

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SNAPPER GROUPER COMMITTEE**

**Doubletree by Hilton Oceanfront Hotel  
Atlantic Beach, North Carolina**

**December 8-9, 2015**

### **TUESDAY MORNING SESSION**

#### **SUMMARY MINUTES**

#### **COMMITTEE MEMBERS:**

Dr. Michelle Duval, Chair  
Anna Beckwith  
Zack Bowen  
Mark Brown  
Jack Cox  
Ben Hartig  
Charlie Phillips

Jessica McCawley, Vice Chair  
Mel Bell  
Chester Brewer  
Chris Conklin  
Dr. Roy Crabtree  
Doug Haymans

#### **COUNCIL MEMBERS:**

Robert Beal  
LTJG Tara Pray

Dr. Wilson Laney

#### **COUNCIL STAFF:**

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

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

#### **PARTICIPANTS/OBSERVERS:**

Kevin Anson  
Dr. Bonnie Ponwith  
Mac Currin  
Erika Burgess  
Dr. Luiz Barbieri  
Scott Sandorf  
Dr. Erik Williams  
Pres Pate

Dr. Jack McGovern  
Monica Smit-Brunello  
Dr. Louis Daniel  
Dr. Nick Farmer  
Jim Atack  
Tracy Dunn  
Dr. Tonya Darden  
Red Munden

Additional observers attached

The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened in the Doubletree by Hilton Oceanfront Hotel, Tuesday morning, December 8, 2015, and was called to order at 11:30 o'clock a.m. by Chairmen Michelle Duval.

DR. DUVAL: Thank you to Mr. Haymans for providing us some extra time. I'm going to ask that folks give me a little bit of latitude to shift things around here on the agenda. Two of our sort of usual reports that we get, one from the Scientific and Statistical Committee and one from the Snapper Grouper Advisory Panel Chairs, neither Dr. Barbieri nor Mr. Attack are here yet.

I don't think they were expecting us to start until after lunch. It is only a two hour drive for Jim, and I imagine Luis is potentially in the air somewhere. What I'm going to suggest we do, and I think this will make some folks very happy, is to take Agenda Item Number 14, which is addressing red snapper and discussion of Amendment 43, and we're going to move that up on the agenda; once we go through our status of commercial and recreational catches, and status of amendments under formal review.

While we may not finish that agenda topic, that will certainly take us until probably a normal lunchtime adjournment. If everyone is okay with that we'll proceed in that fashion. With those modifications, are there any other items or modifications to the agenda? Seeing none; the agenda stands approved.

Are there any modifications to our minutes from our 2015 September meeting? I did just note one typo, I believe on Page 35, Mr. Bowen is credited with having asked Dr. Bowen a question about the access point intercept survey, and I believe that was probably Dr. Ponwith. But we're happy to give you an honorary degree, Zack; a Ph.D in knowledge. All right, seeing no other modifications, the minutes are approved, so I'm going to turn things over to Dr. McGovern to take us through the status of at least commercial landings.

DR. MCGOVERN: Thank you, Madam Chair. We get landings every Friday from the Science Center, so what I have presented here is an update to what is in the briefing book. These are a landings update that we got last Friday from the Science Center and it has commercial landings through December 3rd.

What I've done here, as in previous meetings, is to compare the current landings to a similar timeframe in the previous years. It shows the current ACL and also the ACL last year. Some of the ACLs have changed because of Amendment 29, Regulatory Amendment 22 and Regulatory Amendment 20; which changed for a number of different species. I'll highlight a few of these. Black grouper were at 79 percent of the quota, and the landings are very similar to what they were last year. Black sea bass is at 43 percent. The deepwater complex is at 12 percent, and landings are less than they were at this time last year. Blueline tilefish, Amendment 32 reduced the ACL; that was from a temporary rule from about 112,000 to about 18,000 pounds.

We closed blueline tilefish shortly after Amendment 32 became effective, and we were at 74 percent of the old ACL. Because it was decreased by such a large amount, we're now way over the new ACL. Gag, the ACL for gag decreased through Regulatory Amendment 22 in September, from about 327,000 to 295,000, and we are at 86 percent of the new quota, and landings are less than they were last year.

Golden tilefish longline closed in February, and we met 85 percent of that quota. Golden tilefish hook and line closed today. We're 3 percent over. Gray triggerfish, this is another species the ACL increased for gray triggerfish. It increased from 272,000 about to a total of 312,000. We reopened gray triggerfish on July 1st, so there was a second season, and there will be now split seasons for gray triggerfish. In the second season the ACL was 64,000 and we exceeded that by 50 percent.

Starting next year there will be two quotas for gray triggerfish, two seasons, and there will be about 156,000 pounds for each season. Jacks, the jack complex we closed in June, we were 32 percent over that. Hogfish, we're at 62 percent of that ACL. Red grouper landings are a good bit lower than last year, we're at 19 percent of that ACL.

Red porgy at 81 percent, we met 92 percent of the red porgy ACL last year. Scamp and grouper landings are a little bit less than they were last year. Snowy grouper is another species that the ACL changed. The ACL was increased from 82,900 to 115,000. We closed in June, because the old ACL was met, and then we reopened it in August and closed it in September, and we exceeded that ACL by 17 percent.

Yellowtail snapper, we closed that in October and we're 6 percent over the yellowtail snapper ACL, and we know that landings were higher than last year. Greater amberjack, the fishing year is from March through February. We're at 90 percent of that ACL. There is a chance we may need to close before the end of the fishing year. Vermilion snapper, the second season was closed on September 22, and we exceeded that by 18 percent.

DR. DUVAL: Any questions for Jack on the landings?

MR. COX: I just want to make a comment. Our red grouper ACL is just about half below where it was last year, which is kind of alarming, and it is not because of lack of effort. We tried to catch these fish and they're just not there. I also want to note that the North Carolina SMZ first site is right in the heart of where these red groupers are, so that is why we've got the support we've got for it.

MR. BOWEN: Dr. McGovern, can you elaborate, maybe, what's the deal with the 43 percent on the sea bass? Did that fishing year change? Can you elaborate a little bit?

DR. McGOVERN: The fishing year did change; it is now January through the end of the year. The landings are less than they were. The previous fishing year was started in June and went until May. We almost met that whole ACL. I don't know why they are less than they were in previous years. I expect they'll go up when we put Regulatory Amendment 16 in place, if we implement Regulatory Amendment 16.

MR. BOWEN: The 43 percent that is caught now goes from January 1 of 2015 up until December 8?

DR. McGOVERN: That's right.

DR. DUVAL: I can probably add a little bit to this. Recall, also, when Regulatory Amendment 14 changed the fishing year and implemented a different trip limit, so from January through April we have a 300 pound commercial trip limit for that species. The previous fishing year,

when we were still June 1 through May, it was still the thousand pounds during that January through April timeframe. That is one thing to take into consideration.

The other thing is that I've certainly got some unhappy phone calls about how the weather at the end of October was pretty ugly, so folks weren't able to get out with their pots before the pot season closed. You all have probably seen a few e-mails to that effect as well. That may have certainly played a role in it.

MR. BOWEN: I would also like to just make a note of concern, and I've said it before; June last year in Florida I mentioned it. Scamp grouper is a voice of concern. I think the effort is there; I just don't think the fish are there.

DR. DUVAL: Duly noted.

MR. CONKLIN: I just wanted as we go into talking about Amendment 37 and trying to maybe pick some options for trip limits on hogfish, to note that a coast wide with a 49,000 pound ACL; we've only harvested 62 percent of that ACL. That is without a trip limit and that is throughout the entire range of the stocks.

DR. DUVAL: Good eyes, any other questions for Dr. McGovern? Are you also going to go over the recreational?

DR. MCGOVERN: Yes, I am. I'll go over the recreational. Nick Farmer was going to do this but he is en route right now. This is a presentation that is put together by our data branch and also by Dr. Ponwith's staff. The landings for 2015 are preliminary, they are through Wave 4. Then this includes headboat landings as well as the MRIP landings.

First, I'll show some of the 2014 landings. The landings include final landings for the 2014 year, and also for the commercial data, some of these ACLs have changed from 2014 to 2015. I'll highlight some things here. Gray triggerfish in 2014 was exceeded, and we closed it in November.

The hogfish ACL was also exceeded, and accountability measure is that if it is exceeded in one year; then you look to see the following year if those high landings persist; and then you close or shorten the season in the following year and we'll see that's what happened. Porgies were over by 20 percent, red porgy 39 percent, the snapper complex and snowy grouper exceeded its ACL. Snowy grouper is another species that the ACL increased from 523 fish to, I think, 3,019 fish. Looking at 2015 you see like the ACL for Atlantic spadefish is much higher. Blueline tilefish, as I mentioned, Amendment 32 became effective at the end of March, and it decreased the ACL for blueline tilefish.

These are data through Wave 4, and it includes headboat data. We were 53 percent of the old ACL, but we're way over the new ACL. Golden tilefish has an in-season closure. We closed it in August and we're over the ACL. Hogfish, we closed in August and we had very high landings for hogfish from the recreational sector.

Snowy grouper, the ACL increased from 523 fish to 4,152 fish and we're 32 percent of that. Snowy grouper now has a fishing season May through August, with a one fish per vessel bag

limit. Yellowtail snapper is at 36 percent. These are another couple species, greater amberjack last year was at 74 percent of its ACL, and black sea bass 39 percent.

These are the previous year's landings for that. This shows the landings by sector for charter headboat, private, and shore and then the next slide graphically shows that. Charterboats, the blue, headboats the pink or red, and then private is green. It shows MRIP effort and also headboat effort. This is the ACL for black sea bass and we can see that we're well below the ACL for black sea bass, and most of the catch is the private sector.

Gag, the ACL decreased slightly for gag with Regulatory Amendment 22 being effective in September. We're well below the ACL in each year. For greater amberjack, the ACL was not exceeded in the last two fishing years and we can see that the charterboat and the private sectors dominate catch for this species. Mutton snapper, ACL has not been met since it was put into place and most of the catch is from the private sector.

Yellowtail snapper, the ACL has not been met for this species. We're well below the recreational ACL for yellowtail snapper. Red porgy, again below the ACL for this species, vermilion snapper, we came close to meeting the ACL in 2014, and these are landings through Wave 4 this year. Snowy grouper, see that the increase in the ACL right here, it was that last year. Golden tilefish, we've closed golden tilefish this year recreational.

DR. DUVAL: Chester, I saw you with your hand up. Don't forget to use your microphone once you get there.

MR. BREWER: On jacks, but these are preliminary landings and ACL for jacks showing 330 percentage of the ACL, in other words, over by 230 percent? Is that a misprint?

DR. McGOVERN: That is not a misprint, I don't believe. I'll double check it though. It is on our website, and I'll check.

DR. DUVAL: The ACL is 267,000 but the landings are 98,000 pounds. We're under the ACL.

DR. McGOVERN: Oh, I see. I was looking at hogfish. No, that must be a typo, because it's the same as hogfish. I'll check our website and tell you what it is.

DR. DUVAL: Other questions or comments on the recreational landings? I'll just remind the committee that we did send in a letter to the MRIP folks, asking about the 2015 hogfish landings. We just got a response e-mailed back to us; I believe it was yesterday, looking at the findings of folks. It looked like the percentages of or the trend in spearfishing trips, and that this appears to have increased over time in Florida.

There is some discussion in that letter about, and this was e-mailed to everyone from Mike Collins. There is some discussion in the letter about spearfishing trips ending before 4:00 o'clock p.m. made up 87 percent of the total intercepted spearfishing trips, and those ending later accounted for the remainder. But that number has changed since 2013 and 2013 is when the new Angler Point Access Intercept Survey methodology went into place.

Clearly, it looks like that was one of the things that have impacted those landings. The recommendation was, based on their investigation, that potentially looking at use of a calibrated

time series of hogfish landings, and that could potentially address the effects of the 2013 Access Intercept Survey change. As part of that recommendation, they note that this calibration could result in an increase in hogfish landings prior to 2013.

That might put the 2014 and 2015 landings in a bit more context. I think the final note is that none of those findings indicated a problem that would require revising the survey data or the estimates for 2014 and 2015, but they note that it is clear that the wave level landings estimates for hogfish in the South Atlantic Region are highly imprecise in general with PSEs frequently well over 50 percent.

Then they also provide a number of alternative approaches that could help improve the precision of those estimates. The SSC received a presentation on that. That is another agenda item for us a little bit later on that I think John Carmichael is going to go over, is those options. I don't want to get into a huge detailed discussion here about that. But I did want to call to the committee's attention that fact that we made this request. The folks up at MRIP have looked at this, and they've made some suggestions.

I just read the letter myself yesterday, so I apologize for the somewhat halting synopsis that I've just given. I did want to note that and I'm sure we may get into this a little bit more as we discuss Snapper Grouper Amendment 37. Any other questions or comments on the status of recreational landings, okay seeing none; we'll move on. Jack, are you also going to give us an update on the status of amendments?

DR. McGOVERN: Yes, Madam Chair. I'll talk about several amendments. Amendment 33 is included with Dolphin Wahoo 7 to allow fillets of dolphin wahoo to be lawfully harvested in the Bahamas and brought into the U.S. EEZ. It requires skin to be intact on the fillets of dolphin wahoo and snapper groupers that are lawfully harvested in the Bahamas.

This specifies the number of fillets that equate to a fish that can be brought into the U.S. The amendment was submitted for secretarial review on May 1st by the council, the Notice of Availability published on September 17th, and the comment period ended on November 16th. The Proposed Rule published on October 7th, and the comment period ended on November 6th. The Final Rule package is in the region and we expect it to go to headquarters this week. Amendment 34 is included with dolphin wahoo Amendment 8 and the Generic AM and Dolphin Allocation Amendment. This amendment revises the AMs for a number of snapper grouper species and golden crab. It also changes the sector allocations for dolphin and increases the commercial ACL for dolphin. The amendment was submitted for secretarial review on February 27th, the Notice of Availability published in the Federal Register on July 15th, and the comment period ended on September 14th.

The proposed rule published on September 29th and the comment period ended on October 29th, and the Final Rule package is expected to go to headquarters today. Amendment 35 would remove black snapper, mahogany snapper, dog snapper, and schoolmaster from the snapper grouper FMP.

It would revise the regulations for golden tilefish longline endorsement to indicate that vessels that have a valid or renewable golden tilefish longline endorsement any time during the golden tilefish fishing year, are not eligible to fish for golden tilefish using hook and line gear under the

500 pound gutted weight hook and line trip limit. The council approved this at their June, 2015 meeting and the Proposed Rule package is under review in the Region.

The blueline tilefish emergency rule request, on October 23rd of this year a letter was sent from Dr. Crabtree to Dr. Duval to inform the South Atlantic Council that NOAA Fisheries is not implementing the South Atlantic Council's May 6, 2015 emergency action request for 100 pound whole weight commercial trip limit of one fish per vessel per day recreational bag limit from May through June, and accountability measures for blueline tilefish; which would be the same as for the greater Atlantic Region, which was the same as what was implemented in Amendment 32. Rationale for that is in the letter that was sent to Dr. Duval.

DR. DUVAL: Any questions for Jack about the status of our amendments right now? All right; seeing none; then we will move on to our next agenda items, which as I mentioned we have moved up Item Number 14, how to address red snapper. I'm going to ask Gregg Waugh to come on up to the table and walk us through that. I don't believe that there is an attachment for this, am I correct in that?

MR. WAUGH: That's correct. If you look at the bottom of Page 3 in your overview, and Myra will pull that up. There is a short paragraph outlining where we are. Again, Amendment 43, we've received guidance that we can remove the current process to determine whether there is an open season. We can remove the current closure, and we can specify the new assessment information, catch levels and management measures all in one amendment.

We weren't sure we were going to be able to do that but we've received guidance that we can. Amendment 43 will address red snapper. The timing is April 2016. The assessment results should be available. That is fully reviewed. We'll have some indication at our March meeting that we can begin talking about.

May, our SSC will review that assessment. June, the committee and council will review the assessment and provide guidance to staff. Our initial thoughts were that at the March meeting we would get some guidance from you all in terms of broad brush that you want to look at. At our last meeting we had some alternatives for adaptive management. We talked about that a little bit, not a lot. But you'll remember that we're basically with our level of discards, we're discarding approximately what we anticipate the available harvest would be. We hope to get out of the assessment landings, an ABC based on landings that accounts for the discards. We'll just have to see what that value is; but so we can hit the ground running there was some interest expressed that we begin those discussions here.

Give us some guidance; do you want to look at a fixed season, a short season with a potentially higher catch allowance, bag limit or a longer season with a much lower bag limit to give staff some guidance on what types of approaches you want analyzed so that we can begin doing some of the background work?

Then again at the March meeting we'll have some initial guidance on what is coming out of the assessment. You can give us further guidance there, and then, of course, by June we'll know we'll have the full review of the assessment and know exactly what we're dealing with.

DR. DUVAL: Gregg has outlined the timeline.

MR. HAYMANS: I was one that was pleading with Gregg, if at all possible, let's get started on this, because who knows where delays may be. In our discussions, my personal feeling is I would like to see a small catch limit and a lengthened season.

But I also want, as well as talking about this new Amendment 43, to address SEDAR 41 for a moment, once we talk about 43. Anyway, my preference is for a smaller bag limit and a longer season. It also helps, I think, with MRIP picking them up. We've got the issues with those really short weekend seasons and it having a hard time picking up through MRIP.

MR. BOWEN: I agree with Doug with the smaller bag limits and extended season. My question, I guess, is to Gregg. Are you asking us for some guidance on setting those, coming up with some limits or some regulations before we get the results now, before we get the results of SEDAR 41; just some ideas? Is that what you're asking for?

MR. WAUGH: That's correct. Again, remember, our suggestion was to wait until March, but there is interest on beginning that discussion now; so some broad ideas so that we know what to look at. Do we analyze a one fish bag limit, a two fish bag limit and see what length of season that would likely give us, or is it more important to match a MRIP Wave and say, pick a Wave and what would the bag limit have to be to keep harvest at some yet-to-be-determined level.

MR. BOWEN: We have a per-person or a per-boat limit is even an option?

MR. WAUGH: That's correct. Doug's interest in surfacing this now is to give us guidance so that we can start doing some work between now and the March meeting, so that we can perhaps bring some more detail to you in March and get further guidance then.

MR. BOWEN: I'm as eager as anyone, including Doug, to put something on the table. I just feel genuinely that we're putting the cart before the horse. But if we're anxious and everybody wants to do this, then I'm definitely onboard, as well. But cart before the horse without the assessment results, really to me.

DR. DUVAL: Definitely appreciate that. I think there is a lot of public interest, especially since we did not have a season this past year; if the assessment results allow for it, being able to do something that provides a bit more access. I have Mark and then Bonnie.

MR. BROWN: Can I yield to Bonnie first? I would rather hear what she has to say.

DR. DUVAL: Of course.

DR. PONWITH: Certainly, you want to be sensitive to making management plans before the results are over, but I'm not troubled at all by having broad discussions, as Gregg has suggested, as sort of a general philosophy for that fishery. I think that is smart to have those discussions, thinking from just a scenario planning standpoint.

In the interest of that approach, I would say that just from a science standpoint, if you organize a fishery, if a fishery is possible based on those results to fit and reside within one Wave, as opposed to potentially straddling two; a portion in one half and another portion in another half. You do get better statistical precision within MRIP. I know that may not be the driving force for



making decisions about how to set up a fishery if it turns out to be possible. But it is something to take into consideration.

DR. DUVAL: Mark, did you want to go ahead and say something?

MR. BROWN: From my perspective, to start on the very lower end with like one fish per person rather than having like a one fish per boat, one would be better for me. But I wanted to ask Gregg a question too. Would it be beneficial possibly on changing the fishing year start date on that too, or would there even be a consideration? It would be such a short season I guess you wouldn't have to worry about that.

MR. WAUGH: I think until we see the assessment, we won't know. But I think your fishing year; right now is the calendar year; that is how the assessment is done. In terms of this first time around, I think we'll be focusing on a relatively short opening; perhaps as much as a Wave, which would be two months. What your fishing year is in that type of scenario isn't as important. It might be down the road.

MR. HAYMANS: To Zack's point. I don't think that this is necessarily the cart before the horse. It is not wasted effort. Even if the assessment comes back with less than favorable results, we've done a lot of groundwork for the future. Then for additional direction for Gregg, I like the fact that we didn't have a size limit on the previous go round. I think that is going to aid us in bycatch and mortality.

There was another point. I should have written it down about length of season. The point was the fact that as we develop as you're building this, I'm hoping that this new amendment is capable of capturing increases in ACLs that we don't have to come back to another amendment. There are enough options within this that we can change those measures as we go forward; in other words, the framework is built within the amendment.

MR. WAUGH: Yes, the framework that we have in place now can handle adjustments to ACLs very quickly. I don't think we've used it yet, because in every instance we've wanted to tweak the management measures, as well. But if we get an updated assessment and just need to adjust the ACL, we have an abbreviated framework that can be used very quickly. You may be also referring – you want to make sure we have enough of a range of alternatives within this amendment so that we don't run into any delays; and we can ensure that.

MR. BOWEN: A couple things that I would like for everybody just to keep in mind when we're going through this. Back when Amendment 28 - the council had a meeting in, I think it was Wilmington, North Carolina, and at the time when that went through, I was Vice-Chair of the Snapper Grouper AP.

I went before the council and asked/begged them to make that mini season later in the year, because the primary spawn was in June/July. The council didn't do that. Some of their responses were, well we want people to have access to the fish and be able to go catch them in the summertime when it is nice and the weather is better and kids are out of school.

That's what they went with; now we've exceeded the ACL, so we didn't have a season last year. I would like for everybody to consider a later part of the year. Yes, the weather is a little more

iffy, but the spawning for the majority of the fish are over later in the fall. As far as to Doug's point with no minimum size limit, I respectfully disagree.

I think a 20 inch minimum size limit is what we need. These smaller fish are less likely to die when you discard them, and we need to put those fish back in the water properly. I know the bigger fish, the ones over 34, 35 inches are the ones that don't survive. I feel like I've mastered the technique on discarding snapper.

I've discarded a lot of them, and from what I see, the smaller fish have a better chance of living. They seem to swim down to the bottom or out of eyesight a lot quicker than the larger fish. I guess what I'm asking is later season, not June/July to protect the spawning fish, and really to not give it as much effort. Yes, we'll have a season, but if people want to go catch them, they'll go when the season's open. Those are the two points I would like to make.

MS. BECKWITH: Zack, first to your point. One of the reasons we exceeded the ACL is because of the discards, which I guess setting a later season, I don't know that won't reduce discards, you'll still have all the discards of red snapper during that June, July, August season.

MR. BOWEN: It just reduces effort in my opinion, but I agree with you.

MS. BECKWITH: Right and just a little bit of background. When we made those choices for June/July we had two base reasons for them. We were hoping to collect some of the gonad information for red snapper for the future assessment, and we wanted to make sure at the time that it was open when black sea bass was open, which it was still closing back then so that is not as much of an issue anymore.

If we wanted to do a later season, then it would be September/October to sort of maintain it within that Wave. That is certainly a discussion. That was one of the points I was going to bring up that we sort of need to make a decision on what seasonality we want; because it will impact the analysis. In terms of sort of bag limits and stuff, my preference would be of course one per person for the longest amount of time, but if we had to move away from that, then a per boat limit that would allow at least one full Wave, ideally two Waves would be best. Let me see if I have anything else. I think that's it for now.

MR. HARTIG: Yes, similar to Zack, I'm getting a relatively high number of people that are saying, what are you doing opening it in the spawning season? I continue to get those comments every year. That is just something we need to talk about and hopefully deal with.

MR. BROWN: Yes, I think that there was some basis though for opening it during that time of year for the fecundity studies. But now I think that we've probably gotten beyond that to where we can start looking at having the season at a different time.

DR. DUVAL: Okay, so I think what I've heard is folks would prefer a longer season with a smaller bag limit, smaller catch allowance. Bonnie has brought up the point to please consider keeping harvest within at least an MRIP Wave to aid in the statistics. There has been a suggestion to also look at a boat limit versus a bag limit.

We've heard support for having a 20-inch size limit. We've heard support for no size limit, avoiding the spawning season in June and July, and then also support for one fish per person for

the longest period of time. Those were the things that I had. I didn't know if there was anything folks want to throw out on the commercial end.

MR. COX: I think this is certainly healthy conversation, because we are very confident we're going to have a favorable assessment come out, and we will be catching these fish this season. I would certainly support a 20-inch size limit. I'm not quite sure when these fish are spawning, but we definitely need to protect that spawning season closure. I think it is going to be a bycatch fishery.

We can go out there and target these things; we can catch sometimes 75 or 80 of them in a day; day boat fishing. But it would be nice to keep these bigger fish when we're in the deep water. These fish are hearty. They live well, I mean they do. If we're in less than 100 feet of water they go down without any problem at all with the proper venting techniques. I don't know, I would just like to generate a little bit of conversation with some of the other commercial folks, you know 50 pound, 100 pound trip limit; somewhere in that range.

MR. PHILLIPS: When we were still open, I was packing quite a bit of fish that were still spawning in August. We want to stay away from spawning, especially on the commercial end or even the recreational end. We're going to need to open after August, whatever trip limit it is, 50 pounds, 75 pounds, I would probably be leaning over up towards the 75 pounds or something; maybe just trip limit options, 50, 100, 75 and stuff like that.

MR. BELL: I was just curious. Is this a species that has latitudinally a lot of range in the spawning time? In other words, does it spawn sooner down south and later, or do we know, or is it just all at the same time?

DR. DUVAL: A bigger brain than mine needs to answer that.

MR. BROWN: It's about the same timeframe all up and down the coast, they seem like this is one slot, and then they just do their thing.

MR. BOWEN: I'm recalling from memory, but I think the allocation split is 87/13, is that right, recreational and commercial?

DR. DUVAL: I believe so. Well, hang on. I have the Excel Sheet right in front of me so I just need to –

MR. BOWEN: Again, that is from memory, but my point was that the ACL is going to be so small if it's 13 percent for the commercial side.

DR. DUVAL: It is 28 percent commercial, 71 percent recreational.

MR. BOWEN: Okay. There are not going to be a whole lot of pounds there, so I don't know that 75 pounds, especially if it is just a bycatch fishery for you.

MR. PHILLIPS: No they're going to target those three fish.

DR. DUVAL: Just to remind folks that I believe during what was put in place in Amendment 28 was the 75 pound limit. I think the first year when we did this through emergency rule; we had a

50 pound limit. The commercial sector did not harvest all of their allocation so we went with a 75 pound limit in Amendment 28. I think probably considering a range up to 100 pound is a reasonable idea.

MR. CONKLIN: I couldn't support making any kind of decision on trip limit recommendations until we get the results of the assessment; it just doesn't make any sense to me. What if we come up with this range of alternatives and we're allocated more fish than we thought and we can't catch them or something like that? Even though that is probably not going to happen, but I'm not prepared to start putting numbers up and stuff until I see the results of the assessment.

DR. DUVAL: Well, I certainly think we don't want to do anything above what is already contained within Amendment 28 within our current structure right now. Are there other sorts of design elements that folks want to throw out there?

MR. BROWN: Well, I guess a lot of it is going to hinge on this next week too. I've been talking to Jack quite a bit about Amendment 28 and the discard ratio and everything. Rick DeVictor actually talked to me when I was up in Maryland at the ACCSP meeting, and there was something that they were in discussion about with making some adjustments to that because of the way it was based off of SEDAR 24. I guess everything is going to be hinged off of what we come out with from this. I'm just hoping that it can be adjusted in a favorable manner.

DR. DUVAL: I think we're all hoping for that. Zack, we're going to give you the final word here.

MR. BOWEN: To keep it broad, there is one way we could get rid of not having discards; we could have a fishing season. I know its geographical range is broad, and this is just food for thought, Georgia/Florida line to North Carolina border April through October, and then from November 1st to the end of March no fishing means no discards; no bottom fishing for snapper grouper species. That means you have no discards; food for thought.

DR. DUVAL: All right, food for indigestion on the part of some, probably. If there are no other suggestions with regard to this agenda item I'm going to suggest that we recess for lunch. I have 12:10 on my clock. If we can come back and be ready to go at 1:45 that gives everybody their full hour.

(Whereupon a recess was taken.)

DR. DUVAL: All right, everybody is ready, everyone had a good lunch. We're going to pick up with the Scientific and Statistical Committee report with Dr. Luis Barbieri, but just before we launch into that, Mr. Haymans had one more item on red snapper that he wanted to just comment on.

MR. HAYMANS: I appreciate your indulgence. Bonnie, I hope I understand that in the SEDAR 41 there is going to be a reduced discard mortality rate applied; it could be as low as 28.5 percent for recreational and 38 percent for commercial. At least 12 points lower than previous. I just want to make sure that as we go through this spring, as you guys go through the estimate of mortality for the 2015 fishing year that that mortality rate does get applied, and not the previous that we've been using; if you maybe could check into that please?

DR. PONWITH: Yes, and I don't know those statistics off the top of my head, but I will check in with staff; double check on what the respective commercial and recreational mortality rates and report back.

DR. DUVAL: Okay, so we are now ready for the SSC report; Dr. Barbieri.

DR. BARBIERI: Well, thank you, Madam Chair and hello to council members and other attendees. Glad to be here. Apologies for my schedule being a little off and I got here a little delayed; but better late than never. Just to give you an overview of our SSC report from the October '15 SSC meeting, and to refresh your mind, I always make these comments right before I present a report is, we submitted a written report that is part of your briefing book.

There is a lot more detail there in that report in writing. Hopefully, you've had a chance to browse through and to look at some of the most important items there. I'm going to highlight just a few of the items that I thought would be most appropriate for discussion and your consideration.

You, this morning, probably reviewed the 2014/15 landings and ACLs report from Science Center and the Regional Office. I just wanted to highlight the fact that the SSC has requested to review annually the same report, just to keep us apprised of what we need to keep an eye on in terms of upcoming assessment needs, and actually helping us monitor progress and rebuilding of some stocks. We would like to have annually the same review that you receive.

This past October we received a presentation to that effect. The presentation was fine and informative. We just wanted to express one of the issues that came up for discussion during the SSC meeting was that we had concerns regarding the not inclusion of discards into the landings figures that were presented to us. The committee felt it was difficult to evaluate the performance of management metrics and actually review properly the needs, in terms of landing in future assessments when we don't have knowledge of the total fishery removals. We request in the future that these reports are brought to us in terms of total landings relative to the ABC and OFL, but that they include landings and discards as total removals instead of just the plain landings figures. I'll pause there, Michelle, in case there are any questions or comments from the committee.

DR. DUVAL: Any questions or comments for Luis regarding this request?

DR. PONWITH: Just for clarification. This is when materials are submitted to the SSC for SSC meetings? I just want to understand specifically which instances you're talking about.

DR. BARBIERI: Yes, in relation to the SSC meeting. The SSC makes those catch level recommendations, OFL and ABC to you. In some situations, it is difficult for us to evaluate, to sort of assess what is going on with catch level recommendations that we've made in the past, the performance of those recommendations in terms of preventing overfishing.

We requested to have this report annually come to us; that is, in terms of the total removals, landings. We want to know how much the fishery is actually catching relative to the ABCs and the ACLs as they have been set. Basically, it is like a performance report of the catch level recommendations that the committee made to the council, the council followed through.

DR. DUVAL: Just on an annual basis, so the SSC received a presentation on the 2014 landings. Just knowing what those discards were in there in addition to the landed fish. All right, seeing nothing else; moving on.

DR. BARBIERI: Moving on, one other thing that we looked at was units used for fishing level recommendations. In this case, it is numbers versus weights, in terms of how the fishing level recommendations are set, and when they may or may not be appropriate. The council has expressed interest in some situations in monitoring landings, in terms of numbers for some of the species that are more rare in the catch and easier to monitor that way.

The committee reviewed the presentation; they had a broad discussion on the use of numbers versus weights. Technically, it's not really difficult to get those weight in numbers. As a matter of course, those catch level recommendations are really always in weight, most likely in weight or usually in weight. In this case, we're looking into, in some situations for some species, considering having those in numbers. The assessments produce reports in both numbers and weights, and we can report those.

But in this case when you have those catch level recommendations just in numbers, there are some concerns that the committee wanted to express. One of them is changes in weight over time. Of course, if you're monitoring the landings in terms of numbers, and the weights are changing over time, you may be no longer within what your catch level estimated to be at in terms of biomass; because in numbers of fish, you actually are within, but with higher biomass than you're supposed to in terms of biomass removals from the stock.

This is something that we need to take a look and monitor, keep an eye on. Another concern from the committee was that we need to continue focusing on adequate monitoring of the fishery. Numbers and weights in the fishery, we shouldn't be – I guess that is the way the committee expressed it – we shouldn't be substituting appropriate monitoring at dockside in terms of numbers and weights by having a recommendation that is just made in numbers. There will be situations where this monitoring in numbers is appropriate and legitimate, but we need to continue monitoring for those size and weights, and we need to continue investing resources in appropriate monitoring of both sizes and weights. I'll pause there again, Madam Chair.

DR. DUVAL: We started this discussion at our September council meeting when we were looking at hogfish, and we received a presentation from Dr. Mike Errigo regarding the differences in using numbers versus weights; certainly, when applying our allocation formula, as well as tracking ACLs and weights.

Dr. Ponwith specifically had expressed some of the same concerns that the SSC brought up as well. We'll get into that a little bit more when we talk about Amendment 37, but I think I had Bonnie and then a couple folks over there that wanted to say something.

DR. PONWITH: I appreciate all those remarks; those are really, I think, on point remarks. I don't anticipate any decision on shifting from pounds to numbers, resulting in backing off on the need for biological sampling to link those two, because that is a crucial input to the stock assessment. There are no worries there.

The biggest concern is just there are strong advantages in rare species that have broad distributions of size reflected in the catch to use numbers, because the numbers are more stable.

The flip side of that coin is there is a broad distribution in the size, so you eventually always have to convert those numbers to pounds, because pounds are the common currency you use to evaluate your allocation and make sure you're on track with your allocation.

It is just if a decision is being contemplated to shift to numbers, to be able to do it in a way that you're mindful of those allocation formulas; so that if there is a drift, and the time there is a drift in the weight composition of the catch, is most common when a stock is either being fished down or when a stock is rebuilding.

Those are the times where you see drift in the average weight, where it changes over time as opposed to bounces around a stable average. As long as all the discussions are being held mindful of the pitfalls, as is true with so many things like ballet and windsurfing, it is always harder than it looks.

DR. DUVAL: This first came up when we were contemplating snowy grouper last year. There were some questions about the calculation of the recreational ACL in numbers. The average weights that are used to convert that to numbers come from the stock assessment. Overwhelmingly, the weights coming out of the stock assessment are most heavily influenced by commercial sampling.

There is not nearly as much recreational sampling to provide average weights for the recreational catch. We had a lot of comment from stakeholders last year when we approved Regulatory Amendment 20 to update our ACLs and recalculate those based on numbers. There was some pushback regarding the use of average weights from the commercial fishery in that regard; just another step in our conversation on the use of numbers versus pounds.

DR. BARBIERI: Okay, moving right along. Snapper Grouper Amendment 36, the committee reviewed the draft document for Amendment 36. We had an overview presentation of the main points, and we made some suggestions and comments regarding this amendment. One is the timeline that is now being considered for sunseting this amendment, which right now is five years, right?

DR. DUVAL: There are multiple sunset options that are under consideration right now. I think 10, 7, and 5 are under consideration.

DR. BARBIERI: The committee just wanted to point out that considering the five year sunset may not be as appropriate if you're trying to evaluate increases in the spawning activity of some of these long lived species that are late maturing, some of those groupers. It would take them longer than five years to actually be producing the amount of reproduction and egg production that would be desired by those measures. Leaning towards a longer timeframe for this sunseting would be more adequate. Do I see a question there, Madam Chair?

MR. CONKLIN: I was reading that and I kind of maybe took that the wrong way. We're supposed to have found spawning fish already of spawning age in these areas when we close them down. The way I look at it is there are already of age spawning fish in there, we're trying to recruit more. I'm not sure if that is a good baseline to start out at age zero, when you've got a lot of different age individuals already spawning in those areas. I tend to disagree with that.

DR. BARBIERI: Right, and it's a matter of different points of view, I guess. I mean, the committee is just trying to provide you the advice that we feel, if your intent with Amendment 36 is to maximize the reproductive capacity of those stocks, you want to actually allow them enough time, not just to reach sexual maturity but to have that improved spawning output over a long time period, to maximize then the production that would be coming out of the spawning events.

MR. CONKLIN: Yes, I just wanted to note in the report it just says that some grouper species may not reach spawning age within five years. That is where it threw me off.

MR. HARTIG: Chris, it's a gradation as you go down the coast. You guys are lucky; you have some of those animals that are spawning in those areas. In some of the areas to the south, particularly Warsaw, like for Warsaw hole, there probably aren't any Warsaws there right now.

It's going to be more like the work that Chris Koenig did in Madison-Swanson, where they went in and there weren't any Warsaw and speckled hind in that area, but over a period of time those animals came back. For your area, to me you need the research, and I'm sorry I'm getting in a debate at all and I'll cut it off. But just to say that each area is the same, they're not.

DR. DUVAL: You can save the debate for tomorrow when we get into the amendment.

DR. BARBIERI: Then some other concerns had to do with the size of the areas being proposed; not all of them, but some of the areas being proposed are very, very small. I know that we had some discussion at the last meeting to this effect. This was really explored by the SSC in terms of discussion time, and there is something to provide you the best advice, in terms of size in these things. We have to recommend that you focus on areas that tend to be larger in size; where your probability of success is actually higher, in terms of improved spawning capacity. In this case, some of the comments that came out of the committee were relative to the spawning habitat. If you're just in the fringes of that spawning habitat, you may not really have the maximum amount of spawning; because you're accumulating all the spawners in that prime habitat for spawning. You may be underestimating your ability to actually produce what you had originally planned on producing.

Then there is the issue of the edges. The literature on marine protected areas has shown that fishers tend to aggregate, to follow around those closed areas in trying to reap some of the benefits of higher productivity within the MPAs, and so if you have areas that are too small, they are really not as productive as they would be if you have larger areas.

Just a few of the comments or more details in our report, in terms of itemized number of comments and concerns or recommendations from the committee, but this basically summarizes the core. Of course, I'll be here tomorrow, Madam Chair, and available to address any questions or points that you might have regarding Amendment 36.

DR. LANEY: I'm not on your committee. Luis, I read over the detailed recommendations. Was there any discussion at all about how large is large enough? Relative to size, you indicated you thought some of them were very small. But did you all discuss any sort of minimum size that you thought would be appropriate?

DR. BARBIERI: We did not. The reason being, it is very difficult in these types of situations to get more specific and quantitative in these recommendations when you're looking at a broad



scope of the area, the coastline where these things would be a number of different species that have different behavior.

These comments are more qualitative, perhaps, and more generalized. If you are looking at different sizes in different areas, and you have the ability to focus on increasing the sizes or focusing on the areas where the size is already larger, we are letting you know that your probability of success will be much, much higher.

MR. BREWER: Wilson asked what I was going to ask.

MR. HARTIG: Just one point. I mean, the semantics of MPAs and Spawning Zones has been kind of mixed throughout some of the conversation. An MPA is one thing; a spawning closure area is another. They are supposed to be smaller and more focused than MPAs.

DR. DUVAL: Perhaps, what Ben is trying to say is we would appreciate it if the SSC would be mindful of the terminology that is being used.

DR. BARBIERI: My apologies for that because the SSC most likely was. I'm going to take the bullet here for the team. I'm actually speaking for the committee, but using my own discretion, I guess, in the terminology that I'm using. This does not reflect, really, the official comments from the committee; which should be explicit in our written report.

DR. DUVAL: Any other questions for Luis?

DR. BARBIERI: Snapper Grouper Amendment 37. I like the comments in the issues about Amendment 36. I thought it would be best, instead of boring you with a number of detailed comments and recommendations, before you had a chance to have the overview presentation from staff and consider all the options that are on the table that I would give you just a brief overview of our comments; and then be available tomorrow for more detailed comments, in case you have additional questions.

Regarding Amendment 37, the committee had two action items to review. One was the projection that had been prepared for east Florida and the Florida Keys stock. You may remember that there were a number of options that looked at different fishing mortality rates, F rebuild, with different timelines for achieving the rebuilding stage.

The committee reviewed these revised projections and found them to be acceptable, in terms of technical merit; therefore, they represent the best scientific information available and can be used for management advice. One word of warning that came out of the committee was some of the F values being used in those rebuilding schedules are actually low, fairly low.

When this happens, you end up with things that may or may not turn out to be as realistic as you predict by your configuration of the projections. In this case, detecting differences between these fairly low F scenarios is difficult, and just so you know, there are not really that many technical details that we can give you in terms of preferring one alternative over another.

All of them had scientific merit, and the performance of those different rebuilding schedules is difficult to differentiate from a technical point of view, so just a word of warning that you know that there aren't that many, similar questions that Wilson had about those size of those areas that

are being proposed that we cannot really, in this case, provide you very explicit quantitative information, because differentiation between those options is not very clear statistically.

Then the other point we covered was review of the Georgia/North Carolina stock. We had provided an ABC based on the ORCS approach, and you had sent this to us to review, this recommendation, with two points that you were asking; one is whether the ORCS approach would still be applicable to the Georgia/North Carolina stock, considering the structure of the landings and the fisheries up there.

Another one was whether the moderately high risk of overexploitation, which had been applied as part of the ORCS procedure to the entire stock of hogfish, not to the Georgia/North Carolina only but to the whole stock; and if that same designation of risk of overexploitation would be applicable to this sub-stock as well.

The committee felt, after much discussion, that yes, the ORCS is applicable. We looked at all the landings, the pattern of landings, by the different sectors, and we felt that the ORCS approach is still applicable and appropriate to be applied for this stock. We would prefer not to depart from the moderately high risk of overexploitation, given the life history and population dynamic patterns of hogfish. I'll pause again, Madam Chair, in case there are any questions.

DR. DUVAL: Any questions for Luis at this point regarding the committee's deliberations on hogfish?

MR. CONKLIN: I know we didn't specifically ask for those reports from MRIP intercepts of the small hogfish. It may not be hogfish, but it was in some of the background. We didn't ask the SSC to provide recommendations to see what to do with those; but did anybody look at that?

DR. DUVAL: That actually is a piece of response that we got from MRIP that Mike Collins e-mailed around. It did come up in discussion at the SSC meeting. I provided comments on behalf of North Carolina with regard to the investigation that was ongoing into the questionable weights of those fish.

According to the response that we got back from MIP, they worked with our staff in North Carolina looking to see if there was any miscoding of the species, and they looked at frequency of species, code use, composition in the catch, measurement distributions and looked at metrics at the sampler level as well.

Even though the records are considered atypical, they were not able to make a final determination as to whether or not those are erroneous or simply rare event observations. I imagine that might play a little bit more into some of our discussions that we have when we get into the amendment. It did come up at the SSC level, and both Dave Van Voorhees and John Foster were there, and we had some discussions about that as well as being able to adequately capture spearfishing trips that we can get into a little bit more later.

MR. CONKLIN: Thanks, I just want to get that on the record.

DR. DUVAL: Anything else?

DR. BARBIERI: A few more slides here, Madam Chair. Recreational catch estimation for rare species is something else that we discussed at our meeting. You may remember that the council has expressed concern over managing rare species using the standard MRIP survey; you know, those estimates that come out of the regular survey; because the survey, of course, is not set up to properly capture this rare event species.

MRIP actually has been working on this issue and evaluating a number of estimation procedures, and a number of other techniques that they can use to try and provide some better estimates that are more applicable to those rare species. We had a presentation; Dr. John Foster gave us a very detailed presentation looking at a number of different scenarios.

The bottom line is that those new techniques are still being tested and developed, and there are still some refinements that need to be accomplished. There are some simulation procedures that are being applied to test the effectiveness of some of them. But the good news is that they are very promising. They actually showed higher precision than the standard MRIP technique.

There were a number of comments the committee made regarding how to look at this, and some technical recommendations for follow up, but in general, it is promising would be the bottom line. They're working towards providing something better. They don't seem to be there as yet, but my perception is that they are moving in the right direction.

DR. DUVAL: As mentioned at the beginning of the committee meeting, John Carmichael will be reviewing those presentations that the SSC received with regard to those rare even species. You'll presumably be around for that as well.

DR. BARBIERI: One other discussion we had, another item was revisiting the blueline tilefish. We had made at the June meeting, at the last meeting we had made a recommendation in terms of OFL and ABC and a catch level recommendation for blueline tilefish. But there were some questions still to be discussed regarding blueline.

One of those questions had to do with the type of assessment to be conducted. I wasn't here yesterday, so I don't know whether the SEDAR Committee has actually taken action regarding that; yes the assessment of blueline tilefish. But the committee had recommended a benchmark assessment, given what we envision could be potential changes to the assessment model that would be necessary given the population structure and some other issues regarding blueline tile.

We also discussed a letter that was received. The council chairs for South Atlantic and Mid-Atlantic regarding blueline tilefish, a letter from the Agency with some comments regarding ABC and ACL numbers for blueline. The committee basically did not feel at that point that we were prepared, we had enough guidance from the council to respond right there and then to those issues.

We decided to postpone this discussion if needed to a follow up meeting. But we noticed there that our recommendations as we made them back in June to you had been explicitly to be interim in nature until a new assessment was conducted. We tried to point out that there was a fairly large degree of uncertainty in how those estimates came up.

The catch level recommendation will have to be interim in nature until something more structured was produced in terms of a follow up assessment. We also discussed the fact we have

some members that are SSC members also for the Mid-Atlantic Council SSC, and that council is considering applying data limited methods to blueline tilefish, I guess at their March, '16 meeting.

We are in the process of coordinating with them to have some of our members attend their SSC meeting in March, and then see if we can work together to come up with something that is more cohesive and agreeable between the recommendations coming out of the two committees. I think that completes my presentation, Madam Chair.

DR. DUVAL: Thank you very much, Luis. I think it was your September webinar where you provided the ABC recommendation, and June was reviewing the geographic scope of SEDAR 37.

DR BARBIERI: Correct, yes.

MR. COX: Would you bring the screen back up, please? I was just going to question. I see something there that may delay the vermilion assessment, is that what I was seeing; delay in vermilion snapper necessary benchmark assessment?

DR. BARBIERI: Just to clarify. That was just a scenario that the SSC was considering in terms of advising the Science Center, the SEDAR Steering Committee and the Council SEDAR Committee on potential rearrangements of the schedule that could be made if we are going to prioritize blueline tile. I don't know what the outcome of that discussion this morning was.

DR. DUVAL: That meeting of the SSC occurred prior to the SEDAR Steering Committee meeting, which occurred the following week; it was October 30th when we had our webinar, where we finalized the recommendations. It was just a point of trying to, as Luis said; see what could fit in different slots.

It wasn't a recommendation to definitely delay vermilion; it was more, well, if you want to replace one thing with another in a slot. The decision at the SEDAR Steering Committee meeting was a result of a delay for vermilion so that we could incorporate the new MRIP information and not have to turn around and then try to schedule another update for vermilion that would then include all the landings since the last assessment.

Because remember those MRIP revisions, they are not going to include additional landings. It is simply updating the data streams that were used in the previous assessment. What you're interested in is capturing the new information that has occurred since the previous assessment.

MR. PHILLIPS: As it stands now, when will we start vermilion?

DR. DUVAL: I thought we talked about that this morning. Right, it is 2017; anything else for Luis right now? Thank you very much, Dr. Barbieri. I expect that we may call on you throughout the course of the committee meeting.

DR. BARBIERI: Be glad to, Madam Chair.

DR. DUVAL: The next item is a report from our Advisory Panel Chair, Mr. Jim Atack. Attachment 3A in your briefing book is the Advisory Panel Summary Report, so Jim is going to

take us through that. I've asked him to spend a little bit of time, for the benefit of those of us who were unable to attend the meeting, on a couple of items, and I expect that we may call him back up to the microphone at points as we have our discussions.

MR. ATACK: I'll go ahead and start with the report and move on to Amendment 37 with the hogfish. We spent a lot of discussion and different motions were made. We agreed pretty much with the proposal for establishing the catch limits for Georgia/North Carolina and also for Florida. Then we moved into looking at minimum sizes.

For the North Carolina/Georgia, we looked at the different alternatives; 17 inch, 20 inch minimum sizes. The motion we made was for a 17 inch, the preferred for council was 20. There was pretty much a mixed opinion on this but the vote went 6-5. Some people thought we should keep it at 20; some other people wanted 17.

I think the main reason for that was some of the discards from the hook and line industry. They were concerned with the recreational people about too many discards. But when we talked about that back and forth, most of the fish landed are speared fish so even if you increase your mortality on the hook and line it is a small percentage of the landings compared to the overall. Moving on to Florida, we kicked that around and decided that right now it is 12 inch. We went with a motion to go to 14 and then phase it into 16, so that you're not jumping from a 12 to a 16. That is what we think the council should look at doing.

There was also discussion about a slot limit. I think there was some mixed support for that. For Florida that was the proposed slot limit like, say, 12 to 16. If it is less than 12, leave it be; if it is greater than 16, maybe let it be there for spawning. There was also some talk about maybe consider regulating the hook and line separate from the spear.

We realize there is a lot of complexity with that so it may not be quite worth doing that; but that was one of the recommendations to look at. We moved into trip limits when we looked at the options that are in the paper right now. For the North Carolina/Georgia area, we felt like there should be some options in between the options, and basically thought a 150 and a 200 pound trip limit should be added as an option and evaluated.

The concern there is they would rather have shorter limits to have a longer season, so some of the larger limits wouldn't quite do that. That is why we wanted to look at the 150 and the 200. On the recreational bag limits we talked about that. For towards North Carolina, everybody pretty much was in agreement with proposing the two fish per person per day, in order to extend the season. There was some talk about having a two-month season up there.

We're thinking that we wouldn't need to do that if we reduced the bag limit to two per person. We should also be looking at protecting the spawning season. Pretty much hogfish spawn year round in Florida, but in North Carolina, I think the water is colder in the winter and the evidence we've seen or has been seen is that come July, I think, is when the spawning starts up that way, when the water warms up. I'm sorry, in May.

If we want to protect the spawning season up there, they like to protect that around May to June. In line with that, we said, well, later on let's go ahead and start the fishing near July 1st, and then if limits are met, and the season closes, then come May/June. You would be closed anyway

during the spawning season. That is why we were looking at moving the start of the year to July 1st for North Carolina/Georgia and also for Florida, the same scenario down there.

MR. HARTIG: Did you guys have any definitive information on spawning to look at between the different regions? I mean, did you have the spawning seasons that came from a scientific document that documented when the fish were spawning.

MR. ATACK: Yes, the documents I've read were in Florida. There are multiple spawns; they go kind of year round. In North Carolina the water is colder. I don't know if we have any written documents, but that is what was seen at dockside. Come May, we see the same shift up there in like lobster, where the lobsters don't release their eggs, probably about six weeks later than they do in Florida because of the water temperature coming up.

MS. BROUWER: Just to follow up on that, Ben. The South Carolina DNR, I believe, through MARMAP is still doing some histological work, and those data are being processed right now.

DR. DUVAL: Are there other questions for Jim just on hogfish while we're going over this on any of the APs recommendations?

MR. BOWEN: Thanks, Jim, great report thus far. You mentioned in the commercial side of the hogfish fishery you wanted a certain amount of closure in months, and in the trip limits; I think you said 150 and 250 the AP wanted some alternatives added. Can you elaborate, maybe some reasoning for that if you can?

MR. ATACK: Yes, when you look at the projected season closure based on the number of trips above a certain weight limit that are brought in. I don't have the table in front of me, but the 300 or 350 pound trip limits, you would close the season sooner. By having the 150 and 200 you could run the numbers to see when the season would be projected to close. In order to have a more year-round fishery there, they wanted to see what those 150 and 200 pound options would do on the commercial side.

DR. DUVAL: The only question I had was just a little clarification. You said that on the recommendation for the size limit there is conversation that folks who hook and line for hogfish were concerned about discards, so they were concerned about discards at the higher trip limit, which is why they were asking for a lower trip limit.

MR. ATACK: Well, when you look at the ACL as number of fish caught per year that is projected 1,100 fish. They would like to see the two fish per person to try to extend that season more year round versus the current five. Then the 17 inch, they say they sometimes catch smaller fish than 20 inches.

There is a very high mortality rate on the fish that they catch hook and line because of the barotrauma and the way their physiology is. That is why that sector was pushing for the lower limit. The other sectors were pushing for the 20, because I think 90 percent or whatever, most of the landings are speared; therefore, you could allow those fish to stay out there and spawn and get larger before they're harvested.

DR. DUVAL: Given the preponderance of speared fish and the life history of the species, did you have any discussion about larger size limits just inducing people to really pick off the males and leading to some social changes in those harems?

MR. ATACK: Well, in North Carolina/Georgia most of the males don't turn to be males until they're much larger than 20 inches. Typically, you can see some 15 pound females. A 20-inch fish is a five-pound fish, a hogfish. The size limit of 20 or 22 or 24 is not really going to push you towards picking off all the males.

What that does is it is going to allow you to leave more of the smaller females until they get larger. Now Florida is different, because there is such a pressure down there that those males are much smaller. That might be more of a factor down there than up for Georgia/North Carolina.

DR. DUVAL: Other questions before Jim moves on to other parts of the report? Okay.

MR. ATACK: Then the other thing on hogfish was the season in Florida. If there is going to be a season they really would like it to be May/June, July/August in the summer, and based on the allowed landings there, they don't expect to see a very long season because of the pressure versus the ACL. That was the other thing that we talked about; any more questions on hogfish?

Then we talked about the visioning workshop. There were concerns about permit stacking. We talked about how that would work and the different things with that. Latent effort was discussed a lot in the fishery, and there is some other business about that. We'll get to some of the requests that were made.

We talked about staggered spawning that could result in shifts in effort that would not benefit the fishery, so there are concerns if we would be doing that. State-by-state quotas would be good, but that is a lot of work and agency coordination so that might be really hard to do. But we would like to pursue what benefits that could be and how that would work out.

Stakeholder surveys, I think, were big about considering separate surveys for commercial versus recreational, kind of see what the different user groups really are looking at as to what their priorities are. Blueline tilefish, we talked about next, looking to increase the trip limit to 300 pounds. That was pretty much unanimous; almost unanimous on the ACL/OY 98 percent.

Looking at the blueline tilefish bag limit, one per person per day when it's open to minimize discards. That option is much better than one per boat. If you can do the one per person per day is what they were recommending. Then we moved into black sea bass, talked about the proposal for increasing bag limits.

There was a lot of discussion about that; really no support for that. It appears that there won't be really anything to be gained by it. There is a lot of concern about the status of the stock. If the bag limits aren't being met now, then why raise the bag limit? We talked about different things. Size limits, I think, are an issue.

You have recreational 13, commercial is 11. A few years ago when we made the change on the recreational, commercial was to follow suit a few years later. That never really happened. It went to 11 and stayed there. When the pots go out there they are pulling everything from 11

inches up, the recreational come behind; they don't have any fish to catch. There are a lot of discards.

There are issues with that. That is where we looked about maybe both sectors should be 12. We would like to have it analyzed as to what 12-inch minimum size limit commercial would do. I think there is some support on the potters to increase mesh size; but one potter can't do it. They all have to do it in order for that to work.

Really not so much maybe decreasing the recreational to 12, but the thing is really, it should be the same size. If the proper thing for the fishery is 13 across the board, then let's move in that direction. They can analyze it, or it just should be 12 across the board. But there is a big problem when one is 13 and one is 11. That's all we looked at.

DR. DUVAL: Are there any questions for Jim on the black sea bass discussion?

MR. HARTIG: Yes, not so much on the black sea bass but in the context of the survey, what was the survey context, do you remember? I mean, which survey are you talking about when they wanted to comment on a survey?

MR. ATACK: The AP was supporting the stakeholder survey; consider separate surveys for recreational and commercial. When you're all mixed together, you may not be getting a good picture of what the recreational is looking for versus the commercial.

MR. HARTIG: It's in a visioning context. In the future when we do visioning surveys for the fishermen, you would rather have them separated for commercial and recreational.

MR. ATACK: Yes.

MR. HARTIG: Okay.

MR. ATACK: Yes, and there was some comment that if the commercial guys put in their comments for the commercial side of the fishery, then really recreational shouldn't be making comments on what is affecting their side of it; I think these were some other comments that were made.

MR. HAYMANS: Jim, do you recall the discussion on the bag limits amongst the AP? Was there general agreement with what MRIP was suggesting with regard to the number of individuals reaching the bag limit and those two opposed votes? Do you remember where they were from?

MR. ATACK: I don't recall where the two opposing votes were from now.

MR. HAYMANS: I'm guessing most of your discussion on bag limit was a result of Mike Errigo's presentation. Just curious as to whether or not the AP as a whole agreed with the findings from that presentation with regards to MRIP suggesting that 99 percent of the trips didn't reach the bag limit.



DR. DUVAL: I think Doug is maybe asking, did the AP seem to find that there were some geographic differences in maybe anglers reaching the bag limit versus not. Is that where your question was going?

MR. HAYMANS: Well, ultimately, yes. I was just curious about the agreement amongst the panel, and then there are two opposed votes. Were those two opposed votes because of them seeing something different in their geographical area. But if you don't remember who they were, that is okay.

MR. PHILLIPS: I did get a call from Jimmy Hull, the pot fisherman down in Florida, and he couldn't be at the advisory panel meeting, but he was strongly opposed to changing the size limit on the pots. He basically said, what they are doing now is working. The season is working out pretty much through the end of the year.

Then there would be a, I'm going to use the word problem, to try to match a new mesh size trap to get a different size limit. They were really happy. He didn't have a problem if they wanted to move the recreational size limit down closer, say to 12 or whatever they wanted to; so they could get their bag limits and catch more fish or something. But he was pretty adamant that he felt like where the commercial was now was good.

DR. DUVAL: One thing I'll just say before going to Mel is Paul Rudershausen has done some research on black sea bass pot mesh and that work has been completed. He worked with former council member Tom Burgess on that. We've been trying to get Paul on the agenda to give a presentation on that; and we just really haven't had the time. But I think he indicated that he was available in March to do that. I'm hopeful that in March we can have Paul talk about the results of that research.

MR. BELL: I was just going to comment on Doug's question. I think there was some perception that perhaps there were some regional differences in terms of the fishery, and whether or not people perceived that they were hitting the five. I believe one of the votes was a South Carolina fisherman that kind of felt that the data we were presented didn't necessarily match what he was seeing; perhaps off of South Carolina. There may be some Georgia/South Carolina differences as opposed to Florida. I think that was picked up on a little bit, but I think one of the votes for sure was a South Carolina guy.

MR. BOWEN: I was fortunate enough to attend that AP meeting and, to Doug's point, the attendance for that AP meeting was rather discouraging for me. I think we had only 60 percent of the AP members present. That's a rough guess. I don't remember exactly. But you go to counting votes and two noes and three noes. The attendance was off. Just want to make that clear.

MR. ATACK: Yes, and I was going to bring that up also. I think there were eight or nine members that weren't there.

DR. DUVAL: All right, well I'm sure we'll have more discussion about black sea bass coming up, so let's let Jim get on with his report. We can always call him back up for more input.

MR. ATACK: Yellowtail snapper was what we discussed next. One of the recommendations was to modify the recreational sector season for August 1st start to go through July 31st; the

reason for that to match up with the summer with the tourism, and the commercial sector the same thing.

I think yellowtail snapper is closed right now, so if they open it starting in August; then in the fall of the year and the Christmas season, they'll have that type of fish for market; I think was the main reason for moving that. Then the other thing was combining. We went with a motion to combine the South Atlantic and Gulf of Mexico ACL so that basically you won't close the season unless the combined ACL of both is met.

A lot of those fish move back and forth, and that section down there I think was the reasoning for that. It should be kind of managed as one fishery versus two separate halves, and if one half is over it shuts down. That would keep that from happening. Then we moved into the SMZ motions. We talked about sunset clauses, and I think our proposed was the ten year of the three options, with the type of fish we're looking at.

It takes a couple years to do an amendment, and things could happen. You've got to get maps put out and let people get the word. Once you start it, it takes a while for it to start and these longer lived fish, it takes a while to see it. Our recommendation was to have it at least ten years. Then the second alternative was not to apply the sunset provision to Areas 51 and 53, because they are not really natural habitat, it is created habitat.

The other big concern we talked about was the Warsaw Hole, with just being one square mile like Luis talked about. A lot of people felt that that wasn't really big enough for it to be effective. There were a lot of e-mails about it, and people that weren't there are concerned about it. But the amount of members that we had present indicated they approved the one square mile to council as the preferred.

Then we talked about reporting frequency, so we went forward with the weekly reporting for the charterboats and the weekly for the headboats. I think, pretty much after that, we went into some other business. One of the motions that were made under other business had to do with pots. Consider allowing some of the fishermen back into the pot fishery as the black sea bass stock rebuilds. There was only one opposed on that.

The intent there is to let some of the ones that didn't quite make the cutoff before back in, not really open it up to a lot of fishermen. That was kind of the intent of the motion. Then there were motions about number of permits in the fishery. What is the appropriate number? We saw some numbers as to poundage of fish and weights and values; and really for this fishery what is the appropriate number of permits?

We're asking for more information for the next meeting on that. There was a motion about African pompano. That is a pretty good fish up our way. It is being targeted. Years ago, there were no African pompano, they had been wiped out. I don't know 15 years ago or so, they've been coming back.

It is a good fish that hook and line fishermen, recreational, commercial, spear fishermen - it is a good fish to have around. The concerns are if there are not bag limits, if there isn't a management plan that the fish pressure could be put back on it; then it will become a fish of the past again. I think Florida has some bag limits. We would like to have the council pull that fish in and be managed.

DR. DUVAL: I saw Jessica's hand go up on pompano and then Doug.

MS. McCAWLEY: I just wanted to make the council aware that for African pompano, the state of Florida has extended their regulations into federal waters. We are actually regulating in state and federal waters for African pompano.

MR. HAYMANS: Jim, regarding black sea bass pots and the request by the AP to think about allowing some of those minimal guys back in. What kind of discussion was there regarding the fishermen who've paid enormous amounts to buy in to the fishery since we limited it? Was there any discussion to that effect?

MR. ATACK: No, I don't think there was, but one of the fishermen that brought it up was in the fishery and had missed the cutoff because he was fishing other fish at that time to make a living. If he had known there was going to be a cutoff, he might have participated more in that fishery. That was his comment, I think.

MR. HAYMANS: I hate - but that is why we have control dates and we do things like that.

MR. COX: That was Scott Buff; he's one of our new appointed AP members. He reached out to me a couple times, and he wanted to make it clear what he was trying to say was, just like I did. Of course, I bought back into it; that if we see that we go through a year or two of the pot fishery and that there is room, a lot of ACL left in it maybe allow some folks that barely missed at the cutoff to get rewarded with an endorsement.

But he also wanted to make sure that if we did do that, that we didn't give it to somebody that the permit had changed hands. In other words, that if somebody is still holding that original permit, then they would get the endorsement, but if that permit had been sold since that process went through, then it would not go to them.

Because you don't want to give it to somebody that wasn't participating in the fishery. He wanted to make that clear that is what he wanted to see. I want to ask you something on African pompano. You and I are both divers, and it is not something we talk about very often. Are you seeing less in the last two or three years, because I have of the pompano than we were about five or six years ago?

MR. ATACK: Yes, but we see a lot more than we did 15 years ago. We would like to be proactive in this fishery, is what our intent is; to manage it so it doesn't fall back to where it was 15, 20 years ago.

MR. HARTIG: Yes Jim, did you guys take a position on Devil's Hole? I don't see it in the alternatives.

MR. ATACK: I think we went through it and we didn't change the council's preferred alternative. If we weren't changing it, we didn't make a motion. Then the last thing we had under other business was brought up about powerheads in the EEZ off of South Carolina. It was mentioned that South Carolina is the only state of the four that has that restriction. I guess they would like that to be the same across the four states. They would like the council to consider removing that restriction in South Carolina.

MS. BECKWITH: When you're ready I've got a clarifying question on something you said during the hogfish discussion.

DR. DUVAL: Go ahead.

MS. BECKWITH: Sorry. You mentioned when they were talking about the commercial trip limits that one of the reasons you guys were looking for a smaller commercial trip limit was because it would extend the season. I'm curious, where did you base that on, because I can't find a trip limit analysis on hogfish on the different commercial trip limits in our amendment anywhere.

MR. ATACK: We were looking at the number of trips that had landed more than a certain poundage, I think that was in there. You can see that once you get up to a certain size or limit or trip size, there are a smaller and smaller number of trips. We're looking at a reduction of, I think, about two-thirds maybe of what the landings have been for the last few years when you look at the annual landings. If we don't have a certain size trip limit, then those seasons will get closed kind of quickly at certain times of the year.

MS. BECKWITH: Okay, so I see. You guys were basing it on the table that shows that 8 percent of the trips land over 250 pounds; that table, okay.

MR. ATACK: Yes and we really want it just as an option, so that then when they do the projections we'll kind of see where they land. We're worried that if it is such a big jump there we won't know, unless they run those projections what might be the right number.

MS. BECKWITH: That particular table is not in our Decision Document, but the one he is referring to now is on Page 63 of the amendment if anyone else wants to look at that.

MR. PHILLIPS: Yes, just for the record related to what Jim had mentioned about bank sticks in South Carolina. Without going into all the detail, basically, that was brought to us by some of the fishermen. The divers had requested that; why are we the only state where you can't do that off of it? This is in federal waters not state.

I told them that the reasons that went into place, the concerns originally had nothing to do really with the areas that it's covering now. It had to do with artificial reefs and things. But now that ACLs are in place and things like that, the original reasons and concerns are really no longer there.

At some point in an appropriate amendment, if the council wants to, I certainly don't have a problem with use of bang sticks off of South Carolina as long as the original concerns we have are addressed and they are covered by the SMZs and it's not a problem. That is where all that came from. It was the folks that are out there actually doing it.

DR. DUVAL: Any other questions for Jim at this point? Thank you very much for the report and will you be around here tomorrow as well?

MR. ATACK: Yes.

DR. DUVAL: Great. If we have any further questions as we get into our deliberations, we can always ask Jim to come back up. The next item on our agenda is Regulatory Amendment 16; modification of the black sea bass pot closure. I see Brian coming to the table. Just to let folks know, the decision document for Regulatory Amendment 16 is Attachment 4B in your briefing book, and we are slated to take final action on this.

DR. CHEUVRONT: As we all know, this has been going on for about a couple years now and we're finally at the end of where we are, hopefully, going to take final action. Just to give you a little historical recap of some of the things that have happened recently with this amendment. If you'll remember, in June you added Alternatives 11 and 12 to Action 1; and in September you actually chose Alternative 11 as your preferred alternative. The document has gone out for DEIS review, which I'm going to go over those comments with you briefly. You were sent a copy of the DEIS review. The deadline for comments was yesterday, and as typically happens, most of the comments come in at the last minute. We have the version that you got about an hour and a half ago. It's already outdated.

I literally, just before I came up here, got one additional comment; it was added to the review. When we get through here, I'll make sure everybody gets the updated version of the DEIS comments. There are a couple of other issues that we need to talk about this, but I think this is going to go pretty quickly.

Let me go to the DEIS comments. The comments for the DEIS, the first comment that we received, there was no name attached to it. It really wasn't directly related to the actions in the amendment; but they said that the commercial sector minimum size should be no less than 13 inches for black sea bass.

However, it would make more sense for the commercial and recreational limits to be raised to 14 inches. Then there was a comment from David Pierce from the Massachusetts Division of Marine Fisheries and in summarizing what they had said is that they had been a member of the Atlantic Large Whale Take Reduction Team since its inception.

Massachusetts DMF does not support any of the alternatives offered under Action 1, as the council did not include an option to fully remove the closure. Actually, I believe that was considered early on and that was in the considered but rejected appendix. By limiting the number of pots and actively tending them during the short soak times, the risk to right whales would be minimal.

In Action 2 they supported Alternatives 3 and 4, which will require 400 pound weak links on all buoy lines and would implement a dual color marking system for black sea bass pots. Currently, the council's preferred alternative is only Alternative 4, which are the dual color markings. There was a comment from Joey Stanley of the Department of Interior that basically said they had no comments.

Rusty Hudson was Comment 4; he said he was going to attach his comments but he forgot to do it, so he attached them in Comment 5. Basically, to summarize what they had said is that there has been a lot of loss of income by black sea bass pot endorsement holders in the last couple of years. Directed Sustainable Fisheries supports the Preferred Alternative 11 under Action 1, and Preferred Alternative 4 under Action 2.

Then Comment 6 from Sharon Young of the Humane Society, it contains multiple signatures from multiple organizations, Universities. All the signatories on the letter were federally appointed members of the Atlantic Large Whale Take Reduction Team, and they continue to support status quo, which is no pot fishing in the winter but they do not offer strenuous objection to Alternative 11, which is the current preferred.

They do say that NMFS ought to reinitiate consultation on the biological opinion. The preferred alternative under Alternative 2, they think that the council needs to include the lower breaking strength of line, since best available science clearly indicates it's warranted; and this was the preferred alternative under the original DEIS. I think they meant original version of the document when the council chose preferreds. They made a comment in here about NMFS and the council have to address the plethora of errors and insufficiencies in analyses that they identified in their prior comments on the amendment. Frankly, we looked at all their stuff and dealt with the things that needed to be dealt with.

Some of it is their opinion on things, as opposed to actual facts. But that is the way they stated it. Anyway, if you want to, there are more detailed comments from the Humane Society that follow. The next comment was from David Bush of North Carolina Fisheries Association. They endorsed the recommendations made by Directed Sustainable Fisheries, basically the letter that was sent in by Rusty Hudson.

They had a couple of other suggestions that they would like to see; and stating why they didn't feel that there was a need to change the breakaway lines for the pots, because there is basically no expected interactions at this point. If you remember, your current preferred alternative covers 97 to 98 percent of all historical sightings of North Atlantic Right Whales.

It is probably not likely, or very, very improbable that this gear and whales would be in the water at the same place at the same time. Comment 8 is from South Carolina Department of Health and Environmental Control, and Coastal Zone staff has determined that Amendment 16 is consistent with required by 15CFR930 and the EPA basically supports Regulatory Amendment 16. They have rated this as lack of objections.

They mentioned that the amendment addresses climate change in general; however, they might want to consider collecting and including more thorough analysis on how climate change may or may not affect particular species of fish. The last comment we received was from Spud Woodward at Georgia Department of Natural Resources, and it is consistent with, they said, Regulatory Amendment 16, which is consistent with their policies of coastal zone management; and that is it for DEIS comments.

DR. DUVAL: Any questions for Brian about any of the comments? I know we've been getting e-mails today just as comments were coming in late yesterday. All right, seeing no comments; I think the next thing we're going to do is go through the Decision Document.

DR. CHEUVRONT: Yes, and this should be relatively painless this time, compared to some of the times in the past. I think we've pretty much got it under control here. The purpose and need, the good news is that probably this is the first time that we don't have any suggested revisions to the purpose and need. But since this is the last time you're going to see this document, it is speak now or forever hold your peace.

MR. HAYMANS: I would like to make a motion that we accept the wording as presented.

DR. DUVAL: Oh, you're jumping ahead.

DR. CHEUVRONT: You don't need to make a motion, Doug, because this already is the wording that you have. You're not changing anything.

MR. HAYMANS: I was trying.

DR. CHEUVRONT: I appreciate the help, but right now, I don't think any is needed. What we're going to do is we're going to jump to about Page 49 in the Decision Document, with a quick stop on the way. If you go on Page 30, you are going to see Alternatives 11 and 12 starting on Page 30 are in yellow.

What happened is that the actual wording of the alternatives hasn't changed, but there were several comments after the September meeting. If you remember, in June, when you came up with the ideas for Alternatives 11 and 12, it was based on a presentation that was done by Nick Farmer. You actually voted to include these alternatives into the document without ever seeing text.

At the September meeting we brought you some text for the two alternatives. You chose 11 as your preferred, but what you didn't have to see at that time was actual lat/longs and maps. What has happened now is we've modified these two alternatives to include lat/longs and maps in there, just to make it clearer.

They were referenced to other alternatives in the document where the closed areas and all were referenced to, but just for clarification purposes we went through and put in those lat/longs in the map. Those are the only changes that you see in Alternatives 11 and 12. What I would suggest, Madam Chair, is that we decide whether the committee is okay with the way that Alternatives 11 and 12 have been modified to include the lat/longs and the maps.

DR. DUVAL: Is the committee good with that? If so I would be looking for a motion.

MR. PHILLIPS: **Madam Chair, I make the motion we accept the modifications to Preferred Alternative 11 and Alternative 12 in Action 1.**

DR. DUVAL: **Motion by Charlie, seconded by Jessica.** Discussion? While Brian is getting that all up on there, I'm assuming that there is no discussion on this. I'm hoping that there is no discussion on this, seeing none; **that motion stands approved.**

DR. CHEUVRONT: One other thing that there is another issue we need to talk about briefly, and it has to do with transit provisions. This has been sort of lurking in the background. We've talked about where you have to fish outside of a certain area. It was always sort of assumed, but when the regulation writers were putting the codified text together they were looking forward and saying, we don't have anything here specifically about transit provisions.

Well, transit provisions are something that would have applied no matter which alternative was chosen as a preferred alternative. What we had to do was to have a way, what kind of state the gear has to be in when you are transiting through those closed areas. What we have here is some

text that has been approved by the regulation writers and all that that will meet the definition for what we need for a transit provision.

This is pretty much consistent with what you have done in amendments like Amendment 36. Let me just read this for the record. Sea bass pots must be removed from the water in the applicable closed area within the South Atlantic EEZ before the applicable time period, and may not be onboard a vessel in the closed area within the South Atlantic EEZ during the applicable closure; except for such black sea bass pot gear appropriately stowed onboard a vessel in transit through the closed area. Transit means nonstop progression through the area, and fishing gear appropriately stowed means all black sea bass pot gear must be out of the water and onboard the deck of the vessel. Black sea bass pots cannot be baited, and all buoys must be disconnected from the gear. Buoys may remain on the deck. This is basically the language that exists already in Amendment 36, but needs to be applied here. Madam Chair, what we would like to have is some concrete direction as to how the committee would like to have this language applied.

DR. CRABTREE: Well, I think clearly throughout this amendment's development it has been clear to me all along that none of these could work if they weren't allowed to transit through. Otherwise, it would be effectively keeping the closure, because the closed area is so huge. To me, it has been implicit in the whole discussion of the document that transit would be permitted.

I would ask, particularly, if Jack and Charlie make sure you're comfortable with this transit language, because I really don't want to have to hear after the fact that there are problems with it. Let's make sure what we're requiring them to do and all is workable for the fishery and for us. But I certainly have always felt that clearly there would be a transit provision, even though I guess we never really said that.

DR. DUVAL: I would agree.

MR. HAYMANS: Two questions. One, why isn't that language in our decision document? But more importantly, and Charlie, correct me if I'm wrong. I'm more familiar with the crab pot fishery. But one method of weak links is hog ringing your float to your line. That would preclude this ability in the sea bass fishery.

DR. CHEUVRONT: Doug, you asked why it wasn't in the decision document; because the issue didn't come up until the middle of last week.

MR. COX: As far as the transit is concerned, one thing that bothers me a little bit is a lot of the guys will bait their pots on the way out. It takes quite a while to get the baits put in; it is not like a crab pot. You have a big deal here and you have to stuff it in there and get them in there. When you bait these traps, usually, you are doing it on the way out so you are efficient. When you get to the fishing grounds you're ready to deploy your equipment.

MR. PHILLIPS: Yes, and we're going to have pot haulers on there. There are some other things like; you all have heard me talk about dropping octopus pots and some things like that. That also would probably be out of the Right whale area. We wouldn't drop anything with a vertical line. But I'm wondering if the captains might want to hook and line fish or something on the way in. If we don't need it, it could be a minefield that we just don't know about, and it is hard to consider all the options in two minutes.



MS. McCRAWLEY: I was going to ask if the committee could be e-mailed this version so we can look at it a little bit more closely.

DR. DUVAL: Is that possible?

DR. CHEUVRONT: Yes, Mike, I'm going to send it to you right now. We'll just take it out of the drop box, yes.

DR. DUVAL: I'm just looking at it here on the screen, which I have the advantage of seeing, because I'm sitting closer to Brian than all of you are. But it is fishing gear appropriately stowed means all black sea bass pot gear must be out of the water and onboard the deck of the vessel. Black sea bass pots cannot be baited, and all buoys must be disconnected from the gear. Buoys may remain on deck. The issue that I'm hearing that Doug brought up is the hog tying of the buoy line and then also the baiting of the pots as Jack has indicated.

MS. SMIT-BRUNELLO: Could you describe a little more thoroughly, Doug, what you mean by that?

MR. HAYMANS: Sure. In the blue crab fishery, which is what I'm familiar with, the line runs through a bullet float, doubles back on itself and is hog ringed at least four times, giving it less than a 600 pound breaking strength, which is allowed in the Bottlenose Dolphin Take Reduction Plan. That is why I was looking to those guys to ask whether or not their buoys were attached in a similar manner, and if they are and that is the weak link in the system, they can't be taken out of the line.

MR. PHILLIPS: Yes, and I would like to talk to those guys down in Florida too, because like us, they don't know anything about what the options might be. I would like to get a hold of Jimmy Hull at the very least and talk to some of those guys.

DR. DUVAL: Let's make sure this discussion is on the record. Is there a possibility of being able to put the buoy inside the trap so it is clearly inoperable? Chris is nodding his head.

MR. CONKLIN: Yes, I was going to suggest that. Back when I was allowed to pot fish, that is how we would do it, we'd put our buoys inside the pots. Personally, I don't think it should matter if there is a piece of bait stuck in its gill or not. As long as they're out of the water and the buoys are in the trap that would be doors and nets out of the water kind of things.

DR. DUVAL: Never miss an opportunity to remind us about that, do you? Really, I guess I would be looking to get a little input from Charlie and Jack on that. Clearly, Monica, we would need some input from you, as well. I mean, this is a little bit of a special case compared to Amendment 36 transiting. But I don't know if you heard that suggestion of having the buoys stuck in the pot so the pot is inoperable. It doesn't matter if it's baited or anything, you can't use it the way it is configured on the deck like that.

MR. PHILLIPS: I know that Tom Burgess, I think he actually had some snap clips, so he unsnapped it. Either unsnap the buoy from the gear or put it in the pot. Short of talking to Jimmy, I would think that would probably be okay. It would be nice if those guys could bait stuff on the way out, but if the buoys can't be readily deployed without hooking something up or pulling it out of the pot, I would think that would probably cover.

DR. CHEUVRONT: I just have some questions if you don't mind me asking, Madam Chair. Can you bait the pot with the buoy in it?

DR. DUVAL: On the record.

MR. PHILLIPS: Yes, you should be able to bait the pot with the buoy inside the pot, but you can't fish it until the buoy comes out.

DR. DUVAL: Thank you. Perhaps we need to reword this a little bit.

DR. CHEUVRONT: Well, with Scott and Monica and all here, perhaps, we can give you some wording at full council, since we seem to do that a lot for this amendment, and see if that will work. But the wording that is in Amendment 36, that somehow shouldn't be affected as well by this?

DR. DUVAL: I would think that we would want to have consistent transit provisions, so yes, I mean the wording that is in Amendment 36; sort of different point in the decision making process there. There is still opportunity to modify that. But Monica, would that be okay with you if you could work with our regulation writers and take into account the comments that you've heard here around the table regarding an appropriate transit provision for the pots; and come back at full council?

MS. SMIT-BRUNELLO: Absolutely, sure.

DR. CHEUVRONT: Okay, so then that gives other folks time to - like you can talk to some of the other pot fishermen and make sure they would be okay with that as well. We'll present this back at full council. Okay, the next one is about Page 56 or so. Right now, your preferred alternative for Action 2 is Alternative 4, which requires the painting of additional 12 inch markings on each of the buoy lines at each end and in the middle, adjacent to the other color.

I believe that color is purple that you have to add to identify it as a black sea bass pot, in case gear is ever recovered from a North Atlantic Right Whale, and they'll be able to figure out whether, in fact, that it was actually a black sea bass pot, because, right now, there is no way of identifying gear specifically as black sea bass pots. This would be able to do that.

Right now, Alternative 4 is your only preferred alternative. You have other alternatives in there that look at weak links, reducing weak link strength as well as reducing buoy line strength. At your last meeting you deselected alternatives for both of those. This is basically your chance to decide if you're going to modify anything here.

MR. COX: I don't want to modify anything here, but I would just like to talk about why we chose the preferred that we chose, if this is an appropriate time to do so.

DR. CHEUVRONT: That's in the document, as well. I'm assuming it is the same thing we talked about in September, correct?

MR. COX: Some of it is, but I would just like to get it on the record again, if I could please. I think it's important. The only modification would be to enhance the current whale reduction

gear markings and add like we said that purple band on there to identify the equipment as a black sea bass, in case there is an entanglement we know where it came from.

But one of the reasons that we did not choose to strengthen the line or reduce the line, I should say, for 2,200 pounds is because we're fishing further offshore now. The ocean is rougher, the conditions are a lot tougher out there. What would happen if we dropped down from 2,200 pound rope strength down to 1,700 or 1,200 in that deeper water, we're fighting that current and those swells; then we're going to take a chance on losing fishing gear. I just wanted to make that known. The 600 pound weak link if we drop down to 400 pounds, we could also take a risk of getting a pot hung up in a swell or something. It is a lot different out 30 miles than it is where we have been fishing 10 to 12 miles.

DR. DUVAL: Any other discussion? No desire on the part of the committee to modify the preferred alternative? All right.

DR. CHEUVRONT: Okay, and then there is discussion of there being a biological opinion, and I'm assuming that there is going to be one. There needs to be a discussion about whether or not the council wants to see the draft biological opinion. There is some concern at this point as to whether or not there is time to review the draft biological opinion; and remember, it is for the entire snapper grouper fishery, and anyone can comment on it.

It is not just the council getting a chance to comment on it, and then I'm sure Roy will correct me if I'm wrong, but SERO has to then respond to all of those comments. They'll be able to finish up the biological opinion. There is some concern that if the council wants to see the draft biological opinion that there had been discussion of wanting to get this fishery open in November of 2016, so there would not be a total pot closure at that time.

We were informed by SERO that they cannot guarantee that if there is going to be a viewing of the draft biological opinion. There was some discussion, as I recall, in September that the thinking was that PR was not going to create a lot of problems for this fishery, as long as either Alternatives 4, 6, 11 or 12 was chosen; because those all represented fairly low risk to North Atlantic Right Whales.

You need to have a discussion at this point. Let's get it on the record. You discussed this in September. The idea of the draft biological opinion, but I went back and read the record. You never actually stated definitively whether you wanted to see the draft biological opinion or not, so we ought to get something on the record so that we know this is what the decision is for the council.

DR. DUVAL: Roy, do you have anything you want to add to Brian's comments about sort of the process and timeline before we go to the committee for their preference?

DR. CRABTREE: Yes, first off what is a draft biological opinion? That means the entire biological opinion is finished and has been cleared by Office of General Counsel, and is ready for me to sign it. Now our target date for having this biological opinion finished is in June sometime. But if we bring it in in June, then it becomes a public document.

If you want to comment on it and everybody else comments on it, that is going to pose a problem, because we will have to deal with all of the comments that come in on them. That

starts squeezing our timeline a little bit. It is not clear to me how the council - I mean, if we brought it to you in the June meeting, then I don't know how you would comment. Now, we could come at the June meeting and say these are basically the conclusions, all of it or we might be able to come in and say, it is a finished biological opinion. That June timeline is pretty optimistic to me. But that is our goal anyway at this point. I think Brian had a fair assessment. We've worked really hard to get these alternatives to something that we thought was going to have a negligible impact on right whales. But that is kind of where we sit with this.

MR. CONKLIN: Could we just give you guys a little more time and put it on our December, 2016 agenda?

DR. CRABTREE: Well, the goal is to have this implemented by November of next year. There really isn't any opportunity for you to look at it outside of June.

DR. DUVAL: Remember, this is a biological opinion for the entire snapper grouper fishery. It is not just the pot sector of the fishery. It considers everything.

MR. CONKLIN: If we did put it off until then, we could implement this action in November and then look at the draft in December.

DR. DUVAL: Maybe, Roy, sort of if you could remind us a little bit of process with a biological opinion. When the agency finishes a biological opinion, it is in draft form, it is ready for your signature. I mean, if you consider the other biological opinions that we've seen such as, I think the sturgeon biological opinion at the September meeting.

Protected resources staff simply presents to us the findings that are in that biological opinion. If there were something such as any reasonable and prudent measures that the council would have to consider, I assume that you would come to us with those in June, before you sign that document. Would that be correct?

DR. CRABTREE: Well, in my recollection I don't believe we've ever brought a draft biological opinion to the council. I don't recall ever doing that. If we had reasonable and prudent measures that had to be implemented as part of the biological opinion, yes, we would certainly come to the council and talk to you about how to do this; or they could be done potentially through an ESA rule, depending on what species it was and what the nature of those were.

But we can't implement the rule until after the biological opinion is finalized and signed. This biological opinion has to be finalized well in advance of November 15th, because we've got to publish a proposed rule, have the comment period on that, respond to all the comments on the proposed rule and issue a final rule.

MS. BECKWITH: Well, my thoughts were similar to what Michelle just touched on. The idea, I think, behind seeing the draft would be to work with you guys. If there was something that came up, if we sort of felt that it wasn't accurate or we had different data than you guys might have used, or different understanding of the fishery that may not have been considered, sort of be able to have that discussion before it became final. But it sounds like that would almost be a pre-draft stage, which we're not sounding like we would ever be privy to.

DR. CRABTREE: There is no pre-draft stage. There is either a draft that has been cleared through the attorneys or it is just finalized. If we brought you a draft in June and there were substantive comments about the data and all of that that we felt like had merit, and we had to go back in and redo it, that would likely put us off of our time tracks, because that would probably take months then to revise it and go back through the process again.

DR. DUVAL: Anna, I was just trying to clarify, I think, for the benefit of the committee, what generally happens when a new biological opinion comes out of the agency, we feel like we've done due diligence such that we would get an opinion back that would not require any reasonable and prudent measures.

I think what I was trying to ask Roy, and probably not very clearly, was if an opinion did come back that indicated reasonable and prudent measures were required, would you sign the opinion so that it is then final and then come to the council and talk about this? That is the little piece of process that we just don't know anything about.

MS. SMIT-BRUNELLO: I think that that is possible that it would be signed and then brought to you. I don't know. I think we're going to have to figure this out and look at what the ESA requires, what the MSA requires and all that sort of thing. Do you recall with spiny lobster? I think that biological opinion may have been signed, when it was brought to you a number of years ago.

It had reasonable and prudent measures about trap markings and those sorts of thing. There was a lot of discussion from the fishermen, in the Keys particularly, about whether they could accomplish that and what the cost would be and all that sort of thing. But I believe that opinion was signed already and brought to you.

DR. CRABTREE: It was, and we ultimately went through a lot of work with fishermen in the Keys with Florida Fish and Wildlife Commission. I think we did a study, and we concluded it wasn't a practical, reasonable thing to do, so we didn't go through and require it.

MS. SMIT-BRUNELLO: Right, and the biological opinion was subsequently revised because of that.

DR. DUVAL: I think that is the kind of feedback we're looking for; in terms of if any measures were to be brought back to the council. That we would have the opportunity to weigh in on those measures - that it is not just a mandate that is being brought back before us.

MR. COX: I remember, Roy, we were having this conversation at the last meeting. I know we talked about we thought we could get this pushed through pretty quickly, so these guys could get back to work in November. What do we need to do? We've already done a biological opinion, right? We have not done one at all?

DR. DUVAL: We have an existing biological opinion that is from 2006. What Roy is saying is that because of the actions we are taking here, this is triggering a new biological opinion for the entire fishery. Once, I believe, the work on that has started or it starts with the conclusion of the DEIS comment period.

DR. CRABTREE: I suspect some of the work on it has already started.

DR. DUVAL: The point is, remember we had a lot of discussion about when a biological opinion could and could not start, and it had to be there was reasonable assurance that the council's preferred alternative was not going to change. Once we selected a preferred alternative and the agency was able to move forward with the DEIS, then the preliminary work on that biological opinion can move forward. But because of the nature of it, it is not going to be completed until roughly June, is what Roy is telling us.

The issue at hand here is whether or not the council wants to see a draft of that biological opinion in June before it is signed. I think what Roy is saying, and Brian is saying is that if the council decides it wants to see that draft and comment on it, it is not just us. It would be an open comment period for anybody. The time necessary to respond to all those comments could delay potentially having this existing closure modified in time for the winter pot season in November. Does that make sense?

MR. COX: It does, and I don't think we need to see it.

MR. HAYMANS: That is what I was going to say is, I think I'm comfortable enough not to see it prior to its signing. If we say we want to see it, we don't have a fishery this 2016 winter. If we don't see it and it comes back negative, we don't have a fishery in the winter of 2016. The only way we're going to have one is to let's move on. I do have a process question about that once we kind of finish that if we could; to Monica.

MR. PHILLIPS: Madam Chair, I did step out. I talked to Jimmy. He said taking the buoys, disconnecting them from the pots or stowing the buoys in the pot as we talked about, was perfectly fine and he was good with that. I think that pretty much covers everybody.

MS. McCAWLEY: I was just going to say I'm fine with not seeing a draft of the biological opinion.

DR. DUVAL: I'm as well. I think, given what Roy and Monica said about the opportunity to converse should there be reasonable and prudent measures that come out of that. Doug, process question.

MR. HAYMANS: Monica, are these hard and fast NEPA guidelines, or is this NMFS policy or NMFS guidelines to enforcing NEPA; with regard to the timing of impact statements or EIS?

MS. SMIT-BRUNELLO: Now you're not asking questions about the ESA, you're talking about NEPA?

MR. HAYMANS: Forgive my ignorance. What law is it that requires us to do this?

MS. SMIT-BRUNELLO: To do what?

MR. HAYMANS: Create an environmental impact statement?

MS. SMIT-BRUNELLO: That's under NEPA. When you create a draft environmental impact statement you put it out for a 45 day public comment period. When the last council meeting ended there was work to be done on the amendment, which is also kind of an integrated draft

environmental impact statement. We worked on that and the soonest it could be published was when it got published. It just so happens that the comment period ends the first day of the council meeting. It is nicer when it ends a little bit before that; but the fact is I think you've met your Magnuson requirements.

I think the Service is meeting its NEPA requirements by taking public comment on the DEIS. You have all those comments before you, and Brian summarized them. You've got them in the records and it just so happened that 45 day ended on December 7th, a day that will live in infamy for many reasons. Now there is the opportunity for you to look at those comments.

MR. HAYMANS: I understand where my question comes from, and it really is the National Standards. We had to live under the National Standards for a long time, and we had a lot of repercussions from that. Now we understand that well, NMFS has got different ways that they can use the National Standards; we get new guidelines, new rules for that. I want to make sure that we're not operating under a set of NMFS derived guidelines for NEPA. That is where my question was coming from.

MS. SMIT-BRUNELLO: No, these are not NMFS derived. There are regulations that have been promulgated under the National Environmental Policy Act, they are strictly NEPA regulations for the DEIS, for the comment period and all that. It has nothing to do with anything that came out of Magnuson.

DR. CHEUVRONT: Okay, there is just one procedural thing related to this. There is now an integration agreement on how we go about doing – okay it is not finalized yet – but we're getting there. Thanks, Chip for telling me it's not finalized yet. We're pretty close to getting there and it defines a procedure for how we go about doing things like requesting a biological opinion.

What I wanted to point out it under that agreement the Protected Resources Committee is going to need to request that the council request the update to the biological opinion under Option 1 of the agreement, basically for the reason that we've been talking about here. It is just a review and update of the agreement.

DR. DUVAL: Can you say that one more time? I got confused, I'm sorry.

MS. SMIT-BRUNELLO: What Brian's talking about is a draft, kind of what Doug was talking about too, really. The draft Magnuson Act/ESA Integration Agreement, and it kind of sets forth a; you've seen it before you'll see it again. It is a different scrutiny that you want to pay to biological opinions; depending on – you categorize it as a Level 1, a Level 2, and a Level 3. But I am not sure that is exactly in play here, because that agreement isn't final; and so I think you're free to do what you would like to do until that agreement is final.

DR. DUVAL: Just so I'm clear, Brian is just making us aware of the fact that normally a step in this process would be that our – the council's – Protected Resources Committee would recommend to the full council that we request an update to the biological opinion under this agreement; once it is in place. It is not yet in place. Okay, great.

DR. CHEUVRONT: I'm assuming, I'm just asking a question because Chip is the one who is sort of honchoing this through. Do we expect it to be in place soon that this would be relevant for this or not?

MS. SMIT-BRUNELLO: I'll speak for Chip. Hey, Chip. My name's Chip and he's right behind me. We're not sure if it is going to be final at this meeting or not. It might be. I have some additional comments on it that I need to give Chip, so it is possible that it could be final at this meeting. You'll see that, I guess, at the Protected Resources Committee.

DR. CHEUVRONT: Ah, so here is where we have sort of cross things happening at the same time, okay. The last thing is that since we've got to go over the transit provision language at full council, we'll just wait until full council to do that final vote in terms of approving the amendment for sending to the Secretary for review; if that is okay with you, Madam Chair.

DR. DUVAL: Absolutely, let's just do it once.

DR. CHEUVRONT: Okay, and that is all I have For Regulatory Amendment 16.

DR. DUVAL: Any other questions for Brian at this point? We will see this again at full council so that we can look at that transit language, and part of that is actually in the codified text, which is Attachment 4C if anyone is interested. The next item on our agenda is Amendment 37, which is hogfish. I don't expect that we'll necessarily get through all of this today, but we'll go as far as we can, and we're going to adjourn promptly at 5:30, if not a little bit before. I'm going to turn things over to Myra.

MS. BROUWER: Amendment 37, Decision Document is Attachment 5A. The first thing to do is to make sure that everybody is okay with the purpose and need, which is on PDF Page 2 of your document, and it is up on the screen right now. Is that big enough? There have been no suggested edits or changes, as far as the IPT goes.

To remind everybody, this is the amendment that would first modify the management unit for hogfish, and then the council needs to establish ACLs based on ABC recommendations for both of the stocks. There is a stock assessment that applies to the Florida stock of hogfish, and there are revised projections. As Luis mentioned earlier, those were reviewed by the SSC when they met back in October.

This decision document contains those new revised ABC recommendations from the projections that were done this fall. Unless the committee wants to make any revisions to the purpose and need, we can move on to the first action; which is on PDF Page 3. For this one, you already have a preferred. This is the action that would establish the boundary to define the Florida Keys/East Florida stock of hogfish from the West Florida stock.

The Florida FWC, law enforcement have recommended some language that you reviewed back in September. I don't currently have a figure in the document, but Roger just gave me a map that I'm going to pull up to make sure everybody knows where that is. It is a little fuzzy, and we're going to tweak this and make it nice to go in the document, but you see this line over here.

The language in the amendment just says that the boundary would be defined by a line running due west of Cape Sable, and that is at 25 degrees 9 minutes north latitude, so that is this yellow line over here. Here is where the South Atlantic jurisdictional boundary extends to.



MS. McCRAWLEY: Just to reiterate where this came from. This was originally the Shark Point boundary that we had discussed previously. Our law enforcement recommended moving this to the Cape Sable area, because there is already an existing line there for another fishery. This is the bottom of the Pompano Endorsement Zone that we use for state waters. That is why the line was moved from Shark Point to Cape Sable.

MR. CONKLIN: I just wanted to say I was at the Gulf meeting in October and that is also the line that they picked for the jurisdiction as well, or reiterated. I forgot you do both sides of that state.

DR. DUVAL: We're on the same page; it's a good place to be.

MS. BROUWER: For now, we don't have any action the committee needs to take. The way I've structured this decision document is I've included any recommendations for each of the actions; whether it be from the AP, the SSC or any of the scoping comments. Recall that this amendment we did scoping hearings for it, and you are scheduled to approve it for public hearings, which would take place at the end of January.

Action 2 is on PDF Page 6. This is the action that would specify the MSY, and again, you do have a preferred, which is similar to what you've chosen for other similar amendments where there is a stock assessment that gives you the MSY value. Then the language would allow you to adopt the new MSY as a new stock assessment is produced, without the need to go through a plan amendment.

You can see the numbers on the table. Of course, for the Georgia/North Carolina stock, we don't have an MSY. That is currently the ABC has been determined through the ORCS methodology, but you see the value there for the Florida Keys/East Florida stock. Again, here is a summary of the comments that we have thus far on this option. Unless there is any desire to change anything, the committee doesn't need to take any action at this time.

Action 3 is on PDF Page 9. This would specify the MSST for both of the stocks. Again we've structured it similar to the previous action, to where we have subalternatives that apply to each of the two sub-stocks or stocks, whatever. Then you've got the table there with their respective values.

Your preferred is Alternative 4, which puts the MSST at 75 percent of the SSBmsy, in keeping with what you chose to do under Regulatory Amendment 21, which established that new definition of MSST for stocks that have low natural mortalities. The natural mortality for hogfish would be within the range of species that you considered in Regulatory Amendment 21.

Again, we don't really have much in the way of recommendations. These are pretty straightforward actions. Again, the committee doesn't need to do anything at this time. This is where we're going to get a bit slowed down. Action 4, this would establish the ACL for the Georgia/North Carolina stock and it is on PDF Page 14 of your document. We still have the two alternatives with subalternatives for the various levels for the ACL, looking at a buffer of 5 percent and 10 percent. Then the yellow, the highlighted text, is because we've made revisions to the landings streams, and that resulted in a change in allocations. Currently using the recalculated allocations with the latest landings that were provided through the region would put the commercial ACL at 69.1 percent and the recreational at 30.9 percent for that stock.

I don't know if Luis mentioned this previously, but the ABC recommendation for the Georgia/North Carolina stock changed slightly because of revised landings that were used to apply the ORCS methodology, so it actually went up slightly by about 7,000 pounds from the time you saw this last.

The recommended ABC is about 35,000 pounds for that stock. We have a table showing the landings that were used for the allocations; the third highest landings value that went into the calculation for the ABC. As Luis mentioned earlier, the scalar for the risk of overexploitation has not changed.

Here we have Table 4.4.1 which shows you what the total ACL would be and then the sector ACL is based on those revised allocations, both in numbers of fish and in pounds for the recreational sector. This is using an average weight that was calculated from landings just for that stock. That was 10.6 pounds whole weight.

Again, the Snapper Grouper AP recommended Subalternative 2A. Then I've included in here the recommendations straight out of the SSC report that outlined their rationale for their recommendation to continue to apply the ORCS methodology as they did originally; all that is included in here. As far as scoping comments, there were 12 comments that were in support of no action. Folks were vocal about the need for a stock assessment that would be applicable just for this stock.

Also as background and just for the record, during this recalculation of these allocations is when we started noticing issues with some of these landings values; and that prompted us sending a letter to MRIP to request clarification, and so all that is included in here. What we would need from the committee is first of all to accept the edits that we've suggested based on those allocation edits. Then of course select a preferred alternative, which we don't have one for this action yet.

DR. DUVAL: Let's go ahead and get the editorial stuff out of the way. If I could get a motion from the committee to accept the IPT suggested edits for Action 4, then we can continue from there.

**MS. McCAWLEY: I move that we accept the IPTs suggested edits for Action 4.**

**DR. DUVAL: Motion by Jessica, seconded by Anna. Any discussion on that motion, any objection to that motion? Seeing none; that motion stands approved.** Next comes selection of a preferred alternative. The advisory panel recommended Subalternative 2A, which is setting ACL equal to the SSCs ABC recommendation.

MR. HARTIG: Before we get there, Madam Chairman, in the way these numbers changed can I get an explanation of why they changed the allocation?

DR. DUVAL: You mean the updated landing streams, like why the landings changed so much?

MS. BROUWER: My understanding is that there needs to be a recalibration of the weights. I know Mike Errigo and Nick Farmer are here and they know all the very gory details of how that is conducted, so I'm not going to try to explain that. But here comes Nick.

DR. DUVAL: Dr. Farmer, enlighten us please with the landings streams.

DR. FARMER: The stock assessment determined that you had more than one stock within the South Atlantic Council's jurisdiction and in addition to that that the Keys from the Gulf of Mexico/MRIP would be moved over. The issue that we had was we needed to create a landings time series that was consistent with those split stock definitions.

What we did is we actually went into the raw MRIP and headboat data and basically partitioned those stocks prior to estimating the average weights; because the stock assessment is indicating that that is a different population. What was happening previously is that the South Atlantic hogfish average weights would be drawing from, basically, east Florida above the Keys all the way to North Carolina.

Instead, we went in and modified the program so that the Georgia through North Carolina portion of the stock would draw only from Georgia through North Carolina to assign average weights, and the average weights are much higher in that area. The Florida portion of the stock would pull from both Monroe County and the east coast of Florida.

You get slightly different average weights for the Florida portion of the stock, and very different average weights for the Georgia through North Carolina portion of the stock; which is why you see that shift in the computation for the allocations. It's because the recreational average weights are modified to better reflect the breakout of the populations.

DR. DUVAL: Thank you very much, Nick. That makes sense.

MR. HARTIG: Yes, how much information did you have from the northern stock to be able to make those changes?

DR. FARMER: What we did is the Science Center's usual standard for creating average weight estimates is they have multiple levels of aggregations, so they have a hierarchy of finer detail out to very broad detail, with the broadest level of detail being the stock region level. What we did is we had these various levels of detail.

We computed the average weights for all those levels of detail, and then assigned the average weight for the Georgia through North Carolina portion based on the level of aggregation that was the finest level with a minimum sample size of 10 hogfish, versus the usual 30. Basically, for the most part, what that resulted in for Georgia to North Carolina was a stock region decade level of aggregation.

Basically, you have a mean weight for the 80s, a mean weight for the 90s, a mean weight for the 2000s, and a mean weight from, I think, we had some finer level of detail from 2010 on for some of them. That is about how it worked out. There were a few years in that time series where we were able to drill down a bit more fine, sometimes even to the wave level. But for the most part it was the stock region decade level that was what Georgia through North Carolina was able to get, in order to have a sufficient sample size you don't see these really aberrant average weights that are the result of one or two fish.

MR. HARTIG: At the decadal level, are you talking 30 samples in 10 years? Is that what you're talking about?

DR. FARMER: The minimum threshold is 10 samples in order to get it, so there were some instances where that would result in 10 samples. There were many instances where that draw would maybe have much more than 10, possibly even more than 30; but the next finer level of detail would have had less than 10.

DR. DUVAL: Thank you very much for that explanation, Nick. Is everybody clear on why these numbers changed? I'm not seeing any questions or hands go up, so thank you. Oh, Erika.

MS. BURGESS: I was curious if the AP, when they reviewed the decision document or the actions of this amendment, if they saw these revised allocations or if they saw the allocations that the council looked at at their last meeting.

MS. BROUWER: I can't remember. I would have to go back and look at the decision document that I used during that meeting. I think they saw these allocations. Kenny is shaking his head no, they were different. Okay, so it sounds like maybe the revisions were done after the AP met. The allocations didn't change much, but I can look up the decision document that was used at the AP meeting and tell you for sure what those percentages were. I can't recall right now.

DR. DUVAL: I mean, presumably the numbers that the AP saw would have been the numbers that we saw at our September council meeting. The revisions, if I'm looking at this properly, result in a higher total ACL and then when we apply the allocation formula, it results in a higher recreational portion of the ACL.

MR. FARMER: Long story short, basically, what happens is when you pull the Keys portion of the stock into the east Florida, Florida Keys portion of the stock that brings the average weight slightly down for the Florida area, and that is because the Keys mean weight is somewhat lower than the east Florida side of the stock.

But it is not a huge change. For Georgia through North Carolina the mean weight would jump, because basically, when you have Florida through North Carolina rolled in, it ends up taking kind of the mean of that whole coast wide area. In Florida the mean weight is closer to 2 pounds, in Georgia through North Carolina what we found is when we broke out Georgia through North Carolina exclusively, it is closer to 9 to 10 pounds, depending on the year.

What you get is a mean weight from Georgia through North Carolina if you don't do that breakout of about 4 pounds. Basically, what it is doing is it's pulling weights from the east Florida area to fill the gaps. We fixed that issue, because it is a different stock and the fish seem to be much bigger off Georgia through North Carolina. Because the numbers are the same but the mean weight is higher, the recreational landings in pounds become higher.

DR. DUVAL: Are there any other questions or discussion before we launch into selection of a preferred alternative?

MS. BURGESS: I was curious, also, if the rest of the analyses within this document that pertain to recreational bag limits, recreational size limits, commercial trip limits, if they've all been

updated with this new allocation; because I think the change for the Keys, for the east Florida/Florida Keys stock is pretty significant.

DR. FARMER: The recreational analyses are based on a decision tool, which looks at the combined effects of all the different alternatives, and it's got drop down menus and a user interface and things like that; basically that all pulls out of the same landings data, so it does pull that.

There is a different decision tool for the east Florida/Florida Keys stock and then another one for the Georgia through North Carolina portion of the stock. The whole IPT is using that tool and it actually has the economic effects automatically updated when you select different alternatives, so it is all a big, integrated model now.

MS. BROUWER: I guess, Erika, I am not 100 percent confident in saying that yes, all the analyses have been updated; because as of yesterday I was still receiving edits from the region. In fact, I think David Records sent a revised economic analysis using the decision tool, because this amendment has changed so much since September. I can't tell you how many iterations of it there have been. It is hard for me to tell you yes, all the analyses; every single one of them has been updated. But we've done what we've been able to accomplish thus far to bring it up to as complete as possible.

MS. McCAWLEY: Are we going to be able to see the decision tool?

DR. DUVAL: This is something that is going to be reviewed by the SSC, I believe, at their spring meeting; just as we've done similar things with bag limit analyses that are sort of standardized for the bag limit analyses that we see. We like to have the SSC review these tools and give them their blessing. I think we can see it, certainly, after the SSC has reviewed it. Any other questions while Nick is up here at the table? Oh Doug, I'm sorry.

MR. HAYMANS: It is okay, Madam Chairman. I'm looking at 4.4.1 on Page 17, which is the Georgia/North Carolina ACL pounds converted to numbers; and that is the 10.6 pounds per fish you referenced a moment ago. That is under the current size limit. We've got under 2A; I'm just for instance there is an 11,000 pound which converts to 1,000 fish.

But if we, in one of these actions, go to a 20 inch fish we're going to increase the weight of the fish. If we're counting by numbers – I'm just making sure I understand – we count by numbers we could blow through the ACL weight wise, even though we stay within the number ACL. I do understand. I'm confused.

DR. FARMER: No, you're absolutely right. We did the math on that and there has been significant discussion amongst the IPT on how best to handle that. Currently, the way that we're handling it is we're looking at the decision tool as an iterative model, where when you select a new size limit, in order to prevent you from blowing past your – you don't have an ACL in pounds, but you have an allocation of the ABC in pounds, which is then converted to an ACL in numbers – so we're looking at you don't want to exceed your allocation of the ABC in pounds. When you have a new minimum size limit, you have selectivity that changes and you kind of are pushing your selectivity up to a higher average weight.

We're accounting for that selectivity and determining a new average weight for the fish that would be landed under that new size limit. The decision tool will reflect that, and it will show you what number of fish you'll actually be able to catch, in order to not exceed your allocation of the ABC in pounds.

I think that that is the only way you can do it, because you're absolutely right, a thousand 12-inch fish weigh a lot less than a thousand 20-inch fish. The only way to avoid exceeding that allocation is to make a new determination, a projection of what your new average weight will be.

DR. DUVAL: Great question, Doug. Any other questions before we discuss selection of a preferred? Anna.

**MS. BECKWITH: Sure, I move that we select Subalternative 2A as our preferred.**

**DR. DUVAL: There is a motion by Anna, is there a second? Second by Ben. Discussion.**

**DR. CRABTREE:** Well, you know when you set the ACL equal to the ABC, the implication is sort of that there is not any management uncertainty. We certainly have had issues of going over the ACLs, due to the timeliness of MRIP and dealer reporting and all those kinds of things. **I would make substitute motion to establish 2B as the preferred.**

**DR. DUVAL:** Roy is taking lessons from ASMFC, substitute motion by Roy to select Subalternative 2B as a preferred. **Is there a second to that motion? Seconded by Zack. Discussion on that motion.**

DR. CRABTREE: That gives us at least a small margin of error with these things. I think that is appropriate, given that with the relatively small catch levels like this there is going to be a lot of uncertainty in trying to track these things.

DR. DUVAL: Other discussion, I have Doug, and then Ben.

MR. HAYMANS: Just an observation based on the 10.6 pounds where we currently are. That is a difference of 52 fish, and MRIP and everything else isn't going to pick that up. I don't know whether it equals itself or whether it is 95 percent. I don't see what difference it makes - over 52 fish.

MR. HARTIG: I have about had it up to here with, not your motion, Roy. It doesn't have anything to do - it has something to do with your motion - it is just a philosophical problem I have with the MRIP estimates and the uncertainty in the MRIP estimates and what we're seeing. Now the 5 percent based in any one year.

Any one year we're going to get crushed based on how many samples we have. I'm just so frustrated at this point. Look at blueline tilefish, you know, when we went to do the projections again, we had this big spike, the same way with hogfish when we went to redo the projections. We had this huge spike in landings. I don't know what to do any more. I don't. I am lost.

DR. CRABTREE: Well, I would just point - I mean, that's a problem with MRIP, but even in the commercial side we have a difficult time tracking these things within 5 percent, because of delinquent dealer reports and all. It is just inherent in tracking these, and particularly with

relatively small numbers of fish like this. The chances of going over substantially on either side of this are there.

MR. BOWEN: My reason for seconding the motion was because this species is not even assessed in one of the ORCS methodology so we can be conservative. I didn't realize it was only 52 fish. I might want to retract my motion and go with 2C to make it 104 fish. But the only reason I seconded that motion was because they are unassessed and want ORCS methodology with it. I feel like we need to be as conservative as we can.

MS. BECKWITH: If you remember, Zack, we sort of had the conversation that we felt like the recreational ACL was being underestimated, because MRIP is not picking up the spear fishermen.

MR. BOWEN: To that point. They picked up something, because the recreational are closed right now.

DR. DUVAL: Any other discussion on this motion? **This is a substitute motion to select Subalternative 2B as a preferred. My suggestion is we vote this motion up or down. If it passes, it then becomes the main motion and we vote on it one more time. Could I please see a show of hands of those in favor of the substitute motion?**

**Six in favor; those opposed. Four opposed; the motion passes. The substitute becomes the main motion. Show of hands of those in favor again. Seven in favor, those opposed, three opposed and abstentions; one abstention, okay motion carries.**

MS. BROUWER: Okay, moving on to Action 5. This is on PDF Page 21 of your document. This is the one that establishes the rebuilding plan for the Florida/Florida Keys stock of hogfish, and these are, as I said, based on the new projections, and we've changed Year 1 to be 2017, because that is when we expect regulations to become effective.

That is an edit that you'll have to approve. The other thing, we're recommending we change is there is really no need to have the ACLs as part of these tables, so we recommend that we get rid of the columns that are highlighted. Then you can see we've included the F rate, the SSB in pounds, the probability of rebuilding, the ABC in pounds and then the discards. That is how the alternatives are structured.

Currently, your preferred for this stock is Alternative 3, and this corresponds to the SSCs recommendation of 10 year rebuilding at 72.5 percent probability of rebuilding success. Here we have a table that basically just summarizes the ABCs under each of the alternatives, including Preferred Alternative 3 in pounds, some economic analysis, and dockside value for each of the alternatives; then again recommendations that have come forward from the various advisory bodies. Here, basically, we just need the committee to accept the IPT suggested changes and make any other changes as you deem appropriate.

**MS. McCAWLEY: I move that we accept the IPTs changes to Action 5.**

**DR. DUVAL: Motion by Jessica, seconded by Charlie. Is there discussion, any objection? Seeing none; that motion stands approved.**

MS. BROUWER: Action 6 on PDF Page 28 establishes the ACL for the East Florida/Florida Keys stock. You do have a preferred here. Again, a change in the sector allocations due to revisions to the landing streams, and you do have a preferred; which is Subalternative 2A, ACL equal to the OY equal to the ABC.

For this stock the allocations would be 9.6 percent commercial and 90.4 percent recreational. Here are the landings that were used to come up with the recalculated allocations. Here is your ACLs total and then for each of the sectors and for the recreational in numbers based on an average weight of 1.76 pound whole weight, and recreational ACL in pounds for each of the subalternatives.

Again here, just a little bit of background, what Luis talked about this morning or earlier this afternoon, their recommendations on pounds versus numbers. The Snapper Grouper AP had no recommendations as Jim said earlier, where they felt that they supported the council's preferred. They didn't feel the need to make another motion to that effect.

DR. DUVAL: I have Roy and then Ben.

**DR. CRABTREE:** Well, I think consistent with the motion we passed a moment ago for the more northern group where we set the ACL at 95 percent of ABC. **It seems to me that is appropriate here, so I would make a motion to change our preferred alternative to Alternative 2B.**

**DR. DUVAL:** **There is a motion by Roy to modify the preferred alternative to be Subalternative 2B, is there a second to that motion? Seconded by Chester. Discussion.**

MR. HARTIG: Yes, I'll do the discussion now. Well, if it includes some uncertainty in the estimates we have is it appropriate for this now to talk to the motion? I mean I want to talk about the landings stream. Do I talk about that now or do I wait?

DR. DUVAL: I think you could go ahead and talk about it now if you want to.

MR. HARTIG: Nick.

DR. FARMER: I didn't do it.

MR. HARTIG: Was there any difference in the calculations, and I know you probably did it the same way you did it in the Carolinas, but was there an additional step you had to take in post stratification of the landings in the Florida Keys?

DR. FARMER: The Keys stock, what we did is we took the Monroe County, MRIP landings. We assigned those to the South Atlantic and then we ran the average weight estimation process restricting that process to looking at just Monroe County through the Florida/Georgia border. That is how that worked.

The minimum sample size requirement for that area was 30 fish, because we had much better sampling and so we had much finer resolution in terms of, you know you would occasionally get wave, mode, level, average weights for that. We didn't often see that go to the decade level. I don't think it ever went to the decade level.



MR. HARTIG: I appreciate that but to me the landings histories for the most recent years in particular don't make a lot of sense, because you have the highest landings history in 2008 of the recreational fishery, and you have some of the lowest landings in the history of the commercial fishery.

It seems to me, on balance, they should mesh somewhat and they do mesh somewhat in the previous years. They mesh quite a bit, actually. There is going to be some difference in any one year based on the MRIP surveys, but you have two of those years, 2007/2008 which are extremely high and they are higher than any level in the initial 13 years before that.

That is problematic from one aspect. The other aspect it enters into is when you figure the allocation, because you're taking these last three years of the recreational fishery of the highest years in the time series. Then you're applying them to the commercial fishery that has the lowest landings in the time series. Somebody is going to get screwed.

It can work either way, and I did a lot of work – Max, back in the audience, probably remembers some of these conversations we had back when we were discussing allocations initially – and those problems arose then as well. But here it just seems inordinately there are a couple different things working; they seemed inordinately out of sync. That causes a real problem in the allocation formula.

DR. FARMER: I guess, the best response I have is that the average weights for the Florida through Florida Keys portion of the stock are much better, in terms of their precision, than for the Georgia through North Carolina portion of the stock; because they are a much larger sample size requirement, and even with that requirement you're still at a finer level of stratification.

I could probably prepare like a little mini appendix for the Snapper Grouper 37 that shows what the average weights were by year, like what level was selected for the thing. But that is going to vary, it won't be an annual thing right, it would be by mode and by wave what the average weight was that was assigned, so it could get to be a pretty complicated table.

But from what I recall, the average weights for that region, the Florida/Florida Keys area, were not very variable through time. It is fluctuating around two through that time series. There are some 2.5s in there, there might be a 3 pounder in there for one portion; but it wasn't like wild fluctuations where you're going from 5 pounds in one year down to like 1 pound in another. It seemed more stable than that.

MR. HARTIG: Yes, and we have tried to use landings histories that were stable. Not so stable in this case in those last three years. I don't know what we do about it. Do you have any sense of possibly why those numbers were so high in 2007 and 2008? I mean you guys have looked at these numbers up and down and backwards.

DR. FARMER: Yes, but I don't really necessarily have a sense of why that would be. We could look at the time series in numbers should be the best indication for what is going on, because those are much better estimated than the time series in weights; as Dr. Errigo made a nice presentation to the SSC about. But I'm not entirely sure, you know it could be recreational fishing pressure was higher in '07/'08. The economy kind of took a dive after that; you figure less recreational pressure after '08, I don't know.

MR. HARTIG: I know but it still doesn't, you would think stock wide if you had a decreasing commercial fishery that you would have something similar in the recreational, and you do not.

**DR. DUVAL:** Any other discussion on this motion? We will need to come back and get a motion from the committee to accept the edits. **The motion is to change the preferred for Action 6 to Subalternative 2B. Is there any objection to this motion? Seeing none; that motion stands approved.** Now can I get a motion from the committee to accept the IPTs suggested edits for Action 6?

**MS. McCAWLEY:** I move that we accept the IPTs suggested edits for Action 6.

**DR. DUVAL:** Motion by Jessica, seconded by Charlie. Any discussion, any objection to this motion? Seeing none; that motion stands approved.

MS. BROUWER: Okay, Action 7 is on PDF Page 34. This action establishes the recreational ACT for each of the stocks. You have a preferred for Alternative 2, which addresses the Georgia/North Carolina hogfish stock, and that is to establish the ACT at 85 percent of the recreational ACL.

Recall that we discussed this back in September, and you have corresponding tables here that show you the percent standard errors for each of the stocks. For the Georgia/North Carolina stock the average of the PSEs for the last five years, which is typically what the council uses, is quite high; it is 62.1 percent.

Based on the current formula, if you stayed with the formula that you've been using for recreational ACTs for other stocks, then that would result in you setting the ACT at half of the recreational ACL for that stock. That is why back in September you chose Subalternative 2B as a preferred, and to be consistent chose Subalternative 3B for the Florida Keys/East Florida stock as well.

Here is a table showing the PSEs for that stock and a table here showing what those values would be for each of the ACL alternatives for the previous action; for Action 4 and for Action 6. Again we've got the recreational ACT expressed in both pounds and numbers of fish; based on those average weights that I told you about corresponding to each of the stocks. Unless you want to make any changes, currently we don't have anything that we need the committee to do for this action.

Okay, Action 8 looks at the recreational minimum size limit for each of the two stocks. This is on PDF Page 38. You have a preferred for the Georgia/North Carolina stock, Preferred Subalternative 2E; that is 20 inches fork length. For the Florida Keys/East Florida stock you've chosen Subalternative 3B, which is 15 inches fork length as your preferred. We have here some biological information on the maturation of hogfish; this is for the fish that are in Florida and the Caribbean.

We do have some preliminary information on the Georgia/North Carolina stock, but as we discussed earlier, there is still ongoing research that is being done through MARMAP to look at the reproductive biology for that particular stock. Then we have the percent reductions in numbers by mode and wave for different proposed size limits.

Going from 12 inches for no action up until 20, and this is for the charter and private; and the numbers across the top correspond to the various MRIP waves. Table 4.8.1 corresponds to the Florida stock and 4.8.2 is for Georgia/North Carolina. This is the same thing looking at pounds not numbers.

I guess there is some concern that the percentages for the private mode for the Georgia/North Carolina are off, is what Jim came up here to tell me.

DR. DUVAL: Off as in too high or too low?

MR. ATACK: If you have a 20 inch minimum size you're not going to reduce the landings by 85 percent. We wouldn't expect to see any reduction in landings until at least you are above 17 inches or so. If you look at the table, it didn't make any sense to us based on the landings.

DR. DUVAL: I know what table he's talking about. I'm trying to figure out. Sorry, Ben. I guess I'm just trying to figure out why you don't think it makes sense that there would be that great of a reduction, when there is a 12 inch minimum size limit right now.

MR. ATACK: The average size of a fish in North Carolina is 10.6 pounds, so that has got to be 30 some inches. A 20 inch fish is 5 pounds. If our average fish is 30 some inches and you increase the minimum size to 13 inches, you're not going to get a 27 percent reduction in landings; and you're certainly not going to get a 52 percent reduction in landings if your minimum size is 14 inches, if you look at the table.

DR. DUVAL: You're saying, and this might be a Nick and Mike Errigo thing here. You're going back to what Nick was saying, the average weight that was used to calculate, basically the landings stream when the stock unit was split. That is based on MRIP information from 2010 to 2015 is my understanding. Nick, is that correct? Sorry, Nick. You might as well just hang out up here and bring your laptop. I think Jim is questioning, we're on PDF Page 41 in the decision document, which is Attachment 5A.

It is Table 4.8.2 which shows the percent reductions in the Georgia/North Carolina recreational landings in numbers at the different proposed minimum size limits. What Jim is saying is that he doesn't think that those tables make sense based on the average weights of fish from the Carolinas, and particular, I think if you guys were using 10.5 pound average weight to do your calculations for the ABC.

DR. FARMER: The way we do this is we go into the raw data files, the headboat catch effort file; and that is from 2011 through 2013, and then the MRIP catch effort files from 2012 through 2014. In those actual files we have the lengths of the fish that were caught. We'll use the size conversion or weight length conversion equation from SEDAR 37 to convert those to pounds.

Then what we do is, if the fish is below the minimum size limit, it gets removed and you rerun the estimates. So you're just comparing a baseline of the raw file as it stands and how many landings you had coming out of it. Then you go through the file and you kick out all the landings below 13 inches and you rerun it; what is the total by wave and by mode.

You see the differences by mode here, and so what you're seeing here is it is indicating that the private guys are impacted much more by these size limit increases than the charter fellows off

Georgia through North Carolina. The charter mean weight appears to be higher, I guess, is what I would conclude from that. But this is all running off of the raw intercept data. This is the actual anglers bringing fish back to the dock. It is from the port intercept files.

MR. BOWEN: This is strictly hook and line correct, Dr. Farmer, or is this intercepts for dive vessels, as well?

DR. FARMER: This is everything, everything. Everything that comes back to the dock, we get that file of the fish that came in by mode and by wave. Then the next step that we do after that iterative process of kicking fish out and rerunning the estimates is, we then look at the reductions, and we have to combine periodically across waves in order to achieve a reasonable sample size.

Because you may have an instance where maybe you only had three or four fish come in a wave, like, let's say, November/December. You kick out anything below 14 inches and suddenly you're at zero. Well, maybe that's not all that accurate, because it was just a couple trips that got intercepted because it was a low wave or whatever.

What we do is we make sure that there is a sample size of at least 30 before we compute the reduction, which is why you'll see in a lot of these waves, you have the same reductions coming out for two different waves at the same size limit. That is because they have information that is being combined. A lot of these estimates for Georgia through North Carolina might even be annual combinations in order to achieve that sample size, because the sampling there is relatively low for hogfish.

MR. BOWEN: I understand what you're talking about, but I also understand what Jim is saying, too. They are not harvesting those smaller fish, so raising the size limit is not going to impact them is what he's saying. You won't get the reductions, because the fish that they're harvesting aren't the small ones, anyway. I understand both sides of it.

DR. FARMER: Like as a point of comparison, for the charter mode off of Florida/Florida Keys, from anywhere above a 17 inch size limit you've got a 90 percent reduction; whereas, 17 plus percent off of Georgia through North Carolina and you only have a 34 percent reduction. What that is saying is that the charter mode off of Georgia through North Carolina is not really encountering fish below a much larger size. Really, it is saying that is a 34 percent reduction all the way up to a 20-inch fish.

That is saying that the vast majority of fish that charter guys are encountering off Georgia through North Carolina are greater than 20 inches. I don't have the landings broken out by mode right now, but if the charter landings are higher for MRIP then the private landings for Georgia through North Carolina.

Then that would also help explain why the mean weight is higher. It is saying right here that the charter guys are encountering much bigger fish. If they are 50 percent plus of the landings, then you kind of even, just eyeballing the math off these two tables, can infer that the mean size is pretty big, bigger than 20 inches.

MR. ATACK: Yes, and you have data there on the commercial side pretty good, if you look further down in the document. That illustrates that 85 percent or so is going to be bigger than 20

inches. Whether that is commercial or recreational, I think you're going to see the same distribution of the population. Realistically, this chart, I don't think, is accurate to what your reductions might be based on your minimum size increase. You are not going to see anywhere near this projected reduction in landings, based on this table.

DR. DUVAL: Again, the table is split out by the two different modes of fishing, so it is probably likely that the private mode, which is going to include guys who are hook and lining these fish, who are likely to catch the smaller fish. Because they don't have a visual on the fish like spear fishermen do; that there is going to be some greater percent reduction in harvest as a result of a size limit increase.

I think everybody needs to understand. These percent reductions are not exact. It doesn't mean you're going to get exactly a 72 percent reduction in harvest with a size limit increase to a 16-inch fish. But it gives you a sense of where the reductions might be. This is the math. This is what we have.

DR. FARMER: I don't know if it is in the document, because I don't have the document open in front of me, Myra. But there is an image that I had sent with the size distribution from MRIP with red and blue. Yes, there you go. You can see there the Georgia through North Carolina portion of the stock is in red.

You can see that there is a pretty huge proportion of the encountered fish that are below 20 inches for Georgia through North Carolina. That is from dockside intercept data from MRIP. You can also see the huge difference in the Florida through Florida Keys versus Georgia through North Carolina.

In that the blue, which is Florida through Florida Keys, kind of drops out around 18 inches; whereas, Georgia through North Carolina keeps on clipping all the way up to 29 inches; with relatively even representation at all those larger sizes. But there still is a substantial portion, the majority in fact of the landings from Georgia through North Carolina are in that 12 to say 15, 16 inch range. That information is not even expanded information that is raw dockside catch effort data.

DR. DUVAL: I am sure everybody has gotten a lot of input from the public on this. We had a recommendation from the AP; you've heard from our Chair that there was a lot of conversation about this and the vote was fairly divided, with regard to the Georgia/North Carolina stock. The recommendation was for a 17 inch minimum size limit. Again, there was some concern amongst those anglers who fish for these hook and line, and there are folks who do it, they've been in my office. I've talked to them. There is a concern with regard to discards. Then the recommendation, I think, was a stepped approach for the Florida Keys/East Florida stock. This is different than the preferreds we have right now. I would be looking for some input from the committee as to whether or not you would like to modify the preferred alternatives.

**MS. BECKWITH:** All right, I'll try this again. **I would like to move to change the preferred alternative to Preferred Alternative 2, Subalternative 2B.**

**DR. DUVAL:** **There is a motion by Anna to change the preferred alternative to Alternative 2, Subalternative 2B. Is there a second? Seconded by Mark Brown. Discussion.**

MR. HARTIG: Okay, in the context of the discards that you just mentioned in your statement, where are those discards coming from, do you know?

DR. DUVAL: The concerns have been expressed by the hook and line folks, not spear fishing folks but the hook and line folks. I think a variety of concerns. We've received those as part of the comment package.

MR. HARTIG: I saw some. But to me, I mean, Nick, do you have an idea of all of what you've looked at through all the sampling, how many of these fish are caught hook and line?

DR. FARMER: No, I haven't looked specifically at gear type. I apologize. Anna had also asked for mean weights, so whenever you want to hear those by size, I've got those if you need them.

DR. DUVAL: With regard to your question about hook and line versus spear, Mike is going to provide us some input.

DR. ERRIGO: I do know, I was just looking at it for the Georgia/North Carolina stock. According to the MRIP intercept data, from 2004 to 2015 there was a single intercepted dive trip with a single hogfish in 2005. Pretty much 100 percent of the hogfish landed in Georgia/North Carolina that is intercepted is hook and line caught.

DR. DUVAL: Wait a minute, wait a minute. Repeat that again, it was one intercept.

DR. ERRIGO: It was a single intercepted trip with a single hogfish on it in 2005 in North Carolina was intercepted.

DR. DUVAL: And that was a dive trip.

DR. ERRIGO: Yes, the gear was a spear, which is diving. In Florida, it is heavily weighted towards diving. Most of the catch is by dive, over 90 percent.

MR. BOWEN: Do we know, Mike, maybe you said it and I didn't hear it, do you know the size of that fish?

DR. DUVAL: One fish is not going to tell you a whole lot, Zack from a spear fishing trip.

MR. BOWEN: I was just curious.

MR. BELL: Here is part of the problem. It is an extremely low intercept for MRIP, it just is. But what we see sort of anecdotally, if you will, whether it is on stuff they're posting online or stuff we see just from knowing people, or divers, and this is off South Carolina. Divers are bringing in the majority of the hogfish and they are big.

These are some of the technical divers that we've talked to. They are out there diving at 130, 140, 150 feet of water and they're shooting these big fish. It is one of their favorite fish because of the way the fish present themselves. We know that's going on, but MRIP is not catching that. You can only report in terms of the tables what MRIP catches.

But that is part of the problem here, and I think what Jim is getting at is there are a lot of big fish that are being speared, but they are just not being captured in terms of our data collection right now. I've seen them, and what we hear is that is where the majority, at least for us anyway, that is where they are coming from; it is bigger fish from offshore deeper water and it is the spearfish guys, but they are just not being caught by MRIP so they don't exist.

DR. PONWITH: To that point. Do you know if those dive fishers tend to land at private docks?

MR. BELL: Probably private docks, larger boats, yes, which is why you wouldn't run into them at boat landings; because they're working farther offshore, 130 feet of water you're pretty far offshore, you need a bigger boat. But we see the pictures posted, beautiful fish; and that's what they're doing.

DR. DUVAL: This was something that I discussed with John Foster and Dave Van Voorhees at the SSC meeting, because there has been this concern about intercepting dive trips. The dockside samplers add those sites to the sample framework as they become aware of them, to make sure that they're capturing those.

However, if they are coming into private docks or unknown or the question that I brought up was, what if people are going out on dive boats that they are not licensed, in other words they don't hold a snapper grouper charter headboat permit. But you have someone who has their own individual North Carolina coastal recreational fishing license onboard.

Then you get to the effort survey, and I think that is really where my concerns were, is when you're calling up these folks and saying are they reporting as a diver, how many times did you go fishing last month and was it on a charter trip? Well, yes, it was a chartered dive trip. Well, it's a charter trip. Well then, that effort estimate gets pulled out. It does not remain within that dataset. Again, this was a sidebar conversation with the MRIP folks that I had, but there is a lot of uncertainty in some of those estimates.

MR. BROWN: Anyway, most of them that I know that are offshore here, they are not going to docks; they're on trailers. They are bringing the boats back in and putting them back on the trailer at the boat landing. The only operations I know that are spearfishing hogfish would be commercial, you know, if they have a bigger boat with a compressor on it or something. But most of the recreational stuff is all trailered.

MS. BECKWITH: Nick, if the average weight for a 17- inch fish that we've just chosen as our size is a little less than four pounds, walk me through how that is going to play into the decision tree.

DR. FARMER: Basically, what you're looking at, and that image that you saw a moment ago is pretty informative of it, because you can see the structure of the landings around the current 12 inch size limit. Basically, what we looked at is a variety of ways, and I think we looked at like seven, eight different ways of how can we defensibly, reasonably and logically scale up the mean weight in a way that seems reasonable and consistent with what we would expect the selectivity to do in the fishery when you select that new mean weight.

The lack of availability of fish at a larger size is already reflected in the size limit reductions in those tables with those percentages. We're not so much trying to account for that. What we're

trying to account for is what would be the structure of landings around that new minimum size limit? Like I said, there are seven or eight ways that we came up with to look at that.

We've picked the most reasonable way that we could find, and it actually is a little bit different for Florida versus Georgia through North Carolina, because the size structure of the stock is so different. We'll, I presume, be presenting that to the SSC in April, which is one of the reasons that the decision tool isn't really in front of you right now; because that is a big, important assumption as to what is going to happen.

You keep that ACL in numbers. If you don't account for it, somehow, I mean if you didn't account for it you could theoretically have a quota overage of an order of five, ten times the quota in terms of the ACL in pounds. Yes, there are a lot of different ways to look at it, and we'll provide some detail to the SSC and have them tell us whether they think the one we picked is the most reasonable one.

MR. HARTIG: Yes, but Nick, if it is a function of one sample, how in the world are you ever going to know if you are over five, ten, I mean in hogfish in this rare even species, where we even have an intercept. No one really knows anything about what the landings are, period. I mean, you have done your best to give us what we need to do our job, and I sincerely appreciate that; and none of this is a reflection on you. The reflection is on the sampling frame and how it has been accomplished.

DR. FARMER: Yes, and just real quick to that point. The Georgia through North Carolina model is certainly less robust than the Florida/Florida Keys model for a variety of reasons, Number 1 of which is all of these sorts of approaches are predicated on the idea that you can make a prediction of what the landings will be in the subsequent year.

Like next year, what would we land if we change nothing? Georgia through North Carolina is very, very noisy from the get go on that. You impose a lower ACL on top of that and try to project what is going to happen, it is very, very uncertain. Then you throw a size limit and the fact that the size limit doesn't have that big an impact on most of the modes anyway. On top of that it just gets very uncertain. If we come back, I guess it would be June, with the decision tools and present them to you that will certainly be a huge caveat for that Georgia through North Carolina tools. It is our best estimate, but we don't know very well what is going to happen in that region, because the data is very, very limited and the landings are relatively low historically.

DR. DUVAL: I mean, this is all based on past behavior, and so that is what the math is based on. There is a large degree of uncertainty when you go changing multiple things, and then try to apply that to angler behavior down the road. I have Doug and then Jim Atack, and then I would like to bring this discussion to a close and bring us to a vote. But after Doug and Jim, before we vote, I would like Myra to scroll back up to the advisory panel recommendation that is the decision document; as well as some of the comments we got from scoping.

MR. HAYMANS: Not yet, Myra. Go back to the MRIP table. Ben, I was just going to make the observation. I, too, thought this was an extremely rare event, but if you look at that table that represents 213 fish over the last three years from the Georgia/North Carolina, so an average of 71 fish a year in MRIP, or about 8 percent of what the ACL is going to be. With a 60 percent PSE, who knows if we maintain that level, although if we go to 17 we won't? But they were hitting a lot of them in MRIP that I didn't think we were either.



MR. ATACK: We've made motions on this for over the last four years, and we have made a 20 inch motion in the past. We've been trying to be more proactive, and now this whole thing is coming to a head. The reason we were pushing for 20 inches is because really 90 percent of the landings are probably speared, 10 percent might be hook and line.

The fish houses don't want the fish lower than 20 inches. Really we're making the change, not for the landings, it is for the fishery. When we see the males turning over at smaller sizes now, over the last few years, there has been more pressure on the fish. That is the reason we were recommending the 20 inch was for sustainability, not to meet the ACL.

When the lower, smaller fish are targeted and brought in you don't have the breeding, you don't have the recruitment and the fishery can decline. Until a couple years ago, we never saw a male that was less than probably 18 pounds. We now see some that are 10 and 12 pounds. That has got to do with the stress and how much fishing pressure is on the fish.

That is why we recommended a 20 inch earlier. This past meeting the motion went through as 17 inch, but anyway I just wanted to bring you up to speed and remember all those comments that have been made over the last three or four years.

DR. DUVAL: Okay, back up to the comments that we've received, 20 inch motion, and your last motion from this meeting was 17 inches as a preferred. Clearly somewhat split. Then I would just draw the committee's attention to the recommendation to consider regulating commercial and recreational hogfish based on the separate gears.

I've also heard that with regard to other fisheries as well, that we would want to potentially consider separate regulations for spears specifically. Taking a look at the scoping comments, they range for the Georgia/North Carolina stock 15, 16, and 18. **The motion we have on the table is to change the preferred alternative to Subalternative 2B, 17 inches. Is the committee prepared to vote? Okay, a show of hands of those in favor of the motion.** The existing size limit is 12 inches.

MR. BREWER: I'm sorry, I was asking what the existing size restriction was.

DR. DUVAL: And it is 12 inches fork length. **A show of hands of those in favor of the motion; nine in favor, those opposed, three opposed. Any abstentions? Seeing none; the motion carries.**

MR. HARTIG: Roy, what are your concerns? What would you have liked to have seen? I'm just curious.

DR. CRABTREE: I would probably stay with 20. I don't think the analysis for up there is very meaningful, from what I'm hearing from people and pictures and Jim and all. It sounds like they're bringing in mostly big fish. Spearfish, so you don't have such concerns about discards and things. I don't think it is a huge deal whether we go 17 or 20.

DR. DUVAL: Zack, and then I would like to see if the committee wants to maintain its existing preferred for the Florida Keys/ East Florida stock or if there is a desire to change it.

MR. BOWEN: I just want on record; the fish that Mike was talking about earlier was 22.5 inches.

DR. DUVAL: All right, the current preferred for the Florida Keys/East Florida stock is Subalternative 3B, which is 15 inches fork length. We've heard the recommendation from the AP to step that up from 12 to 14 in Year 1, and 16 inches in Year 3. I see some recommendations from scoping for 15 inches and 16 or 18.

Is there any desire on the part of the committee to modify the current preferred? I am not seeing any hands raised okay, great. It is ten minutes after five; I would like to go until just about 5:30. The next action is Action 9, which is a commercial trip limit. We'll just see how far we get.

MS. BROUWER: Okay, Action 9 is on PDF Page 50. Here you don't have any preferreds, and for Georgia/North Carolina your subalternatives range from 100 to 750 pounds per trip. For the Florida Keys/East Florida stock they range from 25 to 200 pounds per trip. As a reminder, we just have a note right here that the commercial ACL for the Georgia/North Carolina stock ranges from 24,000 to 22,000 pounds whole weight, more or less and the preferred commercial ACL for 2017 for the Florida Keys/East Florida stock is 3,697 pounds whole weight.

Over here we have some figures. This is the distribution of commercially harvested hogfish per trip by year from 2012 through 2014. Then this one is broken out by gear. You've got hook and line, spear and other. This is for the whole South Atlantic. Then this one breaks it out by stock. You've got the solid bars are North Carolina to Georgia; again that is in pounds per trip.

Then here is the percent decrease in landings by gear for all gears for the various commercial trip limits for Georgia/North Carolina, so for hook and line you're looking at 1.7 percent, for spear 38.5 percent; for Subalternative 2A and so on. Then for the Florida Keys/East Florida stock you have a similar table by gear again.

Those are your estimated percent decrease in landings. The Snapper Grouper AP recommendation was to again include alternatives to look at 150 and 200 pounds for the Georgia/North Carolina stock. Then I included some of the scoping comments as background as well for the committee to consider.

DR. DUVAL: Is there a desire on the part of the committee to select a preferred alternative? One question that I had, just in looking at the graphs that we have with regard to, I mean we have the decreases in landings by gear or potential decreases by gear under the various alternatives, and the total number of trips that fall into these different trip limit bins.

I guess what I was hoping to see possibly was the proportion of harvest from those different trip limits. In other words, we have the percent of trips that are catching 25 or less or 25 to 50, 50 to 75, 75 to 100, but in terms of the overall proportion of catch. I mean you can have a lot of trips that only catch 25 pounds or less of hogfish, but what proportion of the overall harvest is that?

MS. BROUWER: Right, and as I mentioned earlier, this is very useful for continuing the analyses that still need to be completed for a lot of these actions. Like I said earlier, this amendment has changed so much since September and I don't know how up to date these current graphs and things are. You did not have a preferred for the ACL, at least for the Georgia/North Carolina, and so there are still some holes that need to be filled in.

MR. CONKLIN: I don't see anything in here that will let us not have a trip limit in the Georgia through North Carolina stock, but put one in place for the Florida stock. Can we consider adding an alternative or talk about how we can do that?

DR. DUVAL: You're saying add an alternative for no trip limit?

MR. CONKLIN: Well, Alternative 1 says you cannot establish a trip limit in both areas, and then if you pick Alternative 2 you have to have a trip limit, because there are no alternatives for no action.

DR. DUVAL: Got you, so adding an alternative that would allow for no trip limit for either one of the stocks. We can add that.

DR. CRABTREE: Well, wouldn't that effectively be the same if we just chose something under Alternative 3 as our preferred?

DR. DUVAL: Yes. Thank you, Attorney Crabtree. My other NEPA consultant over here is saying, but just for analyses and comparative purposes, wouldn't you need a subalternative for each one of those that had no trip limit in there.

DR. CRABTREE: I defer to Myra.

MR. CONKLIN: In that case, I will be prepared to offer up a motion, if I can stay on the screen.

DR. DUVAL: Please do so.

**MR. CONKLIN: I make a motion that in Action 9 we select Alternative 3, Subalternative 3B as our preferred.**

**DR. DUVAL: Motion by Chris, is there a second? There is a second by Zack. Motion by Chris is to select Alternative 3, Subalternative 3B as in boy as a preferred.** In other words, he is just proposing to select a preferred alternative for the Florida Keys/East Florida stock, correct?

MR. CONKLIN: That's correct.

**MS. McCAWLEY: I would offer up a substitute motion that we select Alternative 3A under Action 9 as a preferred.**

**DR. DUVAL: Substitute motion by Jessica; is there a second to that? Seconded by Charlie. The substitute would be to select Subalternative 3A as a preferred. Discussion. Jessica, do you want to offer some rationale for your substitute?**

MS. McCAWLEY: Based on the data that is provided in the document, it looks like that would capture the majority of the trips, also based on the low ACL that is going to be available for that stock. Those are both reasons why I would choose the 25.

MR. CONKLIN: I guess I have some discussion on why I don't think we need to have a trip limit in the Georgia through North Carolina stock. The commercial sector throughout the entire range of the species has only caught 62 percent of the whole ACL this year, which is around 30,000 pounds; and that is from the Keys all the way up through North Carolina.

We haven't generally been catching our ACL over the past few years, from what that table shows. We just gave up 12.81 percent allocation to the recreational sector through the reallocation formula that Nick did thanks. Not like that but thank you for offering that up. We're about to put in a size limit, we're voting on a size limit.

There are very few commercial, I want to say, full time scuba dive guys that make a full time living harvesting these fish, and the ones that do generally migrate up the coast. There are some resident guys. But I know the bulk of the fish that I see guys travel far to get here to catch them. There are not a lot of guys that do catch; it is a few guys that harvest most of the fish.

Sometimes, they do leave; they make long trips so they are half-high expenses. I think we owe it to the fishery not to have to penalize somebody for catching fish. It is pretty much only persecuted late April through part of November by the majority of the participants, I'd like to say; at least with my experience.

Most of them scuba dive, it is not real inviting to want to hop in freezing cold water, have to go diving in January or February or something like that to go after these fish, so generally we harvest them alongside with the grouper. With that I think that is a pretty good argument, I'm not an attorney though.

MS. BECKWITH: I was waiting for Chris to get all of his thoughts on the record, and Chris I agree with you. There are not a lot of trips that are catching over 500 pounds. On Page 63 of the amendment they're showing really it was about nine trips catching over 500 pounds. I agree with you. I think it is a fairly small amount of people doing it. I wouldn't have any concerns if that was sort of the same crowd that continues to do it. If we saw an increase in effort, then I think we'll certainly have to take another look at it if we don't do it in this amendment, because there are not a lot of species that we allow direct targeting during the spawning season. You know, we're talking about reducing effort on mutttons, because they aggregate. These are pretty easy to, like you say, pick off.

They've got a harem; they're hermaphroditic, so if you pick off the males it takes a while for the females to turn that. I think the biology needs some consideration. You know, taking 5, 6, 7, 800 pounds off of a reef at any given time, especially during the spawning season, biologically has to have some impact. I think we need to take that into consideration.

I did ask Nick if he thought that having a 500 pound or 750 pound limit would cause a season closure, and as far as they can tell it won't. I don't even think that having a high trip limit is going to be a closure thing. If it becomes one then that will be an indication that effort is increasing and that maybe we need to reconsider for the protection of the biology of this fish.

My preference would certainly have been a lower trip limit. I would have probably hovered about around 250, but I'm not going to fight this battle with you; for a lot of the reasons that you've stated and because you know, it hasn't had a closure. But I am concerned that we are

targeting these fish at large trip limits in the middle of their spawn; and you can cause some localized issues, potentially.

MR. CONKLIN: To that point. You know, we are going out to the public and selling this SMZ approach, and part of the sale is, we might be able to get rid of some spawning season closures if we can preserve these areas. If we're about to be putting in some of these areas, why would we need to further protect spawning fish; if we're going to be closing down lots of valuable spots?

Also, I mean that's just my rationale, its common sense. We're looking at a commercial ACL 22,222 pounds to 24,691 pounds. Currently, to date with the state of Florida, as much effort as down there, we've only caught 30,468 pounds of hogfish; and that's with all those hundreds and hundreds and hundreds of miles of added coastline and all that effort.

MR. COX: Chris, we don't harvest a lot of them where I'm at. We don't see a lot of them. You see more of these fish than anybody, and I understand what you're saying about that high expense and going out and catching. I certainly understand you looking for a 500 pound trip limit on it. I can from our standpoint, view of the business model that we work under.

Michelle and I had talked about this earlier, this whole scenario if we had some kind of adaptive management where like North Carolina has got 150 pound daily trip limit, not to exceed, I think, it is 750 pounds for the extended trip if a boat stays at sea for three days; would work perfect under a scenario like this.

This is something that would work for what we're trying to do here. But I would support you on this, just because I know what it takes to go out and catch these fish. If you're going to be a commercial fisherman, you can't go out and do it and spend the money to do it for less than about 500 pounds. I am concerned that we don't know a whole lot about the stock.

DR. DUVAL: Let me just share some comments that I've received, and then we're going to wrap up this motion and recess for the day. The fishery off the Carolinas, and Jack's right there are not folks who really pursue this up in our area, it is really more the southern part of North Carolina and then off South Carolina and folks harvesting fish off North Carolina because we have had this multiday landing limit in place since 2009, they will go down to South Carolina and land those fish.

But it takes multiple - these are multiday trips; it is not someone is running out 45 miles offshore and going and getting 500 or 600 pounds of hogfish. You have to have a good weather window in order to do this. I think some of the input that I've received is that a 250 pound trip limit would eliminate that business. A 500 pound trip limit would at least allow it to continue.

That is just something for you all to consider as we move forward. We're scheduled to approve this for public comment. This is not final action, so I'll just leave you all with that. Is there any other discussion before we go ahead on the motion?

MR. CONKLIN: I just want to clarify our alternatives for 750 and a 500 as well, so 750 is our highest alternative.

**DR. DUVAL: The motion that I would like to dispense with is the substitute to select Subalternative 3A as a preferred under Action 9, and if this passes, it will become the main**

**motion and we'll vote on that again. Could I please see a show of hands of those in favor of the substitute motion? Twelve in favor; any opposed? No, I guess not. No abstentions.**

**The motion is now the main motion. Raise them again if you're in favor of this. Twelve, passes unanimously, thank you.** I have 5:27 on my clock. I'm going to suggest that we recess for the day. If there are any additional thoughts about adding an alternative or a subalternative for no trip limit, or wanting to reconsider that, we can pick this back up tomorrow morning. Tomorrow morning we are starting at 8:30. I know. You guys get to sleep in 30 minutes. Thank you for all of your hard work, thank you very much.

(Whereupon, the meeting was recessed at 5:27 o'clock p.m., December 8, 2015.)

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DECEMBER 9, 2015

WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened in the Doubletree by Hilton Oceanfront Hotel, Wednesday morning, December 9, 2015, and was called to order at 8:30 o'clock a.m. by Chairmen Michelle Duval.

DR. DUVAL: We reconvene the Snapper Grouper Committee. When we recessed for the evening yesterday, we had had a lot of discussion on Action 9, which was establishment of a commercial trip limit for the two stocks, and where we ended up was a motion for a preferred Subalternative 3A, I believe it was, for the Florida Keys/East Florida stock. We had a lot of conversation about a trip limit for the Georgia/North Carolina stock and we ended the day yesterday with no selection of a preferred alternative, with lots of discussion for not having a trip limit for that stock. I just wanted to come back to that to see if there was any desire on the part of the committee to select a preferred alternative from those that are available, or if the committee is satisfied with no preferred alternative at this time, which would effectively be no trip limit for the Georgia/North Carolina stock; before moving on to Action 10. All right, that sounds like everybody is good, or a little sleepy.

MR. CONKLIN: Yes, sure, I'll make a motion in Action 9 we pick Subalternative 3A as our preferred alternative.

DR. DUVAL: We did that already. That's for the Florida Keys/East Florida stock.

MR. CONKLIN: Okay.

DR. DUVAL: All I was saying was that we had a lot of discussion about whether or not to select a trip limit for the Georgia/North Carolina stock, had a lot of conversation about rationale for why we may not want to select a trip limit, some rationale for why we would want to select a trip limit. I just wanted to come back to that conversation and see if there was a desire on the part of the committee to select a preferred alternative or subalternative under Alternative 2 for the Georgia/North Carolina stock; before we move on to Action 10.

**MR. BREWER: Madam Chair, I move that we do not have a preferred alternative for the Georgia/North Carolina stock of hogfish.**

**DR. DUVAL: Motion by Chester, is there a second? Second by Chris. The motion is to not have a preferred alternative for the Georgia/North Carolina stock for Action 9. Discussion.**

MR. BOWEN: Good morning. First of all, not about the amendment, but thank you for being a wonderful host last night. It was nice. To that point for the discussion, did we ever decide yesterday if we're going to separate the no action for the Georgia/Florida stock or are we going to keep it in there together for the Georgia/North Carolina and Florida/Florida Key stock for the no action alternative, I think which is Alternative 1?

DR. DUVAL: What I'm hearing from staff is that we did have discussion about that yesterday, and what I'm hearing from staff is that they would feel more comfortable if we did have a subalternative underneath each one of these alternatives that had an option for no trip limit. We might want to withdraw this motion before there is too much discussion, add some new subalternatives that have no trip limit, and then select one of those as a preferred.

**MR. BREWER: Madam Chair, rather than get wrapped around the ankle on procedure, I would withdraw my motion.**

**DR. DUVAL: Is that okay with the seconder, Chris? Chris is nodding his head yes, so the motion is withdrawn.**

DR. McCAWLEY: Just so I understand. You are going to go into the no action alternative and add a subalternative. No?

DR. DUVAL: No, what we would do is add a subalternative under each of Alternatives 2 and 3 that would say no trip limit.

MR. PHILLIPS: That would probably be a little more clear to the public when they read it. We understand the rabbit trails need to be clear.

DR. DUVAL: Then I would need a motion from the committee to add subalternatives to Alternatives 2 and 3 for no trip limit.

**MR. BOWEN: I would make that motion, Madam Chair.**

**DR. DUVAL: Motion by Zack. Is there a second? Second by Charlie. Just letting Myra get this up on the screen here. The motion reads, add Subalternatives 2E and 3F to Alternatives 2 and 3 under Action 9 for no commercial trip limit. Is there any other discussion on this motion?**

MR. BELL: That's just for clarification, because technically, the default would be you don't have a trip limit.

**DR. DUVAL: Just to be clear to the public. Is there any opposition to that motion?**

MR. COX: I'd like to have just a quick discussion on it. Any time we've never had a limit in place, we've always had to go back in and put a trip limit in place. I'm just afraid if we don't have a trip limit, then we're going to encourage more and more people participating in that fishery. I don't know why you wouldn't have a trip limit.

MR. BOWEN: To that point, Jack. We're not saying we're not having a trip limit, we're just adding alternatives for this action right now.

DR. DUVAL: You'll still have the opportunity to select a preferred alternative, if you choose. Any other discussion on this motion, any objection to this motion? Seeing none; that motion stands approved. Now is there a desire on the part of the committee to select a preferred alternative under this action for the Georgia/Florida stock? Excuse me, Georgia/North Carolina.

My recommendation would be that if the committee does not want to see a trip limit, that you then select this new Subalternative 2E as a preferred for the Georgia/North Carolina stock; just a suggestion based on our conversation. Just to be clear to the public.

**MR. CONKLIN: Yes sure, I would like to make a motion that we select Subalternative 2E under Action 9 as our preferred.**

**DR. DUVAL: Motion by Chris, is there a second? Second by Zack. Further discussion? The motion reads to select Subalternative 2E under Action 9 as a preferred, which is no trip limit for the Georgia/North Carolina stock. Discussion.**

MR. COX: North Carolina does have a trip limit in place. What happens is, boats will come in, and fish off of North Carolina go into South Carolina and offload. I just don't agree with the preferred. I would entertain 750.

DR. DUVAL: You are free to entertain a substitute motion if you choose.

MR. BREWER: I also want to thank you for the evening last night that was above our station, almost, it was so nice. If I could, I would like Jimmy to give us his thoughts on this; because he and I had a little talk outside. He is very knowledgeable in this fishery, and he is the head of the AP. I would really like to know what he thinks about this.

DR. DUVAL: Jim, if you could come to the microphone and state your name for the record.

MR. ATACK: Jim Atack. We discussed this at the AP Panel. There is also, I think, information that is not in the document that could be put in there showing the recent landings. 2009 through 2014, I think, had some higher landings. With the new ACL that is coming out, it looked like we were going to blow through the limit before the year is over and have a closure.

Some of the AP members would like to see a trip limit established so that you have a longer season versus closing the season when the ACL is met. There is concern, like Jack was talking about, with the trip limit in North Carolina, people landing the hogfish and then going into South Carolina. Half of it has got a trip limit and half of it really doesn't.



MR. BOWEN: Jim, again, I'm recalling from memory, but I think it's only commercially including Florida right now. We're at 62 percent of the ACL. As duly noted earlier, it is more of a spear, dive fishery. We're in the cold water months. I don't see that there is even close to chance of exceeding the ACL. We've not had a trip limit, with the exception of your state. That is the reason I would support no trip limit.

DR. DUVAL: I would like to get to Chester first, because he had his hand raised.

MR. BREWER: You told us that you would be in favor of a trip limit that would be essentially across the board, not in Florida but Georgia and North Carolina. Is there a number?

DR. DUVAL: I believe the APs preferred was 250. Was that it?

MR. BREWER: Yes, okay, thank you.

MR. COX: Just from the comments that I've seen come in from fishermen that have a lot more experience at this than I do, diving and stuff. They did a note and they sent it out to the council members that they have seen a decline in the fish. I think this fishery is going to pick up the pace. I think there is going to be more participants in it. I would like to put a little safeguard in there. **With that said, I would make a motion under Action 9, Alternative 2, and Subalternative 2C of a 500 pound trip limit.**

**DR. DUVAL: There is a substitute motion by Jack for Subalternative 2C. Is that a second by Anna? Okay seconded by Anna. Discussion.**

MR. BOWEN: I don't know the exact numbers right now, but I think there is only just a handful of these stakeholders that are actually targeting these fish; definitely not as many as grouper fishermen, and to further restrict them after what we've been through and raising the size limit, I just can't support that.

DR. DUVAL: Any other discussion?

MR. ATACK: Well, it would be good to see the projected closure dates based on recent landings, based on trip limits. I think that is what we were asking for as the panel. Our motion was to run the numbers on the 150 and the 200 pound trip limit, because of trying to keep the fishery open for year round. If you put a 500 pound trip limit in there, basically, you're not going to affect the length of season, probably.

DR. DUVAL: So, we are approving this document for public hearing. My assumption is that that information be included in the public hearing version that goes out in January.

MR. BOWEN: It is my understanding there is no projected close date; it is a year round fishery; correct or no?

DR DUVAL: We don't have that information in the document right now. We have graphs on proportion of trips that are in those different trip limit bins, we have proportion of vessels that take trips above those bins, but we don't have a projected closure data based on those various trip levels at this time; just like we don't have information on what proportion of the overall catch has come from trips that are 50 pounds and less versus 100 pounds and less, versus 500 pounds.

MR. BOWEN: But we do have a percentage of the ACL met, which is 62 percent, and the start date for this fishery, is it calendar year start date?

DR. DUVAL: It is a calendar year.

MR. BOWEN: We have those landings, if memory serves me correctly, through December the 8th, or maybe the week before that we got from Dr. McGovern yesterday; and with three weeks left in the season, I can't see the fishery closing, not when the water's cold like this.

MR. BELL: I was just going to say, Zack mentioned earlier about people targeting. What we see, I think, is that they are the grouper people, it is a mixture of grouper and hogfish. But it is a small group of folks and it is the highliners for hogfish are also the grouper guys. It is a mixed catch.

MR. BOWEN: Right, and maybe I should have clarified that. I just meant numbers of participants aren't as many as the grouper participants. Thank you for the clarification.

DR. FARMER: There is no projected closure date in the absence of a trip limit; therefore, when you implement a trip limit, there is still no projected closure date, because that slows the rate of fishing even more. Dr. David Records and Dr. Mike Larkin worked on that and fit a regression model to it with really pretty solid fits.

I'm pretty confident that it is at least representative of the fact that we wouldn't expect an overage to occur, even in the absence of a trip limit. A trip limit in this case would serve more of a function of preventing overharvesting of individual harems, or the elimination of individual harems in particular locations.

MR. COX: The Frying Pan Tower area of North Carolina is a 50 to 60 foot depth; it is a really special place. That is where these hogfish are. It is a specialized fishery in North Carolina. I just err on the side of caution here, and want to make sure there is some protection in place. The state of North Carolina, several years ago the Director had to put some protection in place, just because we saw things moving at a really fast pace. I'm just trying to align my decision along with North Carolina's.

DR. DUVAL: All right. Are folks ready for the vote? Could I please see a show of hands of those in favor of the substitute motion? Let's get it up there on the board. **The motion reads, select Subalternative 2C under Action 9, which is a 500 pound trip limit. Could I please see a show of hands of those in favor of the substitute? Seven, those opposed, three opposed; the motion passes.**

**The substitute now becomes the main motion. A show of hands again of those in favor of the main motion. Seven in favor, those opposed. Three opposed. Abstentions, two abstentions. The motion passes.** That finishes us with Action 9, on to Action 10.

MS. BROWER: Action 10 is on PDF Page 57, and this action would establish or modify recreational bag limits for each of the two stocks. Alternative 2 pertains to the Georgia/North Carolina stock and you have subalternatives for two fish per person per day, one fish per person per day, or one fish per vessel per day.

Alternative 3 is for the Florida Keys/East Florida stock. You have three subalternatives; three fish, two fish, one fish per person per day, and then one fish per vessel per day. This action previously included two alternatives to establish a recreational fishing season; again, each alternative for each of the two stocks.

What the IPT is suggesting, however, is to take these out of these actions and include a separate action that would deal with the recreational season if the committee so chooses. We have indicated here, removing these alternatives from this action and putting them in Action 11. Then just to remind everybody, the recreational ACL for the Georgia/North Carolina stock ranges from 1,040 fish to 936 fish and the preferred recreational ACL for the Florida Keys/East Florida stock for 2017 are 20,576 fish.

Here you have the recreational landings by state in the South Atlantic from 2012 through 2014; then the average at the bottom. Here is a distribution of hogfish harvested per person from the two recreational datasets MRIP and the headboat survey. This is per vessel. Here is your projected decrease in recreational landings.

For each of the subalternatives and it is split out by mode, again for the two recreational datasets. You've got one per vessel that would translate to a 93.3 percent decrease in recreational landings for the charter fleet. That is for the entire South Atlantic, and then it is broken down for each of the two stocks further down below.

It would be 33.3 percent for Georgia/North Carolina and well, you can see what the percentages are. Here are your recreational landings by wave and your average from 2012 through 2014. Again, here are recommendations from your advisory panels. From the Snapper Grouper AP, they recommended Subalternative 2A, two fish per person per day for Georgia/North Carolina and Subalternative 2B, which are also two per person per day for Florida. Then here are a handful of the scoping comments that we received on this amendment. What we would need to do, first of all, is approve removal of those two alternatives 4 and 5 from this action and then select a preferred.

DR. DUVAL: Can I first get a motion from the committee, Anna, to remove those two alternatives.

**MS. BECKWITH: I move that we remove those two alternatives and create Action 11.**

**DR. DUVAL: There is a motion by Anna, seconded by Zack to remove Alternatives 4 and 5 to a new Action 11. Discussion on that. Makes sense to everybody? The motion reads; remove Alternatives 4 and 5 from Action 10 and add to new Action 11. Is there any objection to this motion? Seeing none; that motion stands approved.**

**MR. BROWN: Yes, Madam Chair, I would like to make a motion to accept Subalternative 2A and Subalternative 3B.**

**DR. DUVAL: Motion by Mark to select Subalternative 2A and Subalternative 3B as preferreds. Is there a second to that? Second by Jessica. Discussion.**

MR. BOWEN: In Alternative 3, will that get us the reductions that we need? Do we have some analysis on that below this document? I'm not sure that it will.

DR. DUVAL: Myra has up on the screen the tables that she ran through previously looking at what those reductions would be for each of the two stocks under those different alternatives.

DR. CRABTREE: Well, to me, the more important question is, what is the likelihood of the South Florida stock recreational fishery being closed; because they catch the ACL? It is pretty small. I would much rather have a one fish bag limit down there and a longer season than to have a two fish and have the fishery close after six months. Do we have any kind of analysis on season length, Myra?

MS. BROWER: We don't just yet.

DR. CRABTREE: I'm more inclined to support a one fish bag limit down in the Keys, because I'm worried we're going to end up closing it real quickly.

DR. DUVAL: I see Nick coming to the table to that point, and then I'll get to Jessica and then Chester.

DR. FARMER: It's just to mention, it is going to be at least until June until you see them if it goes through the SSC. But these decision tools that we've generated show you the combined effects of all of these alternatives. They provide the closure dates, the landings by month, the economic effects, everything all in one little package on one page. You've got dropdown menus so you can pick all your different alternatives and choose your favorite combination. They're ready; they've got to go to the SSC first, I think, is the intent.

MS. McCAWLEY: I support this motion; however, I agree with Roy. I think we might need to go down to one, because that is going to get us a longer season. Also, it might be better to take one out for public comment, but I'm just concerned if we're going to get public comment on this in January. I would like to have some kind of table or something to show the public about what type of season length it is going to get them. I'm concerned about having that in there when we go to public hearings.

MS. BROUWER: The plan is to go ahead and utilize, as Nick has pointed out, these decision tool. Even though they will not have been reviewed by the SSC, they are there for us to use and to analyze, and we will include results of those analyses in the public hearing document.

The intent of having the SSC review these models is so that they will become available, not just for hogfish, but they can be tailored to be used for other species as well. We want the SSC to have a chance to do a thorough technical review of the model so that we can continue to use them down the line.

MR. BREWER: I had a question. The reductions that are shown there, is that a reduction in percentage of pounds or a reduction in percentage of fish?

DR. DUVAL: It might be a Nick question.

DR. FARMER: It would be in pounds.

MR. BREWER: We might try two, because the fish in south Florida are a lot smaller. When you're reducing in pounds, you may find that the reduction in number of fish, which is what we're going to be regulating, is the number of fish not necessarily a fish that's a certain weight. You may find that the reduction is greater than is depicted here or what it looks like here.

DR. CRABTREE: I understood, Myra that we're going to use the stuff out of the decision tool. Well, I would like to hear now what the decision tool shows in terms of these season lengths before we pick a preferred. Otherwise, we're going to pick a preferred without the benefit of the analysis that is going to go out to the public, and that doesn't make sense to me. Otherwise, I'd say let's not pick a preferred and wait until we can see the analyses.

DR. DUVAL: Nick can answer Dr. Crabtree's question. I assume you have that information with you. I'll just remind folks that this decision tool has not yet been reviewed by the SSC.

DR. FARMER: Yes, and just to kick things off on that. I guess to Chester's question. I'm not actually sure in that particular table. The decision tool applies bag limits for the landings in numbers of fish, because the ACL is being tracked in numbers. We provided outputs to the IPT, both in reductions in numbers and reductions in pounds.

It doesn't seem like the header of that table indicates whether that is in numbers or pounds, so I'm not 100 percent sure which one that is. But with the decision tools, we've got a tool for the Florida/Florida Keys stock and a tool for the Georgia through North Carolina stock; so which one do we want to look at first? Florida, all right, let me pop that up.

MS. McCAWLEY: If we can't get that information right now, could we just hold off on this until Full Council to try to select a preferred here on this recreational bag limit; if it's going to take a long time?

DR. DUVAL: Nick, is it going to take a long time?

DR. FARMER: No, no. I mean, it would take like two minutes to open and then I can answer anything you want. I won't be here for Full Council, so if we can do it now or you guys can give me a set of alternatives you're interested in. I can bring the answers to you or e-mail them out; whatever you want to do.

DR. DUVAL: I think the committee has expressed a desire to see what those closure dates look like for probably both stocks, and while you're pulling that up, I saw a hand over here with Zack.

MR. BOWEN: Do we absolutely have to pick a preferred today?

DR. DUVAL: No, we don't. I mean, we have gone out to public hearing before without a preferred. A preferred simply gives the public some indication of the direction that we're going. But there is nothing that binds us to doing that.

MS. McCAWLEY: I personally would like to pick a preferred for the recreational bag limit for the Florida Keys stock so we can get some input on that.

MR. HARTIG: Myra, what is the level of the recreational catch now with the ACT that we decided previously? Have we already decided what the ACT is going to be? That is what I thought we did previously. I was just asking to refresh me on what that total is; 20,576.

DR. DUVAL: That's the ACL, I think, but we selected an ACT of 85 percent of that.

MR. HARTIG: I mean, it's almost an order of magnitude difference than the current landings, so if you go any more than one fish per person.

DR. DUVAL: Myra has up on the screen the preferreds for the ACT so you can see in numbers it would be 16,744 fish in 2017; 29,000 pounds. For Georgia/North Carolina it is 8,900 pounds; 840 fish.

MR. COX: Jessica, can I ask just a question. Why are the hogfish in Florida considerably smaller than the ones in North Carolina? Is it the fact that there is just so much pressure on that fish they don't get a chance to get bigger, or what is going on there?

MS. McCRAWLEY: I'm not sure if I'm the most qualified person to answer that question. I've heard the same thing that you're describing. I heard that there are more, larger hogfish offshore than there are inshore. I think it kind of depends on the area that you're in. I've requested some papers of Rich McBride, who was at FWRI a number of years ago, did a lot of work on hogfish and so has Jerry Alt. I haven't done an exhaustive combing through of the literature to fully answer that question yet, and I don't know if Luis Barbieri is here.

DR. DUVAL: He is here although not at his seat currently.

MS. McCRAWLEY: Luis might be able to answer that a little bit more, but I don't know if I have a good answer yet.

DR. PONWITH: I can't answer specifically for this stock. But in very general terms, fishing pressure can influence the average size of fish. A second thing that can is a species that's distributed over a broad geographic range. There are often latitudinal differences in the size composition.

That's because just generally speaking, I'm not saying this about hogfish because I don't know. But generally speaking, fishes that are in warmer waters tend to spawn more frequently and the energy that they could have put into somatic growth, growth of their bodies, they put into reproduction instead.

The fishes more on the northern end of the continuum spawn less frequently, then that leaves more energy for them to actually grow. It is not uncommon to have fishes in the northern extreme of the geographic range be somewhat larger. Which of those two factors or any other factor, and it could be a combination of both, remains to be seen for these species; but those are sort of biologically accepted patterns that we see.

DR. DUVAL: Just before we get to Chester, for folks on the webinar, we're just switching our computers so that is why you have lost your video feed.

MR. BREWER: Jack, there is a lot of pressure on those fish down in the Keys and in the Bahamas. I think that may have at least something to do with the size differential, because when people see them they shoot them. They're out there snorkeling around and they will pop a hogfish in a second.

DR. DUAL: We're just waiting for the technical pieces to come together here. I'm going to suggest that we go ahead and take a ten minute break right now and let Nick get this up on the screen, and then we'll come back, thanks.

(Whereupon a recess was taken.)

DR. DUVAL: All right, I'm turning things over to Nick to talk about the projected or potential results from the decisions we've made with regard to size limit and bag limit.

DR. FARMER: These tools basically, we started developing these for South Atlantic Amendment 17A, you may remember that a long time ago back in '09/2010. We've used them extensively in the Gulf of Mexico since then. We really haven't had call to put one together for the South Atlantic for a while, because they are pretty complicated and cumbersome to create.

But what they do allow you to do is look at the impacts of a bunch of different management alternatives at the same time. This one which keeps cycling off, and I apologize, I don't know what the deal is here. But it would allow you to use drop down menus to specify a seasonal closure if you were interested in doing that.

You can close a particular number of months. I can see it. Then it allows you to specify a minimum size limit with the drop down menu, a bag or vessel limit, and it shows you the output in recreational landings, dead discards; assuming a release mortality rate of 10 percent, and total removals. This is all done in numbers. Down at the bottom it gives you an output, which is a graphic of cumulative landings to the different ACL alternatives, which is the 100 percent, 95 percent, and 90 percent of the ABC. The red line is the 100 percent. I'll wait for it to pop back up so you can actually see the outlets. Yes, seriously, try not to touch it, right. Your recreational ACL in numbers, now it's off on mine.

You achieved 99 percent of your ACL, your projected closure date under the Alt. 2B ACL alternative, which is 95 percent of the ACT, would be the 30th of March for an open season of 89 days. This was with a one fish per person bag limit and a 15 inch minimum size limit. If you went to a two fish per person, this doesn't bode well for my presentation later today does it? The 16th of March, 75 day season, so you lose 14 days by going to that slightly higher bag limit.

DR. DUVAL: That's based on the ACL being 95 percent of ABC.

DR. FARMER: Correct.

DR. DUVAL: You would be looking at, I think, an April closure date. It was for the East Florida/Florida Keys stock at a one fish per person bag limit, looking at using the ACL that was selected yesterday. Does that inform your selection of a preferred? Then Nick, for the Georgia/North Carolina stock, the preferred is a two fish bag and a 17 inch size limit. I think that was no projected closure.

DR. FARMER: Right, so I've set that up already. You can see the cumulative landings track relative to the ACL, so you are well under it if you select that bag limit, and you've got a 365 day season and you are landing about 11 percent of the 95 percent of the ABC and ACL; so the ACL Alt. 2B, you are 11 percent.

DR. CRABTREE: I take it, Nick, because there is, what did you say about a two week difference between one fish bag limit and a two fish bag limit?

DR. FARMER: For the Florida stock, correct yes.

DR. CRABTREE: That tells me that not very many people are going to be able to bring in two fish. Most people just get one fish, even if the bag limit is two?

DR. FARMER: I think part of the issue there is that in the past few seasons, what we've seen is the Wave 1 and Wave 2 landings for hogfish have been extremely high, even relative to the current ACL; which is why we've had those early closures. You have just a very, very high catch rate anyways.

Even if you were currently, people were averaging about two fish per angler, because the season starts in January and you've got those high Wave 1 and 2 landings you don't get much bang for your buck. It is kind of like Gulf red snapper, in terms of the catch rate relative to the ACL is very high. But there is a huge amount of uncertainty in those Wave 1 and 2 catch rates off Florida, and for the Georgia/North Carolina model, there is just uncertainty throughout.

MR. BOWEN: After having this presentation, I'm inclined that we probably need to revisit the minimum size limit alternatives to further extend the season, just like we had the topic of discussion on red snapper. We were in a consensus, from what I remember that we would sure like a longer season with the smaller bag limit.

DR. DUVAL: Well, let's first dispense with the motion that we have on the floor, which is a preferred alternative for the bag limits. I believe it was Subalternative 2A, which was two fish per person for the Georgia/North Carolina stock and Subalternative 3B, which was also two fish for the Florida East/Florida Keys stock.

MS. McCAWLEY: Just a procedure question. I think I seconded this motion, but based on the information that I saw, I would like to choose a different bag limit, so do I have to vote for this motion even though I'm a seconder?

DR. DUVAL: I don't believe you do, but the motion belongs to the committee, because we've had significant discussion. You can either offer a substitute motion or with the concurrence of the committee, it would have to be withdrawn.

**MS. McCAWLEY: I would like to offer a substitute motion. The substitute motion would be for Action 10, to select Alternative 2A and 3C as preferreds.**

**DR. DUVAL: Motion by Jessica, seconded by Ben.** Let's hang on a minute and let Myra get this up on the screen. That was for 2A and 3C, correct? All right discussion on the motion now that we have it up on the screen. This would be the two fish per person per day for Georgia/North Carolina and one fish per person per day for the Florida East/Florida Keys stock.



**I'm not seeing any discussion. Is there any objection to this motion? Once we vote on this motion, this will become the main motion and we'll vote again. Could I please see a show of hands of those in favor of this motion; 12 in favor, it passes unanimously. The substitute now becomes the main motion. Please raise your hands again if you are in favor of the motion. Motion passes, thank you.**

MR. BOWEN: While we're on this topic, I think it might be vital for us to have some discussion; and it was brought to my attention at the break, on the Florida Keys stock with some of the fish or a portion of the fish harvested in state waters versus federal waters and how that is going to affect the ACL and to make sure that the public knows that state waters harvested fish are counting toward the ACL. I think some discussion might.

MR. McCAWLEY: It is my understanding that fish in state waters count against the overall ACL, so fish harvested in state waters are a part of the overall ACL.

DR. DUVAL: I think that's true for any of our managed species, so it doesn't matter what is occurring in state waters; it is counting against the ACL that we manage here.

MS. McCAWLEY: I would like to go in another direction here. Based on the information that I just saw in the decision tool, I think that I would like to add an action to this document that would allow for selecting a fixed open/close season for hogfish, because just opening on January 1 and running through March, I don't believe is going to be the best time of year. I would like to have a season that is open around the time that recreational lobster season is open, so maybe something that is like July, August, and September is the fixed season. But what I would really like is to be able to get my hands on that decision tool and mess with it a little bit so I could pick out what the best months might be that are capturing the lobster season.

DR. DUVAL: What we did with one of our previous motions was we actually moved those two alternatives to select a season into Action 11, which is the next thing we're actually going to look at.

MS. BROUWER: Action 11 is on PDF Page 64, and again, the reason it is all highlighted in yellow is because you have not yet approved adding this action to this amendment. The two alternatives that were previously in Action 10 have been moved to this action, which is to establish a recreational fishing season.

Alternative 2 pertains to Georgia/North Carolina stock, and we have subalternatives from May to August, July to August and May through June. Then for the Florida Keys/East Florida stock we have two subalternatives, a May through June season and a July through August season. As I said, this is an action that was recently added or we're suggesting that you approve adding this action, so we haven't completed any analyses. But Nick can probably show you, or at least verbally explain to you.

DR. DUVAL: I believe with our previous motion, which was to remove Alternatives 4 and 5 and put them into a new Action 11; didn't we already do this, or do we need another motion to approve that? Okay, that's pretty clear.

MS. BECKWITH: For at least the Georgia/North Carolina stock, I would like to go one of two directions. Based on the information we've got, I either want to remove consideration of Alternative 2, or reorganize it to actually talk about a recreational fishing season closure that would keep that May/June option in there for consideration for the spawning season closure.

But based on the information we have at the moment, it doesn't look like we need it. I'm not interested in retaining that Alternative 2 as it is at the moment. If there is some feedback from others what direction we would like to take.

MR. BROWN: I was just looking at the alternatives for the timeframe, and I wanted to make sure there was something in there from like July through September, because what I saw that Nick put up there, it looked like it was going to be under the one fish bag limit a three-month season. Rather than having just an alternative for two months, also have something in there like for a three-month slot.

DR. DUVAL: You're speaking specifically for the Florida/East Florida stock.

MR. BROWN: Yes, I'm just speaking south Florida.

MR. BOWEN: It doesn't seem like we're being really consistent here. From what I understand is the Georgia/North Carolina stock, we have relatively zero chance of going over the ACL, but we want to implement a season. Is that not right, correct me?

DR. DUVAL: These were two alternatives that we had added to the previous action considering bag limits, and that was just a suggestion. That doesn't mean that we have to do that. Procedurally, to make this cleaner, we just created a new action to consider a season. This was just a suggestion from the IPT.

We have seen that there is very little chance that we're going to incur a season closure. This is why Anna was suggesting removing Alternative 2 or reorganizing it to create a spawning closure or even potentially creating a new action for a spawning season closure, just for the Georgia/Florida stock.

MR. BOWEN: Thank you for the clarification. But the information that Jessica said a while ago when she was considering that season to coincide with the lobster season, that stock is overfished and overfishing is occurring, but that part would be right in the middle of their spawning, correct me, if it goes with the lobster season? I'm asking, I don't know.

DR. DUVAL: The spawning season is different in Florida. I'm going to let Jessica handle this.

MS. McCRAWLEY: Can we call Luis Barbieri to the microphone to talk about the size differences in Florida and maybe a little bit about the spawning season? It is different in Florida.

DR. DUVAL: Dr. Barbieri, are you prepared to discuss that?

DR. BARBIERI: No, sir, I'm not. Rich McBride is. We have had a number of studies conducted at the Institute focused on hogfish. About close to ten years ago, one of the studies was looking at yield-per-recruit analysis at the time, looking at fishing mortality and size composition of the catch down in the Keys.

One of the things that came up is that the exploitation rates there were higher when compared to the West Florida Shelf. This study was comparing the Florida Keys, not with the East Coast of Florida, but was really focused on hogfish between the Keys and the west part of the shelf, West Central Florida off of the Charlotte Harbor/Tampa Bay area.

Kind of in agreement with the results of the assessment, the fishing mortality down in the Keys was deemed to be much higher than it had been estimated for the West Florida Shelf, so the size difference there was attributed at that point to just high exploitation in the Keys than over the West Florida Shelf.

I mean, when you look at the discussion yesterday, the difference in sizes and availability of large fish between the Keys and the Georgia/North Carolina stock. I think it is fairly similar, kind of having fishing mortality down in the Keys and higher accessibility for the fish there, so exploitation is higher, and you end up with smaller size composition.

MS. McCAWLEY: Dr. Barbieri, do you remember the months that they are spawning, and also during the assessment or during the SSC discussion of the assessment, did you all talk about the possibility of putting in a slot or a maximum size, because of the fact that they're forming these harems and they're protogynous hermaphrodites, did you all talk about that?

DR. BARBIERI: No. No, we did not is the short answer. We did discuss some of this on the Gulf side, and apparently, there is a fairly detectable gradient in sizes of hogfish between inshore and offshore, where the larger fish tend to be further out. At least on the West Florida Shelf, it looks like the fishery is not really going that far out and focusing on those larger individuals.

You end up with a situation that you de facto have a group of spawning, larger fish there that are not being impacted by fishing. But we did not discuss this in any detail for the Florida Keys and the North Carolina/Georgia stock.

DR. DUVAL: Zack, and then I'm going to make a suggestion for reorganizing this.

MR. BOWEN: Dr. Barbieri, I'm still looking for the Florida Keys spawning time of those animals.

DR. BARBIERI: To tell the truth, I don't remember off the top of my head. I'm going to go back, we've got a set of papers that we had put together, a package for this discussion coming up, so I'm going to go and look and in about 30 minute I'll be able to give you that information.

DR. DUVAL: Dr. Barbieri, I believe Dr. Farmer has that information available from the assessment document.

DR. FARMER: Per the assessment, peak spawning activity for this species has been repeatedly demonstrated to occur during the winter and spring months, and they've got about nine studies cited there. They've demonstrated that spawning activity occurs predominantly during the months of December through April.

It begins and ends slightly earlier in the Florida Keys than on the West Florida Shelf. Large hogfish collected in deeper water greater than 30 meters on the West Florida Shelf have shown

evidence of a more protracted spawning season, and approximately 50 percent of females were reproductively active during all months, except September.

DR. DUVAL: All right, so we've heard from Jessica that she would like to potentially include, it sounds like, some additional subalternatives under Alternative 3 for a longer season. Then from Anna, I'm hearing she would like to have some subalternatives for a closed season. We could modify Alternative 2 to cross out fishing and say establish a recreational closed season for the Georgia/North Carolina stock of hogfish, and structure subalternatives to reflect different potential closures, whether you want that in April/May, May/June.

I think we would need to modify the title of the action to indicate, establish a recreational fishing season for the Florida Keys/East Florida stock and a recreational closed season for the Georgia/North Carolina stock, if we want to keep this all in one action. Those are my suggestions. Jack, Zack, Jessica.

MR. COX: I would just say in that title that you would add that it would be a spawning season closure. I think you would get a lot more support.

MR. BOWEN: Or take out the word closure altogether and change the fishing year start date, because all the projections we have, it is not going to last 365 days. If you change the fishing year, take the word closure out, it gives it a better perception from the public, I would think.

MS. McCAWLEY: I could get onboard with that. Just like Mark was saying, my goal would be to get July through September as the time that they could fish, but I'm onboard with restructuring this of just saying a July 1 start date for the fishing year, or however you want to restructure this.

MS. BECKWITH: If we're going to do a July 1st for the recreational, would you guys consider it for the commercial as well? At least for our stock if the commercial is going to last year round awesome, but if it doesn't, then at least you're protecting the spawning season at the end, the last two months.

MR. CONKLIN: If the peak spawn is December through April, aren't the fish already pretty much protected with the weather and stuff? If they are primarily harvested with spear up in our region, or our part of the region, I just don't see people going swimming when it's cold and nasty.

DR. DUVAL: That was for Florida, that December through April. My one concern here about –

MR. BOWEN: Madam Chair, my suggestion was just food for thought. We can do that or not. It is up to you all.

DR. DUVAL: What is the pleasure of the committee? Would you rather have an action that establishes a fishing season and spawning closure? Would you rather something that changes the start date of the fishing year?

MR. CONKLIN: I mean, once again I'm just going to – we had some discussion yesterday that North Carolina SMZ that is up, we talked about that is prime habitat for hogfish. That is where a lot of them live and stuff. We told the public time and time again that this is going to help with the spawning.

We could even take back some of the spawning season closures, maybe. But I've heard it in public comment in some of these rounds of hearings and stuff we've had, and now we're going to further protect fish with a spawning season closure. That just kind of shows me that we don't have a whole lot of confidence in our SMZs.

DR. DUVAL: Doug, then Mark then Jack, then I'm going to wrap things up and we're going to make some decisions about whether we want this action to go forward and how we want it to go forward.

MR. HAYMANS: I was just going to remind us all that one of the first things that we're discussing doing through visioning is perhaps lining up spawning season closures, and that maybe we would want to think along those lines if we're going to keep this all together through visioning.

MR. BROWN: Are we talking about separating this out, having a different closure time or an opening time for South Florida and for the Georgia/North Carolina, or the Carolinas? Are we going to have a different one for each one?

DR. DUVAL: Do you mean fishing year?

MR. BROWN: Closure, seasonal.

DR. DUVAL: The suggestion that has been made is really more of like a two-or three-month season for the Florida stock and consideration of a one-to two-month spawning closure for the Georgia/North Carolina stock that is different.

MS. BECKWITH: To make it easy, I don't expect that at this time with the information we've got provided that we're going to move forward with any kind of spawning season closure for the Georgia/North Carolina stock, so I just say, **I move that we move Alternative 2 to the considered but rejected.**

**DR. DUVAL: There is a motion by Anna, is there a second? Second by Zack. The motion is to move Alternative 2 to the considered but rejected; the rationale being that the information that we have thus far indicates that we will not experience any closure of the recreational fishing year.**

MR. BOWEN: Thank you, Anna. I guess we have to vote. But to get back, I was really focused on the Florida Keys stock. Instead of having again, closure in our alternatives changing the start date to the fishing year might be perceived a little better. That was the only point I was trying to make, with the Florida Keys stock.

DR. DUVAL: I understand that. This is just a motion to remove an alternative that's all. Jessica, discussion?

MS. McCAWLEY: I can hold my comments until after we dispense with this motion.

DR. DUVAL: Okay, is there any other discussion on this motion? Is there any objection to this motion? Is that discussion or objection, Doug? **Okay, motion passes with one objection.**

MS. McCAWLEY: I liked the idea of the whole; just change this to a start date of the fishing year. However, in visioning, there was a discussion where recreational folks were wanting to have a known opening and closing date. That is why I think I would like to keep this action worded with it's **establish a recreational fishing season and add a 3C alternative of July through September.**

DR. DUVAL: Is that a motion?

MS. McCAWLEY: Yes it is.

DR. DUVAL: **Motion by Jessica, seconded by Ben to add a new Subalternative 3C – let's give Myra a chance to get this up – for a July through September season.** Discussion.

DR. CRABTREE: To Zack's point. You might be right about the perception, but I will say that having us move fishing years all over the place for all these species creates a lot of accounting problems and issues, and it confuses things. I would recommend that we not do that.

DR. DUVAL: All right, the motion reads; **add Subalternative 3C, July through September under Action 10.** Is there any other discussion on this? **Action 11,** I'm sorry. Is there any objection to this motion? Seeing none; **that motion stands approved.** I don't believe we have a preferred alternative. I don't know if there is a desire on the part of the committee to select a preferred alternative for this action.

MS. McCAWLEY: **I move that we select Subalternative 3C as a preferred under Action 11.**

DR. DUVAL: Motion by Jessica, is there a second? Second by Ben. Sorry, **second by Mark.** Looking to these Florida folks. Discussion, Chester.

MR. BREWER: I was looking at the e-mail that went around about five minutes ago, and the combination that Jessica is suggesting here gives you 102-day season, which is the best, I think alternative that we can come up with. It also shows that the projected closing date is October 10th, so you're building in a little buffer there too. I'm very much in favor of this motion.

DR. DUVAL: Other discussion? Is there any objection to this motion? Seeing none; **that motion stands approved.** Okay the next action, Action 12 is accountability measures.

MS. McCAWLEY: I sent around some text to you and Myra this morning with the language for the accountability measure that we had talked about last time that we drafted.

DR. DUVAL: Apparently, we're going to back up. This is the output on the screen for the Florida Keys stock at a 15 inch minimum size limit looking at 95 percent of the ABC, looking at different start dates and different bag limits and what the closures and length of the seasons would be. If you have a start date in July, as Chester was indicating previously, with a one fish per person bag limit, you have a projected closure date of around October 10th.

All right, moving on to Action 12, the accountability measures, so Jessica has indicated that she sent around some revised language this morning. We're on Action 12. The alternatives that you have right now in there are consistent with the preferred alternatives that we have in Amendment

34, which is still working its way through the process. I think Jack told us the final rule is somewhere.

DR. McGOVERN: It's in headquarters.

DR. DUVAL: We would expect that to be published before the end of the year?

DR. McGOVERN: Yes, Madam Chair, depending on what else they have going on up there.

DR. DUVAL: Thank you. So the structure of these alternatives is consistent with that document just for the different stocks. One of the things that we had discussed at the last meeting was with the low recreational ACLs looking at multiple fishing years worth of landings similar to how the existing accountability measures are structured. Jessica sent around some language early this morning that creates a different alternative to our preferred Alternative 4, which indicates that the recreational fishing season would be reduced the following fishing year by an overage if the species is overfished and the total ACL is exceeded. The new alternative that Jessica sent around really looks at it for multiple fishing years, so two consecutive years in a row.

MS. McCAWLEY: Yes, and we talked about this at the last meeting, but the reason for this is because the landings, with the spearfishing and how hogfish is somewhat unique and we seem to be jumping around a little bit. We were suggesting going back to this multiyear type scenario here in the accountability measure.

DR. DUVAL: It was sent to Myra and I. I did not see it until just now.

MS. McCAWLEY: I can send it to Mike so he can send it around.

DR. DUVAL: That would be great. The way the language Jessica has suggested is structured, it has two subalternatives; one for the Georgia/North Carolina stock and one for the Florida Keys/East Florida stock. But the language reads, Roy, while you're waiting for it to go around. It is if recreational landings exceed the recreational annual catch limit for two consecutive fishing years, then during the following fishing year recreational landings will be monitored for persistence in increased landings.

If necessary, NMFS would reduce the length of fishing season and the recreational ACL after two consecutive years of exceeding the recreational ACL in the following fishing year by the amount of the average annual recreational overage, only if the species is overfished and the total ACL commercial and recreational of the respective stock is exceeded. With the disclaimer; that the length of the season and recreational ACL will not be reduced if NMFS determines using the best scientific information available that a reduction is unnecessary. It's up on the screen now.

MR. BROWN: Does this fall in line with the state waters too? Does all of it mesh? I mean, if one is over the ACL does the state and the feds, are they the same?

DR. DUVAL: Yes, ideally, we complement regulations in state waters for federally managed species. I understand that has not always been the case in Florida.

MS. McCAWLEY: To speak to that. Florida doesn't have specific rules that say anything like, once the recreational fishery closes in federal waters that it automatically closes in state waters.

That is not the case, so every time there is a closure due to us meeting the ACL, then our commission has to act on each one of those closures separately and take a separate action at the commission meeting following the closure, in order to do that. Sometimes they decide to close and sometimes they do not.

DR. DUVAL: In North Carolina we issue a proclamation when we receive notice that there is going to be a closure due to the ACL being met. I write a proclamation and it gets issued by the Director.

DR. CRABTREE: Yes, so we're in a position where I expect we're going to have overruns, because even if the commission decides to close, they are likely to close depending on the timing of meetings. You know, there is going to be a time lag. What concerns me a little about this AM language, because you have to go over two consecutive years before you do anything. You could, in theory, go over severely one year and then be just barely under the next year, and you don't do anything. If that happened repeatedly over a number of years, the cumulative catches over that period of time could be far higher than the cumulative ACLs.

It could really foul up your rebuilding plan, it seems to me. I understand the motivation to sort of bring more stability to it, but I think with these short seasons down there, we're going to have a very difficult time constraining this fishery. We typically have put paybacks in place for overfished stocks.

If we have that there, it is easy to see how we get in a position where the fishery just virtually doesn't have a season, because we have to pay back. We've had this happen in the Gulf with gray triggerfish and amberjack and some things. It's a little messy. I understand the rationale for this new AM; but it does worry me a little bit and I think we need some analysis of what the impacts of this would be.

MS. McCAWLEY: I agree. I would like to see the analysis. One thing that could work in our favor here is that since we're not just going to say, hey the fishing year starts July 1 and we're just going to run it out. If we're picking a particular season, then up front we can ask our commission to go consistent with that particular season; say July to September as the fishing season.

Then once they chose that they would automatically be consistent. There would not be any of this lag time or waiting for the commission to close state waters, and then federal waters was closed a certain amount earlier. This would be assuming that the fishery made it the duration of the July to September fishing season.

DR. DUVAL: To that point, Roy and then Chester.

DR. CRABTREE: That is encouraging, and I suspect, because I think the season is going to be short enough that we will project the closure date before the fishery even opens; which is what we've done for years now in the Gulf with red snapper. The fishery opens July 1, we'll announce what the closure date will be before it opens, based on the fishing patterns we saw in the previous year. We could try to time that Jessica, so it gets to your commission and we could do it. But I think that is kind of how it is going to run.



MR. BREWER: First, let me point out how encouraging it is that the folks from the state of Florida will urge the FWC to go consistent. It is different in other areas. But I want people to recall what was said in the letter to Dr. Baum on hogfish, and that is “the reliability of the data that we’re dealing with here is perhaps not even as good as a flip of a coin.” For that reason, I think that what Jessica is suggesting here is reasonable to do, particularly if you’ve got a hard stop date on this thing. I would encourage folks, at the very least, to put this in as an alternative to be looked at.

MS. BECKWITH: Just a clarifying question. The way I’m reading this that we start monitoring for persistent increases in landings in the third year. Can the season be shortened in the third year or do you have to wait until the fourth year, before you can actually do something?

DR. CRABTREE: The trouble I see with that is I’m not sure it is possible to monitor for persistence, because I’m not sure the fishery won’t be closed before we get the – I mean, we’re opening in July, so that is Wave 4, I think – we won’t get the landings for July/August until October. By then the fishery is already closed.

I am not sure under the current MRIP system there is any possibility of in-season monitoring of it. Then I’m not sure where this leaves you, because then you’ve gone over two consecutive years, and you get to the third year and you can’t monitor it. I’m not sure what it means exactly we do at that point.

MS. McCAWLEY: Well, this is using some of the standard language. If we do add it to the amendment then I would ask the IPT to review it and see if they could clean up the language a little bit.

MS. BECKWITH: Well, and my question too is consideration of this for our Georgia/North Carolina stock. Specifically, if they went over two years in a row that third year, not only would you monitor, but you would be able to take some action in that third year; looking at this language, for our Georgia/North Carolina stock if we chose this.

DR. CRABTREE: Yes, and Jessica is right, this is standard language we’ve used for others. Where it gets gummed up is when the season gets so short that the delivery date of the data doesn’t allow you to do it. That is where this gets funky.

**MS. McCAWLEY: I move that we add this alternative to Action 12; I believe it is, to the document.**

**DR. DUVAL: Motion by Jessica, seconded by Mark to add this as a new alternative. Any other discussion?**

DR. CRABTREE: I would ask Myra that when the IPT looks at it that they give us some suggestions for how we might adhere to the spirit of this, but modify it in ways that would be workable and that kind of thing. I would give them a lot of latitude to tweak it and come back to us.

DR. DUVAL: Any other discussion? **Is there any objection to this motion? Seeing none; that motion stands approved.** The last thing we need to do is approve this document for public

hearings. You can see a schedule there up on the screen. Could I get a motion from the committee to do so? Jessica.

**MS. McCAWLEY: I move that we approve Amendment 37 for public hearings with the timing that was presented on the screen.**

**DR. DUVAL: Seconded by Mark. Further discussion? Is there any objection to this motion? Seeing none; that motion stands approved.** I already gave you guys a break earlier, so I'm not inclined to give you a break right now. Actually, what I would like to do is call Brian back up here. If you recall from yesterday, we had a little bit of business from Regulatory Amendment 16, namely tweaking the language with the transit provision. Brian and Monica and the regulatory writers have worked on that. We're going to let Brian come up here, bring that up on the screen, let the committee review it. We'll get a motion approving that and then we can actually get a motion from the committee to approve Regulatory Amendment 16 for formal secretarial review, so that we don't have to wait until Full Council to take care of that.

DR. CHEUVRONT: Okay the suggested wording was e-mailed to everybody earlier this morning. It should have been e-mailed from Mike.

DR. DUVAL: Eight nineteen a.m.

DR. CHEUVRONT: Just to remind everybody, the concern earlier was about how black sea bass pot gear needed to be stowed to transit through closed areas. Originally it said that pots had to be un-baited, and that the buoys had to be removed from the pots. In discussion it was determined that some of those hog rings for the breakaway are used at the buoy.

Having to do this every time they would have to replace the hog rings, so the alternative that came up, the way we could deal with this, was to go ahead and put the buoys into the traps themselves or they could be removed from the buoy line; just depending on how the fishermen rigged their gear.

The language was modified such that there is no reference to whether the traps are baited or not. That is up to the fishermen's discretion. What needs to be done is either to have the buoys in the trap or removed from the trap and the disconnected buoys could be left on the deck if desired. The language that now appears in blue is what was changed from what was there before.

That transit language reads now; transit means nonstop progression through the area. Fishing gear appropriately stowed means all black sea bass pot gear must be out of the water and onboard the deck of the vessel. All buoys must be either disconnected from the gear or stowed within the sea bass pot. Disconnected buoys may remain on the deck. I think that addressed all the concerns that were raised yesterday.

DR. DUVAL: Monica, could I just get your blessing on the record of this?

MS. SMIT-BRUNELLO: Yes, I think we worked out that language and it is fine. I'm still looking at tweaking the codified text a little bit, but we can bring that to full council. But I think this language is fine in the amendment.

MR. CONKLIN: I thought we had some discussion a little bit, someone had some concerns about the nonstop progression through the area that pot fisherman might want to hook and line fish on their way in as well in that area. With like the rock shrimpers and stuff like that they have to do nonstop transit through areas, because they aren't supposed to be in there messing up the bottom, right. I just don't see why we should limit them to have the ability to anchor up and hook and line fish with the traps on the boat.

DR. DUVAL: Any comment from the Regional Administrator?

DR. CRABTREE: Yes, you know we're letting these vessels go out and fish in an area at a time of the year when we haven't in the past. We didn't require VMS, so there are issues here. My worry would be if we let them anchor up in that area, so law enforcement comes up and they are anchored up. How do they know they haven't put some traps out somewhere? There is some enforcement issues here that we need to worry about with it. That would be my worry, and I guess for Jack and all, how likely is it given these boats go out, they fish their traps then they've got to come in. Are they going to have time after doing all that to stop on the way in and hook and line fish?

MR. COX: Yes, sometimes some of our day boats will take four or five traps out there and they will set their traps and then they will also grouper fish at the same time. Then they put the traps out and do some anchoring and some bottom fishing. What Chris is saying makes a lot of sense.

DR. CRABTREE: They would run outside the closed area, put their traps out there, run back into the closed area and hook and line fish then run back outside the closed area, pick up their traps?

MR. COX: Yes, because sometimes it may be just a little distance. We could be only talking a mile or two. It is not that far. No, they won't have the traps onboard, Charlie is right.

DR. CRABTREE: That is what I'm trying to get at. If they don't have their traps onboard the boat, does the transit provision even apply? Isn't this transit provision is when they have the traps onboard the boat? If the traps are deployed and they want to come in and fish some that would be fine, but once they pick those traps up and put them on the boat they've got to go home. My question is, is that too big of a hardship? Because I think there is some enforcement issues with letting them stop and anchor up and fish with the traps onboard the vessel.

MR. CONKLIN: When I used to be allowed to pot fish, we would do multiday trips; we would throw the traps on the roof and go throw them out. We would pot fish a little bit then we would head offshore and do some grouper fishing, or back inshore or whatever. Then the traps would stay up there for when we needed them. But I know the fishery has changed, and I can understand that. But they used to ride on top while we fished.

DR. CRABTREE: But now they have to bring the traps back in at the end of the day, so they can't do multiday trips any more, they've got to go out and fish and come home.

DR. DUVAL: Yes, we put that in Amendment 18A.

MR. CONKLIN: You do have to do a one-day bass trip; you can't do a multiday trip?

DR. DUVAL: It's just at the end of the trip you have to bring them in at the end of the trip, but it has effectively turned the fishery into more of a day fishery or a 36-hour fishery.

DR. CRABTREE: Just to clarify, so they could go out and fish a two-day, three-day trip. Under this rule if they wanted to hook and line fish they would have to set their traps in the open area then come back and hook and line fish. The transit restriction would only hit them at the end of the time when they had to come back in. But as long as their traps were in the water in the open area, they could go wherever they want and hook and line fish.

DR. DUVAL: Makes sense to folks?

MR. PHILLIPS: Jimmy Hull basically told me the same thing. He said it is not a problem to put them on the deck when I'm going home. If I'm hook and line fishing, I'm dropping the traps in legal waters, as Roy talked about. It could be a little bit of a hardship, compared with not being able to go trap fish in the winter; they'll deal with it.

MS. SMIT-BRUNELLO: I guess I have some concern. I'm not sure how I feel about this, because while transit was implicit, it didn't go out in the document in the DEIS and the public didn't see it. It is not an action, so that's fine, because it was implicit and the idea was, if you are prohibiting fishermen from fishing in this closed area with traps, you are going to allow them to fish in other areas with traps.

Somehow, they have to go back through across that area. Now, I guess if you want to talk about it that's fine, and I can think about it further and get back with you at Full Council. But I'm a little concerned. I want to give it more thought as to whether we're still within the spirit of the DEIS and all that sort of thing. I think we are, I just need to think about this further, because it just does raise a few concerns with me and I know it will raise some concerns with enforcement folks. That is a separate issue.

DR. CRABTREE: Yes, I'm thinking through that too, but you know the point of all this was always not to have traps in this area, because of the entanglement. What we're talking about here is still consistent with that. When they have traps onboard they've got to move through the area, they can't stop the transit provision.

I'm not sure why we have any interest from a Right Whale perspective on what they're doing, as long as they don't have any trap onboard the vessel when they come back in. I'm not sure what motivation we would have to say, even though you don't have any traps onboard you can't go back in the closed area, because there doesn't seem to be any risk if they don't have any traps.

DR. DUVAL: A couple of procedural items. We need a motion from the committee to accept this transit language for Action 1. I guess my concern is that we're still back in the same place, Monica, where we can't approve this document for formal review.

MS. SMIT-BRUNELLO: Would you ask me that question again, please?

DR. DUVAL: Well, we want to be able to add this language to the document and approve this, recommend that the council approve this for formal secretarial review. We just want to dispense with that right here so we don't have to keep revisiting it. But you've indicated that you still

have some concern about whether this is within the scope of the DEIS, so I'm concerned about delay.

MS. SMIT-BRUNELLO: Let me just ask a few clarifying questions so I completely understand. Is the idea, would you explain to me whether traps would be onboard a vessel when they stop to hook and line fish in the closed area?

DR. DUVAL: What I was hearing from folks was no that traps would not be onboard. That if people are going out to set their traps beyond that area that is closed from shore to 30 meters depth, they would set those traps out in the legally open area, potentially come back into the area that is legally open for anyone fishing bandit gear, drop their lines, do a little fishing while the pots are soaking; go back out, grab their pots, have those pots onboard the deck while they are transiting back through nonstop.

MS. SMIT-BRUNELLO: Then I'm fine with that. I think I kind of misunderstood the issue. But based on the record clarification that Roy just gave and you just gave, I'm all right with that. I think it will be tricky to potentially write the codified text, the actual regulations. But we'll do that and bring that before you for Full Council.

MR. BELL: I think the way Chris was kind of describing this, when he could do this, was that perhaps they would do some fishing first and then trap. But the way this is set up, if you want to do hook and line here, first go put the traps out then come back in. The traps are not onboard, so like Roy said it is not an issue, traps aren't there; they are over there where they should be.

As long as it is set up that way that should work, but when it says transit means nonstop progression through the area, so that is transit with the gear onboard. You could transit through the area when the gear is not onboard and it is sitting over there where it should be. As long as that is how this is set up. I think that would work. It is a bit of a compromise, no fishing before you set the traps; hook and line after you set the traps only. That might be a little compromise in how they used to do it or something, but it seems reasonable, in terms of a compromise.

MS. SMIT-BRUNELLO: I misunderstood when I was raising some of my comments about whether it was within the scope of the DEIS. I thought you were going to allow some fishing in the closed area when traps were onboard the vessel you were going to allow them to stop and hook and line. I understand that is not what you mean so I am fine with this.

DR. DUVAL: Yay! Roy, did you have any additional comment?

DR. CRABTREE: No, I think the key area is if you have a trap onboard the vessel you better not stop. You've got to transit through based on these provisions.

DR. DUVAL: Okay, so good healthy discussion. I think hopefully the record is clear. Could I please get a motion from the committee to accept the transit provision language for Action1? Jack.

**MR. COX: Sure, I'll make that motion. The motion is that we accept the revised transit provisions for the black sea bass pot fishery.**

**DR. DUVAL: Motion by Jack, is there a second? Second by Charlie. Accept the revised transit provisions for Action 1. Is there any further discussion on this motion? Any objection to this motion? Seeing none; that motion stands approved.**

DR. CHEUVRONT: Okay Madam Chair, the last thing that if you all want to recommend to full council that this amendment be submitted for Secretarial Review. I just so happen to have a draft motion already prepared for you. If you just give me a moment, I will read it to you, and you can decide how you want to go with that.

The draft motion is; **approve Snapper Grouper Regulatory Amendment 16 for formal Secretarial Review, and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document and codified text, and give the Council Chair authority to approve the revisions and redeem the codified text.**

DR. DUVAL: Do I have someone willing to make that motion? Charlie.

**MR. PHILLIPS: Madam Chair, I make the motion as read by Brian.**

**DR. DUVAL: Is there a second to that motion, seconded by Jack. Any discussion? Any objection? That motion stands approved, yay! This has been a long road.**

DR. CHEUVRONT: Thank you all, I'm glad to have this off my plate soon.

DR. DUVAL: Thank you, Brian and Monica. Yes, okay so the next item on our agenda, Dr. Tanya Darden has been waiting very patiently to present an analysis or the results of some preliminary analysis of the genetic work that South Carolina DNR has conducted. We'll give Mike and Myra a chance to tee up Dr. Darden. This should be Attachment 6 in your briefing book.

DR. DARDEN: We would like to first say, just thanks for the opportunity to share with everybody the results of this quick look at the population structure of blueline tilefish. In the interest of time for this project, we started out by screening 56 microsatellite primers that we already had in the lab that we were using on our other species.

We used 14 blueline tilefish samples for this initial work, and we found through that preliminary screening that four of them were polymorphic. What that means is that we had several alleles that were found at each of those loci. As you can see from this table at the bottom, three of those, the ones at the bottom, I'm sorry the top, were part of our red snapper panel originally, and then one of them is from spotted sea trout.

You'll notice on the right side of that table that the bottom three of those markers represents dinucleotide repeats and then the top one RA7 from red snapper is a more complex repeat. These are the loci that we took from this initial screening to genotype all the rest of the blueline tilefish samples that we received with.

The next thing I wanted to cover is what samples that we had available for this analysis. You can see from the table at the bottom that we had a total of 259 samples that were genotyped. The northern ones included 136 samples, and these samples were collected by Mike Schmidtke, who works with Cynthia Jones' Lab up at Old Dominion University.

He sampled headboats over a two week period this past summer. All of these samples were from the Norfolk Canyon, which is in Statistical Area 626, which had the highest commercial catch of blueline tilefish in 2014. These all were fin clip samples, and as you can see in the table they represented a large size range of individuals, from 296 to 871 millimeters in total length.

The southern samples totaled 123, and these were all collected by our MARMAP program, and they were collected between 2011 to 2014, so a much larger time span for these samples. I have separated them by state, so you can see how that distribution breaks down in the table. But you can also see from the map that they are spread out geographically much more than the northern samples are; even within a state. We also saw a large size range of individuals within the southern area too, between 429 and 722 millimeters total length. Those southern samples were mostly made up of fin clips and otoliths, about equally; but we did have a few muscle tissues that were in there too.

I wanted to very briefly, just kind of mention our genotyping protocols that we use in the lab for the project. We use just our standard isolation protocols for DNA isolation. In the fin clips we just use our normal metal beads isolation and with our otolith and muscle samples we use just a standard Promega wizard genomic kit.

We then amplified each of those microsatellite locus individually, in different reactions, and then they were visualized using some florescent dyes on a Beckman Capillary Sequencer. Then we used our normal QATC protocol for scoring all the chromatograms, and probably the biggest thing with that is that we individually read every chromatogram twice, by two independent readers.

Now the first thing that we did was to make sure that the markers were appropriate for evaluating gene flow patterns in blueline tilefish. For this set of evaluations the markers are evaluated in each of the areas separately, in the north and the south areas. The first thing we look at is linkage disequilibrium, and what that means is that we want to see if the markers are physically linked together.

What we look for is if we have specific alleles at one locus that are inherited with specific alleles at another locus together as a single unit. If we do see that that would represent a single replication problem, so we would drop one of those loci. We did not see any linkage disequilibrium in these markers, so the P value is greater than 0.05.

The markers are fine from that standpoint. The next thing we look at is the degree of polymorphism that we see, and basically we're just looking to see, do we see multiple alleles. This is important because that is the variation that we need in order for the information to be informative.

If we see at the table at the bottom here, I separated out the north and the southern region, those are the areas that we looked at. Then each locus is shown, so the loci are Ra7, Prs275, Prs240 and then Cneb22. For each of those I have three metrics underneath them. The ones that we look at for polymorphism are the first two.

MA represents just simply the number of alleles that we see in the sample. Then the one below it, A is a sample size adjusted allelic richness. Those numbers, the N(A) and the A should be,

and they are in this case, very similar to each other. What we see for all these loci is that the two that are on the left are more polymorphic loci, they have between 10 and 13 alleles each.

Then the two loci that are listed on the right are a little bit less variable, and they have between four to six alleles each. We also looked to see whether we potentially have null alleles, and what this means is that we want to be sure that there aren't any more alleles at these loci that we simply are missing, because they are not amplifying for some reason; and because that would bias some of the results. As you can see, there is a typo on the slide. That P value is actually an F value, a frequency value. In all the cases the probability of the frequency of null alleles is very low for all of these markers, and so that is not a problem for the marker set either. Then the last thing we look at is we want to evaluate if the loci are meeting expectations of Hardy-Weinberg equilibrium, and that is simply in a hypothesis that there is no evolutionary change going on in the population, and so we think of this as a null hypothesis.

Of course, the big forces that may cause a change in a population that we're worried about, are selections and genetic structure. This is represented by the P(HW) metric for each of the loci on the table there. That is the probability that Hardy-Weinberg has been violated. This is they are non significant for all of the loci in all the regions except one, and that is Prs240 in the north.

We do see a significant value there. If we think of this in terms of selection, it is very highly unlikely that this locus is under selection in only part of the blueline tilefish range, and this is actually one of the markers that is in our red snapper panel, and where we have extensive data and we don't see it being under selection there, so we don't feel selection is really what is going on in this case; so we can rule that one out.

The second possibility that we would be concerned about is whether this is some indication of genetic structure within that northern area that we haven't parsed out; although that is very unlikely, because none of the other loci are showing that either, and so it is not a likely probability. But just to be sure we went ahead and evaluated those northern samples alone.

We found absolutely no indication of any kind of structure going on up there. That one P value that is significant is probably just more of a sampling error. We have included all of our samples in the following evaluation. Our main evaluations for genetic population structure focus on a hypothesized division between these northern and southern regions that occurred at Cape Hatteras, and so that is the question we were asking.

There were three tests that we used to address this. The first one is that we looked at allele frequency distribution comparisons, and we used what is known as a G-test that we calculate in the program GenePop. The second test that we use is we look for genetic differentiation between the areas.

We use a metric that's called  $F_{ST}$  that is calculating the program Arlequin. This is simply a metric of genetic difference between two areas, and it ranges from a zero to a one is the scale. We use the P value to determine statistical significance, but if you want to think of it from a biological rule of thumb, in terms of what it means, in the marine world if we're seeing anything above 0.05 to 0.1 that is a strong structural signal.

I'll remind you of those when we get to the data in a minute. Then the last thing that we did was that we used two programs together, one is called Structure and one is called Structure Harvester,



and we used that to do a likelihood-based assignment to determine the number of statistical populations that are in the sample set.

We used an admixture model for that which allows for some gene flow between regions, and we do expect correlated allele frequencies between the sample areas. Now how this program runs or how you set it up, is that you have to tell it how many possible populations you want it to test for, and that is called K. It is the metric K in the program. As you can see in the slide, we had it evaluate anywhere from one to four potential populations within this dataset, and then for each of those population sizes we conducted five simulation replicates. The results for the very first test, in terms of the allele frequency distribution, are that they were not significantly different between the northern and southern regions. I just put two examples so you can visually see what those distributions look like up here. Prs275 is one of our more polymorphic loci, and then Prs240 is one of those that had a little bit lower variation.

In each of these graphs the alleles, sorry you're not seeing the names of alleles on Prs275 there. They are just simply the names of the alleles, and then on the Y axis is the proportion of frequency, the percent frequency we see in those distributions. The northern one is represented in the yellow or the orange and then the south is in the red.

As you can see from there, those plots, they are very similar distributions and they are often dominated by a few alleles; one or two usually. The second test is when we were looking at the degree of genetic difference between areas. That F(ST) value is 0.001; that is very, very low. Remember this is the metric that is on the scale of zero to one, and it is non-significant as you can see; and so we see no genetic differentiation between these two areas based on that metric.

Then the third analysis we did was the assignment testing using the program structure. This is a little hard to visualize when the resulting answer is the population of one, which is what the result was. I put this graph up here, which is the way we determine that. On this graph on the X axis on the bottom is where we have the K value or the number of possible populations.

Remember that we evaluated potential populations of 1, 2, 3, and 4; so that is why we have scores for each of those. Then the Y axis represents the log likelihood of the probability of that number of populations in the datasets, and it has the mean and the standard deviation. What we look for is that the statistical determined number of populations, and where we see the highest log likelihood and the very smallest amount of variation around it.

As you can see, as we go from a population of one to two here, we see that log likelihood drop quite a bit; but more importantly, as we see a very large increase in terms of the variation around that. That indicates that it is a population of one. If we would look at the typical structure plots like you've seen before, it is simply one color so I didn't bother to show it to you here today.

Based on all three of these analyses, we don't see any evidence for a large scale break in gene flow that occurs at Cape Hatteras. We also went ahead and evaluated the data to look at two other potential gene flow pattern possibilities. The first one is that if there is potentially smaller scale isolation by distance pattern going on with blueline tilefish, our best chance to see that would be if we can compare samples at the extremes of their distribution.

We did those same analyses I just talked to you about, but we excluded the North Carolina samples. In this analysis, as you can see from that figure there, the northern sample stays exactly

the same, but the southern sample includes the Florida, Georgia, and South Carolina samples. The reason we kept South Carolina in there is because as you can see from the table, the Georgia and the Florida sample sizes are only five each; and that is really not enough samples to conduct an analysis with.

When we look at the south versus the north without North Carolina samples included, we see exactly the same pattern. That G-test is the allele frequency distribution differences and it is non-significant, so there are no differences in the distribution. Our  $F_{ST}$  value is still very, very low; actually the same number 0.001 and non-significant, so there is no genetic differences between those areas and the structure analysis also resulted with a  $K$  of one, meaning there is only a single population in the dataset.

The second analysis that we wanted to look at is that perhaps there is another geographic location that serves as a genetic break besides Cape Hatteras. To address this we used what is known as an AMOVA or an analysis of molecular variance. This is very similar to an ANOVA except it is for molecular data.

What we do when we run this program is that it is an iterative approach, where you basically partition each of the groups, or do an analysis of differentiation between all possible groupings of the data. For example, we would start with Virginia samples versus all the other states. The next analysis would be Virginia/North Carolina versus everything south of it.

Then we would put South Carolina/North Carolina/Virginia together and everything south, et cetera. When we run all of that iterative analysis, all of the  $F_{ST}$  values were very, very low and all of them were non-significant as you can see from that  $P$  value being always greater than 0.5. Nothing was even close to significant, no matter how we partitioned those groups up.

All of these analyses together indicate a lack of genetic structure in blueline tilefish along the Atlantic Coast. The last thing that we did was we wanted to use these data to take a quick look at the genetic health of blueline tilefish. Now since we have not detected any kind of gene flow patterns at all, so no structure, we've combined all of the samples together for this analysis on this page.

The first thing that we looked at was a metric we call  $F_{IS}$ , which is an inbreeding coefficient. Basically here we're trying to see if we see an increased rate of mating amongst closely related individuals; and of course inbreeding isn't a good thing. This metric, ranges from a negative 1 to a 1. Anything in the minus 0.1 to the 0.1 range is what we effectively call zero, which means that there is no inbreeding occurring.

As you can see from the table on the right, these are separated just like before in terms of each locus is separate and it's only got one metric there. The blue line at the bottom of each locus is the  $F_{IS}$  or the inbreeding coefficient. You can see all of those are very small, and so we detect no inbreeding occurring in the blueline tilefish population.

The second metric that we look at is genetic diversity, and we use this as an indication of adaptive potential for a population. Basically we want to make sure or address the question of, what would have sufficient tools or different kinds of alleles just in case that population was to experience some kind of stressor.

The metric we used for that is the expected heterozygosity, and this metric, ranges from zero to one. Typically we consider good heterozygosity diversity is anything above about a 0.8. As you can see in the table down below this is the other blue metric that I've highlighted, the H(E). We see a very wide range of these in blueline tilefish. We see anywhere between 0.6 to 0.7 in those two lower polymorphic loci on the left side Ra7 and Prs275, but in the left polymorphic loci on the right side we see very low ones, in the 0.3 to 0.4 range. Overall I guess I would call this diversity in the low to moderate range for blueline tilefish. I think it would probably be a yellow flag if I had to put a stoplight kind of metric on it; not great but not awful either. Then the last thing that we looked at was what is known as a G-W index or a G-W ratio. This is a modified Garza-Williamson ratio. Basically, it is used to determine if a population has experienced a recent genetic bottleneck, like you might tend to see if you've had a large reduction in population size.

This metric also ranges from zero to one, and typically 0.7 is considered to be a critical threshold, so anything less than that is indicative that the population has experienced a genetic bottleneck. As you can see for the blueline tilefish that metric is at 0.62, so it is below that ratio; that critical value, which would tend to be consistent with the recent overfished or experiencing overfishing status for blueline tilefish.

Just to kind of sum things up of what we found, basically no matter how we look at this data our analyses are indicating substantial amounts of gene flow along the U.S. Atlantic Coast, and we see no significant genetic differentiation. Based on this marker set, the Atlantic blueline tilefish represent a single population.

Now I do want to acknowledge the limitations of this preliminary evaluation though. First of all in terms of the markers, the marker suite does have sufficient statistical power to detect strong isolation between those areas if it was present. But it likely does not have adequate power to detect subtle gene flow patterns like the isolation by distance pattern.

An evaluation with a more powerful marker suite, like the one that Jan is currently developing right now, would certainly be beneficial to assess those smaller scale patterns along the East Coast. Secondly, I just want to mention a comment about the samples. Although those northern samples were from the area with the highest commercial catch, which if that is indicative of that is where that main population center is up north.

I just want to mention that they do represent collection from a single place and time. There is a little bit of limitation on the interpretation there too. Then finally the genetic health does include some yellow flags, and particularly as we talked about in terms of the genetic diversity. The genetic health evaluation will also benefit from those new markers that Jan is developing as well. With that I would be happy to answer any questions that I can.

DR. DUVAL: Thank you very much, Tanya for that thorough presentation. Are there questions for Tanya about the analysis?

MR. BOWEN: Thank you, Tanya that was great. It was a little above my head in most cases, but I did pick up on a few things. All these samples, the 259 samples, did I hear you correctly in saying that was all from headboat?

DR. DARDEN: No, the ones in the northern area were all taken from headboat. All the southern samples were collected through the MARMAP program.

MR. CONKLIN: Thanks for the presentation. I just was curious why you guys didn't get samples from farther up in the range, like say New Jersey and New York.

DR. DARDEN: They just simply weren't available to be collected this summer. There wasn't any sampling up there and we just couldn't find anybody to collect them for us.

DR. DUVAL: There has been, so the effort that Bonnie has funded in conjunction with the Mid-Atlantic Council, there have been additional samples that have been collected north of that area. That is the analysis that will hopefully be completed around May or something like that; other questions?

DR. LANEY: Tanya, this is Wilson Laney. Are the techniques that will be used for the additional analysis that is going to occur going to be totally comparable to the ones that you all employed in this analysis, so that we'll have an apples-to-apples comparison?

DR. DARDEN: Yes and no. Yes in the sense that they are microsatellite loci and so that is a good thing. In that sense the amount of variation we're seeing should be an apples-to-apples comparison. I hesitate to say the no part, because there are going to be different loci. Hopefully they're going to be more polymorphic and there is going to be more of them.

Just because you see a little bit difference in some of those metrics, it may be a marker issue. But in order to address that Jan and I have been talking, and she is going to use the same samples that we have used in her analysis as well, so they will be reprocessed with the new genetic markers. In that case we both feel very confident that the studies will be comparable apples to apples. But I just wanted to clarify why we think that. It's because the same samples are going to be used and the same marker type is going to be used. Does that make sense?

DR. LANEY: Yes it does, thank you.

DR. DUVAL: Tanya, this is Michelle. I had a question and I apologize if I just didn't capture this the first time around. But the G-W index, which you said is an indicator.

DR. DARDEN: The Garza-Williamson index?

DR. DUVAL: Yes that is used to determine whether or not there is a genetic bottleneck. You said that the threshold of the value is 0.7, so below 0.7 indicates that there is a genetic bottleneck or possibility of that?

DR. DARDEN: It indicates that the population has experienced a recent bottleneck, not currently is, but has experienced a recent population bottleneck.

DR. DUVAL: Okay, and the other comment you had on that. You said that was consistent with a status, like an overfishing status; which is what we have right now for this stock.

DR. DARDEN: If the population is in an overfished or experiencing overfishing status, we would assume that that has resulted in a decrease in a population abundance; which would be consistent with the population experiencing a genetic bottleneck.

DR. DUVAL: Thank you. Other questions, Chris you had your hand up? Chester.

MR. BREWER: You mentioned that the southern samples that you had, those were already in the lab. How old were they?

DR. DARDEN: They were collected between 2011 and 2014.

DR. DUVAL: Anything else for Dr. Darden? If not thank you very much, Tanya and thank you for your patience. I know this was a little bit delayed beyond what we had indicated yesterday, but appreciate you sticking with us.

DR. DARDEN: No problem, glad to help.

DR. DUVAL: I'm going to suggest we take a ten minute break right now, and then we'll move into Regulatory Amendment 25.

(Whereupon a recess was taken.)

DR. DUVAL: Regulatory Amendment 25, we have actions for blueline tilefish, yellowtail snapper and black sea bass. These are Attachments 7A, 7B, and 7C and 7D in your briefing book. We had some additional analyses. We do not have a decision document for this. The analyses were simply coming back in very close to Thanksgiving.

Staff really didn't have an opportunity to do that. We'll be working from Attachment 7B, which is the amendment document itself, so we'll jump around there. But I am going to turn things over to Myra, and I think she's going to walk us through the summary of public comments, which is Attachment 7.

MS. BROUWER: Just a little bit of background of how we got here. This is an amendment that the council gave us guidance to begin developing at their September meeting. We haven't had a whole lot of time. We did hold a series of public hearings via webinar and comment stations back in November.

I'm going to walk you through a summary of the comments that were submitted. As usual, the packet includes every single written comment that was submitted. We also have a transcript of the question log, so when we do these webinars, people can type in questions while we're delivering the webinar and so the question logs are also included, as well as the transcribed minutes from those meetings.

We did hold a Q & A webinar, so the intent of that is to make sure that folks have an opportunity to ask questions so they are understanding and able to provide relevant comments. We held that the evening of November the 2nd. The question log for that Q & A webinar is also included in the packet.

Then we had the two public hearing webinars on November the 9th and the 12th, and we had four comment stations; one in Manteo, North Carolina, one in Charleston, one in Brunswick, and one in St. Augustine, Florida. Comments, I've just broken them out. The first set is pertaining to blueline, and then we'll get into black sea bass, and then finally yellowtail snapper. Comments pertaining to blueline tilefish were to manage the resource using state-by-state quotas to ensure equitable access. The commercial ACL and trip limit should be as large as possible to accommodate traditional boats that go out on multiday trips. There was support for either a one fish per person per day year round recreational bag limit, or a one fish per person per day during a season; May through August. There was some support for a three fish per person per day during a season.

Also, commenters wanted the council to consider a 100 pound trip limit per 100,000 pounds of seasonal quota and specify by catch possession limits. Also, a suggestion that 300 pounds is too low for a commercial trip limit, and also to consider changing the fishing year to start March 1st or March 15th, and this came from folks up here in North Carolina that don't have access to that fishery early in the calendar year.

Comments pertaining to black sea bass and this is regarding the action to increase the bag limit for black sea bass. There was some support for the council taking no action on that; so keep the bag limit at five fish per person per day. There was some support for a seven and a ten fish bag limit as well.

There was a lot of talk about considering, perhaps, a size limit decrease for the recreational sector. Then a series of comments pertaining to yellowtail snapper, the public hearings sort of coincided when there is a closure of the commercial yellowtail fishery; because the ACL was met. A lot of the commenters had a lot to say about that. Anyway, that is all included in here as well as comments that are pertaining to the specific action that the council is considering.

There was a strong support for an allocation shift between the sectors, either something permanent or something that could be triggered in season. There was some support for a commercial trip limit during the spawning months, instead of a change in the fishing year, and there was a suggestion of 250 pounds and then another one for 1,000 pound trip limit.

Suggestion to consider implementing a trip limit when the ACL is close to being met, similar to what we have, I guess, for other species, like where there is a step down. Also, a suggestion to consider removing sector ACLs. Most commenters supported an August 1st start date to the fishing year; currently it is the calendar year.

There was a suggestion to manage yellowtail as a unit stock with the Gulf Council. Then a comment that a step down trip limit would result in user conflict, because multiday boats would be forced to remain close to shore and they would compete with day fishermen. These are basically just the salient points of the comments. Like I said, you have all of them in your packets; so when you're ready.

MR. HARTIG: Yes, thanks for putting those call logs on there. Those were helpful. I mean, you get the whole flavor of the whole discussions and I appreciate that. I think one thing we may want to look at in the future when people say like; we need at least 300 pounds for a trip limit. I mean, we may actually change the nomenclature of our trip limits when we're trying to actually have a bycatch trip limit in a fishery. The public is on notice that it is not so much just a trip

limit. There is not enough fish to support a fishery, so it is designed to be a bycatch, basically, just saying.

DR. DUVAL: Any other questions or comments for Myra?

DR. CRABTREE: Just that the yellowtail closure, I did have conversations with several fishing folks down in the Keys. One that I recall was a lady named Amy Rodriguez, who I believe I sent some letters out to you folks. She was very concerned about the impact of the closure and reemphasized their desire to have the fishing year shift.

That if they had a closure, it would fall during the summertime, rather than this time of year and so that any closure would coincide with the spawning season, and I think economically, it worked better for them to be closed during the summertime than during the fall.

MR. COX: I don't know very much about the yellowtail fishery, a couple questions are, I'm curious why the start date wasn't changed previously when we knew that the quota could have been caught during the time of year when they need the fish. The other question is, is there a commercial trip limit on yellowtail?

DR. DUVAL: There is no commercial trip limit and the last time we considered this, it was in Regulatory Amendment 15, I think, when we were dealing with vermilion snapper. I think the concern about changing the fishing year was that this is assessed as a unit stock, so it spans both Gulf and South Atlantic jurisdictions. Changing the fishing year on one side of that jurisdictional line could really throw a wrench into the assessment if it is not also changed on the other side of the line.

MS. McCAWLEY: Also, we were looking at it with that South Florida Committee, so we were looking at multiple actions for yellowtail within that South Florida Committee; so that was just one of many actions. It was my impression through that committee that the folks in South Florida were trying to think of it as a whole, like maybe the fishing year changes is the only thing that needs to happen. Maybe there are other things that need to change. I think that that was all being discussed by the South Florida Committee.

MS. BECKWITH: Roy, a question for you. We just had a conversation with hogfish about sort of the messiness of changing the fishing seasons unless it is sort of the last case effort. What is different in yellowtail, because it would equally be messy to change the fishing year instead of maybe doing like a season or something?

DR. CRABTREE: Nothing and it is messy to change the fishing seasons like that. I guess it is a balance. Does the benefit of doing it outweigh the messiness that it recreates? In this case, the folks down there sure seem to believe that it does, but I think that is a call you will have to make.

MS. BROUWER: Just to add to that Anna, the Gulf Council is considering making the same change to the fishing year as well, so they are proceeding on a parallel track with us, so that would make it a little bit easier.

MR. BOWEN: Myra, do we know what they are considering changing their start dates to?

MS. BROUWER: They have the same alternatives that you guys are considering.

DR. DUVAL: Okay, any other questions or comments on the comments? All right, seeing none; we're going to move into the amendment document.

MS. BROUWER: Okay, so the first thing to do is to review the purpose and need, which is on PDF Page 22 of your document. The only thing that we're suggesting is the insertion of the word "closure" right here in the purpose; so it reads revise the commercial closure accountability measures for yellowtail snapper.

However, I guess I should mention at this point that the action that deals with revising those commercial accountability measures has been recommended by NOAA General Counsel that the council remove that action from this amendment. If the council goes through with that, then we'll need to clean up the purpose and need accordingly. This change would not be relevant any more if that action gets removed from the amendment.

DR. DUVAL: It seems like it would be a little premature to –

MS. BROUWER: We could come back to it.

DR. DUVAL: Yes. Let's come back to the purpose and need after we've gotten through some of these actions then.

MS. BROUWER: Okay, so what I've done here is I am going to walk you through the actions and alternatives in Chapter 2 of the document, but I've also included the PDF Page for the corresponding action in Chapter 4, because that is where you'll find most of the information pertaining to the analysis. We're unfortunately going to be having to go back and forth.

It is going to be a little trying, but we'll get through it. The first action is on PDF Page 26. This is the action that adjusts the ABC, ACL and OY for blueline tilefish. We have the same seven alternatives that you saw back in September, but we've made some wording changes to them that you see on your screen.

Basically, we're just removing the actual values from the language of the alternatives, which we try to be consistent about. Alternative 2 is to set the ACL equal to the OY equal to 98 percent of the stock ABC. The reason we included the word stock in there is to differentiate the South Atlantic ABC from the ABC that the SSC has recommended for the entire stock of blueline tilefish.

This is, of course, based on their latest recommendation, which was to set that ABC at the equilibrium yield at 75 percent of Fmsy, which is 224,100 pounds. Alternatives 3 through 7 then just shave off certain percentage off that stock ABC to account for landings north of the council's area of jurisdiction.

Those, as you recall, are based on certain years of landings. If you scroll down, you have Table 2.1.3 that shows you the corresponding years that were looked at to arrive at these percentages. For example, Alternative 3 used landings from '05 through 2010. That resulted in 4 percent of the landings being assigned to the northern area and 96 percent of the landings being assigned to the South Atlantic Council's area of jurisdiction. That is how these alternatives have been structured.



The percentages range from that 2 percent to Alternative 7, which would assign 22 percent to the northern area. I've also included in Chapter 2 of the document any recommendations from your various advisory bodies. The Snapper Grouper AP recommended Alternative 2 as the preferred, which would maintain that 98 percent assigned to the South Atlantic. I included the excerpt from the September 2015 SSC report that explains the rationale behind their recommendation, so that's all included there verbatim.

Then I've also included in here pertinent public comments under each of these actions. What we need to do is accept the suggested edits to Action 1, alternatives or not, and then consider any recommendations on public comment and select your preferred alternative.

DR. DUVAL: Let's dispense with the easy stuff first. If I could get a motion from the committee to accept the IPTs suggested edits to Action 1 in the alternatives.

**MR. PHILLIPS: Madam Chair, I make a motion that we accept the IPTs suggested edits in Action 1 of the alternatives.**

**DR. DUVAL: Second by Jessica. Any discussion? Any objection? Seeing none; that motion stands approved.** Now, we get into selection of a preferred alternative. You note that the advisory panel recommended Alternative 2, which was the existing formula that we had from Amendment 32, which results in 98 percent of the stock ABC being selected as an ACL for the South Atlantic region.

The other various alternatives step that down from there. The SSC at their October meeting was very concerned that the council clearly understood the uncertainties surrounding their recommendation of the stock ABC. I assured them that we did, and you can see in what Myra has included in the document that they were pretty adamant that this be something in place for just two years.

At our last meeting in September, when we were discussing different alternatives, our Mid-Atlantic Council liaison, Mr. Tony DiLernia indicated that it appeared roughly 7 percent of harvest had occurred in the historic to recent timeframe in the Mid-Atlantic region. I just lay that all out there for you to consider in your deliberations. But we do need to select a preferred alternative.

DR. PONWITH: I would certainly reiterate the SSCs concern about uncertainty. There is a high level of uncertainty in this whole process. We've had a fishery that has changed in the way that it has operated. We've got a stock assessment that yielded satisfactory results, but concerns in the projections that came from those as not reflecting those changes in the fishery; and that is certainly the case.

I think the theme song here is uncertainty. The thing that I want to bring to the attention to the council as they contemplate the preferred alternative is that the ABC advice that came from the SSC, which was 75 percent Fmsy, has a value that right now is 224,000 pounds but that represents 99 percent actually of the MSY, which is just about as close to MSY as you can.

The challenge that comes with that advice is the inability to really quantify the uncertainty associated with that. We've seen some very high landings coast wide over the last three years.

I've heard people suggesting, in fact, I think a letter from the Agency talked about the use of ORCS as a method. But if you recall, and certainly, if you had sat through the many, many, many Caribbean Fishery Management Council meetings, where we talked about and used ORCS to get us through the provisions of the 2006 reauthorization of the Magnuson Act. The application of ORCS there was to select a time period in the history of the fishery that was stable; that the whole notion of the ORCS is to pick a time period that's stable so that as you take those average landings.

If that is the best information you have, that it is at a time where the fishery is being prosecuted in a way that is stable, and that the ecosystem appears to be stable; with the assumption that those removals then are sustainable in the long term. You have ABC advice from your SSC. That ABC advice is what you have as your starting point for your contemplation on setting ACL.

But I would just like to highlight those uncertainties as you take a look at what your level of assumptions you're going to assign for removals north of your jurisdiction, and bear those in mind, because those removals certainly that is an important thing to take into consideration as you set your ACLs; but they also can serve as an additional means of mitigating the underpinning uncertainty in the ABC advice from the SSC.

MR. BREWER: Michelle, you mentioned there had been an increase in the Mid-Atlantic up to 7 percent, is that what you said?

DR. DUVAL: No, it was really more. I think our Mid-Atlantic Council liaison Mr. DiLernia at September council meeting had indicated that I think it was the 7 percent of that particular ABC recommendation of the 224,000 pounds was, I think, consistent with the historical level of removals in the Mid-Atlantic region.

Again, the Mid-Atlantic is moving forward with their own amendment to their tilefish plan. Their SSC is moving forward with development of ABC recommendations using data limited approaches. That was just a comment that he had put forward that 7 percent of that 224,000 pounds was somewhat reflective of what removals had been from the Mid-Atlantic previously, that's all.

MR. BREWER: I thought it was official.

MR. CONKLIN: I think I remember having some conversation with Mr. DiLernia, and there was no intent for a commercial fishery to be sustained up above our region. They wanted to further have limited access from the charter fleet for them, I think. I'm not sure that the removals are going to be what they were.

DR. DUVAL: The Mid-Atlantic did deliberate on this on Monday, and unfortunately, we were not able to listen to that, but Myra sat in on that chunk of the webinar; and there are a number of management measures that they have included in their draft amendment for public hearing, so I'm going to let Myra give a brief update on that.

MS. BROUWER: Sure, so the Mid-Atlantic Council talked about their proposal for management of blueline on Monday afternoon. They had submitted a request for a control date and that is apparently going to be approved very soon, and that will apply to the for-hire and commercial fleets. The Mid-Atlantic Council plans to submit the amendment that they're

working on immediately after their April, 2016 meeting. Now the regulations that are currently in place up there are under an emergency rule that is set to expire on June 3rd, so the concern there is that the amendment is not going to be in place prior to the expiration of that emergency rule. However, the states in the Mid-Atlantic, the majority of them, I think, have enacted compatible regulations. I think someone said that New Jersey is going to have compatible regulations by January of 2016.

They talked about their preferred alternative for the management unit is to keep the jurisdictional boundary as the boundary, as opposed to choosing some other. I think Cape Hatteras is included among the alternatives that they had to choose from, and that was just to give more of a range I guess, because there are some stocks, as you know, that are managed at that boundary; like black sea bass.

There was, Chris, some talk about this perception that perhaps the blueline tilefish fishery should be managed as a recreational fishery. That came up during discussions, but the Mid-Atlantic Council did not really want to actually state that that was their intent. There were some council members that felt that way, but some that didn't.

They wanted to make it clear that that is not really the council's intent. Their document includes - I'm not going to go through everything that it includes, but they're looking at various reporting requirements. They are looking at commercial trip limits up to, I believe, 900 pounds. They are looking at increasing the bag limit up to nine fish, I believe. They have a whole bunch of actions and alternatives that they are going to be looking at.

DR. DUVAL: Thank you for that update, Myra. I had Charlie and then Roy.

MR. PHILLIPS: Okay, just some clarification for me, I suppose. Mid-Atlantic, they're going to put the stock in their FMP, so I'm guessing they're going to do maybe an ORCS type assessment. I've heard Roy say earlier that like the Gulf and South Atlantic, we've got a common stock.

But they assess their side of the stock and we assess ours, how is it finally going to shake out? Right now, I guess we're leaving a few percent off for their fish, but how is this going to shake out in the long run, when they figure out their ORCS type assessment or whatever it's going to be?

DR. CRABTREE: Well, one, I don't think this is comparable to the situation with the Gulf, because we don't have any genetic information about the Gulf at all. I would not assume. I suspect the most likely scenario is we'll get a coast-wide stock assessment if the genetics hold up. Secondly, I'm not viewing these buffers as any sort of set aside or allocation for the Mid-Atlantic. I'm viewing these more as just buffers for overall uncertainty, of which what happens in the Mid is a part of that.

We're not doing an allocation here, and the Mid is not going to be bound by what comes out of this. Their SSC is going to give them an ABC as best as I can tell, and they are likely going to move based on that; so all of that is there. There are a number of ways we could go with this, I guess. I suppose one is to just continue to manage our side of things separately from the Mid. If we do end up with one coast-wide assessment and one coast-wide ABC, that is going to require us to agree with the Mid on an allocation decision. That's what we've done with yellowtail and

black grouper, I think, and it hasn't been without its problems. The other way to go with this would be a joint FMP with the Mid, yes, and there are all kinds of issues with that. I'm not sure where that is going to work out. Ultimately, I think, you as a council - we're going to need to talk about that, and we're going to need to talk with the Mid about how to do that. I don't know that we can resolve any of that today.

DR. DUVAL: Yes, I think it is a little bit premature – I mean, it is good to be thinking about down the road – it is a little bit premature to try to resolve that. In SEDAR Committee yesterday we discussed - John Carmichael has reached out to both SSC Chairs and is looking to staff from both science centers.

Circle the wagons a bit and discuss basically sort of a decision tree approach of, what are the options that are mutually acceptable to both jurisdictions, depending on the outcome of the genetic analysis that the Mid-Atlantic Council and Bonnie's shop have funded. I'll be frank and in some of my conversations with Chairman Robins, the SEDAR process is not a process that is used in the Mid-Atlantic.

They have their own SAW/SARC process that is used for stock assessments. I would imagine, given the history of this issue, that there would probably be some resistance to a product from SEDAR. But again, that is why folks are trying to reach out and have some conversations to determine what might be a mutually acceptable pathway forward.

MR. HARTIG: Roy, what are they fishing under this year? What is the Mid-Atlantic allocation for this season? What are they fishing under this year? Do they have any limits at all based in the Mid-Atlantic?

DR. CRABTREE: They do not have an ABC and there is no allocation. They put in place an emergency rule that was designed to prevent a new fishery from developing, which was the longline vessels who had shifted and were landing in New Jersey.

MR. HARTIG: To your previous comments, likely whatever we choose here isn't going to be paid much attention to by the Mid-Atlantic.

DR. CRABTREE: Well, I wouldn't want to say that, but your guess is as good as mine.

DR. DUVAL: Roy, you looked like you had your hand up to possibly make another comment.

DR. CRABTREE: Yes, because I want to talk about where I think we need to go. Now, I agree with you. That is the discussion for another day, and we need to see how this genetics work fleshes out and the rest of this. For now, we need to decide where we're going to set the ACL for this stock.

Now, I do believe there is a lot of uncertainty here, and as I said earlier, I am approaching these buffers more as general buffers to deal with the various sources of uncertainty, of which one is what is going to happen in the Mid and how many fish are going to be landed up there? Now I'm assuming that what we would treat as the overfishing level for this stock is the MSY estimate. I would ask Dr. Barbieri, is that consistent with the SSC views?

DR. BARBIERI: I'm sorry, Dr. Crabtree, could you please repeat the question?

DR. CRABTREE: We would regard, given the SSCs recommendation we would regard MSY as the overfishing level, the OFL. Okay, so the OFL for this stock then is 226,500 pounds. It does seem to me that the APs recommendation of setting the catch level at 98 percent of the ABC, because the stock ABC, as Bonnie pointed out, is only a couple of thousand pounds, I think, below. It is very close to MSY.

That does concern me that we would be setting things that close to MSY. The other thing that's playing into my thinking is the genetic work, where we saw where they talked about the levels of genetic diversity and bottlenecks. We essentially got a yellow flag from them. I am viewing all of this that we're doing now as kind of an interim catch level that will be in place.

I think we expect to get the results of the new stock assessment in late '17, John, is that approximately correct or something like that? Likely then we would be putting new catch levels into place in '18, so maybe what we do here is in place for a couple of years. When I look at these my inclination is to go with Alternative 7, and set the ACL at 78 percent of the stock at ABC.

Right now, the total ACL that we have on the books is close to 36,000 pounds, so we're talking about a five times increase in the catch levels beyond what we have now, and that is a substantial increase with it. I think a 20, 22 percent buffer put in here to account for all these uncertainties makes sense. I don't want to end up going through what we did two years ago with blueline tile again. **I would make a motion that we adopt Alternative 7 as our preferred alternative.**

**DR. DUVAL: Motion by Roy to select Alternative 7 as the preferred alternative. Is there a second to that motion? Seconded by Mel. Discussion. Ben.**

MR. HARTIG: Dr. Barbieri.

DR. BARBIERI: Mr. Hartig.

MR. HARTIG: I can't remember off the top of my head about how we normally distance ourselves from OFL. Is it a general distance or is dependent on each stock? How does that work?

DR. BARBIERI: Well, the SSC was in a little bit of a bind here. Let me give you a little bit of background on how we handled this situation and the reasons behind some of our decisions. In general, we apply our ABC Control Rule. If at all possible, we set ABC according to our ABC Control Rule.

Now remember that our ABC Control Rule is set up in tiers. Tier 1 is when we have a quantitative assessment that allows development of projections, quantitative stochastic projections that can give us some idea of how that buffer can apply a P-star methodology and choose that buffer based on the P-star methodology.

Then if we don't have a quantitative assessment that is useful, or we don't have projections, we then consider our lower tiers, including the ORCS approach. But one of the issues that happened here that is a bit different than some of the other situations we've been in, is that the SSC has officially accepted the assessment of blueline tilefish as representing the best available science.

The assessment was accepted; therefore, we tried to stick with something that was no, in terms of developing our ABC recommendation, that was not based on the lower tiers of our ABC Control Rule.

Because we accepted the assessment but did not have projections that were accepted by the committee, we could not quantify the amount of uncertainty that had been estimated by the assessment. We made a recommendation that we felt was in line with NS1, in terms of avoiding overfishing. We tried to make you recommendations that prevent you from overfishing the stock; causing any overfishing.

We went with the 75 percent, the equilibrium yield at 75 percent of  $F_{msy}$ . But the lack of the buffer, an explicit buffer between ABC and OFL was due to the fact that we couldn't really quantify the uncertainty, since we did not accept the projections. But we did have an accepted assessment and we went from there. I hope that clarifies the issue.

DR. DUVAL: Thank you, Dr. Barbieri. I'm going to turn it over to John Carmichael to hopefully help clarify this a little bit.

MR. CARMICHAEL: One of the things we're dealing with here is just the nature of productivity. The differences in  $F$  are not the same and don't track with differences in landings. That is actually one of the foundations that supported precautionary management, by saying that if you drop down quite a bit on  $F$ , you can still achieve very similar landings to  $F_{msy}$  with the higher stock abundance and better SSB and all of those things.

That is why when you look at  $F_{75}$  percent versus  $F_{msy}$ , and you look at 75 percent of  $F_{msy}$ , you are not taking the 25 percent reduction in landing; it is often quite a bit less. This stock is particularly notable in that there is very little separation in terms of yield. I think part of that is in this curve.

This shows the equilibrium landings for different  $F$  levels, and the  $F_{msy}$  in this stock was at 0.302. The 75 percent  $F_{msy}$  was 0.226, so you're dropping down a good bit on your  $F$  rate but you're at 224,000 pounds in landings as we've talked about. Now even if you went down to 65 percent of  $F_{msy}$ , and you would be fishing at about 0.2, it still says you would be taking in 221,000 pounds of landings.

If you drop down like 20 percent on yield, you are going to be targeting a pretty low exploitation rate. That could potentially give you some issues. I just think that is something to be concerned with, or to at least be aware of. If you look at this curve, imagine where you drop 20 percent down on the peak of that. You might be looking at an  $F$ , and based on what we've seen so far maybe around 0.1.

Now, of course, that is a lot of uncertainty. We know that the goal of ending overfishing is to control that  $F$ . Because we don't monitor  $F$  in real time, and certainly not even on an annual basis; that we use landings as a proxy to try and get at that. I think this quandary here just illustrates one of the problems with doing that; coupled with all the uncertainty in what landings are going to do, and what is going to happen in the Mid-Atlantic and everything else. I just felt it was important to show this and let you know that it is a pretty flat yield surface right there. That is why you are getting these landings values that are just so close.

DR. CRABTREE: Yes, I understand what you're saying. I guess what troubles me a little is the equilibrium assumption, because that is true that we have the 70 percent, 5 percent F buffer and this is how it works out. But that is assuming that the biomass of the stock is actually above MSY, it is that equilibrium at the BOY level.

The trouble is of course we don't really have an estimate of what the biomass now is, and so we don't really know if that 75 percent cushion on the F is really there or not. I would point out though; you know the rule of thumb we've sort of used for buffers for years is the 25 percent kind of thing.

If you look at my motion, which is 22 percent off. If you combine that with the SSCs cushion, it is right about 25 percent. But this one is based on more of a landings based thing and not so much on the Fs, and hopefully not as dependent on the assumption that we're at some equilibrium level; because we don't really know if that is the case or not.

DR. DUVAL: Other comments or thoughts around the table?

MS. BECKWITH: Can we go through the additional analysis on sort of bag and trip limits and what that would sort of mean under the different alternatives, to sort of inform this conversation?

DR. DUVAL: Yes, we need to go through that anyway. I'm just trying to think, you know we have 20 minutes before a lunch adjournment. We have a motion on the floor. I hesitate to recess with an open motion on the floor. We could briefly highlight that. I mean, clearly, the greater that buffer that is selected, certainly that is going to impact potential closure dates for various recreational bag limit alternatives and commercial trip limit alternatives. We do have a more recent update of the recreational bag limit alternatives that was e-mailed around to folks by Mike Collins just very recently. Nick has updated that with an additional alternative.

MS. BECKWITH: I guess what I was trying to get to is, I think our hope, understanding the uncertainty and understanding sort of where all the numbers are, our hope was to stabilize our recreational and commercial fishery while the new assessment sort of comes. We're not looking for a huge trip limit or large bag limits or anything.

But we did want this fishery to sort of be able to stabilize. I'm looking at the alternatives and what those would mean at the Alternative 7. For me, it's taking it just a little bit further than I'm sort of willing to go. I was originally considering Alternative 4 as an option. I might be willing to go as far as Alternative 5 to give that 10 or 11 percent buffer, plus the additional 2 to 3 percent.

But I think recognizing that we do have the stock assessment coming up, all of the work that is going into that and that the trip and bag limits that we're considering for this fishery are not large. I guess I am not willing to go quite as far as Alternative 7, so I would not support you, Roy, sorry.

MR. HARTIG: Yes, the wheels are turning. I look at it as you are looking to the stock, and you're trying to make the best recommendation for your catch levels based on the uncertainty. You should probably make that first before you go into your bag and size limits. Yes, you can do it backwards, but to me, I would rather make the decision now and then work with what we get.

DR. CRABTREE: I agree with the goal. I want to stabilize this fishery and get out of this box. But I think the best way to do that for right now is to be cautious, and try to make sure that we increase the odds that when we do get that next stock assessment we aren't back in an overfishing situation looking at big cuts. That is really my biggest fear here. I don't think 10, 20,000 pounds one way or the other here is going to change the outcomes in terms of the fisheries and all that all that much.

I would focus on, what is the catch level here that is appropriate and has the right amount of conservation associated with it, and that is going to keep us out of trouble in a couple years? Then we'll come in and look at trip limits and all of that after we figured that out. But the biggest source of lack of stability here is we would be getting an assessment that comes in with bad news again, and puts us back in the same position we were a few years ago.

**MS. BECKWITH: I want to go ahead and make a substitute motion to make Alternative 5 our preferred, and we'll see where that goes.**

**DR. DUVAL: There is a substitute motion by Anna to select Alternative 5 as a preferred. Is there a second to that? Seconded by Doug. Discussion. Charlie.**

MR. PHILLIPS: Yes, and to Roy's point. We're going to get an assessment so we basically want to get to a holding pattern. We're going to be able to give more fish back to the fishery no matter which one of these we go with. But I am hesitant to possibly get in a place where we give fish back and we take fish away and we give fish back. I would like for it to be on one kind of trajectory, and hopefully, that trajectory is steadily giving fish back. I'm reluctantly inclined to stay with Roy.

DR. DUVAL: Doug and then Mel.

MR. HAYMANS: To Roy's point about the uncertainty here. To me, my greatest fear is not that we shut ourselves out of 10 or 12,000 pounds or what not, but it is what the Mid-Atlantic does. I mean if they catch anywhere near what they did in 2014, and we wind up with a coast-wide assessment. That has the greatest effect, not this 10 percent that we're discussing here. You've told us we don't have any control over what that Mid-Atlantic is going to catch. I would support the substitution motion.

DR. DUVAL: Other comments? Mel, I'm sorry.

MR. BELL: That's okay, given the uncertainties involved in this and the fact that even under Alternative 7 you end up with a five-fold increase. I guess I'm more inclined to lean towards being a little more conservative along those lines. Like Charlie was saying, just hopefully things will work out and we'll have a gradual build. I would be real afraid of give back, take back, give back, and take back; you know, that kind of back and forth, so I guess I would be leaning more towards being a little more conservative myself.

**DR. DUVAL: Any other thoughts around the table? Are folks ready for the vote? Okay, could I please see a show of hands of those in favor of the substitute motion to select Alternative 5 under Action 1 as a preferred? Four in favor, those opposed, and eight opposed the substitute motion fails. We're back to the main motion; which is select Alternative 7 under**



**Action 1 as a preferred. Could I please see a show of hands of those in favor of the motion? Nine in favor, those opposed, and three opposed; the motion passes.**

Rather than get into the next action, I'm actually inclined to break for lunch right now and just come back at 1:15 if everyone is okay with that. I would rather not start a discussion and then have everybody get grumpy because they're hungry. Let's come back at 1:15, thank you.

(Whereupon a recess was taken.)

DR. DUVAL: The next action, Action 2 is on PDF Page 32 of the amendment document. This deals with a commercial trip limit, so I'm going to let Myra run us through this because there are some edits we'll have to accept.

MS. BROUWER: Right, so in September you gave us guidance to include the two actions that were originally in Amendment 32, with the same range of alternatives. We only initially analyzed trip limits going from 100 to 300 pounds. However, we are suggesting that you add another alternative to increase the trip limit to 400 pounds, because going through the analyses, which I'll show you here shortly, none of the previous alternatives 100 to 300 pounds would have gotten close to reaching the commercial ACL.

There is an Attachment 7C that contains these additional analyses that were done sort of very recently; Nick Farmer provided those via e-mail to you. I believe Mike Collins sent an e-mail earlier. It is also Attachment 7C in your briefing book. I'm going to go from this document to the analysis document, because we just simply didn't have time to incorporate all those analyses in the main document. That is why you received it as a separate attachment.

Here you have - Table 1 is the projected increases in harvest under these proposed trip limits, and it goes from 100, which is currently what is in place up to 400. You're looking at a 243 percent increase in harvest relative to that baseline of 100 pound gutted weight trip limit that is currently in place; that was implemented in March of this year.

Then there is a figure below that that shows the catch per trip in pounds gutted weight in 2014. You can see the distribution of that catch per trip. Here is the percent of vessels that would be impacted based on those that are landing at or above the proposed trip limits. You've got also the mean for 2012 through 2014.

This column here was added to the document, and if you happen to have looked at Chapter 4 of the amendment document, those numbers are already included. Here is basically just to remind you what we're looking at in terms of the various ACLs proposed under Alternatives 1 through 7 of Action 1.

Daily catch rates and then there is a lot of explanation here on the various scenarios and assumptions that Nick used for his analyses. Then under the various scenarios the projected monthly catch rates by month; and this is in pounds whole weight. Then the one that you probably want to spend some time looking at is this Table 4, which is the projected closure dates under the various ACL alternatives and the various trip limit alternatives. The little star indicates that there would be no closure, and then so you can see under the 400 pound trip limit alternative based on - let's see, if you went with Alternative 5, you would be looking at a closure perhaps early August. That is under Scenario 4. There is a lot of information in these various tables.

I'm not sure if Nick wants to provide more detail than what I am providing right now. If you have further questions, he is around to talk you thorough it.

DR. DUVAL: I just want to make sure that everybody understands the scalar approach that Nick used in comparing what the potential increases were in the amount of harvest under the different scenarios compared to the baseline of where we are right now. That is Table 1, and then he also sort of did it from the opposite direction looking at what the statutory baseline was prior to Amendment 32, which was no trip limit.

Table 4 shows you what the sort of scalar value is under various trip limit alternatives, what harvest would look like compared to the baseline of not having had a trip limit in the past. Under a 400 pound trip limit looking at average catch rates, between 2012 and 2014, you would be expected to harvest roughly 30 percent of what you harvested previously.

I just wanted to make sure folks understood that and then if anybody had any questions about the four different catch rate scenarios that were used, the average of 2010 to 2014, the last available ACL data from the January through June 2014 timeframe, and the July through December 2013 timeframe; because remember in 2014 we were under the emergency ACL that was implemented in April of last year. The fishery ended up closing end of May, early June; early June, I believe.

We didn't have any catch information from the last half of 2014, and then a couple other Scenarios 3 and 4 also incorporate January through April, 2015 quota monitoring data and those catch rates, and bringing in different catch rates from 2014 and 2013 to fill in those gaps. This is just done to provide you with a sense of the range of what the potential closure dates could be, what the potential catch rates could look like; any questions?

MS. SMIT-BRUNELLO: Yes just for the record, when we're talking about scenarios or that sort of thing, that equates the four different scenarios you talked about equates to the discussion in the Attachment 7C, where it is described four different projection approaches, right? We're just interchangeably using scenarios for projection approaches, same thing right?

DR. DUVAL: Yes.

MS. SMIT-BRUNELLO: Okay, thank you.

DR. DUVAL: Does anybody have any questions about any of those, the methods that were used? Okay I'm not seeing any questions or any hands raised. Hopefully, folks have had a chance to look at this, so then we can open the floor up for selection of a preferred alternative.

DR. McGOVERN: In Table 4 we show when the closure would occur with all these different, I guess, alternatives from National 1. Do we have an estimate of when the ACLs would be met if there was no trip limit in place?

DR. DUVAL: Dr. Farmer, do we have an estimate of when the ACL would be met under no trip limit?

DR. FARMER: Can you scroll back down to that table below? No, so it looks like the only thing that we have there is the status quo trip limit, so I don't have one with no trip limit.

DR. DUVAL: I should probably say that we are going to need a motion to accept the IPTs' suggested edits to the alternatives and the actions; so maybe we can dispense with that and then get into our discussion of which alternative we would like to select as a preferred.

MR. CONKLIN: Refresh my memory before lunch; which alternative did we decide to go with?

DR. DUVAL: Which alternative for Action 1 did we decide to go with? The motion that was approved was Alternative 7, which is the highest percentage buffer, so that is 22 percent.

MS. BECKWITH: One of the suggestions that our fishermen provided for us was consideration of an initial trip limit of 100 pounds that would go through April, and then a 400-pound limit beginning May 1st, until either it ended or we chose to do a step down at about 80 percent to 100 pounds. I would offer that as a motion to include as an additional alternative.

DR. DUVAL: That's a motion?

MR. COX: The only discussion I have is I just want to make sure that whatever trip limit that we choose, with a projected closure date of the snowy fishery, that there is still enough bycatch in it, which I think there will be, to not have discarding of blueline tile; because that is primarily what we discard when we're snowy fishing. But yes, Anna you're right. I think that is a good alternative to put in the range of trip limits. Read your motion again, if you would, please.

DR. DUVAL: Hang on a minute, just a procedural issue, which I think Monica is probably going to speak to.

MS. SMIT-BRUNELLO: It's a step down trip limit, right, that is not in the document? It has not been analyzed. You don't have any of that information before you, which is fine if you don't want to take final action at this council meeting. I think you need analysis before you, for you to make an informed decision as to what that is going to be.

I'm not saying you should not choose that alternative or put it in, I'm just saying if you do, that's fine, but it should be then carried over to the next meeting so you have the analysis before you. Unless Myra can tell us that somehow that that is in here and we can dig it out for you at this meeting.

MS BECKWITH: Well, my initial thought was that this might fall within the range of what had been analyzed, because we have an analysis of 400 pounds and we have an analysis of 100 pounds. What we're doing is really combining those two, so to me, it sort of falls within the range. We may not have a set potential closure dates under these alternatives, but since we have the potential closure dates of a 400 pound trip limit listed and you have the potential closure dates for the 100 pounds; you sort of know that your worst case scenario would be the closure dates listed under Alternative 7 for the 400 pound.

We are informed that if we chose just a 400 pound limit along the way, we know that we have a potential closure dates under Alternative 7 of October of August or July, depending on the scenario. But since what I'm suggesting is to actually have 100 pounds for the first four months of the year, then I'm thoroughly informed that those closure dates would likely be later than those analyzed under Alternative 7.

For me, I'm informed enough. I've got the analysis that I need because it is within the range of what has been analyzed. I also feel that it is worth considering and moving forward, because it does take into consideration the regional differences of what our different fisheries need. In terms of the snowy fishery, if we assume that the worst case scenario is the 400 pound closure dates under Alternative 7, then we can consider when the snowy season closes and to sort of know if this might stay open.

But of course, angler behavior changes and under some of these scenarios they were informed of the potential closures. I think that the catch rates that are being considered under some of these scenarios are actually higher than what will occur in a more stabilized fishery. I would argue that we could choose this alternative, and it would sort of fall within the range of what we have before us.

MR. COX: Just talking about our regional differences in North Carolina, something that I would like to say is, this is where this job gets hard, because fishermen in North Carolina fish for tilefish at different times of the year and our guys north of Hatteras, and they target tilefish. They lost their longline fishery so they'll go bandit fishing, and they'll catch their 3 or 400 pounds.

They only have about three species in the South Atlantic species to fish on. What we're trying to do is accommodate these fishermen. I think south of Hatteras it is more or less a bycatch fishery. If I'm wrong on this, one of you commercial guys tell me so, but I think when we're snowy fishing, we'll catch 50, 75 pound a trip to go along with our snowies. Anyway, this is where North Carolina says we would love to see state-by-state management on some of our fisheries, like snowies and blueline tilefish, to help us make decisions just like we're trying to make here.

MR. HARTIG: Yes, just to support you. I mean, that is exactly the way we fish bluelines at home; it is a bycatch of the snowies. When I catch my snowies, I'm done. I'm not going to continue to try and catch bluelines. They are just not worth enough of my time. In our area they are not a high dollar fish.

But I would like to keep some of the bluelines that I'm seeing now as a bycatch in the snowy fishery, and you're right about the poundage level; 75 to 100 pounds would cover most of the days when I fish, and I would certainly like to get to a point where I don't have to release them dead.

MR. PHILLIPS: You know, I'm seeing these scenarios, and the scenarios are working out in numbers of days, which works out to a date. Are all of the days supposedly getting an equal amount of fish, or are there higher landings through some of these time periods and lower landings through some of these time periods, because if there are, then Anna's explanation may not give us an exact number better? But I'm just trying to figure out if every day gets X amount of pounds, or we've got some curves in here?

DR. DUVAL: Well, I think the answer is you probably have some curves in there, because my understanding of - and we can ask Nick to come up here and explain. But my understanding of the way the catch rates are applied, those are applied to the different potential ACL alternatives. The thing about 2014 and 2015, I think that we probably need to keep in mind is that in 2014 folks were operating under the knowledge that we had an emergency rule that was getting ready to cut the ACL down to a third of what it was.

I think folks were probably fishing a little bit differently, and you recall that that fishery shut down in June of 2014. This year folks were operating with the knowledge that the regulations in Amendment 32 were going to be effective at some point, so again probably operating a little bit differently than they might have otherwise.

Monica, I guess a question for you - you are hearing a desire to perhaps add an additional alternative to try to account for some of the regional differences and I think the question is, would this slow the amendment down? I mean, obviously, the whole point is to take final action at this meeting, so if it is, then that may be something we want to reconsider.

I also have a question for Nick. Nick, I'm sorry you were up at the table and then left, but it does have to do with the catch rates. I'll ask Nick to answer my question with regard to the different catch rate scenarios, and this gets to what Charlie was asking about, about how those different catch rate scenarios apportioned the fish. It will give Monica a little bit of time to think about her answer to my question.

DR. FARMER: There are four different catch rate scenarios, and the reason for that is there is some uncertainty with regard to how well historical landings are predictive of future landings. There have been a lot of changes with blueline tilefish, both with regard to regulations and with regard to where people are fishing and how they're fishing. There is a lot of noise in that time series.

You don't get very good regression fits; you don't get really precise averages with minimal standard deviations around them so to capture some of that uncertainty rather than just shooting forward with one scenario we ran for. You can see from the projected catch rates and also from the projected closure dates that there is a lot of uncertainty in how quickly people are going to catch blueline tilefish.

Now, with that said, it is kind of a unique situation in that typically with trip limits, we might not have a lot of data to base it on when we were going up with a trip limit, right, because we're at 100 pounds now and we're considering increasing. Usually, you have to make some sort of assumption like, well, if you caught 100 pounds previously you are going to catch 200, because we don't have any data to say anything about the availability of fish above that current trip limit. Now we have a luxury with this that the regulations have changed so quickly that actually in the historical data that trip limit wasn't in effect. But it also makes it difficult to explain, because basically, what you've got to do is you've got to take the historical data, scale it down as though there had been a 100 pound trip limit, and then look at what the impacts of increasing it would be, since the statutory baseline is 100 pounds. That is why we've got an elaborate write up here rather than just a table, because it is a lot more complicated and more difficult to explain than usual.

DR. DUVAL: Thank you, Nick, and then Monica, you know my question about whether or not the rationale that Anna has provided in terms of this being within the range of analysis, if adding this alternative would slow this down and then I guess also maybe the desire on the part of the committee to consider this.

MS. SMIT-BRUNELLO: To start, Anna could you repeat just one more time, because it is not projected and I understand why it is not projected; but if you would repeat your proposed alternative again, that would be helpful.

MS. BECKWITH: Yes, Ma'am. I would be looking to begin with a trip limit of 100 pounds through the end of April, and then to bump up to 400 pounds beginning on May 1st. Ideally a step down back to 100 pounds at some percentage would be ideal, but if we couldn't do that then retaining the 400 pounds until it was done.

But if we could do a step down back to 100 pounds at 80 percent, then that would cover potential discards that would occur with the snowy fishery. While Monica is thinking about that, I'm wondering if Nick, since he's our superhero of analysis, if there is any chance that he would be able to quickly run through those two additional scenarios for our consideration with my immense gratitude.

DR. FARMER: If you could e-mail me what you have in mind, I can take a look at it. From what I'm hearing it doesn't sound like it would be all that hard, and I might be able to get an answer by the end of the day.

DR. DUVAL: Monica and then Zack and then Chris.

MS. SMIT-BRUNELLO: To that, I will reserve some of my judgment until we see what Nick comes up with, but I will note that in Action 2, you've got no action is 100 pounds, Alternative 2 is 200 pounds, Alternative 3 is 300 pounds. You haven't analyzed 400 pounds in the document.

I'm just trying to fit this in with the biological effects, the economics, and social effects. Those are all things that you have before you. I understand that normally you get to see these documents and amendments a couple times and you refine them and tweak them, and so that is what you're trying to do here. At this point I am not saying no, you can't or advising you that you shouldn't. With that in mind, let's see what Nick, superhero Nick, can come up with, and then let's evaluate it then.

DR. DUVAL: If we did add the alternative for 400 pounds as recommended by the IPT, we have the analysis that we're actually looking at in front of us for that particular option.

MS. SMIT-BRUNELLO: The IPT wanted it, and so Nick has analyzed 400 pounds. Okay.

DR. DUVAL: I understand that it's not in the document; that it would need to be added in the document. I'm just clarifying that as a process matter.

MS. SMIT-BRUNELLO: Thank you, because I was looking at the amendment. But you're right; he's got it in 7C, so thank you.

MR. BOWEN: While Dr. Farmer is sitting at the table, we touched on this earlier with our other species; do you know right offhand the peak spawning times of blueline tilefish?

DR. FARMER: Not offhand, but I could look that up pretty quickly in SEDAR 32. I'm sure if you open that assessment document and do a little word search for peak; it is usually the first thing that pops up.

MR. BOWEN: We've just been trending, I guess, this week not to have our increased trip limits during the spawning time, so it would be useful information for me.

MR. CONKLIN: I just want to know when the snowy grouper fishery is projected to close. That would be helpful before I could decide anything.

DR. DUVAL: Could you repeat that? When what is?

MR. CONKLIN: The snowy grouper fishery, when is it going to close? What is the projected closure date of the snowy grouper fishery?

DR. DUVAL: We don't have a projected closure date of the snowy grouper fishery. This year was the first. The regulations for Regulatory Amendment 20 just went into effect earlier this year, so we only had a short reopening. We haven't had the full benefit of that 200 pound trip limit under higher ACL yet.

MR. COX: It seems like somewhere in the document last year I saw where the projected closure date on a 200 pound trip limit was some time like July 19th. That was before the additional 10,000 pounds was added to the ACL this year. But I did see that in the document somewhere.

DR. DUVAL: Which document?

MR. COX: When we were looking through the trip limits and we were trying to make a decision on the 200 pound alternatives for the snowies in that amendment.

MR. CONKLIN: Yes, I was just thinking that if we bump up the trip limit and the snowies are already closing, it might be worth fishermen targeting the blue line. Then on the flip side of what Ben was saying, we would be discarding snowies and keeping tilefish. I was wanting to avoid that.

DR. MCGOVERN: I have some information on spawning of blue line. They spawn from February to October with the peak in May, and this is from a paper by Pat Harrison and Dave Wyanski. I'll look in SEDAR 32 and see what is in there.

DR. DUVAL: Myra pulled this up on the screen, the spawning season in the document.

MR. BOWEN: Maybe we might want to rethink this alternative. I mean, if we've been trending to try to stay away from the spawning species, especially when they are overfished and overfishing is occurring. Maybe this might not be the best alternative in regards to the fish.

MS. BECKWITH: Zack, I think the other option that is probably most likely to be considered would be a 300 pound across the entire year. If you are going to have 300 pounds open, hopefully close to year round or certainly through the spawning season, then I don't think that an extra 100 pound trip limit in May, June, July and August when the guys are sort of most going to have the opportunity to utilize this, is going to make a dramatic impact on the stock. But it will make those trips a little bit more economically viable.

I don't know what you were thinking, are you also thinking that 300 pounds is too much? The reason for wanting to step up to 400 pounds is to take into account that regional differences, so our guys can't get access to these fish really January, February, and March, sometimes into April because of the weather. It would be nice to take into account that this is a fairly small ACL, and that by having that step up to 400 pounds it does give our guys a shot at having access to these fisheries in a more economically trip limit.

MR. BOWEN: I completely understand what you're saying, but we haven't voted to make the trip limit 300 pounds yet anyway. I'm not sure that is not going to happen. You were just on the flip side of that argument when it came to hogfish. I would like to see some consistency to protect the fish when we can.

MR. COX: Could you tell me again what the ACL is, the new ACL for blueline. Did you say 226, is that what I heard earlier?

DR. DUVAL: No, because under Action 1 we selected Alternative 7; 78,000 pound commercial ACL then under Alternative 7. What is the desire of the committee with regard to adding a new alternative straw man?

MR. HARTIG: Which new alternative are you talking about?

DR. DUVAL: Well, that is a good question.

MR. HARTIG: Because Zack was talking about one thing, we're talking about another.

DR. DUVAL: Hang on. Hush the sidebar conversations. The question I'm asking is, is there a desire on the part of the committee to add a new alternative as Anna was suggesting? The other option is to add an alternative for just a 400 pound trip limit year round.

MR. COX: Yes, the alternative that Anna is proposing with 100 pound trip limit that goes through April then goes to 400 pounds until 85 percent of the ACL has been met, then it drops back down to 100 pounds seems like something that would work just fine.

MS. BECKWITH: Sorry about the sidebar conversation, Madam Chair. Doug was suggesting that we might consider, to appease Zack, 100 pounds through the end of May to get through the spawning peak, and then to go to 400 pounds beginning on June 1st. Would that be a compromise that would suffice for your interest?

MR. BOWEN: I will take it into serious consideration.

DR. DUVAL: The main question I have is really for Monica and for Roy. If we add a new alternative like this that is something of a hybrid, is it going to delay this amendment? The bottom line is we need to take final action on this amendment at this meeting. That is I think the overarching question.

MS. SMIT-BRUNELLO: Well, I can tell you for certain it will delay on when, let's say it's just fine, we add it in. It is going to take staff time to put all that in the document, so definitely, it will delay it from being submitted. Then the question becomes, should you all carry it over to your March meeting? I'm not certain about that right now.



MR. CONKLIN: Aren't we going to look at blueline tilefish again after it is assessed? Would that be a better time to try and do more regional type stuff; when we get the new assessment? Then we could go ahead and move this along for the time being.

MR. PHILLIPS: This is getting awful complicated, and I'm inclined to just keep things dumb and simple and set a trip limit, let that be that all year. Then we don't have to change documents, we can approve it and we can move.

DR. CRABTREE: By the time this becomes effective, will largely be May/June anyway, so for this season you're not going to get much benefit out of the step down. If you did just go with a 300 pound trip limit or whatever, it is a workload issue for staff, I know, but you could come back with a step down and try to get it done for next year. Our goal is going to be to try and have this published by May 1, so it is effective by June. But I don't think it will happen a lot quicker than that.

DR. DUVAL: Okay so what is your pleasure? You've heard the assessment of getting this thing done and shipped out of here. Is there a desire on the part of the committee to add an alternative for a 400 pound trip limit or not, and then select a preferred alternative?

**MR. COX: I'll make a motion that we add an alternative for a 400 pound trip limit.**

**DR. DUVAL: Is there a second to that? Was there a second or no? I'm not seeing a second, so the motion dies for lack of a second.** All right, so now we are at the point of selecting a preferred alternative. We need a preferred alternative, folks, otherwise you're stuck at 100 pounds.

**MS. BECKWITH: Well, I mean not the ideal but 300 pounds; I would move that we make that the preferred.**

**DR. DUVAL: There is a motion by Anna to select Alternative 3 as a preferred, seconded by Jack. Discussion?**

MR. COX: Like Roy was saying, once we get into the year we can put a step down to that sometime, is that correct? Is that not what he was talking about?

DR. DUVAL: Roy was saying that by the time this becomes effective it is probably going to be May, so we probably wouldn't hit a step down. There wouldn't be time to actually implement a step down in 2016, is what Roy is saying. We could always come back with a follow up and implement a step down for the following year for 2017 if we wanted.

MR. COX: It is just going to have to play out a year to see how the scenario would look, and see how many bandit boats actually went out there and targeted them, how fast the season, or if it did close. But I certainly support step downs, especially if the snowies are still open.

MR. BOWEN: I am trying to look at two different computers with two different graphs and tables. Have some patience with me. With the range of alternatives that we have listed in this document, and by looking at the graph, the season would not close if it was at 200 pounds and therefore the fishermen would not be discarding snowies. But at 300 pounds it looks like it has

the potential of closing, therefore the discards of snowies would increase. I'm not sure I can support 300 pounds.

DR. DUVAL: You're looking at Alternative 7, the possible 816 closure date under a 300 pound trip limit?

MR. BOWEN: Yes, Ma'am.

MS. BECKWITH: It makes me a little crazy that we go through the whole visioning thing and we keep talking about the need for regional management and regional differences, and the acknowledgement of our vastly different area and needs of our commercial guys. Then we sit here and we argue over 200 pounds or 400 pounds.

I mean Florida wants 100 pounds; heck, Morehead City wants 100 pounds. But we have guys in Hatteras that really need 3 or 400 pounds to make it work, and don't have a lot of fish that they can use up there or catch up there. It is just infuriating that we keep having the same conversation about the needs to acknowledge regional management; and yet when it comes down to the decision we want to keep it so simple that we forget that our vision is to acknowledge the need for regional management.

As we move forward, I would like us to try and figure out ways to add flexibility into the way that we word our alternatives. If we would have had a 400 pound trip limit and the ACL was met, then we should be able to write in to the way we do things that it automatically trips down the following year to a 300 pound; or we should be able to deal with ranges of trip limits, depending on catch rates.

We go through this whole process, the framework amendments, they take forever, and yet we make one decision and if it doesn't work then it is two years before we have something else that is active and on the ground. It just doesn't make sense that we have that much limited flexibility. We should be able to think of ways that we either have automatic triggers in our AMs for the following year, or we can do with ranges of trip limits. But the fact that there is a solution to our current problem - Zack, listen to me, I am talking to you. The fact that we have a fishery, an area that can be solved, the needs of one area can actually be solved by having a commercial trip limit that is viable for those guys but still meets the needs of the entire area by having 100 pounds, 400 pounds, 100 pounds, 400 pounds; to be able to write in some flexibility and to be stopped in our traps, because it is too complicated to consider, which is against our visioning goals, I am off my soapbox.

DR. DUVAL: I don't want to get in too protracted of a discussion here about flexibility in management. One of the ideas that Jack and Anna and I have tossed around is for the Regional Administrator to have the same kind of flexibility that is written into some of the HMS regulations.

You might start out at a particular trip limit and then, depending on the catch rates, you could modify that to drop it down or raise it up at some point during the year, because it is somewhat time consuming to come back and try to adjust things through another framework. But I think that is a discussion we can probably have at another time. Charlie and then Zack.

MR. PHILLIPS: Well, I don't think this is going to be in place all that long anyway, until we get our new assessment. This is a holding. There is so much uncertainty, nobody really knows. Had we put in some step down options earlier, at the last meeting, then we could have done it this time. But if we're going to get this through and we want to get it through staff, then we're going to have to live with what we've got in the document. I think this is probably the best we can do.

DR. DUVAL: Zack, and then I am going to request that we vote on this.

MR. BOWEN: To Anna, to answer your point. I was listening. I've listened to you until I'm blue in the face. My point of that was to get rid of discarding. We've heard discard this, discard that. We hear it in red snapper, we hear it in grouper. My point of that was so the season wouldn't close and we wouldn't be discarding other fish.

DR. DUVAL: Let me just point you to the table that is on the screen. This is from Regulatory Amendment 20. This was looking at when we were considering a split season for snowy grouper. Under, if you look at that last column there that is a 200 pound trip limit, and basically there would have been no closure during Season 1, which is effectively not a split season; and then as Jack indicated a potential closure in mid July for Season 2.

MR. COX: But since we went down that road, we've got an additional 10,000 pounds added to that ACL, so it will be a little bit later in the season.

DR. DUVAL: Right. So the ACL is going up. Okay, are folks ready for the vote? **The motion is to select Alternative 3 as a preferred under Action 2, which is a commercial trip limit of 300 pounds. Could I please see a show of hands or those in favor of the motion? Eleven in favor, those opposed, and one opposed; the motion passes.** We forgot to dispense with that formality of approving the suggested edits, Doug.

MR. HAYMANS: **Madam Chair, I would move that we accept the IPTs recommended wording for the Alternatives 1, 2 and 3 under Action 2.**

DR. DUVAL: **Motion by Doug, is there a second? Seconded by Ben. Any discussion on that motion? Any objection to that motion? Seeing none; that motion stands approved.** The next action is PDF Page 34 in the document.

MS. BROUWER: This is the action that would adjust the bag limit for the recreational sector, and again, we have some suggested edits to clarify things here. We also have added two alternatives for you to consider including; the range that you gave us guidance to include were Alternatives 1 through 4. This look at establishing a bag limit of one fish per person per day year round, one fish per vessel per day year round, one fish per person per day May through August.

Then we're suggesting that you also consider establishing a bag limit of three fish per person per day year round; which is what was in place before Amendment 32 went into effect in March of this year, and also establish a three fish per person per day May through August. Those are the two that have been added for your consideration, and then if you look at your Attachment 7C, again, the analyses for those last two, well for all of them actually, are included in here.

DR. DUVAL: Mike Collins e-mailed around a document to everybody that includes that last alternative, it is entitled Reg. 25 Blueline Tilefish Recreational Bag Limit Analysis. That was at 11:00 o'clock this morning, so that has the analyses for both of those last two alternatives being suggested by the IPT.

Your original Attachment 7C only has analysis for proposed Alternative 5, which is the three fish per person per day within the grouper aggregate year round. Just to make sure folks are able to pull that up. Myra is displaying this on the screen, you can see projected closure dates from each of those alternatives, and we're looking at ACL Alternative 7.

MS. BROUWER: This is also on PDF in Chapter 4 of the original amendment document. You are looking at, under the various ACLs, so if you are looking at here, Column 7, for the three fish per person per day year round, you are looking at a closure of June 28, and if you go with the three per person per day for the season, then there would be no projected closure; there would just be 123 days for that season.

DR. DUVAL: If we get a motion from the committee to accept the IPTs recommended edits and changes that would include those two additional alternatives, correct? Then we could discuss a preferred. Why don't we dispense with that first?

**MR. HAYMANS: Madam Chair, I make a motion that we accept the IPTs recommended wording for this action.**

**DR. DUVAL: Motion by Doug, is there a second? Second by Charlie. Discussion, any objection to that motion? Seeing none; that motion stands approved.** Now, what would you like to select as a preferred alternative?

**MS. BECKWITH: I move we select new Alternative 6, the three per person May through August season.**

**DR. DUVAL: Motion by Anna, is there a second? Second by Jack to select new Alternative 6 as a preferred under Action 3. Discussion?** Clearly, we have some analysis that indicates that the season would not close; Jack.

MR. COX: Yes, I was just going to remind folks that that would be under the aggregate grouper bag limit.

DR. DUVAL: Any additional discussion on this motion?

MR. HAYMANS: I'm sorry, would you repeat what you just said about the season not closing.

DR. DUVAL: Let's let Myra switch back and forth between her documents, but the analysis that we have right now indicates that if we implemented a three fish per person per day bag limit for blueline tilefish, and that is within the grouper aggregate, the three grouper aggregate, there would not be a season closure for that May through August season.

MR. HAYMANS: That is not – oh, I'm sorry I was looking at the others, it said December 31st, and seeing that as a full season, my apologies.

**DR. DUVAL: Any other questions or discussion, clarification? Is there any objection to this motion? Seeing none; that motion stands approved.** Sorry, Myra that you're having to flip back and forth like this.

MS. BROUWER: Okay, moving on to black sea bass, Action 4 looks at increasing the bag limit. This is on PDF Page 37 of your document; very minor editorial changes to the no action alternative, of course, you have the same range of alternatives that you looked at before; an increase to 7 through 10 per person per day.

The Snapper Grouper AP recommended initially, when they last met, an increase to seven fish per person per day. This last meeting after they went through the analyses of the bag limit that Mike Errigo prepared, they recommended Alternative 1, no action. Then they got into, as we spoke about earlier a discussion about perhaps addressing the size limit.

Then the SSC didn't have the chance to review the methodology for the bag limit analysis, so what has happened is we've included both methodologies. The approach is slightly different and they are scheduled to review that methodology when they meet in the spring, but the end result of both approaches to do the bag limit analysis is essentially the same. They are both going to be included in the amendment.

DR. DUVAL: I think, initially, if we could get a motion to accept the IPTs suggested edits to Action 4 in the alternatives, we can launch into the discussion.

**MR PHILLIPS: Madam Chair, I make a motion that we accept the IPT suggested edits to Action 4 and the alternatives.**

**DR. DUVAL: Motion by Charlie, is there a second? Second by Ben. Any discussion, any objection? Seeing none; that motion stands approved.**

MS. BROWER: If you go to PDF Page 141 of your document, that will take you to the analyses that are included in Chapter 4. We have a whole bunch of tables here, starting with the percent of trips that met and did not meet the bag limit in 2013 and 2014. You have by year and then average between those two years.

This is for the headboat, same sort of thing. Then this table here presents the percent that were discarded among the trips that hit the bag limit and those that did not; and then again the same sort of thing for the headboat. Here are the landings and total discards of sea bass on all recreational trips in 2013 and 2014.

You can see that the percentages here are pretty high for discards. This little table here shows you the total number discarded from trips that occurred inside and outside the three miles. Here is a graphic representation here of the estimated percent of total discards that are above and below the 13-inch minimum size limit.

These tables here show you the estimated landings and the percent increases from current conditions for the combined MRIP and headboat data under the various bag limit scenarios. Ten finally here are Table 4.4.9 shows you the percent of sea bass of the recreational ACL that would be landed under the different bag limits. You can see over here that on average we only get to about 55, 53 percent of the ACL under any of those bag limit alternatives.

MR. HARTIG: Yes, Myra, when this allocation was met before, what size limit were we working on at that time? Do you recall?

DR. DUVAL: We took action on Amendment 18A in December of 2011, because it was my first December council meeting, and it was in Raleigh. I believe that was when we increased the recreational size limit to 13 inches, because it gave us an additional savings.

MR. HAYMANS: Yes, Madam Chair, it was between a 19 and 23 percent reduction by going that extra inch.

DR. DUVAL: We were just trying to clarify when that occurred, and I was saying I am pretty sure that that was Amendment 18A.

MR. HAYMANS: Yes, it was effective 2012.

DR. DUVAL: Right, so 2013 started the 13 inch size limit.

MR. HAYMANS: I was going to simply offer a preferred if you would like and then discuss it from there.

DR. DUVAL: Yes.

MR. HAYMANS: **Madam Chair, I would make a motion that we pick Alternative 3, a seven fish bag as our preferred.**

DR. DUVAL: **There is a motion by Doug, is there a second? Second by Chester. Discussion.** I'm going to let Doug as the maker of the motion go first, and then Zack, I'll come to you.

MR. HAYMANS: I understand we're really only affecting 1 percent of the anglers who are out there; that it is only going to make about a 2 percent contribution to the ACL. But we're protecting the fish through the ACL, so we're not risking. I mean, we're going to increase our discards minimally, but we're not risking the population by increasing the two fish.

I think it just so happens that that 1 percent of those fishermen who would like to see a larger bag limit, live in my area and perhaps some in Mel's area. Although, I would greatly prefer to see us go back to 12 inches where we should be, and perhaps at some point, we need to find a vehicle to get back to 12 inches on both recreational and commercial.

I really hate to miss this opportunity to give these fishermen, who've suffered through red snapper closures and black sea bass limitations, the opportunity when they have that chance. I would like to see us go ahead and go to seven now, and we might wind up at ten before it's done, once we see a bag and size analysis.

MR. BOWEN: You are correct, Doug. That 1 percent is me. When Myra is talking discards, I would just like everybody to keep in mind that those discards for the majority of them aren't discarded dead. They are catching those smaller fish in anywhere from 30 to 55 feet of water. You unhook them, unless the circle hook kills them. But you unhook them, you release them,

and they are right back down to the bottom; just because discards doesn't mean discard mortality. **I'm prepared to offer a substitute motion for Alternative 6, which would go to ten.**

DR. DUVAL: **Are you making that motion right now?**

MR. BOWEN: **Yes, Ma'am. Zack has offered a substitute motion to select Alternative 6 as a preferred for a ten fish limit. Is there a second to that motion?** I'm not seeing any hands, so your motion dies. Oh sorry, Chris, you've got to raise it high, man. You're hiding behind Zack so I can't see you. **Seconded by Chris.** Let the discussion begin, Doug.

MR. HAYMANS: We don't know what the next level of a size limit reduction is going to do. We don't know where it might push it. I realize when we went up to 12 we reduced by 20 percent, but that was under reduced fish or a limit in population. I want to be conservative on the first step and go to seven. I think going to ten, we may wind up having to back up if we reduced the size. I would vote against the substitute.

DR. DUVAL: Just a clarification. You said when we went to 12, you meant when we went to 13 there was a 20 percent.

MR. HAYMANS: Yes, thank you.

DR. PONWITH: Just a recollection of the status of that stock from the last stock assessment is that the rebuilt status of black sea bass hinged really strongly on the fact that there was a single year of very high recruitment, which also happened to be the terminal year of that stock assessment. Of course any time you see a change happen in that last year, it is the thing that causes the most uncertainty, because you don't know what is going to happen next. It is an uptick that you don't know whether it is going to continue, whether it is going to be the new norm, or whether it is going to drop back down to the levels that you've seen before. I just want to remind the council of that fact within the last stock assessment, as they contemplate the decisions on this bag limit change.

MR. BELL: I was just going to say, I was at the Snapper Grouper AP meeting when the data were presented, and I was a little surprised by what was given as the number of folks with a percentage that were actually hitting five, and it just didn't seem quite right based on what we thought we were seeing.

We looked at our own charterboat data going way back, but in comparison for 2013/2014, we in our charterboat data, we show 22 and 24 percent of people hitting the five fish bag limit. Of course they are releasing fish as well. There may be some sort of sub-regional differences in what we're seeing, but I had the impression that our guys were catching five fish and were frustrated somewhat like what Doug was seeing.

It turns out based on our charterboat data, which is our own dataset that that is the case. I don't really have a problem with going to seven, and I am not in favor of going to ten, but I could tolerate seven in terms of an acceptable level of increase without a tremendous amount of risk, I think.

DR. DUVAL: I have Zack, then Mark then Anna.

MR. BOWEN: To Bonnie's point. I remember when that discussion went on, and it was made aware for the council to be cautious on that one strong year class. But when the council set the ACLs, if my memory serves me correctly, we were guided to be cautious about it then and then we went to a three year set ACL, and kind of disregarded the notion that that was on one strong year class. We could have been a lot more conservative in our three year ACLs than we were. I just wanted to remind everybody of that, as well. If my motion of ten wouldn't work, could we go eight maybe, get some agreement?

DR. DUVAL: I'm sorry, I missed that last part. We were debating the ACL recommendation, if you could get some what?

MR. BOWEN: I would consider maybe eight, just trying to, you know.

DR. DUVAL: Broker compromise, I understand. I have Mark and then Anna then Mel.

MR. BROWN: Yes, I agree with Doug. I think that if we start with seven and give back something to the people who have been patient through the process. I know what I'm seeing at boat side. I mean we're catching our limit of keeper fish and then we're letting them go after that. It is not like we're discarding a whole lot of them to get to the size that you can keep. I think seven would be a good place to start.

MS. BECKWITH: I'm fine with seven. I do think that this is another example where we might, at another opportunity, figure out how to be able to approve a range of bag limits, to sort of write in some flexibility into our management; where the Regional Administrator might be able to announce along with the season opening and closure dates that we have set up for black sea bass an appropriate bag limit based on the previous year's catch rates. While that can't be done in this amendment, I think it is time for us to start thinking about how to add some flexibility so we don't have to go through the entire framework process.

DR. DUVAL: Mel, and then I am going to ask that we can kind of bring this conversation to a close.

MR. BELL: I know one of the concerns the AP had was the potential for a lot of released fish and discard mortality. But just again, speaking for our fishery, we have a lot of artificial reefs where this is the number one targeted and retained fish on artificial reefs, and the majority of artificial reefs are in 60 feet of water or less.

The discard mortality is probably fairly low relative to anything related to barotrauma or something. I have fairly good confidence in pretty decent survivability of the fish, even if some are released. It is just another factor related to, again our specific fishery off South Carolina.

MR. BROWN: Yes, and to what Mel just said, I've actually watched MARMAP out there doing some barotrauma studies, you know to where they're putting these fish back down with nets or in cages and stuff. The results have come back very positive.

DR. DUVAL: All right, I think there has been plenty of discussion on this motion. Is the committee ready for the vote? **This is a substitute motion, so if this passes, it will become the main motion. The substitute motion reads; select Alternative 6 as a preferred. Could I**



**please see a show of hands of those in favor of the motion? How about those opposed? Was that a vote in favor? One in favor, those opposed. Everybody else; that would be 11.**

**The motion fails, so we're back to the main motion, which is to select Alternative 3 under Action 4 as a preferred; that is a seven fish limit. Do we need to have any more discussion on this? I hope not. Could I please see a show of hands of those in favor of the motion? Nine in favor, those opposed; one opposed and one abstention. Okay, the motion passes.**

MS. BROUWER: Okay, moving on to Action 5. This deals with yellowtail, modifying the fishing year. Again, we have some edits for your consideration. There is a typo in Subalternatives 2A and 3A; May, in fact, has 31 days and not 30. We are also suggesting that you consider adding another subalternative to look at a start date of September 1st through the end of August.

Here are the recommendations from your advisory panels. The Snapper Grouper AP recommended a start date of August 1st for both commercial and recreational sectors. Then recall that the public, most commenter's supported a start date of August 1st. They also supported a trip limit during the spawning months and step down trip limits and shifts in allocation and all that other stuff that probably would have to be done in a different document.

If you move down to PDF Page 149, that is where you'll find the analyses for this action, and it is going to take me a little while to get there. Okay, Table 4.5.1 shows you the landings under the proposed fishing year alternatives, and this is only for Subalternatives 2A through 2C. You can see that looking at average landings from 2011 through 2012, this is what the landings would look like. The commercial ACL is quite high for yellowtail. I'm trying to find it. It is in the order of 1.5 million pounds. You can see that none of the change proposed fishing years would come close to meeting that ACL.

Then we have the distribution of recreational landings and commercial landings, and of course, as far as the recreational sector goes, there is also no indication that any of the proposed fishing year alternatives would affect landings in such a way that the ACL would be anywhere near landed.

DR. DUVAL: There are also economic effects; those are more qualitative than anything. Let's first get a motion from the committee to accept the IPTs suggested edits to the action and alternatives.

MS. McCAWLEY: **I move that we accept the IPTs edits to Action 5.**

DR. DUVAL: **Motion by Jessica, seconded by Charlie. Any discussion on that motion? Do you also want to include Subalternatives 2D and 3D, which were the September 1 to August 31 options or no?**

MS. McCAWLEY: **Sure.**

DR. DUVAL: **Any discussion while Myra is getting that up there? The motion reads; Accept the IPTs suggested edits to Action 5 alternatives and inclusion of Subalternatives 2D and 3D. Is there any objection to this motion? Seeing none; that motion stands approved.** Now is the time where it would be good to make a motion for a preferred alternative.

**MS. McCAWLEY: I move that we make Subalternative 2C and 3C preferred alternatives under Action 5.**

**DR. DUVAL: Motion by Jessica, is there a second? Second by Mark to select Subalternatives 2C and 3C as preferreds under Action 5. Discussion.**

MS. McCAWLEY: This is based on what we've heard over the past few months about changing the fishing year after the fishery closed. To be honest though, I don't know if this is really going to fix the problem. It is just going to switch the closure, maybe to a more acceptable time so it might not happen during the preferred winter months.

But me, personally, I would like to see a broader look at the yellowtail snapper fishery, where we look at trip limits, we look at maybe reallocation between the recreational and the commercial sector. I just would like to see a broader look taken on yellowtail. I know we can't do that here, but I felt like that is what the South Florida Committee was partly embarking on.

We really didn't get all the way through that. This, to me, is just the one little piece pulled out that needs to maybe move faster than the others, but I would really like to see us take a more comprehensive look at yellowtail snapper. I think that the Gulf Council, they are probably going to say the same thing on that side too.

DR. CRABTREE: Yes, and I agree with Jessica that we need to do this. If you look on, I think it is the next page in the document, but it's PDF Page 40. It does say that Subalternative 2C would generate the highest average fishing year dockside revenue, and that Alternative 3C may represent the highest number of angler trips and associated economic benefits. It does appear like this would be justified from an economic perspective in this fishery, and it is in agreement with all the fishermen who have talked and spoken to me about it.

MR. BROWN: Yes, and I agree with Jessica, but some of the feedback that I got too is, it is like Roy just said with the economic factor; that this would benefit them better during the start times, so that they got a better price for their fish. But I was thinking too if they start at this timeframe, and it comes around, even if it does get to the point where it is going to hit the ACL, it looks like it is going to be somewhere right around that spawning time too. It is probably going to end right about their spawning time and then it will have that little period of time where it would be closed, and then it would open back up after the spawn.

MR. PHILLIPS: I agree with Jessica. This is not a fix; this is more of a patch. If you get closed it hurts, it doesn't matter what time of year it is. We need to really work on some kind of plan so they can stay open and fish.

DR. DUVAL: I agree, and I think, Chairman Anson, we need to stay in close contact with your council as well, in terms of managing this fishery moving forward. Unfortunately, we didn't get what we really wanted to get done with regard to this fishery during the South Florida process. But I'm hopeful that we can try to do that through our two respective FMPs.

MR. CONKLIN: Yes, I was at the Gulf Council meeting in October and spoke on behalf of maybe trying to come up with a joint amendment with the Gulf to address these issues further. I

think Gregg had some good ideas he might be willing to share with us, probably at a later time; but definitely thinking outside the box.

DR. DUVAL: Thinking outside the box is good sometimes. Any other discussion on this motion, I think we've heard potential economic benefits would be greatest under these subalternatives, but we still have further work to do to really fix the issues in this fishery. **Is the committee ready for the vote? Could I please see a show of hands of those in favor of the motion; 12 in favor; motion passes unanimously.**

MS. BECKWITH: Madam Chair, I just wanted to point out that Nick was able to quickly do that analysis, and it has been sent around. What he was able to figure out is if you have for blueline tilefish a commercial trip limit of 100 pounds that goes from January through the end of May, to avoid the peak spawning season, and then go to 400 pounds from June to December.

There would only be one scenario where you would have an ACL closure; that would be under the Catch Rate Scenario 4, combined with the ACL Alternative 7, which is what we've chosen. Under that scenario, the projected closure date would be around September 1st. All other combinations of catch rate scenarios and ACL alternatives are projected to not result in a closure. I just wanted the committee to consider that.

DR. DUVAL: Thank you, Anna, for bringing that to our attention, and thank you, too, Dr. Farmer for doing that analysis on the fly. Charlie.

MR. PHILLIPS: Anna, could you say it again when the closure date would be under which scenario?

MS. BECKWITH: Sure, the only projected closure would happen under Alternative 7, which is what we've chosen, which would give ACL of 87,521 pounds for the commercial, and that closure date would be September 1st.

DR. DUVAL: Moving on with yellowtail, this is where I'm going to actually ask Monica to say a few things, because as you recall, when we were looking at the purpose and need there was a potential modification to that. But we agreed to come back to this after we talked about this commercial accountability measure that General Counsel is recommending that we remove from the document. Monica, take it away.

MS. SMIT-BRUNELLO: Myra, do you just want to explain the accountability measure and then I'll talk about it?

MS. BROUWER: Sure. What would change with this accountability measure is an in-season closure would not be triggered until the total ACL combined for the South Atlantic and Gulf of Mexico for the commercial sector was exceeded. This was an attempt to get around an in-season closure that would affect only a portion of the fishermen in south Florida that fish on the South Atlantic side.

That is what was proposed, but the complicating factor there is that the Gulf of Mexico Council doesn't have sector allocations for yellowtail, so they would have to first figure out how to allocate the ACL between the two sectors, and then the councils could proceed if the Gulf Council agreed to this approach with this sort of revision to the accountability measure.

MS. SMIT-BRUNELLO: You asked me, briefly - this came up at the last council meeting and you asked me to take a look at it and figure out whether we could go forward with this kind of action in Regulatory Amendment 25. My short answer is no, not right now. I would recommend that you take it out.

Briefly, it will greatly slow down the rule making because of legal and procedural hurdles for a couple of reasons. The first being, yellowtail is a single stock over which you share management with the Gulf Council. The two councils with the advice of your SSCs got together and recommended to the councils how to apportion the ABC between the Gulf and South Atlantic.

You took the recommendations and you apportioned it for the Gulf 25 percent of the ABC and the South Atlantic 75 percent. What Action 6 does is, in effect, you're taking some of the Gulf's fish without their permission. The Gulf is addressing yellowtail snapper issues, but as Chris said and I think others have commented, they are just starting on that amendment and they haven't made any final decisions yet.

The other thing that was asked of me was well; could you all take action on this and then just kind of park it off to the side where it was a delayed implementation date by the Fishery Service, akin to what you did for Nassau grouper a few years ago? Again, my answer on that one is no. It is not the same situation as Nassau grouper; so I don't believe we can do that. With Nassau you had both councils agreeing that the Gulf was going to take it out of their management plan and the South Atlantic had agreed via letter, it is all in the record; that they would extend their jurisdiction for snapper grouper FMP into Gulf waters and cover Nassau. The Gulf did take action and we delayed implementation of that. But that was okay, because you were all proceeding with an amendment and you had already said on the record to the Gulf that you were going to pick up Nassau.

The Secretary also under 304F, I think, extended authority for you to manage Nassau in the Gulf. This is just premature at this point, and I think I would recommend that you take it out of the amendment. If you have any question, I would be happy to answer them.

DR. DUVAL: Thank you, Monica. Charlie.

MR. PHILLIPS: Monica, you said that if they removed accountability measures, it would take it out of the recreational fish on South Atlantic and the Gulf. What if they just did not consider the fish out of the Gulf and just took it out of the recreational fish in our council? Why couldn't they just do it that way, because I don't think they're catching their fish anyway?

MS. SMIT-BRUNELLO: What I think you're asking is, can you reallocate among the commercial and recreational sector or one other thought to consider is, could you remove the sector allocations and just have one ACL like the Gulf. That is certainly something you can consider, but that is not what is in this amendment. I would urge you at this point to take Action 6 out. If you want to consider those things that's fine, but we should just put it in some sort of amendment and analyze it for you to consider.

DR. DUVAL: All right, so I would be looking for a motion from the committee. Jessica.

MS. McCAWLEY: **I move that we remove Action 6 from this amendment and modify the purpose and need accordingly.**

DR. DUVAL: **There is a motion by Jessica, seconded by Charlie, to remove Action 6 from the amendment and modify the purpose and need accordingly. Any discussion on this motion? Monica.**

MS. SMIT-BRUNELLO: Just for Myra. I know that the purpose would need to be modified to remove that last clause, but I'm not so sure that you would necessarily need to modify the need. I would just take a look at that and see what you think.

DR. DUVAL: This is on the screen. The need is to insure annual catch limits and optimum yield for blueline tilefish are based on best scientific information, while setting aside a portion of the annual catch limit and optimum yield to account for landings in the area north of the South Atlantic Council's jurisdiction, adjust commercial and recreational management measures, recreational measures for black sea bass.

Increase probability that a commercial closure of yellowtail snapper, should it occur, will then coincide with the species spawning season, allow for economic benefits of yellowtail snapper during the winter months. I don't think we need to modify the need statement at all, so just a little editorial to your motion, Jessica and Charlie to take out, modify the purpose. **The motion reads: Remove Action 6 from Regulatory Amendment 5 and modify the purpose statement accordingly. Is there any objection to this motion? Seeing none; that motion stands approved.**

MS. McCAWLEY: My question is back to yellowtail, and I know that we have the whole new amendment policy. But I really would like to see a more comprehensive look at yellowtail, and I'm curious as to how and when we could start another amendment to look at these items, some of which the South Florida Committee were already looking at. I am just not sure how to deal with this, but I just don't want to let it fall to the wayside.

DR. CRABTREE: Well, it seems to me we have two fisheries right now that have allocation issues that we need to address; one is dolphin and one is yellowtail, and in both cases I've heard interest in some sort of ability to temporarily shift allocation to the commercial fishery with the provision that that remains in effect as long as the recreational fishery is well below their catch limit. It might be possible to come up with some sort of generic way of doing that that could be applied to both of those fisheries and solve two problems at once.

MR. HAYMANS: I was going to wait until we approve this, but Jessica jumped on it. I hate to be the one who is tagging onto something else. But the same said for black sea bass and size limits, I don't want to necessarily create a new amendment to do that; but I would love to see the vehicle in the very near future where we can analyze size limits for black sea bass. But I would also offer a motion to move this forward if you want to.

DR. DUVAL: Just a quick word on potential options. You know, with regard to what Roy spoke to, having some generic framework that could be used. I would suggest that it be something that could be applied to not just these two fisheries, but to any fishery and that it could apply in both directions.

In other words, if there was a need to shift allocation temporarily from commercial to recreational, that that is the way that this would be set up. I would encourage folks to recall or we can certainly have staff send around options like that that we took a look at in mackerel for looking at Spanish mackerel.

We had some options there that staff developed, and then also in our current mackerel amendment, Amendment 26, the Gulf Council has put together some options looking at that as well. There are some examples there that we could work from to create a framework for that. In regards to not let this fall by the wayside and vehicles for moving forward, both with consideration of some of these other management measures for yellowtail, as well as a size limit modification for black sea bass.

I'll remind folks that Amber sent around a survey that asked us to rank the six different alternatives for potential amendments coming out of visioning. If you haven't filled out that survey yet, I would ask you to think about the kinds of things that you want to do and the approaches that we should take.

Really view those actions that the committee would like to move forward through that lens of what are our priorities from visioning, and how do they fit under those objectives? A size limit decrease would certainly fit under reduction of discards and increasing access to the fishery. I think if you were looking at something for yellowtail, some of the suggestions we received were for a trip limit during the spawning season, as well as this sort of temporary allocation shift. Those would also be access to the fishery types of things. I guess I would just encourage you all to view those in that context, and we'll be coming back to this at Executive Finance. Is there any other action? Doug.

**MR. HAYMANS: Madam Chair, I move that we send Regulatory Amendment 25 for formal review, give the council Chair and staff editorial license to make modifications to the amendment as necessary; to deem the codified text as necessary and appropriate, and give the council Chair and staff editorial license to make modifications and redeem as necessary.**

**DR. DUVAL: Motion by Doug, is there a second? Second by Charlie. Any discussion? Any objection? One objection; motion passes with one objection.** I'm going to give us a nine-minute break. Come back at three o'clock and we are going to jump into it.

(Whereupon a recess was taken.)

DR. DUVAL: We have an options paper for Amendment 41, which is Attachment 8 in your briefing book, but we also have Attachment 8B, which is an FWC Mutton Snapper Presentation. I was going to ask Jessica to run through that briefly so that we can understand those issues. Remember at the last meeting we discussed coordinating our public hearings with what the FWC was doing, and allowing the Commission to go out and get some public input on the management options prior to the council actually going out there. Jessica, go ahead, take us away.

MS. McCAWLEY: I am going to try to run through this rather quickly. This is the same presentation that we gave to our Commission to let them know about the mutton snapper issues.

Just a little bit of background that we gave them. Part of what we were trying to do is help them understand that the stock assessment was positive.

But it shows that there is a smaller overall stock size, so that a quota reduction is going to be necessary by both the Gulf and South Atlantic Councils, and that we've been hearing stakeholder concerns at FWC workshops and at some of these council workshops; especially some of those South Florida workshops since about 2007.

That is the background on this slide. Here we're just explaining to the management a little bit more about the stock assessment, and then reminding the commissioners that mutton was being considered by the Joint South Florida Committee. That didn't really go that well, so basically now it is being considered by both the Gulf and South Atlantic Councils separately.

We talked a little bit about mutton snapper spawning aggregations and talked about what were the peak months, but that it was still a little bit under debate about what the specific months are that they spawn. We talked about how the aggregations occur at predictable locations. We talked a little bit about Riley's Hump that was closed in the Tortugas, and there has been a 400 percent increase in the number of spawning fish observed there.

We also talked about how there is another spawning aggregation that is open to harvest, and that is at Western Dry Rocks. I'll show you a map of that later in the presentation. This is just the mutton snapper regulations in Florida state waters and in the South Atlantic and Gulf federal waters. This is a summary of the stakeholder concerns, and once again, this is from FWC workshops. This is from council workshops, basically compiling those concerns since about 2007. The most recent workshop that the FWC had - you might remember, I talked about how we had 19 public workshops during the month of July.

Some of the most recent comments about mutton came from those workshops. The fact that we had heard about people wanting uniform regulations across all the management boundaries, a trip limit for commercial fishery throughout the year was suggested, as well as maybe the recreational year round bag limit is too high and should be reduced; and that maybe something should be done during the spawning season, possibly reducing commercial and recreational limit, possibly establishing commercial and recreational vessel limits.

Then some people were saying just go ahead and prohibit the harvest of mutton snapper during the spawning season. You can go on to the next slide; this is just showing the Florida landings for Gulf and South Atlantic combined, just showing you that there is a peak during some of the spawning months.

Here are the commercial landings. Just one thing to note here; this is showing Gulf and South Atlantic, and you might remember that mutton snapper are taken as bycatch in the longline fishery on the Gulf side. Something that we're also going to be discussing at workshops is maybe looking at a separate hook and line versus longline limit. I'll get to that in a minute, but that is just a little reminder that you've got some longline bycatch of mutton happening in the Gulf.

These were the changes that we were proposing to take to workshop to our commissioners. They are broken down into recreational and commercial, and you'll notice we're also breaking it down into changes for a regular season, changes during a spawning season. You'll note that there are

various months for what the regular and spawning season is, based on exactly how long the spawning season is.

Is that May to June, is it really May to July? That is another thing that we're suggesting go to workshop, seeking feedback on the timing of the spawning season. We were suggesting a five-fish limit within the ten-fish aggregate during the regular season, and then a two-per person limit within the ten-fish aggregate during the spawning season, with a maximum of ten-fish per vessel.

On the commercial side, we were suggesting considering separate hook and line and longline limits, and we don't really know what the longline limit should be, but we were suggesting possibly a 300 pound trip limit for hook and line. Then during the spawning season, maybe a two fish per person with a maximum of 12 fish per vessel.

This is a graphic showing where Western Dry Rocks is, so if you look at the picture to the left, you can see a little triangle of where Western Dry Rocks is located. But that hashed yellow rectangle is showing you that the spawning aggregation doesn't occur exactly on top of the area known as Western Dry Rocks, it is a little bit to the side of where that is located.

That is another known spawning aggregation for mutton snapper in the Keys. This is the timeline that we were talking to our commission about that public workshops would occur during the month of February. You can see the locations listed up there, Stuart, Ft. Lauderdale, Key Largo, Key Colony Beach, Key West and Naples. At the commission meeting the Commission also asked us to add an additional workshop location near Madeira Beach, so we will be holding a workshop at FWRI, which is in St. Petersburg.

We're suggesting coming back to the FWC with a draft rule following those public workshops in April of 2016, and then assuming the council would take final action either in the spring or summer of next year. This is just our staff recommendation, basically to go out to workshop for the various items that I discussed earlier and with the timing that I also discussed of returning to our commission for a draft rule hearing at the April meeting.

I also had Mike Collins send around - earlier this week we had collected a number of public comments prior to going to the commission meeting, so I had that forwarded around. There was a summary and then the detailed comments, which included even a comment from Ben, but we also had comments from folks like the West Palm Beach Fishing Club.

I just had him send around the workshop locations, so we're up to eight total workshop locations, and on that list you'll note that some of those workshops are FWC and South Atlantic Council combined. The Gulf Council is planning on doing workshops during their regularly scheduled council meeting. The Gulf Council will not be having, at this point in time, not having additional public workshops in addition to the ones that FWC and South Atlantic are having; and that concludes my presentation, unless someone has some questions.

DR. DUVAL: Are there any questions for Jessica?

MR. BOWEN: The assessment came back that they were not overfished but overfishing was occurring, or neither?



MS. McCAWLEY: Neither. Neither was occurring. There was a new model run, and if you want to hear more about the model we can get Dr. Barbieri to the microphone. But a new model was run, and basically that SST model said that the overall biomass was smaller than it was in the previous assessment, so it possibly overestimated in the previous assessment. That requires the councils to reduce the quota. It is not overfished, not undergoing overfishing, but the overall biomass is smaller than it was before.

MR. BOWEN: Therefore, we need to act with reductions, because of the smaller biomass.

MS. McCAWLEY: Correct.

DR. DUVAL: This is information that Myra is going to go over as she moves into the options paper which is Attachment 8 in your briefing book. We're going to move on to that unless there are other questions for Jessica regarding the FWC work.

MR. CONKLIN: The Western Dry Rocks that is in your state waters, do you all have any protection in place currently for that?

MS. McCAWLEY: No. There are not protections in place at all. Western Dry Rocks is completely open. Supposedly there are some other species that spawn there at Western Dry Rocks. It has been discussed through the Florida Keys National Marine Sanctuaries planning process that they're working on. But we were trying to point it out to our commission as, there was a known aggregation at Riley's Hump and that here is a known aggregation at Western Dry Rocks that they might want to consider. We're suggesting to go out and get feedback on that particular location.

MR. BREWER: I've been somewhat involved in this and the workup. The recreational component is very much in favor of some of these options that are here, particularly reducing the bag limit from ten to five. That is being done proactively, because there is no requirement under state law that that be done. There would not be any requirement under Magnuson that that be done, but it is being done proactively. I just want to point out - well, I was going to make a snide comment but I'm not going to.

DR. DUVAL: Make snide comments. Jessica and then Roy.

MS. McCAWLEY: I was also going to point out that the commission also suggested, so they really liked the idea of a vessel limit, even though it is not necessarily needed. They were onboard with having a vessel limit and they were also wanting an alternative added; and I'll bring it up as we go through the document.

They want some options for five or less fish year round. That way there wouldn't be a regular season bag limit and then a spawning season bag limit, it would just be a straight up lower bag limit throughout the entire year; that was another option that the commission wanted taken out to workshop.

DR. CRABTREE: Jessica, or maybe Chester. Do you know what the average size fish that are being caught are, off like spawning aggregations?

MS. McCAWLEY: I can't remember, but I can tell you that folks that I talked to said that the past two or three years that the size of those fish on the aggregations has decreased. Not just the fact that the overall aggregation has decreased, but the average size of fish that they're catching on the aggregations is smaller.

MR. BREWER: Roy, it is not too much different than when you were fishing. It is like seven, eight pounds or something like that I would say is what you normally catch. They obviously caught others on both sides of that but it is around there.

DR. CRABTREE: Five fish is still 40 pounds or so?

MR. BOWEN: Do we have an analysis like we did in sea bass to see the percentage of anglers that are reaching the ten fish bag limit currently?

DR. DUVAL: Not yet, because we're just at the point of an options paper, so we're just trying to figure out, making sure we have the whole range of actions we might want to consider for scoping. We'll let Myra run through the options paper, and then the action we need to take is to approve this for scoping, once we make sure it has got everything in there that the FWC would like. I would recommend that we move into the options paper and let Myra take us through that.

MS. BROUWER: Here up on the screen I have the recommendations that came out of the update to SEDAR 15A, which was done this past year. You can see the catch level recommendations, the OFL recommendations by year, and then the ABC recommendations in pounds as well as discard.

The actions and alternatives begin on PDF Page 4 of your attachment. Action 1 is to specify the MSY, and we have two alternatives similar to what we just went through with hogfish. Alternative 2 would set the MSY equal to the yield produced by Fmsy or the proxy, and then we have that statement there that the MSY and Fmsy are recommended by the most recent SEDAR or SSC.

Then the value would be 912,500 pounds and that is at F30 percent SPR. This green note here I put in there, because the SEDAR 15A assessment, which was done in 2008, produced an MSY estimate that was apparently not officially adopted by the council. This was right around the time that the council was dealing with the reauthorization of Magnuson.

We were doing ACLs and all that stuff. We still have what was put in place through Amendment 11, which were just those proxy values. Anyway, I just wanted to bring that to your attention. In the Comprehensive ACL Amendment the OFL was specified at 1.5 million pounds, and the ABC was 926,600 pounds whole weight. At this point, as Michelle said, we just need to make sure that you improve inclusion of the action and that the range of alternatives is sufficient for inclusion for scoping.

DR. DUVAL: All right, can I get a motion? Doug.

MR. HAYMANS: Madam Chair, if I might play John Jolley for just one moment. I've noticed throughout the day when we take the IPTs recommended wording for things, particularly on Alternative 1, no actions. In every instance they've struck this first sentence, in this case – well

it's not up there – it says do not modify the current definition. It simply goes with whatever the fact is, MSY is equal to. Is there a need to start doing that or just let IPT catch it every time?

If you look at the wording of Alternative 1, well I guess either table, and it says do not modify the current definition. Every case today, IPT has struck that wording and it simply starts out MSY equals, or something of that nature. I'm just wondering whether we can start doing that. I see heads nodding over there.

MR. WAUGH: What would be helpful, too, is if you would give us editorial license for the no action alternative. Many times it takes several iterations to get an accurate statement of what is currently in place. To constantly bring that back to you all to change, it gets a little bit old and tedious. All the no action is, is an accurate statement of what is currently in place.

I think that would save us time in the future if you would just give us editorial license to work with the Region and NOAA GC to get that accurate. We'll certainly let you know when wording has changed, but just so you don't have to approve that wording would be helpful.

MS. SMIT-BRUNELLO: Yes, and it really should never start out; Do not do, whatever. It just should say MSY is this; ABC is this, and that sort of thing. We'll try to catch that in the future before you see it.

DR. DUVAL: Thank you, John. Then I would be looking for a motion, Doug.

MR. HAYMANS: **I would make a motion we approve the inclusion of Action 1 in Amendment 41, and approve the range of alternatives under Action 1 for detailed analysis.**

DR. DUVAL: **Motion by Doug, second by Mark. Any discussion? Any objection? Seeing none; that motion stands approved.** Myra, I wonder if we can just include as direction to staff to give the IPT editorial license to modify the no action alternative as needed.

MS. BROUWER: Okay. Action 2 is on PDF Page 5. This would specify the MSST for mutton snapper, you've got three alternatives. Looking at the current definition, which includes the natural mortality metric in there, Alternative 2 would put it at 50 percent of SSB MSY and Alternative 3 would put the MSST at 75 percent of SSB MSY.

Again, here under no action, this issue of perhaps the council not officially having adopted the value that came out of the SEDAR 15A assessment, and so you've got the corresponding values and natural mortality estimate from the current assessment in your table. Again, just to remind you that Regulatory Amendment 21 is the one that modified the MSST definition for species that have a low natural mortality.

The range, I believe, went up to 0.23. Mutton snapper would be within the range of natural mortality values that coincided with the change in definition for MSST to 75 percent of SSB MSY; and again, same sort of thing as the previous action as far as the committee action goes.

DR. DUVAL: All right, looking for a motion from the committee.

MS. McCAWLEY: **I move that we approve inclusion of Action 2 in Amendment 41, and approve the range of alternatives under Action 2 for detailed analysis.**

**DR. DUVAL: Motion by Jessica, seconded by Charlie. Any discussion? Any objection? Seeing none; that motion stands approved.** Again, I think the direction to staff that we gave previously would apply throughout the document for those no action alternatives, to make sure they get it right.

MS. BROUWER: Action 3 is on PDF Page 7, and it would revise the ACLs and OY based on the results of the stock assessment. The current ABC and OY for mutton is 926,600 pounds whole weight. The commercial ACL is 153,743 pounds, and the recreational ACL is 768,857. Then there is a note here that the commercial allocation and the comp ACL was 17.02 percent, and the recreational allocation was 82.98 percent.

However, the ACLs that were in fact implemented were calculated using the same allocation out to six decimal places for some reason, so there is a little bit of rounding I guess issues there for that reason. Your Alternative 2 here is the same suite of alternatives that you have considered previously, where you step down the ACL by 9 percent or 10 percent from the ABC.

Then the table below it shows you the corresponding values and also the breakdown under the current sector allocations for the commercial and the recreational ACL. We also have the recreational ACL in numbers. That was based on an average weight of 4.13 pounds.

DR. DUVAL: Similar action from the committee, just looking for a motion to approve the inclusion of this action.

**MS. McCAWLEY: I move that we approve inclusion of Action 3 in Amendment 41, and approve the range of alternatives under Action 3 for detailed analysis.**

**DR. DUVAL: Motion by Jessica, seconded by Charlie; any discussion, any objection? Seeing none; that motion stands approved.**

MS. BROUWER: Okay, here is where we get into the management measures. PDF Page 9 has Action 4 to revise the ACT. Oh, I'm sorry this is the ACT. I thought we were getting to bag limits already. The same sort of thing, Alternative 2 has subalternatives to use the existing formula; where the ACT is equal to the ACL times one, minus the PSE or 50 percent of the recreational ACL, whichever is greater.

Then we have Subalternative 2B, which puts the ACT at 85 percent of the recreational ACL and Subalternative 2C at 75 percent of the recreational ACL. Then we have here the PSEs for the last five years. These may have to be updated further down the line, they only go through 2014, but the average is only 15.9 so that is the PSE that we would use, and these are the corresponding ACT values for each of the ACL alternatives. Again, we have it in pounds and numbers.

DR. DUVAL: All right, looking for inclusion of this action in the amendment.

**MS. McCAWLEY: I move that we approve inclusion of Action 4 in Amendment 41, and approve the range of alternatives under Action 4 for detailed analysis.**

**DR. DUVAL: Seconded by Charlie. Any discussion, any objection? Seeing none; that motion is approved.**

MS. BROUWER: Okay, so here is where we begin with the management measures, and these actions that follow were originally included in the Joint South Florida Amendment and at the June, 2015 meeting you gave us guidance to pluck them out of there and put them in this amendment. They've changed slightly to make them applicable just to the South Atlantic, as opposed to the South Atlantic and the Gulf.

They begin on PDF Page 11. Then the other thing I've done is to put the FWC staff proposal that corresponds, for you to have that in front of you as you discuss this. This is the bag limit modification. There are quite a few edits, as I said, that had to be done to make this applicable just to the South Atlantic.

Alternative 2 would remove mutton from the recreational ten snapper aggregate bag limit, and then there are subalternatives for ten fish per person per day in the regular season, two fish per person per day during the spawning season, and so on down to four, four and two. Then Alternative 3 would retain it in the ten snapper aggregate, but specify bag limits within the aggregate during the regular season and during the spawning season.

Then the months are the ones that were still, from like I said the Joint South Florida Amendment, so they may need to be tweaked to mirror what the FWC is proposing as well.

MS. McCAWLEY: Two or three points here. One of my first points is that Alternative 2 that removes mutton from the aggregate, I would like to just strike Alternative 2. I don't think it is actually formally added yet, so not considered but rejected. But I don't think that that is under consideration to remove it from the ten snapper aggregate.

Also, since the FWC is suggesting considering these different spawning months, I don't know if maybe there is a separate action after the recreational and then the commercial trip limit action that maybe we talk about what the spawning months are. That way you're not debating what the spawning months are in the recreational and the commercial bag limit areas. I think that we need to add an action to the end about the spawning months.

DR. DUVAL: Myra is striking that from Alternative 2 so that it can be considered separately and not muddled up here.

MS. McCAWLEY: While she's doing that, the FWC was also wanting a range of bag limits five or less, so they specifically said three and two that would be just year round limits. I don't think that we have that in this action yet.

DR. DUVAL: We're just doing a little renumbering here since we axed what was Alternative 2; Alternative 3 now becomes Alternative 2. Myra is adding another Alternative 3 to just consider year round bag limits for mutton within the aggregate. Jessica, I'm wondering in order to be efficient if we might provide direction to staff to restructure this action to just include bag limit alternatives, and then direct staff to add another action to address what the spawning months would be, and allow FWC staff to see that.

I don't know. I'm just trying to think about how to be the most efficient about doing this. Well, I was suggesting having a separate action to pick what those spawning months might be, because there would be bag limit alternatives under this action right here that would apply to the

spawning months versus the non-spawning months. I think FWC was suggesting several different alternatives of not only May and June, but also July as well.

MS. McCAWLEY: We could work with Myra on what that new action would look like. I think that this Action 5 is good now with what we've added here. I think it is just about adding this new action to the end.

MR. HARTIG: Yes, I mean as long as there is room to debate the July inclusion in the spawning month I think that's fine. I think there are reasons why you could leave July open, more open than including it in the spawning months.

DR. DUVAL: The action I think we would be looking for from the committee here is a motion to approve inclusion of Action 5 as modified and the range of alternatives for detailed analysis. Regarding spawning season options, does that work, Jessica?

MS. McCAWLEY: Would you like me to make that motion? **I move that we approve inclusion of Action 5 as modified in Amendment 41, and approve the range of alternatives under Action 5 for detailed analysis; council staff to coordinate with FWC staff regarding spawning season options, which would be an additional action.**

**DR. DUVAL: Seconded by Ben. Further discussion? Any objection? Seeing none; that motion stands approved.**

MS. BROUWER: Okay Action 6 is for commercial trip limits, it is on PDF Page 16. The no action currently is during May through June. The commercial sector in the South Atlantic is restricted to ten mutton snapper per day or ten mutton snapper per trip, whichever is more restrictive and sale is allowed.

There is no bag or trip limit for the commercial sector in the Gulf or South Atlantic from July through April. Here we've suggested adding the highlighted language in yellow just for clarification purposes, and then of course you can see that we've struck out mention of the Gulf of Mexico for Alternatives 2 and Alternative 3.

Alternative 2 establishes a commercial trip limit during the regular season, and there are subalternatives for ten fish per person per day or some higher bag or trip limit to be determined. Then Alternative 3 pertains to the trip limit during the spawning season, and the range there is from two fish per person per day up to ten fish per person per day.

We're suggesting striking down Subalternative 3D, which is for no bag or trip limit. Alternative 4 would make it the same during the commercial trip limit is identical to the recreational bag limit during the spawning season. Then Alternatives 5 and 6 don't pertain to the South Atlantic, because they talk about longline options for trip limits.

MS. McCAWLEY: One thing we need to do is strike the months of the spawning season in this action, and then we need to add an option for a vessel limit 12 fish and then fewer stepping down from that to this option, which also reminds me, we need to add a 12 fish and fewer vessel limit to the recreational option as well in the previous action.

DR. DUVAL: Let's let Myra catch up a little bit here. We're going to strike through in Alternatives 2 and 3 those spawning months, since we're going to be adding an action; because we will be determining those in a separate action.

MS. McCAWLEY: There is a spawning season in Alternative 4 as well.

DR. DUVAL: Jessica, just to be clear, you need an alternative added to specify a 12 fish vessel limit under this action as well as the recreational action?

MS. McCAWLEY: Right, and I would probably do 12 fish as the maximum, and then some other alternatives stepping down from that.

DR. DUVAL: That would be year round, correct?

MS. McCAWLEY: During the spawning season.

DR. DUVAL: Just during the spawning season. Really, we would just be adding a subalternative to Alternative 3.

MS. McCAWLEY: Yes, I also think we can strike Subalternative 3C of the 10 fish per person per day also, while you're at it.

DR. DUVAL: What is your vessel limit? Is this 12 fish per person per day and then a 12 fish per vessel per day? Are those what you're looking for?

MS. McCAWLEY: That subalternative that you have listed. That is actually just a vessel limit, 12 fish per vessel per day.

DR. DUVAL: Then we need to go back and add that same alternative to the recreational action.

MS. McCAWLEY: Right, I would also add not just 12, but I would probably add 10, 5 and 2 to the vessel limits.

DR. DUVAL: Do we need to go back to the previous action and just add something in there? This is just for the spawning season again right, Jessica?

MS. McCAWLEY: For recreational just during the spawning season and it was supposed to be 2, 5, 10 and 12.

DR. DUVAL: All right, good there? But just to clarify, under the commercial limit during the spawning season that vessel limit was 5, 10 and 12 or 2, 5, 10 and 12?

MS. McCAWLEY: Two, 5, 10 and 12, the same.

DR. DUVAL: Did you want to do anything with the commercial trip limit during the regular season? Ben says yes.

MS. McCAWLEY: Correct, yes. The one that we discussed with the Commission was 300 pounds.

MR. HARTIG: Yes, I think you can remove the 10 fish per person per day.

MS. McCAWLEY: I agree.

MR. HARTIG: You might want to take a broader range than just 300.

MS. McCAWLEY: I agree, throw something else out there, Ben.

MR. HARTIG: Yes, 3 through 500 would be a good start.

DR. CRABTREE: Is the intent that would apply to the longline fishery as well as the hook and line?

MS. McCAWLEY: The intent here would be that this would just apply to the hook and line in the South Atlantic; and the longline bag as well as a hook and line bag would have to come through the Gulf Council.

DR. CRABTREE: Come from the Gulf, yes that is good.

DR. DUVAL: Are we good on this one then, Jessica? Okay. Now we just need the same motion.

**MS. McCAWLEY: I move to approve inclusion of Action 6 as modified in Amendment 41, and approve the range of alternatives under Action 6 for detailed analysis.**

**DR. DUVAL: Is there a second? Second by Charlie. Any discussion?**

MR. HARTIG: In South Carolina, Chris and Charlie in Georgia, what is the highest number of muttuns you see come in on a multiday trip?

MR. CONKLIN: Usually 75 to 100 pounds is a large amount of those. It is usually just three or four, maybe five fish.

MR. PHILLIPS: I've seen a couple of hundred pounds; 500 would cover it easy.

**DR. DUVAL: All right any other discussion? Any objection? Seeing none; that motion stands approved.**

MS. BROUWER: Okay, so that is it for the actions and now, if you approve it for scoping, we would hold those hearings as Jessica talked about late January and February and then public hearings probably sometime in June. No, you would approve it for public hearings in June, hold public hearings in August.

MR. HARTIG: I sent an e-mail out. If you all would like I would attend some of these hearings in the Commission at your discretion. I put it out there. If you would like me to, I will.

MS. McCAWLEY: That is fine by me, if you want to come to some or all of them. At this point we have, going to every workshop, Martha, myself and Erika; going to every workshop whether



it is FWC or South Atlantic. We're going to give an FWC presentation at the South Atlantic workshops, so we're going to gather comments at all of these.

DR. DUVAL: Great. Okay, so with that said, we would just need a motion from the committee to approve this as modified for scoping.

**MS. McCAWLEY: I move that we approve Amendment 41 as modified for scoping.**

**DR. DUVAL: Motion by Jessica, seconded by Charlie. Any further discussion on this? Any objection? Seeing none; that motion stands approved.** Thank you, Myra. The next item on our agenda is Amendment 36. If you recall at the last meeting we had some discussion on the action with regard to sunset provisions.

We need to look at some modified language there and select a preferred alternative, and we also have a brief presentation by Dr. Farmer. I think he's going to run through some of the bathymetry associated with preferred alternatives that we have for the sites, just to give folks a different sort of birds eye view of those. I am going to turn things over to Gregg, and then another item we'll need to run through is Chip will take us through Appendix N, which is the System Management Plan.

MR. WAUGH: Thank you and we're going to switch. While we're doing that when we come back, I'll have a short video that Dr. Will Heyman has provided us showing a scamp aggregation in Devil's Hole. We'll have that to show. That is just a minute long. Nick is going to show Will's presentation within his.

We've got the decision document and that is what we'll be walking through after this short presentation. Nick is going to focus on the preferred alternatives and take you on a tour of those sites. But I wanted to bring your attention in Chapter 5, which is council's rationale at this stage. At the March meeting it will change to council's determination, decisions.

But we've added in all the SSC comments, the AP comments, as well as pulled from prior meetings wording for your rationale. Please take a look at that. You don't necessarily have to do it while you're at this meeting, but take a look at that and get back to us is if you have some additional thoughts there, any modifications to that language.

The schedule we have to go through is we've got preferred alternatives for all except the last two actions; and we'll get those preferreds at this meeting, any other modifications at this meeting. Then we'll finalize the document; review it before it comes back to you in March for approval for formal review at the March meeting. Nick, if you're ready, you can go ahead and start.

DR. FARMER: Mike and I were experimenting with this over lunch, and it is probably going to be better for the folks in the room to watch this projector here as opposed to the streaming on the webinar, just because the webinar gets a little herky jerky with the video. But for the folks at home and at their various offices, it will at least come up over the webinar.

This is a video-based and PowerPoint-based presentation of a project I've been working on for a few years with a bunch of coauthors, and they're listed here. But in the interest of time I won't name them all. Special recognition certainly needs to go out to MARMAP staff; they've been

hugely helpful in this, as has Dr. Will Heyman and his team with LGL and Mandy Karnauskas at the Southeast Fisheries Science Center.

But this is a presentation looking at the timing and location of reef fish spawning activity along the east coast. What we sought to do was synthesize what was known about spawning for reef fish relative to month and lunar phase, and also relative to space. We wanted to quantitatively test what variables are predictive of spawning activity; is it time of year, depth, salinity, temperature, habitat, and certain aspects of the bathymetry?

Then we wanted to take those predictions and try to verify them with fisher information, and also some anecdotal information that we had from various scientific surveys that hadn't been assimilated into this. Then I guess a final goal of this was just kind of to identify knowledge gaps along the east coast, with regards to what we didn't know about spawning.

We've got a lot of data sources. We've got fishery independent survey information from MARMAP from 1990 through 2012. We've got SEAMAP, South Atlantic in '09, and SEFIS from 2010 through 2012. Combined those are referred to as the Southeast Fisheries Survey or SERFS. We also have some information from FWC from a red snapper project that they ran in 2012. We've got bathymetric information that is broad scale from a thing called the Coastal Relief Model, which is a NOAA product, and we also have some sidescan and multibeam high resolution bathymetry from a variety of different sources, academia, state and academic partners; and then from NOAA as well.

We have some fishery-dependent validation information coming out of MARMAP from the nineties through 2014. We've got stuff from Will Heymans' work with LGL, which the council sponsored 2014 through 2015. Michelle Tishler Meadows in 2012 for her masters thesis interviewed a variety of fishermen along the east coast and identified some spawning locations.

Then FWC received some samples of opportunity basically during their red snapper project, and so we have that information as well. One key thing to point out is that the core data source for this is from the SERFS data and that is primarily from sampling from May through September. There are many species in the South Atlantic's jurisdiction that spawn outside of those core sampling months.

We'll all aware of the shallow water grouper closure in the wintertime. There is not a lot of sampling for those species, so they might be under represented in what I am about to show you. One of the first things we looked for were, could we identify locations where species had been spawning, observed spawning.

What I mean by spawning are females in spawning condition; histologically indicated to be within 48 hours of spawning. Could we find sites where they were observed in spawning condition repeatedly over multiple years? This first figure on the left here shows all of our samples of vermilion snapper females, with the last two digits of the year listed.

You can see there is quite a bit of overlap in many of these sites, so we have repeated use of sites for female vermilion snapper. I've zoomed in here at the bottom on the Edisto MPA, and you can see that there is a strong clustering of sites on one of the bathymetric features within that MPA. There is also a very strong clustering of sites along a ledge which extends to the northeast of the MPA, which has been referred to as Scamp Ledge in some of the literature.

There is black sea bass, and you'll note that these sites for black sea bass are further inshore for the most part than those for vermilion snapper. We don't have as much high resolution bathymetry information underlying those sites, but there are certainly many locations with repeated observations across multiple years of spawning condition female black sea bass.

This is a snowy grouper on the left, and there are limited samples that are probably likely to encounter snowy grouper, due to the MARMAP fishing methods, which are predominantly Chevron traps. However, MARMAP has set short bottom longlines in certain locations, and in some of those locations, we have identified multiannual spawning condition female aggregations or tight clustering at least of spawning condition females year after year.

Then this final figure for these multiannual observations is for scamp, and you can see that some of those sites in Edisto that we observe vermilion snapper are also used by scamp. We found actually that the scamp tend to use just slightly offset from where the vermilion are. The vermilion are up top, the scamp are down low at these sites. But you can see a somewhat more limited spatial domain for the observations for the scamp as opposed to the vermilion. Here are some statistics on those multiannual spawning locations. The first column here is the number of multiannual spawning locations that we observe from the SERFS data, so you can see for black sea bass and gray triggerfish, and then especially for vermilion snapper, we had quite a few observations of different sites that were used repeatedly.

The second column is the number of years that were sampled as an average across those sites with a standard deviation. For example, of the 42 vermilion snapper sites, most of those sites on average were sampled every nine years out of that whole timeframe from 1990 through 2012. Then the number of years out of that where spawning condition females is in the next column, and what's really kind of interesting here is this second to last column.

That is the percentage of years where spawning condition females were observed, and the take-home message there is that in the majority of years spawning condition females were observed at those multiannual sites. Then the final column is also interesting. Now this is partially driven by the underlying sampling scheme, so I don't want to put too much emphasis on this.

But I did what is called a minimum convex polygon around each of those multiannual sites. That minimum convex polygon is basically drawing the smallest possible shape around those sites in order to figure out what area those sites are covering. You'll notice in square miles that when you can identify these sites effectively, they are relatively discreet in space.

But you've got to be able to identify them effectively. Because we've got nine days now until the movie comes out, I had to do this. (Star Wars theme song) I'm going to give you a three dimensional look at some of these sites. This is Georgetown Hole. You've got five alternatives that are overlying the shelf edge bathymetry here.

What I'm going to show you is a video that shows the bathymetry from the coastal relief model, which is the broad scale model that is about a 90 meter resolution, and then a fine scale bathymetry from multibeam studies, and that is a 3 to 30 meter resolution. That will be in color, the coastal relief model is in black and white.

You're going to see on top of the alternatives, which A is always going to be in red, B is going to be in green, C is in blue, D is in yellow, and then F is in black. You'll see where spawning condition fish have been observed. The spawning condition fish that I'm going to show are a compilation of all those various different studies, and you're going to see gray cubes; those will correspond to gray triggerfish.

Some vermilion cubes will be vermilion snapper, some red cubes, and I had to look up what color vermilion was, because I wasn't sure. Some red diamonds will be red snapper. You'll see some darker yellow spheres as golden tilefish, pink as greater amberjack, yellow spheres as snowy grouper, and so on.

One of the take homes will be that there is a large red sphere and that is a Warsaw grouper, and that is the only known histologically sampled spawning condition female Warsaw grouper recorded in the South Atlantic jurisdiction. We've had some anecdotal information of aggregations of Warsaw and high catches of Warsaw in other locations. We've got some fishery dependent samples without lat/longs attached to them of fish that may have been in spawning condition, but might now have been evaluated. But this is the only one that I'm aware of that actually has definitive; it was a female in spawning condition information. Anyway, here is our tour of the site.

All right, so that's Georgetown Hole, the depth range for those sites is from 148 to 804 feet. I guess some of the take-home messages are, some of these alternatives cover that ridge that extends to the north of the site, and there are quite a few spawning condition fish; vermilion snapper and red porgy and gray triggerfish observed along that ridge by the SERF sampling, primarily.

Then kind of discreetly right at that point there are quite a few spawning condition scamps, and then there is also the Warsaw grouper, and I've got a still image next for those of you who like to look at things in two dimensions instead of three. We've got an observation of a yellowedge grouper, which I wanted to call special attention to that is only contained by Alt 2D.

We've got the Warsaw grouper, which is contained by all the different alternatives. We've got some GoPro camera drops, which are these diamonds with the white around them of observations of spawning coloration for scamp. Then we have vermilion snapper, some red porgy, a greater amberjack; and those are contained only by Alternative A.

Outside of those alternatives there is also a spawning condition gag that was encountered by one of the samples. We can refer back to these images or that video if you guys want to discuss some potential alternatives for Warsaw Hole, or sorry, for Devil's Hole. But I wanted to show you also a video that Dr. Heyman and his team put together; it is from this particular GoPro sampling site right here, just so that you can see what the bottom looks like.

You'll see that it is a pretty sharky area. You've got some pretty good relief there with a lot of coral rubble and rocky rubble, and then there is a fair number of scamp around. All those fish there are scamp, and here comes a Warsaw grouper swimming right through the middle. The depth this site, I will have to look that up. I think it said it right at the beginning; it was like 61 fathoms, I think is what it said. That video is from the 18th of April.

MR. WAUGH: Two-F, which is a 3.1 square mile.

DR. FARMER: Two-F is the black, and so yes, that was 61 fathoms. Here is North Carolina. This is the South Cape Lookout Site, and this is a depth range from 246 to 453 feet. These yellow traffic cones correspond to GoPro camera drops made by Dr. Heyman and his crew. We also have a spawning condition female vermilion snapper observed near that site, some spawning condition female greater amberjack observed near that site and a spawning condition female snowy grouper observed offshore of that site. Here is your video of that.

You can see Big Rock to the north of that. Those little black dots there, those are places where MARMAP has made samples. All right, so then we move down to the other preferred alternative, which is Warsaw Hole. The depth range at this location is 187 to 443 feet. You may recall back at the – I believe it was the June meeting – Nancy Foster e-mailed us the night before the discussion with some recently obtained multibeam bathymetry, so I've incorporated that into this. Fisher info has suggested substantial historic catches of Warsaw grouper at this location, possibly an aggregation site. Those high catches I believe were prior to 1978 from what I've heard. I think Don DeMaria just e-mailed me and he let me know that he had a note in one of his logs that somebody had told him that Warsaw spawned there in, I believe it was August, but I can confirm that later. No, it was the full moon in June.

Another thing to note is there is observation from the MARMAP fishery dependent sampling of a spawning condition red grouper female near this site. It is kind of over here, it is hard to see because it's red and this area is red. Another thing that I thought was interesting is in this multibeam bathymetry you see these small bumps here.

I'm just speculating on this, but those look a lot like some red grouper holes that I've seen from other multibeam sampling in the Gulf near the Madison-Swanson area, so it might be worth looking to see what those are. But here comes the video. One thing to note in this video is there is that fascinating high profile ledge that comes out to the west of that hole.

I suspect that is where a lot of the action is at this site. The hole itself is presumably anoxic, so there is probably nothing living actually in the hole, but surrounding it and then along that ledge is probably where a lot of the action is. Alternative B is the green, A is the red, and then C is that blue. There are some limitations of this data that I wanted to touch on.

Obviously the observations of spawning condition fish are influenced both by the sampling domain, in terms of where the spatial sampling has been distributed, and also when in time it has been made. We're missing a lot of the months where some of the species are in spawning condition.

For the small and medium bodied species that are best represented by the SERFS data due to the time period of the sampling, and also due to the sampling gear, which is the Chevron trap. Grouper pair spawning might be the most common spawning behavior as opposed to large transient spawning aggregations that you think about when you think about spawning fish, like in the Caribbean.

The SERFS and FWC fishery independent data contained pretty limited information on those larger body groupers and snappers. Another issue we ran into is that 90 meter resolution coastal relief model, which was our major source of bathymetry, is probably too coarse to register many meaningful trends in terms of fish response to habitat.

The best model fits that we came up with in a modeling approach that we developed to predict where spawning would happen, were those species where we had a high number of samples in that multibeam bathymetric layer, which was spatially limited but had a lot of high contrast. You could really distinguish where the slope was relative to where the trough was.

We think these fish are responding to high slope, high curvature locations. It is important to note that when you see in these videos and maps an absence of spawning condition females that doesn't necessarily mean that there is no spawning activity going on there. It could be influenced again by the spatial distribution of spawning and the months of sampling.

The areas and locations that are most poorly sampled would be steep, high current zones; and that is because when you drop short bottom longline or Chevron traps on those steep high current zones, you tend to lose the gear, so they just don't do it. Deeper areas are poorly sampled, winter months are poorly sampled, and then areas south of 27 degrees north are poorly sampled. Those are some limitations. In terms of applications to management, black sea bass, gray triggerfish, vermilion snapper and white grunt appear to spawn frequently at numerous broadly distributed sites.

It would be challenging to gain much benefit protecting those particular species with a small spatial closure; they would probably be better protected by a temporal closure. Red snapper looks like it is either a simple migratory or resident spawner at a vast number of locations. We did find that red snapper were the most common species at multispecies spawning sites, so at sites where we found more than one species in spawning condition in the same set; red snapper were almost always there.

They may be an indicator of a favorable spawning habitat. Then we also identified several multiannual spawning sites, they may have been aggregation sites, but we don't have the information to prove that; for scamp and snowy grouper. Many of those sites were offshore of existing MPAs.

Because those species are vulnerable to sperm limitation and overfishing and their spawning season peak is in the summer, as opposed to the winter peak spawning season for many of the other grouper species, they aren't protected by that winter closure. Those species at those locations might be excellent candidates for those SMZs.

In terms of ways we can improve this, cooperative research with commercial fishermen and other fishermen to collect video and biological samples to fill in those gaps that I pointed out, would be incredibly useful. Integrating these monitoring protocols with a new system management plan is recommended.

We really need to bolster our high resolution bathymetric sampling along the South Atlantic coast; it is very, very patchy. Some increased funding to SERFS or to cooperative research to facilitate increased histological sampling, because we get a lot of samples from MARMAP but hardly any of them are histologically sampled, unless it is geared toward an upcoming stock assessment, just because it takes so long and there are limitations on resources and personnel.

Also to expand the sampling south of 27 degrees, increase winter sampling, and then use hook and line gears at those high relief, steep, high current locations where you can't set other types of

gear. I wanted to end with just a brief touch on regional success stories. I got the opportunity to go diving this summer at Riley's Hump.

This was an MPA that was implemented; it is the Tortugas South Ecological Reserve. It was implemented in 2001. It's size is 60 nautical miles square, and you can see from this slide presented initially by John Hunt to the South Atlantic Council back in 2014. There is a spawning aggregation site for mutton snapper there.

There are aggregation sites for black and scamp grouper, and there are spawning aggregation sites for Cubera snapper, and we got most of those on video this summer and it was pretty exciting. I also saw spawning aggregation for ocean triggerfish there. One thing I also wanted to touch on was you guys have been looking at options for a sunset provision. There is a paper that has been published back in 2005; I think it was by Dr. Burton and his team on the preliminary evidence of increased spawning aggregations of mutton snapper at Riley's Hump two years after establishment of the Tortugas South Ecological Reserve. I plotted here the N max, or the maximum number of individuals observed by his team through time.

You can see that there is a little bit of an uptick, here is 1999, 2000, implemented in 2001. Here is 2002, 2003, 2004, but then we got a little bit of a slide down, and then you start to see really big increases eight years, but then it drops back down again to a relatively low amount. Then you see another big one in 2015.

What I wanted to point out is that even when you have a pretty well studied site that is viewed as a regional success story, it does take a while for those sites to really build up if they've been fished down. Another thing that I wanted to note was that mutton snapper, as you just discussed, was recently found to be not overfished and not undergoing overfishing. It could be that in part due to the protections from this relatively large, relatively long lasting reserve, mutton snapper are doing relatively well.

Then there is Madison-Swanson, which is off the Gulf Coast of Florida. That was implemented in 2000. This image here is from Chris Koenig and his group. What you're looking at here is the shelf edge bathymetry for Madison-Swanson, and you can see it has kind of a point and a ledge. It looks a whole lot like Georgetown Hole to me; a point and a ledge feature.

You've got all these gag spawning sites that have been identified following that ledge, and the gag spawning sites had two critical features; rocky ridges and relatively steep delta terrace drop-offs. That is from groupers on the edge, which is a publication by Dr. Coleman and some others. I also wanted to indicate that in 2006, gag was found to be undergoing overfishing.

They couldn't make an overfished determination. In '09 it was found to be overfished and undergoing overfishing. In 2014 it was found to be no overfished and not undergoing overfishing. I've heard a lot of stories from folks associated with this reserve that there were many fishermen who were opposed to the implementation of this reserve, who now are extremely supportive of it, and have actually offered to come over and talk to the South Atlantic Council about this success story.

There were also many fishermen who felt that they didn't care if this was implemented or not, because they felt that this site was fished out when it was implemented. That may also be a

situation that we find ourselves in. Another thing that I have heard is that a lot of these locations, when they get depressed in terms of the number of spawning fish, tend to be relatively sharky.

That may be something that folks have heard about. For example, Georgetown Hole sure looked pretty sharky from the video, Warsaw Hole and some of the other sites. I wanted to give some special thanks to some folks, including Jack, who is in the room, for their work with Dr. Heyman and his team and also various other folks who have helped me get all of these various data sources together, including the high resolution bathymetry and everything else.

Now, with that, I'll close for questions, but I do have 3D videos set up for all of the other sites that you guys have looked at in the amendment, and I also have some more detailed looks at some of the other stuff, including the modeling process if you want to see some of that.

DR. DUVAL: Thank you for that presentation, Nick. We'll take a few minutes for questions.

MR. BOWEN: Great presentation. Your last slide, you said gag spawning sites. Do you know what time of year that was that they were referring to?

DR. FARMER: No, I could look that up real quick and get it to you though. It is in that report, Groupers on the Edge, which I think actually is in one of the South Atlantic Council briefing books.

MR. CONKLIN: Yes, I just wanted to point out and thank you for putting the information up showing where there is a great deal of spawning already going on in the northern South Carolina and the Edisto MPA. Thanks for bringing that up. I just wanted to note that the one square mile box there with the Georgetown Hole encompasses all of the spawning in the added area of the 3.1 doesn't have any more spawning samples in it than the one mile does.

DR. FARMER: Just to that point. I want to just skip back real quickly to that. Where you are looking at here, these axes show sites where samples have been taken; those are samples with histology taken by the SERFS program. You can see that there is relatively limited sampling and in fact, there are no samples that have been taken outside of the smaller box that are only in the 3.1 box. Again, just going back to that data limitation slide, just because there is not anything on here doesn't mean that there is nothing going on there. It is a fact that we haven't looked everywhere.

MR. CONKLIN: So, our best available science.

DR. DUVAL: Any other questions for Nick? Ben.

MR. HARTIG: Going back to Warsaw Hole. I'm having a little bit of trouble seeing what is encompassed by the one square mile box. I mean, you see the area where most of the habitat is, and it doesn't look like it is in the one square mile box. Am I missing something or is it just the angle that we're looking down on?

DR. FARMER: The one square mile box, all the boxes are centered on the Hole, but it is just a fact that the more interesting feature is that ledge emerging to the west of the Hole, so the bigger the box the more of the ledge you contain. That one square mile one covers very little of the ledge.



MR. BELL: You mentioned that the Hole itself might be anoxic. Is there data on that?

DR. FARMER: I think that is something that I've seen in some of the literature. Now that hole, I don't know that there is data on that particular hole, but a lot of these sink holes tend to be anoxic; due to their extreme depth and relatively small breadth of the hole. One of the theories I've heard is fish like to hang out near them and they seek refuge in the hole when a predator passes by and then they pop back out of it afterwards.

MR. HARTIG: They hold their breath when they go in.

DR. FARMER: Yes, there you go.

MR. HARTIG: One more, Nick. Take us back to where you had analyzed the spawning locations and then what areas that they encompassed of those animals. That is square miles in the last column?

DR. FARMER: Correct, with the standard deviations, so that is means and standard deviations across those number of multiannual locations. I've got to caveat that one again. In a lot of instances there is not a lot of sampling outside of those sites. If you had five samples and you saw a spawning fish at each of those five samples, and then the next sample was two, three miles away from it, that wouldn't have been included in there.

It is not necessarily going to tell you precisely how much space those spawning areas take up, but it will give you a sense of the general core, I guess, of what has been observed. Now one of the things that I've heard for Goliath grouper and this probably is applicable to other species, is that they use satellite locations as they're gearing up for spawning.

They kind of form these pre-aggregations that are spread out a little bit, because they stay at the spawning grounds for a long enough period of time that they need to forage. If they were all in one spot it would become rapidly depleted, so they have these little satellite locations and then they come in for the main event. But they may also do some spawning at those satellite locations.

Gag is often thought of as an aggregating spawner, and we know that the males stay at the sites mostly year round. The Madison-Swanson Reserve here is 115 square nautical miles, and you can see all these different gag spawning sites that have been identified. I mean, it looks like there are at least 15 on this map, and they're encompassing a pretty long extent of the feature there.

DR. DUVAL: Are there any other questions for Nick before we move into the Decision Document? If not, thank you, Nick. That was pretty awesome! Really appreciate all the efforts that you went to, to put that together for us.

MR. WAUGH: Okay, this is Attachment 9A in your briefing book; the Decision Document for Amendment 36. Just to show what was updated based on your decisions at the last meeting. Remember we were looking at, if you looked at the largest alternatives we have, you are looking at just under 66 square miles. That would have been a 94.6 reduction from the recommendations from the MPA Expert Workgroup.

At the meeting in September you selected alternatives that total 15.08 square miles; that is a 98.8 percent reduction from the MPA Expert Workgroup recommendation. They had recommended just a little over 1,200 square miles. Our schedule is to pick a few more preferreds at this meeting and give final approval at the December meeting; sorry, final approval in March.

At our last committee meeting, the committee did approve this modification to the purpose. We missed getting that approved by the Full Council, so we're just giving you an opportunity here. If there are any other changes, otherwise, we'll just bring this up to Full Council.

MR. BELL: Just a point you were talking about the 98.8 percent reduction from the working group's recommendation. Keep in mind that six square miles of that is Area 51 and 53, which are shallower water areas, which wasn't part of anything the MPA working group did. Really, you're only talking about nine square miles, which I don't know what that would work out to be, but it is less.

MR. WAUGH: Good point.

DR. DUVAL: All right, I'm not seeing anything there; let's keep moving.

MR. WAUGH: Action 1, which is on Page 8, this modifies the special management zone procedure. Your preferred alternative is Alternative 2; to modify the SMZ procedure to include protection of any area important for spawning by designating spawning SMZs. Action 2, which is on Page 11, this would modify our framework procedure to allow modifications of and/or additional spawning special management zones to be added and or modified through the framework action.

Your preferred is to do that. We have now added a sunset provision, and we just wanted your clarification that your intent would be that if we wanted to remove one of those sunset provisions that would fall under this modified framework. If we could just get some direction to staff or your consensus that yes, your intention is that we can modify a spawning SMZ by removing the sunset provision.

DR. DUVAL: I'm assuming that the committee is to, by modifying the framework for the SMZ, that that includes removing the sunset provision. I'm not seeing any, Ben says yes, I'm not seeing any shaking of heads around the table, Roy says yes. Well, there you go. Let's move on.

MR. WAUGH: Action 3 on Page 13, this is where we establish a spawning SMZ in the South Cape Lookout Area, five square miles that prohibits fishing for, harvest and/or possession of species in the snapper grouper fishery management unit year round. Snapper Grouper AP also selected that as their preferred. I should have indicated that for Actions 1 and 2 the AP is in support of that modification in the procedure.

Unless there is any interest in modifying this, we'll move on. Action 4 begins on Page 16. This has the areas off of South Carolina. Your preferred is to establish a spawning SMZ in the Devil's Hole, Georgetown Hole area that prohibits fishing for harvest and/or possession of species in the snapper grouper fishery management unit year round. Your preferred subalternative is 2F, Devil's Hole, Georgetown Hole 3.1 square mile, and this is the Snapper Grouper APs preferred alternative as well.

MR. CONKLIN: I just wanted to point out that the Snapper Grouper APs motion was to support the Georgetown Hole Area, but no larger than 3.1 square miles.

DR. DUVAL: Thank you for that clarification.

MR. WAUGH: I'll make that change. Action 5 is on Page 20. This is for off Georgia, where your preferred alternative is no action. This would not establish any spawning SMZs off of Georgia. The Snapper Grouper APs preferred alternative from their previous look at it was looking at Alternatives 2A, 2B, 2C in a smaller area. Then Action 6 on Page 23 is a site off of Florida. Your preferred alternative is a Warsaw Hole Area of one square mile. That is the Snapper Grouper APs preferred alternative.

DR. CRABTREE: Gregg, is there somewhere in the document that you can point us to? I want to see where our current preferred is relative to that ledge area that Nick talked about. Can you do it in something that is easy to see and doesn't require color vision or imagination?

DR. FARMER: I'll e-mail something to Mike real quick and he can send it out.

DR. DUVAL: I saw Jessica and Chester with their hands up.

MS. McCAWLEY: This was discussed most recently by our Commission at their November meeting, and our Commission was not in favor of the one square mile; they were looking for a bigger area. I showed them the information that we have, which included the information from the Nancy Foster cruise.

There was debate between a four square mile area and a two square mile area. Ultimately, they made a motion for a two square mile area, but I believe that they would also be in favor of the four square mile area. **I would make a motion to switch our preferred alternative to Subalternative 2C under Action 6.**

**DR. DUVAL: Motion by Jessica to change the preferred alternative to Subalternative 2C under Action 6, second by Chester. Discussion.**

MR. BOWEN: Is your commission getting the letters that we're getting from the amberjack fishermen that we discussed at the last meeting to determine what now could possibly be the old preferred alternative?

MS. McCAWLEY: Yes. I actually spoke to, and so one of our commissioners spoke to him; you're talking about Vincent, yes. They are aware of it. Even with that, they were suggesting that this was a special area and a special place; and kind of like what we saw in that presentation. They felt like that ridge area needed to be included.

They also, they were our commissioners that were around when Madison-Swanson, Steamboat Lumps and the Edges were done in the Gulf; and we looked at the sizes of all of those areas, and they were significantly larger than Warsaw Hole. Even with all that information they still felt like four square miles is a pretty small area.

MR. BOWEN: Thank you; I just wanted that on record because it is your state. It's your backyard; I just wanted to make sure that you put that on record that the Commission was aware of the letters that we have received.

DR. CRABTREE: Well, I would certainly support that. I've been troubled by one square mile for a lot of reasons, and I'm assuming when we look at this that the four square miles will do a much better job of capturing that ridge area where most things seem to be. I think this is a positive change and I'll support it.

MR. BREWER: I will probably catch hell for this, but I absolutely support what Jessica has put forward, and the reason being is if you took a look at the topography that is down there, that promontory or ridge that runs to the west, matches some of the stuff that we've seen where there is proven spawning going on off of other states.

I don't like closing areas at all. But if we're going to do it to hopefully protect spawning aggregations, and hopefully they will. I want to see them be successful. I want to see them work. I would like to see the best chance given to this one particular area, this Warsaw Hole. Like I say, I'm going to catch hell for it. But I think it is the best thing to do.

DR. DUVAL: Just to respond to Roy's question about the chart and then we're going to go to Ben and then Jessica.

MR. WAUGH: Roy, this is from the DEIS, it is a figure that is in the Summary S-19. It shows the three alternatives, and Subalternative 2C, which is the four square mile area is outlined here. You can see the Warsaw Hole in the center, and you can see that ledge structure coming up here and running to the west. That is on Page S-29 in the DEIS, it is PDF Page 50.

DR. CRABTREE: The four square miles is which alternative?

MR. WAUGH: Two-C.

DR. DUVAL: Okay, while we're looking at that, I am going to go to Ben and then Jessica.

MR. HARTIG: **Yes. I would offer a substitute motion of Subalternative 2A. How can I do that? Okay.**

DR. DUVAL: **Substitute motion by Ben to change the preferred alternative to Subalternative 2A. Is there a second to that substitute motion? Seconded by Zack. Discussion? Jessica and then Ben.**

MS. McCRAWLEY: Another reason, back to one of Zack's questions. Another reason why our Commission was supportive of this was because of the sunset provision. They felt like that research was going to be done and if it couldn't be documented, I believe that their preference was for the ten year sunset provision. That made them more comfortable with this particular area and the size of the area. I just wanted to put that on the record.

MR. HARTIG: I've been convinced that the one square mile area wasn't enough, based on what I've seen from Nick's presentation. We really haven't had a very good idea of what that area

looked like until today, to be honest with you. But I'm also sensitive to some of the fishing that is going on there and the impacts we're going to have.

I'm not sure how much of the two square mile area will remove the amberjack fisherman's fishing, but it is going to be substantial, because Vincent fished right up against the one mile area. Some of the things that have come out of this presentation by Nick today, showing the clusters of spawning, relatively small areas, most of them were under one square mile. You have a number of SPAs, you've got 18 SPAs in the Keys; management areas that are discreet, biologically important that help sustain critical marine species. There are 18 of them, 18 of them cover 4.97 square miles. That is a very small area for that. Now it is not a spawning SMZ, but it is used for that. Given that these areas, the economic importance of this area to the fishermen of the Keys, I would broaden it, double it from what we had a preferred to two, but I'm reticent to go to the four square mile area; based on the economic impacts on the fishermen.

MR. COX: Yes, I was just going to say to Chester, I know how you feel. There are tough decisions we have to make here, and I can promise you there is nothing easy about North Carolina five square miles. But you know what feels good? When we do things like this and they work, and we're able to give back those snowies and those sea bass and these things that we do, because I'm with you, brother, it's hard.

These are not easy things that we do. I can certainly tell you, I wouldn't support what we're doing if I didn't think there would be a time back when this place off North Carolina is not going to produce more fish and we can have good news and give fishermen more fish like we're doing, and the triggers. We've got a lot of success stories, and I'm sure this will be one, too.

DR. DUVAL: Before I go to Zack and Charlie, and then we're going to take a vote. I just want to remind folks it is 4:39 p.m. right now. We have a public comment session scheduled at 5:30 p.m. We still need to go through the system management plan, and we have the System Management Plan for Amendment 14, MPAs.

Lieutenant Pray needs to give her liaison report today, because she has to leave tomorrow. I just want to remind us of the time crunch that we're under. We can certainly cover our last agenda item, which is the alternative approaches for monitoring and harvest of deepwater species at full council; but I just want to remind everybody of that.

MR. BOWEN: Dr. Farmer, correct me if I'm wrong, but in your great presentation that was explicitly given, did I miss that there was some evidence of spawning Warsaw in that Warsaw Hole? I saw pictures of Georgetown Hole where you had evidence, but I don't recall having evidence in the Warsaw Hole at all.

DR. FARMER: Right, the only place where we have a histological sample of verified Warsaw grouper in spawning condition is that one site at Georgetown Hole. Potentially a lot of that is due to the fact that they are pretty rare, and MARMAP maybe isn't using gears that are all that effective at catching Warsaw grouper.

I mean a full size Warsaw grouper fitting in a Chevron trap is a bit of a stretch. Then there is no really sampling in the Warsaw Hole area. The only point sample that we have from even down anywhere near there is a fishery dependent sample that was turned in sometime in the 1999 to 2014 period of a red grouper.

In speaking with some of the guys who used to fish down there, it sounds like that area was hit pretty hard with regards to Warsaw prior to 1978, so it is a historical high, high Warsaw grouper catch location. I mean it is named Warsaw Hole presumably for a reason. But I don't know how much it is going on there right now.

I don't know that there is a lot of sampling there. The nearest information I have to it is in Tortuga South Ecological Reserve, which is say 20 miles to the west, south of Riley's Hump, which I showed you Riley's Hump where the mutton are just south of that. Within that reserve a Warsaw grouper was observed exhibiting what was referred to as spawning coloration in a report.

MR. BOWEN: Thank you for that. The big Warsaws definitely wouldn't go in the traps, but I think an eight year old Warsaw that is approximately 21 inches and sexually mature would go in that trap, and we just haven't seen evidence of that. I just want to have a little voice of concern about the Commission.

I don't want to make enemies here, but I'm real concerned that they are taking this very conservative approach, not only with this but with the mutton snapper, you know wanting to reduce the bag limit and they are not overfished and overfishing is not occurring. I understand the biomass may be smaller; but just a voice of concern about what the Commission has got going on here.

MR. PHILLIPS: I'll make it short. To Nick's point about the sampling, and I think Warsaw Hole, probably most of the sampling was in that smaller one mile area, so there is probably other things going on outside, and like we've heard Koenig talk about Steamboat Lumps and stuff. I think if you close that four mile area that it is going to be very productive. I'm going to support Jessica and her cohort in crime over there.

DR. DUVAL: I want to give Jessica a chance to respond regarding the Commission, and then Mel I'll get to you.

MS. McCAWLEY: Back to mutton snapper, since that was one that you brought up and are questioning the Commission's actions. At this point in time the Commission has only directed staff to take that information out to public workshop. What they're looking to do is to respond to the fact that the quota has to be reduced, and respond to public concerns.

A lot of the concerns that we have heard are people, it is kind of a philosophical discussion to them, that they feel that people should not be hammering those spawning aggregations, and they want the bag limit reduced. At this point all the commissioners have seen is the presentation that I gave to you guys, and they have only directed staff to go out and gather information.

MR. BOWEN: Hammering being defined as catching 10 fish.

MS. McCAWLEY: It means, in the presentation that you saw, you saw a lot of boats in that one. That is Western Dry Rocks where people are sitting on that aggregation. One, I did not get into all the details, but there are also people that seem to be multi-tripping and recreational fishermen selling their bag limits. Those are some other issues that are occurring that they feel like they need to address as well, but I didn't get into that into the presentation today.

DR. DUVAL: This is not Amendment 41, so I'll just ask that we kind of save that.

MR. BELL: Yes, I would support whatever Jessica wants to do. I was just going to note the image that Nick sent around, the difference between 2B and 2C in terms of capturing that western ledge feature. You're only maybe 500 yards short, I mean you are still capturing a good bit of it with 2B, but the difference between 2B and 2C is maybe 500 yards or so, I guess, if I'm reading that right.

DR. DUVAL: All right, so we had a substitute motion on the table. We have a substitute motion to change the preferred under Action 6 to Subalternative 2A. Gregg.

MR. WAUGH: Just to clarify, the figure that Nick sent around is labeled differently from the alternatives, so just look at the size indicated on the figure that Nick sent around, because 2A is two square miles, 2B is one square mile and 2C is four square miles.

DR. DUVAL: Thank you for that clarification. I would like to come to a vote here. **The substitute motion read to change the preferred alternative for Action 6, Alternative 2 to Subalternative 2A, could I please see a show of hands of those in favor of the motion. One, those opposed, ten opposed; The motion fails.**

**We're back to the main motion; which is to change the preferred alternative for Action 6, Alternative 2 to Subalternative 2C, which is the four square mile option. Could I please see a show of hands of those in favor of this motion? Nine in favor; those opposed; three opposed; the motion carries.**

MR. WAUGH: Action 7 aligns the boundaries of the Charleston Deep Artificial Reef, this is on Page 26. Your preferred alternative is Alternative 2, to move the Charleston Deep Artificial Reef MPA 1.4 miles to the northwest to match the boundary of the U.S. Army Corps of Engineers Permitted Artificial Reef Area. The AP supports this alternative.

Action 8 is where we get into transit and anchoring provisions, and you don't have a preferred alternative here. The APs preferred alternative is Alternative 2, in the proposed spawning SMZs allow transit with snapper grouper species aboard a vessel when fishing gear is appropriately stowed as defined below.

At the last meeting you directed staff to add the two subalternatives shown under Preferred Alternative 3. I'm sorry; you do have preferreds here for both of these. What you don't have preferreds for are the subalternatives under Preferred Alternative 3. This gets into the discussion about research vessels and dive boats; would they be allowed to anchor?

We were directed also to add the definition of fishing and fishing vessel, and that is shown in the box on Page 29. We just need to have some discussion whether you're comfortable enough. We can only prohibit actions by fishing vessels. If you're comfortable enough that a research vessel or a dive vessel, even if that dive vessel has rod and reel gear and spearfishing gear onboard, they could anchor there as long as they don't have any fish onboard.

If that makes you comfortable enough that research vessels and non-consumptive vessels could anchor, then we don't need the subalternatives. If you want to be absolutely clear and allow

anchoring on Areas 51 and 53, but not the others, then we want to use those subalternatives. Monica may want to offer some on this.

MS. SMIT-BRUNELLO: Well, just that the Magnuson Act, when it defines fishing vessel it is very broad, and I can read it to you. The term fishing vessel means any vessel, boat, ship or other craft that is used for, equipped to be used for, of a type which is normally used for fishing or aiding or assisting one or more vessels at sea in the performance of any activity related to fishing, including but not limited to preparation, supply, storage, refrigeration, transportation or processing. I think that it would be probably better to be more specific here than leave it up to this broad definition of what a fishing vessel could be.

MS. BECKWITH: Yes, my preference would be the Subalternative 3B, because I think the other presents even more enforcement issues for folks, because an anchored boat is an anchored boat and just makes it harder.

MR. BELL: Yes, and our desire would be for us to be able to anchor in there for other dive vessels to be able to anchor in there. We don't have a problem with that as long as they're not touching fish or consuming the fish or capturing fish. That is why we want to just make sure we have that option open, and these sites are different from all the other sites, because we actually want to be able to work in there, dive and monitor and do things.

DR. DUVAL: I would be looking for action from the committee to select a preferred subalternative then.

MR. BROWN: Yes, I would go with Subalternative 3B too.

DR. DUVAL: Is that a motion?

**MR. BROWN: Yes, I would like to make a motion to take Subalternative B and use that.**

**DR. DUVAL: The motion is to select Preferred Alternative 3, Subalternative 3B as a preferred for Action 8; is there a second to that? Second by Mel. Further discussion?**

DR. CRABTREE: Well I'm slow. Areas 51 and 54 are where this artificial reef area is and that's it? The other Charleston closed area is separate from this. Okay.

**DR. DUVAL: All right, any other discussion? Is there any objection to this motion? Seeing none; that motion stands approved.**

MR. WAUGH: The final action is 9, which deals with the sunset provision. This is on Page 31. You asked us to go back and look at some more specific criteria to use for triggering the sunset provision. The Snapper Grouper AP, their preferred was Alternative 2, Subalternative 2B that would be a ten-year sunset to apply to all spawning SMZs except 51 and 53.

If you look on Page 32, we've got some wording there. We talked about this, and it is hard to set up specifics in terms of either the number of spawning events for a particular species or the size of a spawning event. What we did was working with the material that is in the system management plan, Appendix N that outlines the enforcement, research and monitoring outreach and evaluation aspect. Chip will go through that in a few minutes.



We pulled that and are laying out these specific steps. You'll know there are a couple of places in here where we've modified what is in your version. I'll go over those. The steps would be as follows: The council would specify either a ten, seven or five year sunset period, and that is what you all would do here. Then the council would receive annual status reports outlining the accomplishments to date for items in the system management plan, and here we're talking about the System Management Plan for the spawning SMZs. If you choose five years then not one year, two years prior to the sunset. The reason for this as you'll see in the system management plan is we have to build in time for the advisory panels to look at this before it comes to you guys.

We backed it up. If you specify five years, then two years prior to the sunset date, and this time period would trigger, start counting from when the final rule is approved and published in the Federal Register. Two years prior to the sunset date the council will receive a detailed evaluation report for all of the sites.

If you choose seven years for the sunset, then you'll still receive a detailed evaluation report at the end of three years, and also two years prior to the sunset date. If you specify ten years, you will get a detailed evaluation report for all the sites at the end of years three, the end of year five, and then two years prior to the sunset date.

Then under Item 6, after each annual status report and detailed evaluation report, the council will make an informed decision whether a sufficient level of spawning has been documented at a site to warrant removing the sunset provision for that site, or multiple sites. To remove the sunset provision for a site or sites, the council will develop a regulatory amendment to extend the sites the council concludes have a sufficient level of documented spawning.

You would, in essence, be removing the sunset provision for any sites you feel that we've documented sufficient spawning. The public would have an opportunity to comment during development of the regulatory amendment and at council meeting. We've already approved an action in this amendment to modify the framework procedure to accommodate this. We would offer that as the procedure you would use to evaluate these spawning sites and then to determine when you've seen sufficient information to warrant removing the sunset provision.

MR. BREWER: Gregg, don't we need some sort of baseline information with regard to these sites to be able to properly evaluate them?

MR. WAUGH: Yes. We've got some of that in the document now, where we have demonstrated spawning events taking place. In addition, this won't come online. Assuming we move forward this won't come online until 2017, January, 2017. It gives us another year to get pre-implementation information.

There are some additional monies available to do additional sampling at the three sites. The state of South Carolina has committed to monitoring Areas 51 and 53. There has been some discussions with Luis, the state of Florida helping look into Warsaw Hole, and then also there is other funding that has been identified.

Dr. Will Heyman, his work will be continued next year to look at the three sites. At the end of next year we'll have more baseline data, and you will see all of that. Annually, you will get a

report on what is going on with all of these sites, and then a detailed evaluation at the periods we've outlined here for you to make a decision on.

**MS. McCAWLEY: I move that we accept the process outline in the discussion and select Subalternative 2B, ten years, for Action 9 as a preferred.**

**DR. DUVAL: There is a motion by Jessica to accept the procedure outlined here and to select Subalternative 2B as a preferred, second by any number of people; Chester. Discussion.** Let's see, I had on my list Mark then Ben then Wilson.

**MR. BROWN: I would like to make an alternative motion too or sub motion for Action 9 for the sunset provision to be Alternative 4, Subalternative 4B.**

**DR. DUVAL: There is a substitute motion by Mark to select Subalternative 4B as the preferred. Is there a second to that motion? Seconded by Chris. Discussion.**

MS. McCAWLEY: In a former life I was a researcher. I don't think five years is enough time. If people are going to try to be documenting stuff in this area, if they have to get funding in order to do this. By the time that you get ramped up and just get going, then the sunset period is over. I think that ten years is a more appropriate time period, in order to give these sites a fair shot.

DR. DUVAL: I already had Ben on my list. I'm going to let Ben, then Wilson go, and then I'll go back to you, Mark.

MR. HARTIG: Zack had a good point earlier talking about has there been any research done there about the species in question. I mean, we know amberjacks spawn that. That is a given. But as far as Warsaw go, you know, it is Warsaw Hole. I'm not so sure you're going to find many Warsaws there right now. I mean, given the effort differences between the areas of the Keys versus the areas to the north.

There is a lot more effort in the areas where we are for a long, long time. To me you are going to need the ten years, and also I think in Gregg's yellow ways to look at this in the future. If you are going to try and document Warsaw spawning, and the Warsaws are just coming back, you probably don't want to sacrifice any of those animals as you're moving along.

You may not have the information on Warsaw. To me, I would add something in there that if Warsaw or speckled hind have increased over the baseline period within that timeframe, then I would be willing to continue to support that area as an area that we know that we have protection for those two animals that we know have been with problems in the past.

As long as the species we're talking about, as long as amberjacks are included in the spawning, that is going to be enough for that area, because you are going to get spawning amberjacks that is not a question, on your first time you sample in May/June.

DR. LANEY: I am not on your committee, but as this is discussed we just need to keep in mind the lifespan of these fishes and the time to maturity and Nick's graphic, I think for Riley's Hump, which showed how long it took for those fish to actually respond to protecting the spawning areas. I certainly think that the ten-year span would be more appropriate.

MR. BROWN: I understand what you're saying, Jessica. The only reason I said that is because I want to make sure that we keep on a pace of this research, to make sure that we're continually monitoring these spots, okay. The council has the opportunity to renew it. If we get to the end of that cycle then we can renew it for another five years, or make whatever type of adjustment we need to make.

MR. BELL: In terms of baseline or getting at the monitoring. Keep in mind MARMAP, SERFS or whatever we're calling the combined efforts will be out there, can be out there now or soon. I mean we can start some of this baseline now. But I think ten years, in terms of if we're trying to make it shorter than that you're going to have to give it a chance to succeed.

I think, given some time, it can succeed. You saw from Nick's presentation in some of these other areas that were set aside, it took them a few years to get going and there were some ups and downs. If we're going to invest this much in looking at this, I think we ought to give it a fair shake. I think ten years is reasonable, and we'll get reports at three and five and eight years or whatever, and we'll have a sense of how it's going. In terms of the monitoring we could start that at least pretty quickly through MARMAP or existing programs right now, to some degree.

DR. FARMER: Speaking about Warsaw grouper specifically. I don't think we know very much about how they spawn. But if they are a transient, aggregating spawner like mutton snapper are at Riley's Hump, there is an element of luck that comes into your sampling as well. That is I think part of the reason there is a lot of noise, even in the more recent years in Mr. Burton and his team's work.

Because you've got to get there right when they're forming that aggregation, because they're only there for a few days, and I saw that on my trip this summer; and that is a huge, multi-thousand fish aggregation, but only if you get there on the right day; because if you come three days later it's a ghost town. There is like one mutton snapper swimming around like; where is everybody, did I miss the party?

If Warsaw grouper do that, then there is an element of luck that comes with it and especially for a site as isolated geographically as Warsaw Hole, from some of the major fishery-independent sampling groups that exist. Where their boats and infrastructure are that could be an issue in terms of trying to turn it around in a short time period.

But if they are like Goliath grouper, which are of a similar size, then they would go out and they would stay at a site for many, many months gearing up towards spawning. It is going to depend a lot on their reproductive biology, and we don't know a lot about it.

DR. DUVAL: I have Zack then Jessica then Chester, and then I think everybody sitting at the table has had the opportunity to go around once, and I am going to ask for a vote on this substitute motion.

MR. BOWEN: You know five years; we have what a year before this is going to be implemented? It looks like it's coming down the pike, so that's six years. I mean, how much time does it take to get on a boat and ride out there and drop a camera with some traps? I mean, ten years is a long time. I'm going with five.

MS. McCAWLEY: I'll pass.

MR. BREWER: Mark, I share your concerns and I do think there needs to be active monitoring of these places. But if you take a look at what we've already passed with regard to sort of the framework, if ten years is chosen, the council will receive a detailed evaluation report of all the sites at the end of year four, at the end of year seven, and one year prior to the sunset date.

If you go with five you are going to get one report at four years. That is it. I am concerned, given sort of like my experience with snook around the Juno Pier. It took a while for those fish to start spawning there, but they did, but now it is amazing. You saw the video. I really think that we are pushing it, to get a report at four years.

I would hate to have a situation where you've got a report at four years that is not definitive one way or the other and we say, okay that's it. It's five years, we don't have any proof; because you're not going to get another report, so we dump an area that may be of help. That is one of the reasons that I really would support ten years, because of the active management. You've got three times that it is going to be examined in that ten-year time period. I really believe that I have to go along with Jessica and support the ten year period.

DR. DUVAL: All right is everyone ready for the vote? **We have a substitute motion on the floor to accept the procedure outlined and select Alternative 4, Subalternative 4B as a preferred for Action 9. Could I please see a show of hands of those in favor of the substitute motion? Three in favor, those opposed, nine opposed substitute motion fails.**

**We're back to the main motion, which is to accept the procedure outline and select Alternative 2, Subalternative 2B as a preferred for Action 9. Again, a show of hands of those in favor of the motion, nine in favor, those opposed, three opposed; motion carries.**

MR. WAUGH: The final item we need is just some clarification on the species that are going to be targeted to look at in these spawning SMZs. Table S-19 on the bottom of Page 31 shows the species, and Chip has been working on the system management plan and we've got some modifications.

We're striking through dog snapper, gray snapper, lane snapper, and the IPT is also recommending that we consider adding rock hind, graysby, coney and black fin snapper, and so if we could get your guidance and consensus to use those as the target species that we're looking at.

DR. DUVAL: I saw them in the system management plan in Appendix N, but I see, wasn't gray snapper one of the ones recommended? Oh no, graysby, okay. I just didn't see it here.

MR. WAUGH: Sorry, yes, and part of what we've got going on is two different documents being worked on at the same time. What I did was I added in here to show the IPT recommended considering rock hind, graysby, coney and black fin that is shown on the screen but it is not in the version that you have.

MR. HARTIG: Yes, certainly from Nick's work it showed that red snapper was a pretty high indicator of spawning at some of these sites. I think I would certainly add red snapper.

MR. WAUGH: It's on there.

MR. HARTIG: Okay, I didn't see it. Oh there it is, it's in the snappers, no wonder. I'm looking at the groupers. I would consider adding greater amberjack to that as well. I mean, these sites; it is very specific where they spawn. There aren't that many of these sites that they use to spawn in the southern area of the range, and that is where they go to spawn every year. Some of these sites are going to be, I know the site of Warsaw Hole is a critical spawning area for greater amberjack, so certainly, I would like to see that one added to the mix if possible.

DR. DUVAL: I think we can do this by consensus. The list that Gregg has shown up there highlighted in blue; rock hind, graysby, coney and black fin snapper and then also greater amberjack as Ben is suggesting. Is the committee supportive of this species grouping? I'm seeing heads nod around the table, so Gregg, I think you can take that as consensus with the addition of greater amberjack.

The next item on our agenda is to go through Appendix N, which is the system management plan, but I might suggest that we hold that until Full Council. We're going to need a couple minutes to change over into public hearing mode, and Lieutenant Pray needs to give her update, which was e-mailed around to folks.

She unfortunately has to leave us early tomorrow, so I would like to allow her to give her update. I'll just state that this was e-mailed around to us earlier by Mike. That was today at 1:15 p.m. SAFMC Coast Guard Presentation. As soon as we get that up, Lieutenant Pray, I will turn it over to you.

MR. CONKLIN: Can I ask something real quick:

DR. DUVAL: Sure.

MR. CONKLIN: Was Dr. Farmer's presentation e-mailed around?

DR. DUVAL: It is way too huge for e-mail.

MR. CONKLIN: Oh, okay, I was wanting to watch that.

DR. DUVAL: All right everybody, so I'm going to go to Lieutenant Pray.

LT. PRAY: I appreciate the opportunity to speak this afternoon. I just want to report on District 7 operations. Here you will see our area of responsibility in the lower right hand portion of the screen there. It looks similar to what the South Atlantic Council is responsible for, with the exception of North Carolina, which is allocated to our District 5 counterpart.

Our area of responsibility extends from South Carolina, Georgia, Florida and all the way down through Puerto Rico and the U.S. Virgin Islands. We are responsible for working with the Caribbean Fisheries Management Council as well. We are a little limited; we are divided into six sectors so those are in Charleston, Jacksonville, Miami, Key West, St. Pete, and then San Juan, Puerto Rico. Through that large area of responsibility, we also have five air stations, 20 small boat stations along the coast and 28 Coast Guard Cutters. That doesn't include our major cutters, which are over 200 feet. Also, something of mention is we have 11 statutory missions; however, living marine resources has been always our primary focus and our area of

responsibility. We do have other competing priorities such as counter drug and migrant interdiction operations.

Some of the numbers may seem a little discouraging, but the effort is there. I just wanted to give a little insight as to how we do our operational planning and how we set our goals. LNM area, basically, the district's boss allocates, they determine high precedent and low precedent fisheries, and those aren't an exact science per se, but more they look at the number of participants in a fishery; whether there has been seasonal closures, changes to bag and trip limits and what not.

Their target number of boardings is based on 20 percent of high precedent fisheries and 10 percent of low precedent fisheries. Then LNM area gets that large pot of numbers and they divide it up by their five districts. For District 7, because there is so many managed species, we are looking at a total number of 2,472 boardings.

That number is then passed on to the district, and between my captain and I, we kind of sit down and we say that that is not really an achievable number for us. We say, what can we do with our limited resources and what not? That number that we've determined is 1,350, and then we take it to the next level and we divide it amongst our sectors.

Then each sector is allocated a target number of boardings. This is our results by district. We run on both fiscal calendar years, so October 1st through September 30th, and District 7 completed a total of 941 boardings, issuing 12 significant fisheries violations. Then I caution you as you look at the observed compliance rates, because it is somewhat misleading.

We kind of try to make ourselves look better than we really are. You only know what you know, and of those boardings we only found 12 significant violations, so we're saying that everybody else out there is in compliance, which isn't necessarily true. Then I broke it down by months, and so most significantly you'll notice in July, 298 boardings, and the majority of those are in the Sector Miami and Sector Key West areas of responsibility.

That is largely due to our lobster mini season, one of the largest recreational boating things. A lot of our emphasis is on boating safety, but we do bring down a lot of fisheries enforcement subject matter experts who get underway and assist us, and we also do joint operations with FWC and other local agencies.

I just wanted to map out some of our major concerns. One thing we struggle with is our ability to track duplicate boardings. We do have a lot of data enterprise systems that these boarding reports get entered into; however a lot of it is timely reporting. When small boats are out there they don't necessarily have access to these data bases due to underway connectivity and what not, they don't know exactly when the last time a boat was boarded, unless they tell them.

Another thing of mention is that if you board the same boat three times in a year and it is in compliance every time, it kind of throws off your numbers a little bit. Another thing, opportunities for living marine resource pulse operations, they are limited and they fall by the wayside a lot of the time; and that is just due to competing priorities, a drug case or a migrant case pops up and sometimes it falls by the wayside. We do extend any invitation for joint operations and what not to our partner agencies. Again, I mentioned it previously, but an effort in tracking, we have lots of different layers and systems that we're entering it in, and so a lot of

times for our field units, who are conducting the boardings, it is just a hassle and some of these boardings get lost.

Then just a thing I'll reiterate is our limited resources. Throughout the district we only have 110 qualified boarding officers who are qualified in the South Atlantic LMR competency. That is a small number of people when you consider how many participants we have in the region. Additionally, we've decommissioned our 110 foot cutters, and we're bringing online the fast response cutters, the 154 foot cutters.

We have six in Miami, six in Key West, and we currently have two in San Juan, but we're bringing on another four, so we're waiting for those because we've had to backfill to San Juan, so we've been limited there. Another thing I wanted to mention was the recent AIS requirement coming online March, 2016; that is for commercial fishing vessels 65 feet or greater.

That is a costly thing for a lot of fishermen, and there is the class Alpha and Bravo makes and models, it differs from \$700.00 to \$3,000.00 so that is just a concern that we have and making sure people are in compliance with that. Then the last item is the mandatory dockside safety examinations for commercial fishing vessels. That change came on 15 October, and it is new, there is a lot of backlog, there is a lot of confusion in the process, so we're working through that.

Additionally in February, 2016 there is going to be changes to the definition of the survival craft, so it needs to hold people out of the water, which is another costly burden on the fisherman; so Coast Guard is kind of working through that issue, as well. If there are any questions, I will do my best to answer those.

DR. DUVAL: Thank you, Lieutenant Pray. I have Chris, then Jack then Mel.

MR. CONKLIN: Out of the intercepts of fishery boardings you have here, were a lot of those conducted like in harbors and stuff? Does that encompass like people on job boats and stuff like that as well?

LT. PRAY: Typically, those boardings are conducted outside state waters, so federal waters specifically, but a lot of them are cold hits and not specifically targeting a certain type of commercial fishing vessel or recreational vessel per se, it is more just the opportunity presents itself to do a boarding so they get onboard.

MR. COX: Great presentation, thank you. I was wondering if by any chance you think you guys could donate some of those 110s for artificial reefs.

LT. PRAY: We sold them for scrap metal.

MR. BELL: On the AIS requirement, is that for vessels that operate in federal waters only, or would it include vessels in state waters?

LT. PRAY: I believe it is only federal waters, but I would have to confirm; and it is for vessels 65 feet or greater.

MR. HARTIG: What were the size vessels of that AIS requirement again?

LT. PRAY: Sixty-five feet.

MR. HARTIG: I'm good on that one. The other thing was, I can't remember how you guys define a significant violation.

LT. PRAY: I don't have the specific wording on me, but I can get it to you.

DR. DUVAL: Any other questions for Lieutenant Pray? If not, thank you very much for your update and thanks for your flexibility in providing this. All right, so we are going to go ahead and recess while we set up for a public comment, which will start in seven minutes.

(Whereupon, the meeting was adjourned at 5:23 o'clock p.m., December 9, 2015.)

Transcribed By:  
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January 2016

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**2015 - 2016 COMMITTEES (continued)**

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**South Atlantic Fishery Management Council -  
December 2015 Council Meeting  
Atlantic Beach, NC**

**Date:** Tuesday, December 8, 2015

**Committee:** Snapper Grouper

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Leda Dummie	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
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		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
David Bush	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Kenny Fa	<input type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input checked="" type="checkbox"/>	NGO <input type="checkbox"/>
Kellie Ralston	<input type="checkbox"/> On File 2716 millstone Plantation Rd Tallahassee, FL 32312 kralstone@saufishing.org -	Recreational <input checked="" type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Mac Curran	<input checked="" type="checkbox"/> On File	Recreational <input checked="" type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
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**South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
Charleston, SC 29405**



**South Atlantic Fishery Management Council -  
December 2015 Council Meeting  
Atlantic Beach, NC**

**Date:** Tuesday, December 8, 2015

**Committee:** Snapper Grouper

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Lora Clarke	<input type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
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Robert Lorenz, WILM., NC	<input checked="" type="checkbox"/> On File	Recreational <input checked="" type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Jay Fenster	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
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Colby Schlacht	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Gretchen Martin	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
Gary Zurn	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
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**South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
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**South Atlantic Fishery Management Council –  
December 2015 Council Meeting  
Atlantic Beach, NC**

**Date:** Tuesday, December 8, 2015

**Committee:** Snapper Grouper

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Dick Brame	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Kellie Ralston	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
David Bush	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Dean Foster	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Mark Millikin	<input type="checkbox"/> On File 3012 Cinder Bluff Dr. Raleigh, NC, 27603	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
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MAC, MURKIN	<input checked="" type="checkbox"/> On File	Recreational <input checked="" type="checkbox"/>	Govt. <input type="checkbox"/>
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**South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
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**South Atlantic Fishery Management Council –  
December 2015 Council Meeting  
Atlantic Beach, NC**

**Date:** Tuesday, December 8, 2015

**Committee:** Snapper Grouper

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Michael A. Shutak	<input checked="" type="checkbox"/> On File Carteret County News-Times	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other <u>Medical</u> <i>Describe</i>
Dee Lipton	<input type="checkbox"/> On File NCDMF Morehead City	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Kenny Fox	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Jennell Gould	<input checked="" type="checkbox"/> On File Poveny, LLC	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Bill Kew	<input checked="" type="checkbox"/> On File On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
	<input type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>





**South Atlantic Fishery Management Council -  
December 2015 Council Meeting  
Atlantic Beach, NC**

**Date:** *Wednesday, December 9, 2015*

**Committee:** *Snapper Grouper*

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<i>Ken Z</i>	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
<i>Bob Lorenz</i>	<input checked="" type="checkbox"/> On File	Recreational <input checked="" type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
<i>Kellie Ralston</i>	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
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		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
<i>Colby Schuler Lot</i>	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
<i>David Bush</i>	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>

**South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
Charleston, SC 29405**



**South Atlantic Fishery Management Council –  
December 2015 Council Meeting  
Atlantic Beach, NC**

**Date:** Wednesday, December 9, 2015

**Committee:** Snapper Grouper

**PLEASE SIGN IN -**

*In order to have a record of your attendance at each meeting and your name included in the minutes, we ask that you sign this sheet for the meeting shown above.*

Name:	Mailing Address/E-mail: <i>(If your information is currently on file, please check the box.)</i>	How do you participate in South Atlantic fisheries? <i>(Check all that apply)</i>	
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Frik Rhode	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Bill Kay	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Gretchen Mark	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
Dean Foster	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Jay Feinster	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Gary Zuren	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>

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Name:	Mailing Address/E-mail: <i>(If your information is currently on file, please check the box.)</i>	How do you participate in South Atlantic fisheries? <i>(Check all that apply)</i>	
Dick BRAME	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
michelle Hensley	<input type="checkbox"/> On File michelle.hensley@ncdenr.gov	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other NCDMF <i>Describe</i>
Kathy Rauls	<input type="checkbox"/> On File Kathy.Rauls@ncdenr.gov	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/> NCDMF
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
DOW/HESSEMAN	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/> NCDMF
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Lora Clarke	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
Gretchen Mark	<input checked="" type="checkbox"/> On File	Commercial <input type="checkbox"/>	NGO <input checked="" type="checkbox"/>
		Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/ For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>



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Name:	Mailing Address/E-mail: <i>(If your information is currently on file, please check the box.)</i>	How do you participate in South Atlantic fisheries? <i>(Check all that apply)</i>	
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Tony Austin	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Michael A. Shutek	<input checked="" type="checkbox"/> On File Carteret County News-Times	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other <u>Media</u> <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Pete Wafford	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
Colby Schlaht	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
RED MUNDEN	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other <u>SG-AP</u> <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>
John Hadley	<input checked="" type="checkbox"/> On File	Recreational <input type="checkbox"/>	Govt. <input checked="" type="checkbox"/>
		Charter/For-hire <input type="checkbox"/>	Other _____ <i>Describe</i>
		Commercial <input type="checkbox"/>	NGO <input type="checkbox"/>

COUNCIL MTG DAY 2

8 Dec 15

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Alvarado	Nicolas	Nicolas.Alvarado@noaa.gov
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holiman	stephen	stephen.holiman@noaa.gov
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sandorf	scott	scott.sandorf@noaa.gov
smart	tracey	smartt@dnr.sc.gov
vara	mary	mary.vara@noaa.gov
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Herndon	Andrew	Andrew.Herndon@noaa.gov
Steamer	Donald	b001936@gmail.com
Stillman	Karolyn	karolyn.stillman@noaa.gov
c	m	mec181@yahoo.com

# COUNCIL MTG DAY 3

9 DEC 15

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Bonura	Vincent	SailRaiser25C@aol.com
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Bresnen	Anthony	anthony.bresnen@myfwc.com
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Brown	Angela	brownac@dnr.sc.gov
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Stillman	Karolyn	karolyn.stillman@noaa.gov
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cadle	james	sandbarjim@gmail.com