rather leave it closed and we don't take more territory. It's been working. People have adjusted, and the market has adjusted, and so I think status quo, leave it alone.

MR. STIGLITZ: I agree with Manny, and I said it in the recreational, the same as Manny just said it. It's working. We've all adjusted to it, the four-month closure. We've learned to live with it, and I don't see no reason to change it. I mean, we see it working. Our groupers are improving, and we're seeing it when it opens in May, and we have all had to live with it, and so I would like to leave it the way it is.

MS. BROUWER: Moving on, the next one is modification of the fishing year for the commercial golden tilefish hook-and-line sector, and we've already sort of touched on this a little bit. There is some background information in the options paper, and then the -- These are the sub-alternatives that the committee had given us guidance to include in the analysis at the time that we were working on this, but we never really had the chance to develop them or produce any analyses, and my recollection was that the AP had made a specific recommendation for March 15 for the start of the fishing year, and so, if you want to add any sub-alternatives or take some away, now is the time to suggest it.

MR. STIGLITZ: Scott, open March 15? Is that when the hook-and-line season opens?

MR. OSBORNE: It opens January 1, in line with the longline fishery, and it just -- The original intent of that was to guarantee a fishery, but, if you want to look at it from a marketing standpoint, on the average, the longline fishery has been closing in March, about the middle of March, and I think it came up to let us start where they leave off. Why are we going to overlap what little bit of fish we have when there is longline fish coming in and you're not guaranteed a good price for your fish, and so it doesn't even make any sense.

Granted, we're not going to run out of fish this year, and hopefully it will be that way every year, but, if we get this reduction, it won't. It's just a matter of when do you want to risk not being able to fish or not have the fish. You're going to be guaranteed January 1 until the longline sector is done, and, if we start when that closes, we may make it all the way around again, and that's fine, but you're definitely going to have it probably all the way until the end of the year, or very close to it. The previous year, we got close. When did we close down, Ben, the year before? It wasn't for very long. This year, there is plenty of fish. We're not going to close, but it's just a matter of I don't see any sense in starting the year on January 1 and taking that risk of not having the fish at the end.

MR. STIGLITZ: So March 15? Do any of those dates -- You're in the fishery, so you would know.

MR. OSBORNE: March 15 is fine, and let the fish buyer -- I mean, what do you guys think about that?

MR. BUFF: I agree with Scott, because we're going to be b-liner and trigger fishing in January and February and March, and so that's going to prolong that. The longer we can put it off, the better we're going to be, and so I agree 100 percent.

MR. HUDSON: Golden tile, 2015, hook-and-line, they went 1 percent over and closed on December 8. In 2014, they went 20 percent over and closed on August 29.

MR. OSBORNE: That was at a January 1 opening. That's all the more reason to start it later.

MR. HULL: Scott, in your opinion, are those options that are up there adequate, or do we need to add more options to the scoping document?

MR. OSBORNE: I don't see any need to add any more. You could even just go with the March 1. That's fine, too. Originally, what everybody had expressed to me, is they wanted to start it in May. That's going to leave too big of a gap in the market, and so go with the March and we should be good, I would think.

MR. FEX: Scott, March 15 is highlighted. We can have March 15 in that as a Sub-Alternative 2d.

MR. OSBORNE: I don't think fifteen days is a big issue.

MR. FEX: Do you see any of those you would like to remove, like May 1? We can leave those just for discussion.

MR. OSBORNE: Yes, and I mean leave it there for other people and their discussion.

MR. FEX: All right. Thank you.

MR. HUDSON: This year, it closed March 15 for the longline, and, last year, it was February 19, because the weather was really good. Then, in 2014, it was March 5, and so between the middle of February and the middle of March.

MS. MARHEFKA: Is there a way to do it to have it written so that the hook-and-line opens when the longline closes?

MS. BROUWER: I was thinking about that earlier, and the analyses would be complicated, and my understanding was that the AP was not really in favor of something like that.

MR. OSBORNE: We discussed that. You don't want to go down that road. We may never fish again.

MS. BROUWER: One other thing is we received an email from someone that wanted the AP to consider or to discuss maybe recommending closing grouper during July, and this was because of cold-water intrusion, and it says each year, with some years being much warmer than others, during the month of July, the commercial divers have a bonanza, while hook-and-line anglers catch none, due to the cold water, and so this person wanted the AP to discuss this and, if appropriate, make a recommendation to the council.

MR. JOHNSON: I just have a quick question. Is that a recreational angler or a commercial angler, because that's very important for me to understand. My thought there is that commercial fishermen operate under an ACL, and we have to be real careful saying that we don't like the gear that you use. Because the water is real clear and real warm, it might be a little bit more difficult for them to shoot a fish than for you to catch it, but, if it's a recreational guy, to me, that's --

MR. FEX: I personally don't need another month off.

MS. BROUWER: So timing, this is the exact same thing as the other one. Of course, just understand that the actions that are included in a regulatory amendment, there are some actions that cannot be done through framework in a regulatory amendment, and so, if the council decides to put something in there that needs a full plan amendment, that would change the timing of all of this, but, as it is now, we begin scoping in January and February and go through public hearings in August, with the intent to approve this for formal review next December, and so, depending on council guidance, we will scoping the amendment this coming year.

Coming up, we have updates on various things. Julia is going to walk you through upcoming SEDARs and give you updates on that, and then Mike Errigo is going to give you a very quick blurb of what happened at the SSC. Then Kari will talk to you about characterization of the commercial snapper grouper fishery. This is something that you guys have been talking about for some time, and she is just going to need some guidance, some feedback, from you guys on what she's been working on.

MS. BYRD: Hi, everyone. I am Julia Byrd, and I'm one of the SEDAR coordinators, for those who may not know me, and I just wanted to give you guys a really brief update on where we are with some ongoing assessments and then talk a little bit about a few upcoming assessments, where we're looking to get some AP volunteers to participate in those assessments.

There are two kind of ongoing assessments in the South Atlantic right now. The first is SEDAR 53, which is a red grouper assessment. That is a standard assessment, and it's being done via webinar, and so we've had two webinars, kind of getting together the data and reviewing the data. The first assessment webinar will be at the end of this month, and that is on schedule to be completed by the end of February of 2017, and so, next year, it will go to the SSC, at their spring meeting next year, and then to the council at their June meeting next year.

The other ongoing assessment is the SEDAR 50 blueline tilefish assessment. That's a big stock assessment, and, so far, a stock ID workshop has been held. I can give you all more details on that if you're interested, but we're getting ready to have a data webinar in a couple of weeks, and then the data workshop will begin in January of 2017, and that assessment is scheduled to be done at the very beginning of October of 2017, and so it will go to the SSC in the fall of next year and to the council in December of 2017.

I just wanted to kind of give you an update on those ongoing assessments and let you know when they will be done and when the SSC and the council will expect to see them, and so if you all have any questions on those, you are welcome to ask.

MR. HUDSON: Can you scroll up just a little bit, for the bottom part? The review workshop, when do we have the joint SSCs weigh in on things for giving council advice on SEDAR 50?

MS. BYRD: To give you a little bit of background, there was a stock ID workshop held. The SEDAR Steering Committee asked for there to be a joint SSC review of the stock ID information, and that happened last Friday, and so, the rest of the assessment process, what's going to happen is the review workshop will be held and each of the SSCs will review the stock assessment separately, unless there is interest by the councils in having some sort of joint review. At this point, they haven't notified us of that, but, if they want a joint review, then there will be one, or there will be a review through -- It may involve three councils, the Mid-Atlantic, the South Atlantic, and the Gulf of Mexico, and so does that answer your question?

MR. HUDSON: Normally, our SSC, unless they make a special arrangement, has their like late April or May meeting, and so that's too early for the review of that, and the other is generally in October, and so that was the part that -- You're taking information to the council in September, and I was just a little confused.

MS. BYRD: The report is going to be available in October of 2017, and so it will be reviewed at the fall of 2017 SSC, and then it will go to the council at their December meeting, but the final assessment report will be available in October, and does that make sense?

MR. HUDSON: Yes, I was confused. I thought you had said that it would be going to the council in September, and it's going to go to the council in December.

MS. BYRD: Yes. Any other questions on the red grouper or blueline tilefish? Okay. The next assessments I wanted to kind of mention to you guys, and, again, we're hoping to get some AP volunteers to participate in these assessments. I can't stress enough how important it is to have fishermen participate in these assessments. I know a lot of you have participated in some before, but I think it's a really important part of the process.

The first one is SEDAR 48, and it's what is on the screen right here. It is going to be a Southeastern black grouper assessment, and so it will include the South Atlantic and the Gulf. The Florida FWC is going to be the lead assessment agency for this assessment, and so there will be a data workshop from March 13 through 17 of next year, an assessment workshop from June 27 through 29 of next year, and the review workshop will be in November of 2017. The dates are here on the screen.

All of those workshops will be in the St. Pete area of Florida, and then the plan is for the SSC to review at their spring of 2018 meeting. It's a benchmark assessment, and so I wanted to see if anyone was willing to participate in this assessment or, if you know of any other black grouper fishermen who you feel like would be interested or willing to participate in this assessment, I can reach out to them or other folks can.

MR. HUDSON: I had participated in SEDAR 19, back in 2009, and I had fished black grouper down in South Florida, but, honestly, that list of the folks that did participate in SEDAR 19 and

being able to extricate those people that live in the Keys, because the few days -- It just makes it kind of problematic even volunteering anybody from our region, but definitely there is some guys down there that depend on black grouper a lot.

MS. BYRD: If you could provide any names to me, that would be really helpful.

MR. HUDSON: That's what I was trying to say. When we did SEDAR 19, we did Atlantic red grouper at the same time, and then we had it joint with black grouper, and so that list of names that participated at the data workshop for SEDAR 19 in St. Pete might give you some ideas as to who to see.

MS. BYRD: Okay. I can look over that list, and maybe we can look over that list together, and, if there's any people in particular that you can help flag for me. Anybody else?

MR. FEX: I might suggest that we just extricated people from the Keys on the MRIP project. You might be able to look through that list, and they might be actively trying to get involved, whether they're on an AP or not.

MS. BYRD: Thanks, Kenny.

MR. HUDSON: Bill Kelly would be a great outreach for you.

MS. BYRD: All right.

MR. HARTIG: You mentioned the data workshop being critical, and, of the three workshops, that is the one that is the most critical for fishermen to attend, because that's when all the data questions that they have that you can answer, and the analysts always have questions for fishermen that you can answer at that time. I would just ask Richard or Manny or anybody to just ask around and see if anybody would participate in that data workshop, because that would help, in the long term.

MR. HERRERA: It can. The problem is I cannot commit to being any place March 13 to 17. I'm so involved in so many things already. When I'm here, I'm not working, and it's not that I don't want to help you, but it's just that it's impossible for, throughout the week -- If you want to work on the weekends, I can do it. That's taking time away from my family, and so it's just impossible for me. I'm not a day fisherman, and so, on Monday, I'm loading up a boat, and, Thursday night, I'm coming and then I'm selling fish. That's just way it works. It's not that I don't want to be helpful at all.

MS. BYRD: We understand that with SEDAR and know that you guys are working, but I will just echo what Ben has said. In particular, at data workshops, the involvement of fishermen is critical, and so I will kind of maybe reach out to some of these folks that you suggested.

MR. MOSS: I was just texting back and forth with a couple of my friends down there, and one may be interested. He was just curious of exactly what's going to be involved and what kind of time it would take. He's a charter captain. What would be involved?

MR. HERRERA: Honestly, if you really want to do an assessment on black grouper, you need to jump on one of our boats in January through April, and you're going to get to see what we get to see. I will volunteer for that if you can make it.

MR. FEX: I want to go fishing in the Keys in the wintertime. I will jump on your boat.

MS. BYRD: I definitely understand where you're coming from. As far as time commitment goes, the workshops are -- The data workshop is normally a five-day workshop, and so it's Monday afternoon through Friday morning, and so it would be participating in that, ideally the whole time, but, if we have trouble in getting folks being able to participate --

MR. FEX: One thing to note though is you could probably be on call. If there's a fisherman there that can't be there, I mean I've had to do that. I have had to call fishermen back home and say, hey, what is this deal, and it's something I didn't know anybody else did, and so you might at least be a call reference. That way, they could call you and get the information from you and you wouldn't even have to be there.

MR. HERRERA: Not a problem on a call. Early on a Monday or later in the afternoon on Friday or on the weekend, call me. Call me.

MS. BYRD: Okay. I call follow up with you, or I'm happy to talk with anybody who is interested in learning more about what they would actually do or the time commitments, and I could do that. That was black grouper, and now I'm going to be asking for a few more participants, and this is for a black sea bass assessment.

The SEDAR Steering Committee approved this black sea bass assessment. It's going to be a standard assessment. It's going to start early in 2017 and be complete in time for the SSC to review it at their fall 2017 meeting, which means it will go to the council at their December 2017 meeting. This is a standard assessment, and so what that means is it will update the last benchmark assessment model, and then they are going to consider a few new potential datasets that are kind of outlined in the terms of reference, which list all the things that need to be accomplished during the workshop.

For instance, one of the things they're going to consider using is the new SERFS video index, which hasn't been used before for black sea bass, and so this is going to take place over a series of webinars, and so no in-person meetings. It will be webinars, and they will be having four or five webinars. They will start around late February or March of 2017 through September, and so there will be four or five webinars, and the webinars will only be like three hours, probably at the most, each, and so it's a little bit less of a time commitment than SEDAR 48. I wanted to see if there are any folks who are interested.

MR. HULL: Yes, Julia, I would be willing to participate in that.

MS. BYRD: Thank you. Anybody else? If anyone has any suggestions of other knowledgeable black sea bass fishermen, I would love to get names, so I can reach out to them.

MR. FEX: Tom Burgess.

MS. BYRD: Thanks. Okay. Those are all the updates I have, unless you guys have -- There is one more thing, actually, that I did want to mention. I wanted to make you guys aware of an assessment that is going on that is a Gulf of Mexico assessment, but it may impact the South Atlantic, and that is SEDAR 51, which is a gray snapper assessment. It's an assessment for the Gulf of Mexico. However, they are going to have a stock ID series of webinars, and so there are a couple of papers, genetics-related papers, that show that the stock may go into the South Atlantic, into Florida, and so the outreach for that assessment will depend on whether the South Atlantic will be kind of included in that assessment or if it will be a Gulf of Mexico only assessment.

If there's anyone who is interested or knowledgeable about gray snapper, it would be great to get names of fishermen, and then we will have to follow up with you once the stock ID decision is made, but, if you all know of anyone.

MR. HERRERA: I spoke to Ryan Rindone about this issue, and I don't know how you feel about it, Richard, but I feel like a lot of those bay fish in the Gulf, in the Keys, go out to the reef in the summer. Again, my big thing with him was that it was tough to -- You tell me June, and I might be able to get away, and I expressed to him that anything that you want to speak to, I will be more than happy to speak to you on the phone. Richard has been doing it for ages, and I have too, for a very long time, and so we are pretty sure that they do mix, these mangrove snappers, into the Atlantic.

MR. JOHNSON: We catch a lot of mangrove snapper, we call them, gray snapper, in St. Augustine. We catch our limit on a regular basis, and these are larger animals than what you see throughout most of the range. These fish are, on average, five to twelve pounds. In fact, people from South Florida will argue with me that they're cubera, but they're not, and so I am really interested in this, as far as the genetics go. I am even more interested in our fish, if they're genetically different than maybe even the fish in the Keys. Now, we do catch the smaller gray snapper on the inshore fishery too, lots of them. They're everywhere. This is a species that I don't see how they could be a problem, because they're in the estuaries pretty much everywhere, but I definitely would want to be involved at some point in this.

MS. BYRD: One thing that I will note is that Julie Neer, who is the other SEDAR Coordinator, is actually coordinating this assessment, but the stock ID webinars are publicly available to anyone, and so, if folks are interested, I will get her to forward along like webinar registration, if you're interested in listening into that, and then I've got Robert as someone who might be willing to participate.

MR. HUDSON: I fished a lot of mangroves, myself, but that was an offshore component. One of the things that has been brought up here recently, and just now to you all, is that inshore component in Florida state waters. That's a big one. There's another item, a science document, that shows the gray snapper, the mangrove, ranging even farther, and that's an important feature, because they could actually be getting into the Mid-Atlantic and beyond.

MS. BYRD: Okay. If anyone -- I have got down names of folks, or suggestions of people to contact to maybe get fishermen to get involved in these assessments, and so, thank you, guys, for that. If anybody is interested in just being on an email distribution list for some of these assessments, so you can kind of stay up-to-date on things, let me know, and either Julie Neer or I will kind of add you to those lists, and so, thank you, guys.

MR. HUDSON: I would like to be on the email for the black sea bass, the red grouper, and the gray snapper, because they're all kind of important.

MS. BYRD: Will you shoot me an email? Would you email me that? Thank you.

MR. FEX: Thank you, Julia. Next is Amber or Mike. I did want to note though, and I don't know if you guys know about this, but the South Atlantic and Gulf have a text message on regulations and closures, I believe it is. I got it from Kim at the last council meeting, but I think it would be useful if you guys know people or if you wanted it.

DR. ERRIGO: I am just going to use the overview from the SSC meeting to help me remember everything that went on, and I will just summarize from the overview. If you have any specific questions that you want me to go over, anything in more detail, I would be more than happy to. The SSC met here in Charleston, downtown actually, October 18 to 20.

The first thing that we did was the stock assessment prioritization. It was kind of like a workshop. There were AP members present, and we tried to get as much input as we could on some of the criteria that went into this assessment prioritization to rank species, so that we could then use this as kind of a suggestion of a list of here is the order in which we think these species should be ranked for assessment purposes in the future. It's not completed yet, but we did complete the sections that we were hoping to at this SSC meeting, which is really good, and that will be -- The report is forthcoming. It's not completely finished yet.

For SEDAR, we went over the goliath grouper assessment, which was rejected. There were a lot of issues with the data that went into that, and a lot of what Julia went over, the SSC also went over. They went over many of the same SEDARs and things of that sort.

They got the landings and ACL report from SERO, and then they went over the tilefish assessment, the update. They were tasked with looking at why the update was so different from the previous assessment and was it done exactly to the best available science and things like that. Were the decisions made in the update appropriate for an update and appropriate decisions?

They eventually came to the conclusion that all the decisions made were appropriate. There were some changes, but they were considered to be the best science and appropriate for the assessment. There were signals in the data that caused some of the shifts in the modeling and they kept the original ABC and OFL recommendations from their previous review.

Red snapper, they had a lot of discussion on red snapper, as usual. They had to go over the use of the MRIP estimates in managing red snapper. Basically, what they came to is that there is nothing else to use right now, and so they had no suggestions of what else to do, and so they said that we would have to use MRIP until we could come up with some other better source of data to use for management.

MR. FEX: With that comment, wasn't it my understanding that they looked like they were looking for better identification of the user group, like a reef stamp such thing? Am I correct in saying that?

DR. ERRIGO: Yes, some of the SSC members suggested things that could improve the data, such as a more defined user group for the snapper grouper species, offshore fishing, federal species fishing, things of that sort.

MR. FEX: I just wanted to make that comment, because I told the AP earlier in the meeting about that, and I was really impressed with that, because we've tried to kick that around for so long, and so thank you, and I just wanted to make a note about that.

DR. ERRIGO: The way MRIP works is that, when they do the effort survey and they call people, they ask you if you went fishing, and did you go fishing in this last month and how many times did you go fishing and how often do you go fishing, but they don't ask them if they went snapper grouper fishing or did you go fishing offshore or did you go fishing in the ocean even. It just asks about fishing.

They take that effort estimate and apply it to all intercepted fish in that area, where the effort survey is conducted, and they expand all the intercepted fish in that area. The idea is that, hopefully, you are intercepting fish at the appropriate levels at which they are occurring out there, so that, when you expand it, you get the right estimate of catch, but, as we know, like snapper grouper fishing accounts for a rather low proportion, and offshore fishing accounts for a very low proportion of most of the trips.

They were also asked to look at alternative reference points for red snapper, and they did evaluate several reference points, F_{max} , F_{20} percent, and F_{24} percent or 26 percent, but what they came to was that the uncertainties and how wide the distributions were -- They really couldn't see any real difference between any of them, and so they had no criteria for choosing one over the other. Therefore, they just stood with the F_{30} percent which was in place.

They also looked at Amendment 43. One of the actions was for the ACT, and I think Chip went over that yesterday, and they looked at the calculation for the ACT, and they thought it was appropriate. They didn't say if it was better or worse than the current methodology.

They discussed a lot of changes to the ABC control rule, and they are starting to move forward with modifications to the control rule. Hopefully, by the next meeting, we will make even more progress, and so they are thinking about taking stock status out of the P^* calculation, because the SSC is not the body that determines stock status. It's actually NMFS that determines stock status, and, while it doesn't typically happen, it did happen once, where the SSC determined the stock status and calculated the P^* and then NMFS came back with a different stock status, which would have resulted in a different P^* value. They are considering removing that, and they are using a different method of looking at productivity and susceptibility, or removing that completely, and really changing up how the ABC control rule looks, and so they took some big steps there.

They looked at a study by Paul Rudershausen, and I think you guys saw that presentation, about the black sea bass trap mesh size, and they said that it was a well-done study and that it can be used to make management decisions and that it was best science.

They also reviewed a management analysis review process, and so we have a very well laid out process for reviewing assessments, but there are a lot of very complex analyses that go into our amendments, and we don't have a very well laid out process for reviewing those. We laid out a

process for reviewing those types of analyses, working with the analysts during their time working on these problems, so that we have a better grasp of what's going on and have a better review, instead of having a very complex analysis come to the SSC in the form of a paper two weeks before the SSC meeting. Most of them will look at it and be like, I don't understand this. Some of them do, but they may not have time to even look at it. If they get a really crazy presentation at the meeting that bedazzles them, and they're like, that looks good to me, but they're going to try out a new process, which hopefully will make that process a little better.

Spiny lobster, they were tasked with setting the ABC and OFL for spiny lobster, using years to calculate it rather than what was used previously. They had a lot of discussion about this, and they decided that they could not make a determination at that meeting and that they needed to have another webinar, which is scheduled for November 21, and they are going to get all the data and information currently available on spiny lobster, so that they can make a better informed decision. That's a three-hour webinar, and they will be able to hopefully flesh out their ABC and OFL recommendations there.

They quickly worked through Amendment 41, which goes for final approval in December, and they didn't make any major comments there. The National SSC Meeting is on the horizon, and so they put in their recommendations for the topics. One was defining optimum yield in a way that integrates climate change and social and economic considerations. They also had a discussion of best available scientific information and management strategy evaluation.

They were briefed on all the work that's going on at the council, and the final thing that they talked about was changing the SSC comment policy. There was a lot of discussion of this at the last council meeting, and the SSC tried a new comment policy at this meeting. They tried a comment period at the beginning of the day and the end of the day, and they also tried out taking public comments after each of the agenda items during one of the days, and it seemed to work fine either way, and so the SSC will discuss that more at their next meeting, and the council will also discuss that more at their December meeting, and hopefully that policy will be fleshed out a little better and be implemented fully by their next meeting. That was it. That was everything, and so, if anyone has any questions, I would be more than happy to answer them.

MR. FEX: First, I would like to comment on them allowing us to comment. Somewhat, I would consider us professionals, me and Robert and Rusty and them, giving the comments. I was concerned though that you could get some of the general public that really aren't productive speakers particularly on trying to convey their message, and they could get up and probably offend the SSC, and so I will acknowledge that, and I do commend them on that.

Also, the one guy wanted to allow for the webinar effect to happen, but to be able to put emails in, and I would also question that, because you can't have a bunch of people that just throw rocks, and so that was just things that I would make a note of, because they did accept comments, but, like I said, sometimes we speak a little better than some others might do it, and so no offense to anybody else, and so don't take me wrong.

MR. JOHNSON: I was wondering if you could tell us, in regards to red snapper and the SSC decision, did they ever give us a value for the amount of overfishing from the stock assessment?

DR. ERRIGO: What happened with the overfishing status is that they felt that the assessment was able to estimate FMSY, but they did not trust the specific estimate of F in the last few years, and the reason is because it was due almost entirely to discards. Our handle on discards is very, very poor, and it's due almost entirely to recreational discards and not even commercial discards, which we still don't have a very good handle on, and so they weren't confident in the point estimate of F. However, the distribution around F, although it was extremely wide, was still almost completely above FMSY, which is why they felt confident saying that overfishing was occurring, but they couldn't say how much, how badly, because there was so much uncertainty in the point estimate of F.

MR. JOHNSON: For my concern, it would be that advice is going back to the council, correct, and then the council -- We're hearing of all these options of potential huge closures and destruction for many of us based on how do we know how much has to be done to curb the overfishing, and isn't it the responsibility of the SSC to give them a definitive point?

DR. ERRIGO: Only if they're able to, but the fact that they said that we think overfishing is occurring, but we can't give you a point estimate of F, and therefore, we can't tell you exactly how much is occurring, kind of gives some flexibility to the council to implement something more adaptive, say.

MR. JOHNSON: But did they indicate the stock, even though overfishing is occurring, was there any indication that the biomass was improving?

DR. ERRIGO: Yes, that's clear in the assessment. The biomass and the abundance is actually almost as high -- The abundance is almost as high as it was at -- Biomass hasn't recovered quite as much. Spawning stock biomass hasn't recovered quite as much, because spawning stock biomass is fish that are old enough to spawn, and so it doesn't take into account the youngest fish, which that hasn't recovered as quickly, but it is significantly higher than what it has been. It's gone up each year since 2010.

MR. JOHNSON: Mike, to that point, and I just want to make sure that everybody understands. Basically, we have a stock of fish that they're confident the stock status is improving, and it's growing, but the word you used just a minute ago is they feel that overfishing is occurring. You didn't say they know. Do they know it's overfishing?

DR. ERRIGO: They are confident.

MR. JOHNSON: They're confident.

DR. ERRIGO: With a degree of certainty that overfishing is occurring.

MR. JOHNSON: They are confident with a degree of uncertainty.

DR. ERRIGO: There is always a degree of uncertainty, always.

MR. JOHNSON: But they couldn't estimate what level it was because of that high degree of uncertainty.

DR. ERRIGO: Yes, that's correct.

MR. JOHNSON: But we're asked to consider all of these options that are going to be devastating based on this. That's, frankly -- Just blunt.

MR. ATTACK: I mean, it would be nice to know whether we've got a decreased mortality by 5 percent or 1 percent or 50 percent, because, depending on how much it's overfished, it affects what you have to do to correct the overfishing, and so they should be able to give us some quantifiable number, so that we can run our estimates and know that we have met the goal with our management objectives.

DR. ERRIGO: It goes back to how much you trust the estimates of discards from the recreational sector. If you trust them, they can give you an exact estimate of how much overfishing is occurring and how much of a reduction, exactly how much of a reduction, you need in fishing mortality. If you don't, then you're left where we are now, and there is a significant amount of uncertainty in those estimates.

MR. ATTACK: Right, and so you should be able to give us a range then, that it's between this and this.

DR. ERRIGO: There is a very large range. If you look at the MCB analysis in the assessment, it's there, but that's why we said it's the amount of overfishing is --

MR. ATTACK: Can we say what that range is?

DR. ERRIGO: I can look. I don't have it in front of me.

MR. JOHNSON: I guess, would it be fair to say that the SSC has about as much confidence in the MRIP data as this group does, because that's really what we're saying here, is it not?

DR. ERRIGO: In those particular estimates, there was not a lot of confidence in the point estimates.

MR. JOHNSON: So we have a group of some of the most knowledgeable fishery scientists around looking at this information and coming to the same conclusion that this group of fishermen are, that this is just really something we can really believe in.

DR. DUVAL: I appreciate everybody's frustration around the table about the results of the red snapper stock assessment and the fact that overfishing is still occurring, according to the results of the assessment and as well as the SSC's deliberations, despite the fact they we've had pretty much a moratorium on fishing.

I don't think it's fair for this group to grill Mike and ask him to try to interpret what the SSC has done. I think it puts Mike in an awkward position, and so I would just encourage folks that if you're interested in hearing what the SSC said and the deliberations that they had around the table, you can read the consensus report that we will have in the December briefing book. Then, if anybody is interested in the audio, you know those are certainly available. Plus, understand that

nobody is more frustrated than the council as well, because we're the ones who are going to have to respond to this information, and I want to assure you all of that. Thanks.

DR. ERRIGO: The minutes from the SSC meeting became available today, if anyone wants to look at them. I haven't looked at them myself, and I believe we were going to try to separate them by topic, and so it should be easier to find what you're looking for.

MR. JOHNSON: I am not grilling Mike, and I know this is not something that he did, but I just wanted everybody to sort of getting an understanding, to really understand, what is going on, because it is very frustrating, Michelle, and you're absolutely right. We're all frustrated, and I know the council is as well, and this AP has, for years, asked for something to help this situation, and we've got absolutely nothing, and that's a fair statement.

We have asked for a federal stamp or tag or whatever we want to call it years ago, and it's gone absolutely nowhere, and here we are faced with this situation because of that, and I think it's so unfair to burden the people in this room because of inaction, and I don't know any other way to put it, but that's how I see it.

MR. BUFF: My question is directed I guess at everybody, but not only the red snapper, but just in general, as a stock rebounds and we have more interaction and more discards, does that process just keep continuing over and over and over? Where is the threshold at to where we cross over it, or do we ever cross over, or do we just continue? It's getting better, but the discard rate is so high, because of the interactions.

DR. ERRIGO: That depends on the species. Some species have a very low discard mortality rate. The discards don't count towards the mortality. A lot of don't die when you throw them overboard, and so it just doesn't make that big of a difference. Red snapper have a fairly high discard mortality rate, and, with the amount of encounters, it translates into a lot of dead fish. That is why. With black sea bass, on the other hand, the amount of discards is enormous, but the discard mortality is very, very low from the last assessment, and so it doesn't factor in as much. They weren't as important in the overall mortality, but, yes, discards will increase as the population grows, always.

MR. HUDSON: Discard and depth profile, that was a big issue, and that's been really clear. We know, in the heart of red snapper country, that we have a lot of sixty to ninety-foot profile that is actually displaced by deeper depth differences in the regions, and that's a problem. Yes, I would like a copy of the transcript, ASAP, so that we can start working through that, because there was a lot of deliberations about certain things that we would like to be able to see the transcript of, versus having to actually listen to it once or twice.

MR. FEX: Thank you, Mike, for coming up here and letting us beat up on you.

DR. ERRIGO: My pleasure. Anything I can do to make you feel better.

MR. FEX: All right.

DR. MACLAUHLIN: I am Kari MacLauchlin, and I'm council staff. At the last meeting, you guys had talked about a characterization of the snapper grouper fishery, and so we're starting to look at that. We're digging into it. It's on our radar. I am working with John Hadley, who

presented to you guys yesterday. He is our new staff economist, and so I'm working with him to kind of put together this description of the fishery.

We have been checking out some of the data. This is coming from ACCSP, and we were looking at just the North Carolina snapper grouper catch, and so all of the fish that are in the Snapper Grouper FMU, all of those at trip level, and we're able to look at these top twenty-five entities, really. We have all of them, but they're the top twenty-five. Looking at this portfolio, this is just 2015, just North Carolina.

Vermilion makes up about a third of that, and then we have gag, gray triggerfish, greater amberjack. This is triggerfish, and it's just kind of a generic category, and then there are red porgy, another amberjack that's generic, and red grouper and snowy grouper and almaco. Then tilefish is generic, and then hogfish and silk snapper, and then we have some other small ones. I would like just to get a little feedback as we're going along and making a plan. We're just kind of looking at this preliminary data, and does that look about right, you North Carolina people?

MR. FEX: I think you're missing scamp there.

DR. MACLAUHLIN: Then we have, in North Carolina, there are 234 entities that reported snapper grouper landings, and about 65 percent of those have less than 500 pounds, all the way down to maybe five pounds of something, and so they reported something in 2015, but it was just very low, and so they are probably targeting something else. Those top twenty-five make up about 60 percent of all the North Carolina landings, and just four of those are listed under corporations. The others are listed under individuals. We also ran the same for the South Carolina, with vermilion, again, making up most of it. The tilefish, which is under generic, and maybe it's golden tilefish or blueline, or do they put those together?

MR. FEX: (Mr. Fex's comment is not audible on the recording.)

DR. MACLAUHLIN: Then gag and gray trigger and greater amberjack. Then we have blueline and then red porgy, almaco, yellowedge, and snowy, and then some other ones made up of the smaller ones. There were sixty-seven entities reporting for South Carolina last year, and 10 percent of those had under 500 pounds, and so most of the South Carolina folks reporting snapper grouper landings had a little more than the North Carolina, where there were so many folks that had really, really small proportions.

The top twenty-five had over 80 percent of the landings, but there were only sixty-seven in South Carolina. In North Carolina, it was 245, and so your top twenty-five is going to take a different proportion, and just three of those were listed under corporations. All the other ones were listed under individuals.

We did take a look at the trips, and I was talking to Kenny about this. This is the 2015, and these are North Carolina trips with snapper grouper species by month, and the bar is total number of trips, and then we broke it up by gear type, and so the light blue is hook-and-line, the yellow is pots, just black sea bass, and longline is the green. Then there was a little spearfishing and then other. In North Carolina, those are mostly gillnets, and so those are probably state, targeting something with gillnet in state waters.

I did mention to Kenny that, with the ACCSP data, the hook-and-line is all together. There is no manual or electronic or bandit, and the federal logbook data that we have has already been processed, where it's just hook-and-line, even though he reassured me on the federal logbook that there is a place to show either electronic, bandit, or manual, and so, for North Carolina, because ACCSP data is not separating out the hook-and-line, we may do a special request for North Carolina, but, if you guys are reporting it, then it exists somewhere, and we will be able to get that, so we can look at the different types of hook-and-line gear.

MR. ATACK: I have a question on the gear. If you're using more than one gear type, say you spear and use hook-and-line, does that just show up under hook-and-line or just spear or how does that show up?

MR. FEX: I don't know how they're reflecting it, but I know in the logbook it's identified. There's a spear category in there. Then, if you're spearing grouper, you could identify -- There's a place in there to identify if it's electric reels or spear or whatever, and so that might be -- You do have those commercial guys from Florida and everywhere that do both.

MR. ATACK: I was just wondering how that trip was counted, because I know both gears get put on my report, and so are they counted as a spear or are they counted as hook-and-line?

DR. MACLAUHLIN: This was kind of a quick-and-dirty preliminary, and I think it's all going to come down to how we process those. We're not going to be able to capture every detail of every trip, or this is going to be a little too much detail to be useful for you guys and for the council, but maybe we can be able to look at the trips that have multiple types of gear and be able to kind of separate those out and provide a little information on it. In general, we are looking at what was their primary species and what did they use for gear to define the trip.

For South Carolina, the ACCSP data did separate out the bandit, which is the green, electric hook-and-line, and manual hook-and-line, and so hopefully we will be able to do that when we get into the other states. The gray is longline and then other, which is certain types of nets, and then some just unknown. You can see that mostly it's bandit or electric hook-and-line and some manual hook-and-line.

Then we were just really still working on our plan for this and kind of trying to get an idea of what we're looking at. It's a lot of information, and to make sure we're getting that into a format that's going to really help, but we also looked at the permits, pulled the permit data, which is available all the time and is up-to-date, and it changes a little bit throughout the years, as permits are renewed and everything, but, when we were looking at it earlier this month, there were 518 total snapper grouper unlimited, and we were looking just at those first, and we wanted to kind of look at their portfolios, because we know that people have the different permits together, and so over half of those have at least Spanish mackerel and dolphin wahoo, which are the open-access endorsements, and most of those, 44 percent of those, have all three endorsements, including king mackerel, the limited entry, and so that's like the primary, the finfish portfolio, and that's making up most of the snapper grouper unlimited permit holders.

Then we also have about a quarter of them that are holding all three of the South Atlantic for-hire permits. Most people who have one of the for-hire permits, snapper grouper, coastal migratory

pelagics, and dolphin wahoo, have all three, because they're all open access at this time, but about a quarter of your commercial permit holders also have that for-hire permit trio.

Then we were kind of playing around with it using network analysis, and it creates this big thing, and so the red dots are vessels, and the blue ones are the permits. Basically, when you create a visual representation like this of a network analysis, it uses algorithms, and the closer you are, the more you have in common with that person or, for the permits, the closer they are, the more likely they are to be held in combination by somebody, and so a portfolio.

If you take out all the red dots and just have the permits, here in the middle is like the typical finfish portfolio of snapper grouper, Spanish, king, and dolphin wahoo. This is what most people have, and they mostly keep them all together. Up here, this is the Gulf reef fish and commercial gillnet. That's down in the Keys, and so these are probably Keys folks or people from the Gulf that are coming over.

This one, these are the three for-hire permits that are held together, and so that was one thing. When we ran this visualization, we could kind of say, okay, we see these things that are kind of in groups, and so now we know what to look at. We don't have to look at big, giant things with a bunch of numbers. We can look at the dots and go, oh, they're pretty close and they're probably held together, or somebody has those in their permit portfolio.

These down here are swordfish and shark, the HMS permits, a wreckfish permit. There is a Caribbean in there, and I don't know what that vessel is doing, but, for the most part, you have your HMS, your wreckfish, and so it probably reflects the vessels. One thing that's interesting is you can take a group and there -- There are a couple of shrimp vessels over there that have the different rock shrimp, penaeid shrimp, and the reef shrimp, and then they're also holding a snapper grouper permit.

In general, most of these folks are going to fit into this middle. They are finfish, and maybe they are snapper grouper fishermen that fish for other things, or maybe they're king mackerel fishermen that also fish for snapper grouper, but I think it's going to be really interesting when we get into basically diversity, because you guys had that conversation today, about how you want to look at this fishery. Hopefully what we're going to be able to show you is your fleet diversity. That way, you can make some decisions about how this is going to work. Next time, we will have a little more detail, and hopefully we'll be able to get that to you sooner, so you can take a look and get some questions.

MS. MARHEFKA: I was out of the room at the very beginning. Did you go through the South Carolina stuff? Sixty-seven entities, and I missed the explanation, but is that sixty-seven distinct commercial vessels?

DR. MACLAUHLIN: The entities I used under ACCSP was actually the -- It listed fishermen, but that was individual, and then it said the corporate, and that was sort of individuals and corporations, and so I'm thinking that's probably the permit holder, that it's listed under the permit holder. I don't know if they were separate vessels though.

MS. MARHEFKA: Yes, because, like in our instance, we've had different people in our boat, and so you may get three or four names just for our vessel. That just seems really -- We have sixty-seven?

MR. JOHNSON: Kari, this isn't just vessels that reside in South Carolina? These are just vessels that had landings in South Carolina, and so a boat from Florida who came up and and fished a few trips and landed fish in South Carolina would be in that?

DR. MACLAUHLIN: I don't know. I need to look and see if it's landed or home port, because I just -- When I did the query, I did it by state and asked for --

MR. JOHNSON: It says reported snapper grouper landings, and so I think that may be the explanation there, because you do have boats that move up and down the coast and sell fish, and so that could explain that.

DR. MACLAUHLIN: Yes, and, also, this is ACCSP, and so maybe it could be some folks reporting those species from state waters, but I don't know how it works in South Carolina.

MR. MERSHON: It could be a possibility, because that seems like a lot. Say I make a trip and say I split mine up between two different fish houses, and does that take that into account? I mean, that's one trip, in my book, but, yes, there is two papers from the two different fish houses that I sell to.

DR. MACLAUHLIN: I don't know. When I queried the ACCSP data, it gives me -- It returns the trip level, and it has the dealer in there, but I don't -- It could possibly could be. The way it got reported, it got put in there twice.

MR. ATTACK: Yes, but that wouldn't change the number of entities. It would just change the trip reports, the trips.

MR. FEX: Any more questions on what she presented to us?

MR. JOHNSON: At what point are we going to have Georgia and Florida, because I think that would be really, really interesting to look at. Georgia, we can't see, I'm sure, but Florida would probably show a big diversity of different kinds of species and a large number of entities.

DR. MACLAUHLIN: Yes, and, actually, I think Florida is going to be the monster. We will probably split it up into different areas, and maybe not even that. I am thinking four, at least. Maybe we will do one for all of Florida and then break it up into different areas, the best that we can, but we can do one for the whole region as well. Really, we could -- Different parts of North Carolina are very different, with what fishermen target, and South Carolina is different. We could break these into smaller regions.

MS. MARHEFKA: I asked you about there being multiple fishermen, and you said -- I was looking at the dealer level and not the vessel level, and so, again, maybe you explained this when I was out of the room, but sixty-seven entities, sixty-seven individual vessels?

DR. MACLAUHLIN: I was going to do this by vessel, because I thought the vessel ID would be a little better, that it would really break these out, but then I thought that maybe it would be better to use people or corporations instead, and I don't know. I would just have to look at the fields of data. ACCSP just redid their data query, and it's awesome, but I'm still not super used to it, with the fields that they're providing now. It's a little different, but maybe if we just did it by vessel. Then there would always be a very separate -- With a permit attached to it, probably.

MR. FEX: Thank you, Kari, for that presentation. I guess that leaves us with Other Business. Would someone like to start?

MS. MARHEFKA: I have two things. I am going to start with I really would like to get on the record that when the vermilion closed down on October 4, while the entire management range of vermilion was under the threat of a hurricane, I was incredibly angry. I sent out emails to Gregg and Myra, and I just wanted to go to the council members and the council members -- We know that there is some leeway. The numbers are a little fuzzy at the end anyway.

I happen to be married to the kind of idiot who, ten years ago, would have stayed out longer just to try to to -- Thank God it's been ten years and he won't do it now, but some other poor wife out there is married to an idiot who probably stayed out or guys who made choices. We got the notice on the 4th, and it closed on the 11th. Everyone from the Keys all the way up to Virginia were under some kind of warning by the 5th, and it moved up the coast rapidly. We were told to evacuate on the 5th, and so, really, no one should have been out there fishing. Everyone should have been concentrating, and hopefully they were, and I didn't hear anything of anything horrible happening, but that doesn't mean that it won't.

I just think that's a moment where some judgment could have been used. They could have waited a couple of days and changed when they announced the closure, and so that's my big thing, and I don't know if anyone else sort of -- I don't know if that was one of those things that made anyone else go, hmmm, but I just think it could have been handled better.

MR. WAUGH: Thanks, Kerry, and I followed up with Jack McGovern, and certainly the timing was a problem, but one of the issues is, in the process of tracking these and projecting the closures and getting the paperwork up to D.C., they operate on about a two-week lead time. You run into situations like this, where, when they started and initiated the closure, it wasn't through weather advice, but I have asked Jack -- I have talked with him, to see if, in the future, we can figure out how to address these things when you do run into a situation like this, because we certainly don't want to encourage people to fish in unsafe conditions.

MR. FEX: Kerry, did you have another one?

MS. MARHEFKA: Yes, but this one is brief, and I just need to get this on the record. It's about wreckfish, and, since we don't have a wreckfish sub-panel anymore, I would like the council to start having a discussion about the handling of the wreckfish coupon reporting. There is only -- There is three dealers, two fishermen, that are operating, to my knowledge, and, as a dealer, I have to double report, and I've got to think that there's a better way to do it. I have to fill out my SAFIS report and then I have to fill out the coupon that goes with the fisherman's share, but I think that we could probably get past me filling in a hundred dots every week, because it is electronically reported, and it shouldn't be difficult. That's just food for thought.

MR. WAUGH: Kerry, certainly this wreckfish program has been around for a while. It was the second ITQ program, set up in 1992, after the Mid-Atlantic Council set up its surf clam and ocean quahog IFQ in 1990. Back in the 1990s, we were doing paper, and wreckfish is the one system that is still stuck in paper, and that is something that we've talked about.

The council, beginning in 2017, is required to do a review of its catch share programs, and that's the one that we have. We asked for clarification of whether the spiny lobster trap certificate program fell under that, but it did not, and so the council will be beginning a review of the wreckfish program, and this will be a very broad review. We commented on the draft guidance for conducting these reviews, all the councils did, and it requires a lot of work for each review of a catch share program. All the councils expressed some concerns about the workload. NMFS has agreed to work with us, but we will be looking at it.

Some points of caution that we're going to have to address is part of the reason the council didn't revamp the system before was that we're going to have to look at some sort of cost recovery. That's a requirement under Magnuson, to look at the dollars spent for management, data collection and analysis, and law enforcement of LAPP programs. You have to do cost recovery.

Now, there is a cap of 3 percent, and so that gives you some protection, but, when the council has talked about this in the past, there was concern that that fishery is operating on such a small margin that a 3 percent fee would have a significant impact, but that's going to be something that's on the table, as well as looking at the goals and objectives of the program and looking at the biological, social, and economic effects of the program and the administrative costs to run the program.

The ACL is high, but the landings have been relatively low. Well, the ACL isn't that high. Sorry. The landings are relatively low, and so are the landings sufficient to justify the cost for running the program that's operating now? Of course, that seriously impacts the fishermen who have invested in purchasing those shares, and so these are all issues that are going to be looked at, and the council will be beginning that review next year, and so you all will be involved, and certainly the small pool of fishermen that are involved in that fishery will be contacted.

There was a draft program review done in August of 2009, and our latest amendment that dealt with wreckfish was Amendment 20, and a rule became effective on October 26 of 2012, and so we will be conducting a review, and there will be some sort of change. It will just have to be determined whether that just goes all electronic like the programs in the Gulf have or how we handle that cost recovery. All of that will be on the table.

MR. FEX: Thank you, Gregg.

MR. HULL: I would like to ask this panel to help fix a hardship upon the fishermen off the east coast of Florida, and it's in regards to triggerfish and the size limit that has been imposed upon us in federal waters of fourteen inches off the east coast of Florida, whereas twelve inches is where it is off of every other state. How this happened was the State of Florida wanted to make the size limit concurrent between the Gulf of Mexico and the Atlantic coast, and so they came to the council and they got that done.

In the meantime, twelve inches turned up being a size limit that was implemented for the other states, and the fourteen inches was off of Florida. Well, after some consideration of what happened

and some comment from all fishermen on the east coast, the State of Florida decided to change their minds and go back to twelve inches, and I believe they also reduced the bag limit to ten triggerfish in state waters, but what that did was it left the east coast of Florida with a fourteen-inch size limit in federal waters, which is where we prosecute the fishery.

I've talked in the past about our area and how these animals in our area that the life history is we have predominantly twelve-inch fish and thirteen-inch fish. When they start to be getting fourteen and above, they move on, and so we're discarding fish. It's hurting us economically, and it's not only just the commercial fishery, but it's the recreational fishermen, and that's why the state went back and changed their mind, because they took so much grief from the recreational side when this got implemented. **I'm asking to make a motion that we recommend that the council put us in line with the other states in federal waters and make us twelve inches and not fourteen.**

MR. FEX: Duly noted. Jessica, would you like to speak on behalf of that?

MS. MCCAWLEY: Sure. Jimmy is correct. The FWC put an increased size limit in place. It was only in place for a few months, and we got a lot of public comment back that fourteen was just too big for folks, and then we realized that the FWC didn't even get adequate public comment when we put the regulation into place.

First, we used an Executive Order to just put it in place temporarily, and the Executive Order went through on October 31, and then we were waiting for the stock assessment. Then the stock assessment came out, and it said it can't be used for management, and so we actually asked our commission, at the previous commission meeting, to put it in place permanently, or permanent until the next stock assessment comes out and it can be addressed again, and so I agree with Jimmy.

I didn't feel like that we really did our due diligence on getting the proper input from fishermen at the state level, and I also agree that it was originally done to try to match up with the Gulf, but, if you guys don't know, there is all sorts of problems with gray triggerfish in the Gulf, and they're changing the size limit, and so it won't even be the same in 2017, and so it really doesn't even matter anymore that we were trying to match up in the first place. Thanks. I appreciate that.

MR. FEX: Thank you, Jessica, for those points.

MR. JOHNSON: I will second that motion.

MR. HUDSON: Personally, I believe there's a fast way to do this through the council. I asked Myra about it a little bit earlier, and I think we could use a framework, potentially as a single action, to try to make this expedited, and I'm hoping it can be done soon.

MS. BROUWER: Right. This could be done through a regulatory amendment. We have two different speeds at which things can happen, and so a full plan amendment takes the longest, a regulatory amendment is kind of in the middle, and there is an expedited framework amendment process, but that can only be done to adjust fishing levels, and so your ABC and your ACL. This action would have to be done through a regulatory amendment, which still takes about a year.

MR. FEX: Any more discussion on the motion at hand? **Seeing none, all those in favor of the motion, twelve; those opposed. Seeing none, the motion passes.** Would anybody else like to make a motion or is there any other business?

MR. JOHNSON: I don't know if I need to make this in a motion form, and I know the council has heard about this before, but, in the black sea bass pot fishery, there were participants, myself and Scott and I think Mark Marhefka, that were put out mainly because we weren't participating at the level they deemed appropriate.

For me, mainly, it was because they changed the fishing year to June 1, and, at the time, I had a dual-permitted vessel, and so it didn't make sense to go black sea bass pot fishing in the middle of my charter season. What we really wanted, and I don't think the intent really got to the council, was our desire was not to get that trap endorsement back, transferable or saleable, but all we wanted was the opportunity to use it until we were done fishing, just to have on our vessel as a way, especially in light of these area closures being talked about again, to be able to participate in that fishery, and so that's what we were after.

We weren't wanting to -- I understand the council's concerns about some people bought into the fishery that lost their endorsement. I think Jack Cox lost his endorsement and ended up buying one, and I understand that, but we're not looking to sell something. We're not looking to do that. We're just looking, much like the 225 permit, when they gave the permit to somebody to allow them to participate, but, when they're gone, the permit is gone.

I know that myself and Scott have talked about this, and I am sure Mark is the same way. He had it as a tool in his box to fish. Some of us are fishermen and don't intend to go out. The only way I'm going to get out of this business is if the government puts me out. I'm in it for the long haul, and that's all I'm asking, that the council reconsider allowing -- We're not talking about many people. There were less than fifty participants, at the highest level, I think, and so you're only talking about affecting maybe a half-dozen people, maybe, and three of them are in this room.

DR. DUVAL: I would like to address that. Robert, the issue isn't really there's only a few people or someone might decide to sell or transfer their endorsement, because, at some point, everybody dies, and so there is going to be endorsements transferred that way. It was really more about right whales and the total number of vertical lines that we have in the water. That's the issue, and so we're still working on Regulatory Amendment 16, the final rule for that to publish. That's going to allow folks to be able to have a limited area within which they can fish in the winter with pots.

I think, if the council were to move down the road of reconsidering black sea bass pot endorsements, I think it's a no-win situation to try to get more lines in the water, basically. I don't want to raise people's expectations and have folks think that something like this is going to be easy to do or quick to do, because you can see how long it took us to get Regulatory Amendment 16, and that started back in 2013, and so it's been three-and-a-half years before this went through.

In order to allow for more participants in the pot fishery, you would have to go back and revisit probably the total allowable number of pots, which is thirty-five right now, amongst all the endorsement holders, and that would have to be reduced in order to allow for additional participants, and I know that nobody uses all thirty-five pots. There are a lot of folks who use ten or fifteen or twenty, and I think Kari did a profile of the black sea bass pot fishery last year, and

Mike Errigo has done a lot of analysis looking at the total number of pots that are used, but that's really the issue, and that would take a long time.

I am not saying that we can't do it, but we have an action that we have been trying to get moved forward for three-and-a-half years, and it's taken us this far, and it has been very difficult and very controversial, and so I guess I just want you guys to consider that, and I don't want you to think that the council is unaware that people were cut out of the use of that gear.

MR. JOHNSON: I understand that you're still waiting on the biological opinion, and that's on the whole fishery, and that opinion is determined by the number of allowable sea bass pots? There is other gear that -- All I'm asking, Michelle, is for consideration, and, if it sounds like sour grapes, it isn't. This council, or maybe not you, and you weren't on the council back then, but I was encouraged to get into the sea bass pot fishery, encouraged.

I bought into that fishery and spent the money and got the gear, because 17A was being considered, and that's why I just -- I can't get over it. I am thinking that you told me to do this, and then, a few years later, you snatch it out from underneath me, and so all I'm asking is -- I don't want to sell my -- That's another thing. It was pushed as we've got to have this to stay in business, and, as soon as you put that gear endorsement in, human nature takes over and, all of sudden, pop, this one is for sale and this one is for sale. It's the same guys that were crying they had to have it to make a living that sold it. Again, I just think the council really needs to consider that you're not talking about a large number of participants, and I'm not saying that you've got to do it right now, but, at some point, this really should be revisited, because there's three people in this room that it has affected.

DR. DUVAL: If we do it for black sea bass, we're going to have to do it for golden tilefish. It's going to be the whole system, and so I appreciate the fairness issue. I think that happens with any regulation that the council puts into place when you cut people out of that fishery. A January 1 start date on snowy grouper cuts out a whole slew of people in North Carolina that that was their fishery, and they can't fish for the species anymore, and similarly for blueline tilefish, and so it's not just limited to sea bass pot endorsements.

I think there is any -- I am not trying to argue with you, but I'm just trying to illustrate that there is winners and losers with any regulation, and I think this one is particularly difficult, because, if there is anyone who has had frustration about the, I think, unintended consequences of -- In order for us to get an increase in the annual catch limit, we had to implement this six-month closure that had a cascading series of consequences, and I think, had we been able to allow for that increase in the annual catch limit without implementing that closure that it wouldn't be a problem.

I think the council would be more than willing to go back and say, absolutely, we need to reconsider this endorsement program, but we are up against forces that we have absolutely no control over, and it's all about protected species at this point, and the biological opinion is not just about the number of lines in the water. It's any gear type in the snapper grouper fishery, and so I feel your frustration, but I just want you guys to -- I don't want to create false expectations. I'm a glass-half-empty kind of girl.

MR. JOHNSON: I appreciate all your points, but I remember when this discussion was going on, and that biological opinion, I made the comment that this is for the whole fishery, correct, and it

was, yes, it is. Basically, we were subjecting the whole snapper grouper fishery to a new biological opinion for the benefit of how many sea bass pot endorsement holders? Again, and it's not like the golden tilefish longline. There was no one that ever told somebody that, hey, go put some longline gear on your boat and you will be able to do that when we close this wide area.

That is why it bothers me, because I'm thinking, okay, you encouraged me to get into the fishery, and so I did. I did it all by the books, and then you changed the start date, so I wasn't able to qualify, due to one year of no landings, because I just didn't fish the last year, and so, anyway, I'm just throwing it out there. I understand there's always going to be winners and losers. We've heard all about this in this limited entry discussion, how people are going to benefit, but, I think, in this situation, its such a small group of people that you're talking about here. Thank you.

MR. MUNDEN: Although I am very sympathetic toward the fishermen who might have lost their ability to fish for black sea bass with pots, I must remind the advisory panel that I serve on the Atlantic Large Whale Take Reduction Team. As a team member, I would be very, very reluctant to support any move by this advisory panel or the council that would put more effort in the water that might endanger large whales.

MR. FEX: Would that be effort or more lines?

MR. MUNDEN: More lines would be the concern of the take reduction team, more gear.

MR. FEX: At the present time, under the current advisory of you guys, was it over a thousand lines that is allowed, under the new idea? Am I correct?

MR. MUNDEN: I don't follow you on that.

MR. FEX: We're just going through the issue with the lines being in the water, and I am under the impression that X amount of vessels times thirty-five traps equals up to over a thousand lines. That's all my question is.

MR. MUNDEN: That's my understanding, but, as a team member, we would be concerned about any additional effort. How that thousand lines is developed or spread out amount the industry, that would not be a great concern to me as a team member.

MR. FEX: Okay, and my point to that being that there was a limit to the amount of pots per vessel, and then they allowed fifty vessels to have twenty pots, that's still a thousand lines. That was my question, and it wasn't effort. The lines are either way.

MR. MUNDEN: Yes, that's my understanding.

MR. BUFF: I am not going to sit here and talk about what we've talked about for thirty minutes, but, at the end of the day, I've got a couple of guys that would like to fish for a couple of months out of the year, and this will put them to work for two more months, and I have said a hundred times in here that I am here for my guys. I am not here for myself. I don't have to fish, and I'm not being mean, but this is not a living for me full-time. I do this because I love it, but I have other entities that I work, and that's my job, but I am here for my guys.

I have one boat that this got took away from, just like Robert, only because we missed it by a thousand pounds for a couple of years, because we didn't participate as much. When I bought my permits and got into this exact one that I lost the endorsements, I specifically bought permits that had endorsements on them. At the time, that was just a little stamp. I feel like that there is something that was taken here that shouldn't have been took.

You guys, number one, didn't have the right to take it to start with. It was something that we had for insurance in our box, and you took that tool out of our box. Now that tool is more important than it was then, and that's why that tool wasn't used as much at that time, but, as I told Robert, if you go back to the permit holders that those permits had not been transferred, I bet you there is only maybe five, and I'm just guessing, that this would affect, and I would be even willing to -- Not to be able to lease the permit or sell them, and it's gone when I'm gone and it doesn't stay attached to anything at all, but I just want this for my guys to be able to go fishing. That's why I want this tool. That's pretty much what I've got.

MR. JOHNSON: Just one more comment. This all happened and then just, right after it happened, the ACL increased, and the whole reason we're going through this exercise of a biological opinion is they didn't catch the quota, and is that correct? It is? Did they catch it?

AP MEMBER: It's because of the whales.

MR. JOHNSON: No, I know the biological opinion is because of the whales.

DR. DUVAL: The biological opinion has nothing to do with the annual catch limit.

MR. JOHNSON: I know, but the black sea bass pot fishermen wanted that fishery opened up in the winter, right?

DR. DUVAL: Yes, because that's when the fish are more valuable.

MR. JOHNSON: Right, and I know that, but did they catch their ACL in the pot fishery this year?

DR. DUVAL: There is no ACL specifically dedicated to the pot fishery.

MR. JOHNSON: Did the black sea bass pot fishery get met?

DR. DUVAL: There is no ACL for the pot fishery.

MR. JOHNSON: Okay. Did the black sea bass ACL get met?

DR. DUVAL: No.

MR. JOHNSON: Okay. That's my point, and I am not here to argue with anybody, but the ACL got increased, and there's all these fish. At the same time, we did a restriction on the number of pots on the boats, okay, and an increase in the fish and we reduced the fishermen that were allowed to use pots and reduced their gear. Now we've got to have a winter fishery and put this biological opinion, which I am all for. I'm not trying to pick on any black sea bass pot fishermen here, but I see how it all went down. I was here. The fish were there to be caught, and you took some of the

fishermen away, and you took some of the gear away, and that's just really -- That's it. Thank you.

MR. FEX: All right. Do we have any more discussion of the motion at hand?

MR. JOHNSON: I didn't make a motion.

MR. FEX: Wow, with all of that discussion?

MR. JOHNSON: 32 percent of that ACL got harvested, and I know that's why we wanted to open the fishery in the winter, but I do know there's not -- Even though this AP did ask for a separate specific ACL for the hook-and-line portion of that black sea bass fishery, and I remember us making that motion as well, just like the golden tilefish fishery. You've got a longline fishery, and they opened this thing up in the wintertime, and they are going to get them. That's when they're there.

MR. LORENZ: Just for simple education, because I keep thinking of this with relationship to protected species and moving fisheries forward, but, in today's world, with the type of sonar we have that side scan and CHIRP and everything, is it really necessary to have lines for pot fishing?

MR. JOHNSON: Did you just say lines for pot fishing? What are you doing to do, dive down and grab them yourself?

MR. LORENZ: Grapple. I am no big expert, but don't they just grapple the pots for the golden crab fishery and grapple them?

AP MEMBER: They're on a trawl, yes.

MR. LORENZ: Okay. I was just wondering if there are other ways to do it that keeps vertical lines out of the water.

MR. HULL: You're just starting to -- You're opening it up, but, as Michelle said, this has been going on, and every possibility that you can think of has been discussed, and you can't put them on trawls, and you have to have a single line per trap and on and on and on and on, all of these things. In my opinion, Robert, I feel your pain, and I use an average a dozen traps, and I work them about every thirty minutes. That's how efficient the gear is, but that's me. The guys in North Carolina might do it different. They might need thirty-five pots, and I don't know, but I'm a day boat, and that's how I fish the gear.

I think that we need to get this -- Where we're at is we've tried to get it open, right? Let's have some success and let's make sure that we can get through without them saying that we entangled a right whale, and then I think we can come back to it and maybe start seeing how much gear people are using and see what happens to the ACL after that stock assessment and see what we've got left to work with, because, right now, we just need to get done what we've been trying to do for the last three years, and I don't think anyone doesn't think that we need to be working together with all of us fishermen to keep fishermen fishing.

That means helping you to get back into a fishery that you might need, and so I think that you can find something and you can find some way of adjusting. If we can have a thousand lines in the water, if that's the determination of the whale people, then we can say, okay, these guys don't need thirty-five pots. I'm just saying this is a possibility. We can have more fishermen using less lines, and that would equal what Kenny was trying to get to the point to with Red. I think that keep it on the burner, and let's try to get things going and see how it goes.

MR. STIGLITZ: Why can't you put them on trawls? I am asking the question.

MR. HULL: You would have to ask Protected Resources for that answer.

MR. STIGLITZ: I have got close to 7,000 traps on the bottom on trawls, and that's why I am asking that question. I've got them on the bottom on trawls.

MR. MUNDEN: One of the reasons that the take reduction team recommended limits as to the number of pots and the string on trawls is because some species of whales, particularly humpback whales, when they are feeding on the bottom, if they get that trawl line on either side of their head, that way, there is no way that that whale can -- The reason they're problematic for this area is because they pass through the Carolinas down to the Georgia/Florida border to their calving grounds. They pass through basically in late winter or early spring, the very time when the fishermen were wanting to set black sea bass pots, and so that's the whole reason. It's the migration pattern of the right whales to the calving grounds and then back up north, when oftentimes they have a small calf with them.

MR. STIGLITZ: On my pot gear, I don't use floating rope. Every inch of it lays right flat down on the bottom. It's safer than any up-and-down. I catch nothing in it. We absolutely catch nothing in that trawl rope, because the snoods are sinking rope and the main line is sinking rope. The whole bit of that trawl -- The only thing is the State of Florida makes me put a buoy on each end of it. If it wasn't for the State of Florida saying I've got to put a buoy on each end of it, I wouldn't even put a buoy on it. I can run out there with the electronics that I've got today and I can put that trawl right down the middle of this aisle right here in fifty-foot of water and go right against that wall and grapple it up like that and go to work. I am just letting you know that that's how the technology is on trawls, and so it's something that you might be thinking about to work with.

MR. JOHNSON: Mr. Chairman, this is a question for Michelle. When are we going to know when that biological opinion is done? When will we have an answer? It's not going to be by the opening, because that was --

DR. DUVAL: That's what we're waiting on. That's what the Regional Office is waiting on. That's what Headquarters is waiting on, in terms of being able to publish the final rule. The comment period for the proposed rule ended on September 27 or 22 or something like that, and so, until the biological opinion has been completed and signed -- That's what we're waiting on, and so, we're hoping that by mid-November the final rule will be published that would allow for -- This is limited fishing, guys.

Like off of the Carolinas, during the months of November and April, you can't be inshore of twenty-five meters, and, during the remaining months of December, January, February, and March, you can't be fishing inside of thirty meters, and then it's a little bit different off the coast

of Georgia and Florida. That's bottom that has been taken away as well, and so we're waiting on the opinion.

MR. JOHNSON: Thank you.

MR. FEX: All right. Any other business?

MR. BROWN: I have a meeting tomorrow, and so I decided to come early, and so thank you. With regards to the vermillion closure and the amberjack closure, and I'm not speaking on behalf of the Regional Office, but there's about 85,000 pounds of amberjack left to catch and closer to 30,000 pounds of the b-liners, and so the reasoning -- There was some dealer reporting and some of those that were affected by the storm, to where the dealers could not report, and so, in talking to Jack McGovern at the Regional Office, that was the reasoning. I don't know if they're going to decide if that's sufficient to reopen the fishery for a short amount of time or not, and I just wanted to let you know that that's all I know. Thank you.

MR. FEX: All right. Any other business? Here's your chance.

MR. MOSS: I will just carry on what Don DeMaria has been talking about for a while, and, Robert and Robert, I'm sure you're going to be on my side, but I would ask the council to look at, once again, South Florida and having its own kind of management area, if you would.

MR. FEX: Second by Robert.

DR. KELLISON: David, where would that start?

MR. MOSS: That would be something that I guess, if we actually finally got the ball rolling on that that we could really look, but I'm guessing probably around the Jupiter or St. Lucie area would be the northern boundary of that, somewhere in there, and I'm sure there's a latitude line that we could use as the delineation for that. People smarter than me can figure that out.

MR. FEX: I see a lot of rationale. We have kicked this to the council a bunch of times, and, as we sat here just the other day and managed yellowtail and mutton, and we're not catchers of it, and so there's a lot of logic to that, and hopefully we can try to work our way that way, definitely.

MR. HUDSON: David, would that have to include the Gulf Council and what they tried to do before?

MR. MOSS: I don't know that it would. I know that it was discussed, and I was down there for the joint meetings, whenever that was, last year or two years, and I don't remember when that was, but when they were talking about that. I don't have the answer to that, I guess. I know that the line of demarcation there, it didn't seem to affect the Gulf guys as much. It's almost like the Gulf guys kind of stayed on their side of the playground, so to speak, and the Atlantic guys stayed south of there, and not too many of the Gulf fishermen came down, and so I guess there would probably be some input, but I think we could probably keep that line where the Gulf and the Atlantic meet at what it was or what it is, and I know it will get tricky.

MR. HUDSON: The Dade-Monroe County line has been used for a lot of different species, as far as on the east coast, and one of the things in an analysis that I had to do recently on black grouper showed something that occurred in the South Atlantic region where, if you look at the annual landings system, it has our black grouper drop down to a very small amount in the South Atlantic.

Over in the Gulf, they had implemented an IFQ system that included the black grouper, and so it was a strange phenomenon, but, whenever I used the historical landings off the SERO website, it was much more informative to what actually went on in the South Atlantic, so I know that, when I fished down there, I fished between Rebecca Shoals and the Tortugas, on the north side and the south side and the east and west, and it made a difference, as far as the fishing was just good all the way through that region, and so it's not like you see a line. You have to know where the line is, and I think some of that has changed, but, anyway, I know they did a lot of work with that committee, for the South Florida stuff, and to build on that would be a good thing, I think, because it keeps going around the table a lot about the differences.

MR. MOSS: Just to piggyback on that, and Manny could probably speak to this, but I know a lot of the guys that fish west, in that direction, they typically don't go that far -- Not always, but they typically don't go that far north. Then, even north of there, there's almost like a -- The guys who come down from like the Fort Myers and Naples areas tend not to go that far south. They tend to go directly west, and so I don't know what the line of demarcation would be. I know that like even hogfish have two different stocks in that neck of the woods, and so there's such a weird variety of challenges. Like, where I live, most of the snapper grouper fishing is in state waters. If you go more than ten miles out, you're starting to get the real deepwater stuff.

MR. HERRERA: You have to include the Gulf, because, unfortunately, the Gulf has a stake down there, and so the Gulf would have to be willing to give things, just like the Atlantic, to give us our own management region. All I've ever heard is that would take an act of Congress, and that's all I've ever heard on that, because I've asked for it plenty, believe me. It's a challenge to come up here and do this that we're doing.

MR. JOHNSON: I believe the issue last time was they tried to sort of give it to the state of Florida, and the commercial fishermen were really hesitant to let that happen, which I can understand after the net ban and some of the other constitutional things that have happened in Florida commercially, and so, in a perfect world, it would go around to the Gulf side, and it would take an act of Congress, but maybe we can get Congress to actually do something. You never know.

MR. MOSS: Obviously I would like to keep the management with Magnuson, on the federal level, and that's nothing against -- I just want to be able to participate in it, and I know that, like as you get further south, into the Keys, and west into the Keys, some of those -- That snapper grouper fishery does go beyond the three miles. Really, it's kind of up by me and a little bit north of me is where a lot of it is in tight, but, even around Dade County, you've got to go out further than three miles, and so I would like to keep the management at the federal level, but just separate it out, like I said, because we just have our own -- It's our own world down there.

MR. FEX: I will note that that was one of the reasons that Bill Kelly wasn't fond of it, was because of the history with Florida taking over management of it.

MR. JOHNSON: I know it would be messy at first, and I know it's not going to happen next week, but we've talked about a stamp for about eight years now, and I think we might actually get some movement on it, and so I think we do need to keep questioning it and keep hammering it home and trying to get some movement, because it would really simplify management a lot if it was a stand-alone area with its own separate management zone.

MR. FEX: All right. We have a motion at hand. Are all the questions done? **All those in favor, raise your hand, thirteen; all those opposed, raise your hand. Seeing none, the motion passes unanimously.**

I will reiterate your point with the stamp, but the SSC did make their comment about better identifying the user group of the snapper grouper fishery. Thank you. All right. Any more to go? All right. Thank you to the committee members.

DR. DUVAL: I just want to thank all of you guys around the table for giving up days of work to be here, I know especially for folks who are still having to deal with Matthew cleanup. I appreciate all the thought that you guys put into the discussion and the hammering home of continual motions that you put before the council. The makeup of the council changes just like the makeup of this body, and so I appreciate the vigorous discussion that is had around certain topics, and I encourage you guys to remain engaged and involved as we try to tackle some of these issues, and so thank you very much, and I appreciate everything. Mr. Chairman, fine job keeping everybody on track.

MR. FEX: Thank you, guys. All right. I hope to see you next time, and I will take your motions to the council.

(Whereupon, the meeting was adjourned on November 1, 2016.)

Certified By: _____ Date: _____

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