

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPER COMMITTEE

**Sawgrass Marriott
Ponte Vedra Beach, FL**

June 10-12, 2014

SUMMARY MINUTES

Snapper Grouper Committee:

Dr. Michelle Duval, Chairman
Mel Bell
Dr. Roy Crabtree
Ben Hartig
Doug Haymans
Anna Beckwith

Jessica McCawley Vice-Chair
Chris Conklin
David Cupka
Jack Cox
Zack Bowen
Charlie Phillips

Council Members:

Lt. Morgan Fowler
John Jolley

Dr. Wilson Laney

Council Staff:

Bob Mahood
Mike Collins
Dr. Kari MacLauchlin
Kim Iverson
Julie O'Dell
Myra Brouwer

Gregg Waugh
John Carmichael
Amber Von Harten
Dr. Mike Errigo
Roger Pugliese
Dr. Brian Chevront

Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Dr. Nick Farmer
Dr. Marcel Reichart
Tracy Dunn
Mike Merrifield
Jessica Powell
Barb Zoodsma

Dr. Jack McGovern
Phil Steele
Leann Bosarge
Dr. Luiz Barbieri
Col. Bruce Buckson
Kenny Fex
Karen Antrim Raine

Additional Observers Attached

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened in the Sawgrass Marriott, Ponte Vedra Beach, Florida, Tuesday afternoon, June 10, 2014, and was called to order at 1:30 o'clock p.m. by Chairman Michelle Duval.

DR. DUVAL: I would like to go ahead and call the Snapper Grouper Committee Meeting to order. The first item on our agenda is approval of the agenda. I don't know of any additions to the agenda at this point; but as always if there is something folks would like to bring up under other business, please let me know if you can. Seeing no additions or modifications; the agenda stands approved.

Are there any additions or modifications to our March 2014 Committee Meeting Minutes? Seeing none; those minutes stand approved. The next item on our agenda is our status of commercial and recreational catches versus ACLs. Dr. McGovern is going to take us through the commercial ACLs; and I believe Dr. Farmer is going to take us through the recreational ACLs.

DR. McGOVERN: The screen shows the commercial landings through June 8th. We got an update from the science center yesterday. We're expecting another update Thursday or Friday of this week; and we'll post that to our website when we get the landings. What this shows is landings through yesterday.

This column shows landings through yesterday and then it compares it to landings through a similar time last year; through the end of May of last year. These are updates we get about every two weeks from the science center. I will highlight some things in here. One thing I want to highlight is the Deepwater Complex.

The emergency rule was published in April at the request of the council. It removed blueline tilefish from the Deepwater Complex. It specified an ACL for blueline tilefish of 112,000 for the commercial sector; and then it specified an ACL for the remaining species in that complex. For blueline tilefish, just the species – and this an ACL that is based on the equilibrium MSY – we're at 86 percent of blueline tilefish; so we'd be expecting a closure probably this summer. For the remaining species in the complex, we're at 72 percent of the ACL for that.

Golden tilefish; we now have a commercial – the ACL is divided into a longline quota and a hook-and-line quota. We exceeded the longline quota and we closed it on March 5th. We were close to 100 percent right now; and we went over after we closed golden tilefish. Dr. Ponwith is going to talk a little bit about that later.

Then we have a separate quota for the hook-and-line sector, those folks that don't have an endorsement, and we're at 79 percent for that. For gag; I just mentioned we're at 23 percent; and last year for gag we were at about 99 percent of the quota. Gray triggerfish; we closed that on the 12th of May. We're a little bit over the quota; and landings thus far are a little bit higher than what they were at this time last year.

Red porgy; we're at 20 percent. We met 90 percent of the quota for red porgy last year. Red snapper; we'll talk a little bit about that in a minute. We have some red snapper landings

already. We are a little bit over 12 percent over the short opening last year. Scamp, we're about 9 percent. Snowy grouper at 62 percent of the quota now; the landings are a little bit higher than what they were last year.

Yellowtail snapper at 41 percent; and again at 660,000 pounds, a little bit higher than what they were last year; but we're a week ahead of where we were last year, too. Moving down, black sea bass; we have a new fishing year for black sea bass. It just started. That's 6 percent of the quota; we met 95 percent of the 780,000 pound quota through the end of May.

Greater amberjack; we're also in the new fishing year for greater amberjack. At 21 percent of the quota, we're a little bit below the 800,000 pound quota for last year's fishing year. We closed vermilion snapper on April 19th; about 12 percent over. Remember, vermilion snapper has a 1,500 pound trip limit that gets reduced to 500 pounds when 75 percent of the quota is met. We're opening vermilion snapper back up on July 1st. That's a brief summary, Madam Chair.

DR. DUVAL: Are there questions for Jack right now? Zack.

MR. BOWEN: Jack, I noticed there was a drastic decrease in our landings for gag and red porgy. Do we have any explanation of why?

DR. McGOVERN: A decrease for last year?

MR. BOWEN: For this year compared to last year at the same timeframe.

DR. McGOVERN: Well, red porgy we have 31,000; and this time last year we were at 13,000, so it is a little bit of an increase. What is the other one?

MR. BOWEN: Gag. I may have read red porgy wrong.

DR. McGOVERN: Yes; we're pretty similar with gags; 75,000, 76,000 and about 82,000 last year. That's not too different.

MR. BOWEN: Maybe I was looking at the percentage of the ACL actually is what I was looking at instead of the numbers.

DR. McGOVERN: Yes; that's the percentage thus far this year. This column shows the overall percentage from last year's fishing year. For the whole fishing year, we met 99 percent of the gag quota.

MR. COX: Jack, just to clarify, it is a 1,000 pound trip limit on vermilion. You said 1,500, I think, didn't you?

DR. McGOVERN: My apologies. Thanks for the clarification, Jack.

MR. HARTIG: I can't remember how we do when we have like vermilion and we have two-stage season; and if you happen to go over, like the 12 percentage overage, going into the second

part of the season; do we deduct that from the landings or not? I see Myra is shaking her head no.

DR. McGOVERN: That's not the way it works right now. If it is not all used up, then it rolls over into the second season.

DR. DUVAL: I'm going to ask Jack to go ahead and do the status of amendments under review; and then we'll have Dr. Farmer come up and do the recreational catches. Then we'll get into red snapper.

DR. McGOVERN: Okay, I'm going to do the status of three items, Regulatory Amendment 14, the blueline tilefish emergency rule, and Regulatory Amendment 21. Regulatory Amendment 14 includes action that would change the fishing year for greater amberjack to – the start of the fishing year to March; change the fishing year for black sea bass for the commercial sector to January and the recreational to April.

It has changes to the accountability measures for vermilion snapper, which would include an in-season closure for the recreational sector; and then for black sea bass, it changes the accountability measure to where NMFS would estimate the length of the season prior to the start of the April fishing year for that sector.

It also modifies the gag trip limit where the thousand pound trip limit would be reduced to 500 pounds when 75 percent of the quota is met. The proposed rule for Regulatory Amendment 14 published on April 25th; and the comment period ended on May 27th. We're working on the final rule package right now.

For the blueline tilefish emergency rule, the emergency rule published on April 17th. It set catch limits of 112,207 pounds for the commercial blueline tilefish and 111,893 pounds for the recreational blueline tilefish sector. As I mentioned before, it established an ACL for the rest of the species in the Deepwater Complex. The blueline tilefish emergency rule is in place for 180 days through October 14th; and then it can be extended for an additional 186 days, which would be April of next year.

For Regulatory Amendment 21; this has an action in it to change the minimum stock size definition for gag, red snapper, blueline tilefish, black grouper, yellowtail snapper, vermilion snapper, red porgy and greater amberjack. It would change the definition to 75 percent of SSBmsy. The proposed rule package is under review in the region.

DR. DUVAL: I apologize because, Bonnie, I skipped over the item regarding the review and explanation of the commercial golden tilefish overage; and I believe you have a short presentation on that; is that correct.

DR. PONWITH: I do have a short presentation on that. I thought it was submitted at the same time as all the rest of them did, but I'm not seeing it on the stick. I can give you a very kind of thumbnail overview of what that says and then submit the presentation later.

MR. WAUGH: It is in the presentations' folder on the second briefing book.

DR. DUVAL: Right, if you look in the presentations' folder, you will see one that is titled "Tilefish 2014 Overage; 6-14; so if folks will to that folder and pull that up, we will be able to follow along.

DR. PONWITH: Just a thumbnail sketch going through this; there are four things contributing to the overage. Of course, we exceeded by 33 percent. The first thing was that the CLM System was designed to track ACLs by species and areas and gears and not by vessel numbers or permit endorsements.

The reason for this is that the permit endorsements are not recorded by the dealers. We attempted to do it this way; and it was not overly successful. That was one of the things that contributed, although that was kind of a lower level issue. We will get into the fixes for each of these four factors in the end of the presentation.

The second thing contributing to it is a treatment of the dates in the data, in the transmission of the data from Bluefin to ACCSP. When we were uploading those data, the way they were entered the system treated the data when they came in as already having been entered, because of some of those dates preceding the last data ingest.

Because of that, about 15 percent of the tilefish longline landings were omitted as the system believing they had already been entered. This solution was kind of a one-off issue idiosyncrasy of the system. It has been corrected so it won't happen again. Additionally, many of the data that came in, in addition to this ingest issue, were late.

As you can see, 13 to 67 percent of the longline landings per period were late; and 33 to 76 percent of the handline landings were submitted late. As a matter of recourse, we did submit delinquent letters to each of the dealers. This just shows you some of the patterns that we were seeing. The yellow is bad, blue is good; and without getting into the actual numbers, you can see how things improved.

The first one was a combination of the data-handling issues as well as late; and then the farther you get into the year, those were all due to late reports. Then we have the same slide next for handline. You can see that there is a lot more yellow there, which is not very good. Most of this was due to dealer reporting; and particularly in the periods four through eight, the last half of the year was exclusively dealer was exclusively dealer reporting being late.

The next slide is just a more detailed evaluation of that. I'm going to skip that in the interest of time. It just shows what percentage of the reports we're getting at what stage of the period. You can look through that to get a more detailed feel. The next series of slides after that shows period by period what portion of those data are coming in.

If you want to just tick through that again; it is just a more detailed depiction of what we were talking about before, sort of the accumulation of those data by period. Then ultimately when we get to Slide 14, the question is how do we improve the ACL tracking?

Of course, the timely reporting; accuracy is also important from the dealers, and we need an accurate vessel identification and accurate gear identification in some cases because those were listed as unknown; and it contributed to our ability to track these. Some of the solutions that we feel are around the corner that are going to make things better by design are the weekly reporting.

In August we go -- I believe it is August -- from the current 15-day plus a grace periodicity for the reporting to the mandatory weekly reporting. We're going to be using the vessel coast guard or state registration numbers and then explicitly identifying what gears are being fished. That is going to make a big difference in the likelihood of an underestimate or a timeliness for the closure being off as much as this one was.

In Slide 15 this is just kind of a recap. CLM is using historical information for the four tasks. The more timely those data are, the less there is to estimate; and the less there is to estimate, the more likely you are you're going to have projections that reflect what happens going into the future. Again, I think that some of the regulatory requirements we have going in are going to automatically fix these. That is an overview of what happened and just see if there are any questions.

MR. HARTIG: What a detailed report; that is very cool! One of the things that I was thinking about is we've got all these different ways and we've got new weekly reporting that is going to take some time to really come into play and really get us much better numbers in a much more shorter timeframe.

Until we get there, Bonnie, I just look at it pretty simply. You've got catches over the last couple of years. You look at when over the last couple of years the total allowable catch or the quota was caught; just close the fishery based on an analysis of those couple years; close it and then wait for all the reports to come in; and if you have to reopen, fine, reopen it; and if not, you should be much closer to the number.

DR. PONWITH: The CLM was specifically designed to gather up as much information as possible so that when we're missing data, which happens -- perfect knowledge is rare. We're getting better and better and better. I think the quality of the data we're seeing because of these changes has really improved.

I would like to think that the dealers can see that it is their best interest to be supplying timely and high-quality data; so that the quantity of information we need to estimate in the projections is as low as possible. That minimizes disruptions to their own businesses. The CLM; the algorithms that we use for dealing with missing data are pretty good.

It is just that we think that real data and timely data are always going to be better; so the closer we get -- and I think the regulatory changes, when they kick in, are going to put us in a situation where we will have high compliance and a diminishing percentage of estimations that we have to do so that we don't have to disrupt those fisheries.

DR. DUVAL: And I think we're all excited for that day to come. Roy.

DR. CRABTREE: Bob, the problem with what you're suggesting is that is not my read on how the accountability measures are set up. They don't say close them when you would have closed them in the previous two years. They are track the quota in season so that is what we do the best we can.

If you want to change it, there are lots of ways we could change this and reduce these overages. We could put buffers in place. We could put other controls in place. We could link the size of the buffer to the dealer compliance rate from the previous year. There are lots of things we can do to reduce the amount of these overruns, but we'd need to do them as an adjustment to the accountability measures. I can't just unilaterally do it.

MR. WAUGH: Thanks to Bonnie and Steve Turner and Dave Gloeckner for a report. This shows the strength of the CLM program and being able to do these types of forensic analyses to see where we're coming up short. I did have a question on Slide 14 where we indicate that starting in August that you will have the weekly reporting; but Bonnie you said something about beginning in August there will be weekly reporting and some sort of grace period?

DR. PONWITH: The current reporting is basically twice a month; and there is a five-day grace period currently in that. That is what is contributing to some of these late reports. Not only are the reports late, but the current periodicity is longer, which means you've got more to project.

MR. WAUGH: Right, but under the weekly reporting, when the Dealer Amendment finally gets fully implemented in August, it will be weekly; and then they have I think a few days after that to get the reports in. Then your reporting periods will go from two a month to four a month; and so this really should address the issue next year.

I think learning from this experience, it is going to be critical that delinquent dealers, if there any, get a notice right away that they they're delinquent and if need be some enforcement follow-up so that we don't exceed this. We know we've created a derby fishery for that longline sector; and so we're going to have to look at how we project.

Roy is right, the accountability measures say once a quota is closed, when the quota is met or projected to be met; so we can certainly do the CLM projections; but if that continues to show that it is not working, then you can do different projections along the lines of what Ben was suggesting. Hopefully, that won't be necessary once we get the weekly dealer reporting.

MR. HARTIG: Bonnie, one of the slides that you didn't into much detail – I guess it was Slide 6, I think – there were two explanations that says one-third of February landings not reported until after the closure; and then what is kind disturbing to me even more than that is one-fifth of the reports not reported with correct vessel or gear information, which makes it problematic from the standpoint of if you have a bandit fishery and a longline fishery operating at the same time. Are there ways that you're able to go back into the data – and it seems that you would be able to – to identify those types of trips or do you look at the logbooks? I'm not sure how you would go back and do that, but I'm sure you have a way to do it.

DR. PONWITH: Yes; the timeliness is one issue, but completely separate from that is the accuracy; and that is properly identifying that gear is going to be absolutely essential. It is something that I think we need to keep an eye on and work together either by letters or by outreach with the dealers or more stringent methods to make sure that we're getting the best information we possibly can to be running out those projections.

MR. WAUGH: Bonnie, the gear and vessel ID; those are data elements of the weekly reporting. Once that weekly reporting goes online in August, then any dealer not providing that information weekly then can be sent a notice that, hey, this is missing; so that when we come to the 2015 tilefish season, we should be on top of this and there shouldn't be missing dealer gear/vessel codes.

MR. CONKLIN: I just had a comment with this electronic program that we use as dealers. When you go to buy something online like on eBay or something and you don't have all your credit card information right or your little security code or whatnot, it seems like we could just get the software people to write a code in there that will not let the report be submitted without that form filled out. It just boots it back out. It is frustrating sometimes to do it any other way and we might as well do it on our fish reports, too.

DR. DUVAL: I think that's an excellent idea; and I see some people taking notes. Roy.

DR. CRABTREE: But I still think if you want to get and see some real improvement to this, you need to find a way to – I mean there is the enforcement side of this, but you need to provide some incentive or reward to get the dealers to pay attention and report more timely. If we put in place a buffer that is based on the performance of the dealers, their compliance, the completeness of the data from the previous year so that if we have poor timeliness and all of that, there is going to be a much bigger buffer; it would go a long way towards stopping the overruns. It would provide some incentive for the dealers to pay more attention to this and get them in quicker in order to get more fish.

MR. PHILLIPS: And to that point, we've been doing electronic reporting and sometimes it goes in really smooth and then sometimes it just doesn't for various reasons. Sometimes we just can't connect with their servers and stuff. This is a learning curve; but to Roy's point, if they know that we're thinking about this if we can't get through the learning curve, then, yes, but it is going to take this year and I expect next year it will be a lot better. If we can get within a few percentage points, that is probably as close as we're going to get. It is a learning curve for everybody, the science center, the fishermen, the dealers, everybody.

DR. DUVAL: I agree; and I know that we've heard some comments from some of our dealers with regard to – I think if you're using the online SAFIS System, that was one of the reasons that for dealers we use the Bluefin software that is actually on the computer and there has been some greater satisfactions with that. Obviously, I think SAFIS has probably come a ways since then, but still that lack of ability to connect is a big issue. Ben.

MR. HARTIG: Madam Chairman, at this time I'm not going to do this. This is an evolving system. It is going to get better; so I'm not going to go into the problem that I was going to go into; so let's move on.

DR. DUVAL: I appreciate that, Ben. If there are no more questions for Bonnie about the overage in the golden tilefish landings, then I would like to call Dr. Farmer up here to review the status of the recreational landings. There is actually Attachment 1B, but there is a presentation entitled "South Atlantic Recreational Landings – June 2014"; SAFMC Meeting; SG Revised." I believe that was e-mailed around to folks if you're looking for it.

DR. FARMER: The first set of landings that we'll provide are recreational landings for snapper grouper and dolphin wahoo. Just to kick things off, I'm sure that most of you have heard this a few times; but there might be a few people who haven't heard; so basically when we provide landings on the Southeast Regional Office Website and in these presentations, they may differ from what you see on the MRIP Website, for example.

There are several reasons for that; the first of which is we include headboat data in our landings. The MRIP Website doesn't do that. We also have several species in the South Atlantic where the recreational landings are still in MRFSS-based units; so we back-convert the MRIP data for those species.

That's because the stock assessments for those species are based on MRFSS-based catch streams. Those are black grouper, cobia, dolphin, gag, golden tile, mutton snapper, red grouper, snowy grouper, wahoo, wreckfish, yellowtail snapper, greater amberjack and king and Spanish mackerel. You will see the landings for those will be sometimes slightly different from what you'll see on the MRIP Website as well.

Also, we base our landings on SEDAR-based decisions for post-stratification of Monroe County. On the MRIP Website Monroe County recreational landings are all assigned to the Gulf of Mexico; however, there are many species that are caught primarily on the Florida Keys Reef Track. SEDAR has made decisions on those where recreational landings from Monroe County get assigned back to the South Atlantic; and we go ahead and handle that in-house.

Our weight estimates might be slightly different as well; and that is because our science center goes through and provides some quality assurance-quality control on the MRIP weight estimates. They have a slightly different standard for the number of samples that are required to develop an average weight to assign to a catch. There are a few other differences, but those are the big ones.

Anyway, when you're looking for ACL monitoring in the South Atlantic or in the Gulf of Mexico, the place to look is on our website. If you want to know the status of the fisheries with regards to the ACLs, the MRIP Website would not be the best place to look for that information. We do try to keep those up to date every time we receive an MRIP wave.

To launch into it, basically we've got some 2012 in here and then also some 2013 data; and the landings for 2013 are now final for both the MRIP or MRFSS and also for headboat. These are the 2012 landings and ACLs up on the screen right now. You can see the golden tilefish ACL,

which is in numbers, was exceeded by 20 percent; and that was closed on June 8, 2012. Also, gray triggerfish was exceeded by just 4 percent and hogfish by just 5 percent.

In 2013 you can see the hogfish was not exceeded. It was only at 76 percent of the ACL. Golden tilefish was exceeded again; and it was closed again around the same time, June 3, 2013. Gray triggerfish was exceeded by 6 percent. Something to note about tilefish is that – and we'll get into a little bit more detail later; but a lot of those landings of tilefish that caused the ACL to be exceeded were caught after the federal season was closed.

Here is 2012 landings and ACLs for some other South Atlantic stocks; and you can see that the porgies' complex in 2012 was exceeded by 12 percent. Snowy grouper was exceeded by a pretty high margin there; and that ACL is just 523. Wahoo was exceeded by 9 percent. In 2013 the porgies' complex went over again by 10 percent.

The snappers' complex also went over by 10 percent; and snowy grouper was again pretty high over the ACL in numbers. That was closed on May 31st. Something to note about the snowy grouper ACL is that is based on a three-year running average; and so even though this year we might not go over the ACL for 2014, because we exceeded by so much, over 2,000 fish in the two previous years, the three-year running average will mean that we'll go over in 2014 for snowy grouper. That memo has already gone out.

That ACL is just 523 fish; but that ACL will increase in 2015 based on the most recent stock assessment, which indicated the stock was overfished but not undergoing overfishing. Something to note about that ACL increase is part of that increase will be because the data stream going into that assessment was MRIP-based rather than MRFSS-based; and also the stock assessment contained Monroe County recreational landings; whereas the previous ACL did not.

Then here are the landings from the 2012/2013 season for greater amberjack and black sea bass. You can see they both went over; but then in the following year neither of them exceeded it; and you can also note that the black sea bass ACL substantially increased, which probably has a lot to do with the fact that it didn't go over.

Here is a bit more detail in tabular form for people who like tables for the black sea bass landings for the various recreational sectors; and you see there are some trends there primarily within the charter sector. You can see a slight decrease through time in headboat landings; but again this ACL went up substantially recently, so there is an opportunity to increase harvest recreationally.

You can see this time series here. The black dots starting in the 2009/2010 season are the ACLs; and so you can see we went over in 2010/2011; 2011/2012; and 2012/2013 seasons; and then that ACL goes much higher for the 2013/2014 season. Just to orient you to this graphic because we will be showing you a few more of these; the green denotes private harvest. The red is headboat and the blue is charterboat.

This is a stacked graphic so the proportion made up of each of the sectors is in there; and the overall magnitude of landings for each fishing season is in that graphic as well. The lines denote

headboat effort in orange and the MRIP effort in red. You can see the axis on the left-hand side is the landings and the axis on the right-hand side is angler trips or effort.

Here is a similar table for gag grouper; and you can see a big drop-off in charter in 2013 and a pretty fair drop-off in private as well. There is the landings of gag grouper with relation to the ACL; so they're pretty low in relation to the ACL in the South Atlantic. Here is greater amberjack landings; and you can see a really big drop-off there in the 2013/2014 season for charter; an increase in the headboat and an increase in the private.

As you look at this graphic, you can see that big charter peak in the 2012/2013 season and how it compares to kind of the historical time series for the charter fleet; and then private seems to be relatively static, maybe a slight increase in the most recent year. Here is mutton snapper, which I think the South Florida Group has been talking a bit about.

You can see again in tabular format you can see the charter headcount had a big peak in 2012, but in 2013 it seemed to be about where it has been historically. Then private went up substantially from 2012 and definitely as you compare it to 2011. There is mutton snapper and you can see the shore-based mode showing up in this graphic. That is the purple on there and you can see a big peak in the shore-based mode in 2008; but it doesn't seem to be a big component in most years. You can the ACLs and that the landings in 2012 and 2013 are substantially below the ACLs for mutton snapper.

Here is yellowtail snapper. Again, you can see the charter landings a bit higher in 2013; headboat pretty similar; and then private about double from the previous year. The yellowtail snapper landings with relation to the ACLs again are quite low compared to the ACL. You see a pretty similar effort trend going across the board.

Then red porgy recreational landings; you can see these are just relatively low across the board and don't seem to have too many substantial changes through time. This graphic shows you in a visual way that is the case. Other than that slightly higher year in 2007, it has been kind of hanging around in the same area, lower than the ACL.

Then here is vermilion snapper; again, it seems pretty stable. You can see that in the graphic since about 2010 you've had a pretty similar trend in landings; and they're all under the ACL. And then here is snowy grouper; and you'll get a little bit more into this with the next couple of graphics. You can see that the ACLs are really low with regards to the recreational landings.

One thing to keep in mind is the variability in the recreational landings for this fish is very high. If you look at it on a by state by wave basis, your PSEs are typically around or over 100 percent; so there is a lot of uncertainty. When you're dealing with an ACL of only 523 fish, it is going to be hard to keep under that without random variability causing you to bump over it sometimes, which is part of the reason why you've got a three-year running average as one of the ACL accountability measures.

Looking at snowy grouper landings by state; in 2013 snowy grouper was closed on May 31st. You can see that you still have harvest there in Waves 4, 5 and 6 in 2013; and that harvest is

coming primarily from Florida. In 2013 it is all coming from Florida. Florida does not have a consistent closure with the federal closure; so that may be one of the reasons why this fishery has been going over in recent years despite having earlier federal closures.

With regards to golden tilefish, which is also managed in numbers, you can see we had a big spike in charterboat in 2013. That fishery closed in June of 2012 and 2013; so basically right after we get that wave's landings. You can see that those ACLs are kind of within the range of the lower years of landings, but there have been some years with much higher peaks in the historic time series. Again, this is another one where the PSEs are extremely high.

As you look at the golden tilefish landings by state, you can see that the closures happened again in June; and you see in Waves 4, 5 and 6 you do get some landings out of Florida and then this Northeast Florida/Georgia, which is aggregated to protect confidentiality; and then some out of North Carolina.

Here are dolphin recreational landings; much bigger numbers here, but we're looking at a relatively consistent trend through time and substantially below the ACLs. Wahoo; again pretty consistent trend through time except for that big spike in 2012. We have been under the ACL in the most recent year.

One of the things that I wanted to touch on before we get any questions is I'm sure some of you are wondering, well, why don't we have any 2014 landings' data in here. I've gotten an e-mail from Dave Van Voorhees, who is one of the MRIP staffers, and there are a few reasons for that. The first one is that in 2013 we implemented the MRIP new sampling design; and that caused some pretty dramatic departures, especially in the Gulf of Mexico, from historic landings time series. The question is did the survey cause the changes or was it actually a change in fishing pressure?

They've been spending a lot of their time trying to address that question because it is a pretty important question to get answered. Obviously, if there is a difference due to the survey methodology, then they're going to have to develop a reasonable calibration factor so that we can put that into our stock assessments in order to create a continuous time series of recreational catches. They have been looking pretty heavily into that.

There was also a delay in the delivery of the data transfers for the charter and headboat data from the Atlantic States and the Northeast Region. Then there was delay in their usual Wave 5 and 6 review meeting so that it could coincide with a special workshop that was put on for Gulf of Mexico red snapper recreational landings in Marcy of 2014.

Also, they discovered an error in their conversions for length/weight estimates for their MRIP-to-MRFSS data in 2004 through 2013. That did not impact any of the data coming into the Southeast Region because our science center processes those waves with their own methodology; so you guys wouldn't have experienced any impacts from that, but it did occupy some time on the MRIP level as they corrected their estimates on their website and across the other regions that use the MRIP Survey.

Finally, in Wave 1 of 2014 they implemented the new design in Puerto Rico; and so they had to deal with changes resulting from that. Then on top of that, for Wave 1 there was some severe winter weather in many of the areas that use the MRIP Program and that caused lower than expected intercepts, which then required additional QA-QC prior to them getting approved. We are expecting the Wave 1 and hopefully relatively soon the Wave 2 MRIP data; and we'll make those available on the Southeast Region ACL Monitoring Pages as soon as they're up.

DR. DUVAL: Thanks for that very thorough explanation, Nick. Are there questions for Nick?

MR. JOLLEY: In looking at your chart here, I noticed that about 40 percent of the data coming in is MRFSS. Is that slowly getting switched over to MRIP?

DR. FARMER: Yes; that is correct. King and Spanish mackerel; I believe both had new stock assessments; so those will be converted over to MRIP as soon as those assessment-based ACLs are implemented. Snowy grouper, new assessment, similar story; South Atlantic gag, similar story. Basically as you guys develop regulatory amendments or plan amendments that would change the ACL to be consistent with the new stock assessment; we'll begin monitoring consistent with the new stock assessment.

That will have several changes; so for one thing there will be the switch from MRIP to MRFSS, but I think for snowy grouper and also for blueline tilefish, now the new stock assessments throw the Monroe County based recreational landings into the South Atlantic mix; and so we'll start assigning those landings to the South Atlantic as well. We will add the appropriate notes to the website so that you guys can keep track of what is going on.

DR. LANEY: Nick, are the snowy grouper being landed in Virginia being counted toward the ACL?

DR. FARMER: No; that would be from North Carolina down to the east coast of Florida, currently not including the Florida Keys. Once the new assessment ACL is implemented, which I think will happen in February of 2013 you guys will probably implement that, then you would have the Monroe County landings counted in there; but, no, no Virginia landings.

DR. DUVAL: And, Wilson, that is typical is that if there are landings outside of our management area, those do not count towards the ACL that we have established for this region.

DR. LANEY: Are they included for assessment purposes, though?

DR. FARMER: For that stock, I don't believe so. Somebody who paid closer attention to that particular assessment might want to comment on that one.

DR. DUVAL: Both Ben and I sat in on the snowy grouper assessment; and those landings were counted. No; actually they weren't. I'm thinking of blueline tilefish. The landings throughout the Atlantic Coast were counted for blueline tilefish for SEDAR 32; but I think the landings north of North Carolina for snowy grouper were minimal enough compared to the South Atlantic

landings that they were not included, I believe. I'd have to double-check on that, Wilson. I can go back and look at the presentation that was given to the SSC.

DR. LANEY: The only reason I ask is because if you look online; there seems to be a good many snowy grouper in larger size categories being landed north of North Carolina. I'm thinking from an ecological standpoint and brood stock standpoint, you may be losing some of your brood fish up there that probably should be counted in the assessment as some point in time; I don't know.

DR. DUVAL: There is lots of frustrated North Carolina fishermen who are seeing those landings go forward. Roy.

DR. CRABTREE: We're in a difficult spot with snowy grouper and golden tilefish now, to where particularly with snowy grouper the catches after close exceed the ACL. We're in a position now where if the regulations in the states, particularly in Florida, where we may be unable to open the fishery at all next year with snowy and potentially golden tilefish.

When we do our projections, if we take into account the catches we've seen after the closure, it is essentially the entire ACL. I've had some discussions with Florida and hopefully we can work with them on addressing this both with the closures and also with adapting the one per vessel bag limit, which Florida has not adopted at this point. I'm not sure how to constrain the catches outside of getting some changes there.

MR. CONKLIN: I'm really pleased to see that no one caught a snowy grouper from the shore; but I was kind of wondering about how we're getting these numbers on these shore landings. It looks like in 2007 through 2009 we caught some gag grouper from the beach. We caught some amberjacks two years out of the series; red porgy only one year. We even got some B-liners. I do believe some of maybe the mutton or something like that I can see, but is this accurate? Help me out here.

DR. FARMER: Well, something we might want to look at on that is obviously you'd want to look how many intercepts that comes from, whether or not that was A-type catch or B-1 type catch; so if it is A-type catch, that means the port agent saw that fish and identified hopefully accurately the species; where if it is the B-1, that means the angler didn't show it to him and just said, yes, it was a red snapper.

In the Gulf of Mexico, for example, people do catch, quote-unquote, red snapper from shore, but in the stock assessment those are all assigned zeroes. One of the things that we try to do is maintain consistency with SEDAR decisions that are made in the South Atlantic if they explicitly say we threw out shore-based landings for this stock because we don't think they're real.

With that said, there are some piers and some jetties where you do get some of these fish in there especially in the smaller sizes before they move out to the deep shelf edge. I don't think you'd see many snowy grouper, but maybe you get a greater amberjack every once in a blue moon swimming under a bridge and somebody gets lucky enough to catch it. If that's the case and that gets intercepted, then suddenly that one fish turns into 28,000 fish or whatever as you apply the

statistics from MRIP and you deal with those low, low intercepts relative to the massive one-plus-million anglers that are out there.

MR. HARTIG: Just to follow up on Nick, we see amberjacks in the Lake Worth Lagoon. They follow schools of migrating mackerel – and have for a number of years – into there. Gag grouper grow up in our estuaries. In fact, in Fort Pierce I know they catch fish up to 30 pounds within the estuary itself. There are a couple of rock outcroppings in the middle of the Intercostal Waterway where they catch fish up to 30 pounds. The percentage of those fish that would be intercepted, like you say, is minimal, but it does occur.

DR. DUVAL: I guess the only question or comment I might have – and I know Bonnie gave us a presentation on those post-stratification things that occur with regard to the MRIP landings I think a year and a half ago or something; but if the application of weights to those numbers of fish, using the method that the science center uses, is more rigorous; why isn't MRIP using them? Maybe that is not a question anybody really wants to answer, but I just wanted to put it out there.

DR. PONWITH: I can talk with the MRIP people and get an answer to it. I know that we're pretty meticulous about when we're missing weight data, how far in surrounding cells we will go to borrow data to deal with missing cells. That has a lot to do with it for the process that we use.

DR. DUVAL: It was probably a comment better for the Data Collection Committee; but while I was thinking about it, I just wanted to mention it. Are there any other questions for Nick? If not, thank you very much. Next on the agenda is a report on the 2014 red snapper season; and Dr. McGovern is going to take us through that. This is Attachments 1C and D, I believe, in your briefing book.

DR. MCGOVERN: I made a presentation that you guys don't have over the weekend; because there are three attachments that go with this. The three attachments; 1C, that's the red snapper landings' report. This provides 2013 estimates of total removals; and those total removals are landings plus dead discards of red snapper during 2013, for the whole year. It includes commercial landings, commercial discards, MRFSS converted from MRIP state surveys, which include South Carolina charter logbook, Georgia phone survey and a special from Florida.

Then there is another attachment in there, Attachment 1E. This is a special Florida study that was conducted during the recreational opening in August last year, the 23rd through 25th of August. It was conducted to increase the precision of recreational landings from Florida where 97 percent of the recreational catch of red snapper occurred.

This specialized survey included a phone survey of for-hire vessels. They have a known list of charter vessels; and they called them up and found out if they went fishing for red snapper and what they caught. They also did boat counts at inlets to count the private recreational boats going in and out. They did intercepts where they intercepted at the dock and measured fish, counted fish, and they also obtained a lot of life history studies and age material.

Then the third attachment, Attachment 1D, this is the fishing report that summarizes all of this. This was put together by Andy Strelcheck in our group. This table summarizes the estimates from the science center's report on landings and discards for red snapper for the whole fishing year of 2013. We have commercial landings and discards, landings from the recreational headboat; and then there are two estimates for charter and private.

One estimate uses just MRFSS for Wave 4, which is July/August, and the other uses the special Florida study for Wave 4. This results in two overall estimates of total removals for 2013. One is 97,000 based on using MRFSS for Wave 4; and the other one is about 73,000 using the special Florida study.

The process to determine if there would be a fishing season for 2014 and the amount of the actual catch limit and management measures is all from Amendment 28, the amendment that became effective on July 24th of last year. What Amendment 28 does is it determines if there can be a fishing season if the total removals, the landings plus the discards, are less than the acceptable biological catch for that year.

If there can be a season, it has an equation to determine the ACL and it also specifies the management measures. Amendment 28 also says if there is going to be a fishing season; that it should occur in July of each year. Now, last year the fishing season occurred in August; and that is because the amendment became effective in July.

Last June we asked the council when they like to see the fishing open and they said August. This is the table from the SERO Report that Andy put together. The first question that has to be answered is can there be a fishing season in 2014? The answer to that is, yes, there can be a fishing season if the total removals for 2013 are less than the ABC for that year.

Here we see the ABC for 2012 is 86,000 fish; 2013 is 96,000 fish; and this is the ABC for year at 106,000 fish. The total removals, using the Florida Special Study, which had a lower PSE than the MRFSS – it had a PSE of about 13 to 18 percent for charter, about 25 percent for-hire. Whereas, MRFSS for Wave 4 had a PSE that was over 80 percent.

The Florida Study was considered to be a better estimate of Wave 4. The total removals, using the Florida Special Study, is about 73,000 fish, which is less than the ABC for 2013; so that means that there can be a fishing season. The next step is what will the ACL be? The way this is done; there is an equation in Amendment 28 that looks at the removals from 2012 – the past two fishing years, 2012 and 2013 and then applies the proportion of those removals to the ABC for 2014, which is 106,00 fish.

This estimated ACL is 31,387 fish; and then the established allocations for red snapper are applied to that ACL, and these allocations are about 72 percent recreational and 28 percent for the commercial sector. This results in a recreational ACL of 22,576 fish and a commercial ACL of 8,810 fish. That is converted to pounds using a conversion factor in SEDAR 24, which is 5.8 pounds, and provides a quota of 50,994 pounds.

Again, this is the table from the report Andy put together. It shows the ACL for 2014 of 31,000; the recreational ACL of 22,000; the commercial ACL and the commercial ACL in terms of pounds. The next question is what is the length of the recreational fishing season? What Andy did is he looked at the previous openings for red snapper. There were two weekends in September of 2012 and then there was a weekend in August of last year.

Then based on the catch rate during those weekends, he determined that the length of the recreational fishing season for 2014 could range from seven to eleven days. Eleven days is based on the weekend that had the worse weather, which was one of the weekends in September of 2012. Seven days is based on the weekend that had the best weather, which was also I think the second weekend in September 2012.

Eight days was selected as the length of the fishing season. The weather is generally better in July than in the fall; and we don't want to go way over the recreational ACL because then there is a chance we won't have a fishing season next year because we don't want to exceed the ABC. The recreational fishing season; the recreational ACL is 22,576 fish.

Amendment 28 specified that the recreational fishing season should take place in July and start the second Friday in July and that it should consist of weekends. We have three weekends. Weekend 1 begins on July 11th and it is Friday, Saturday and Sunday. Weekend 2 is the weekend of July 18th; and then Weekend 3 is two days, Friday and Saturday, July 25th and 26th.

For the commercial fishing season, the commercial ACL is 50,994 pounds. It will begin on July 24th. We will monitor that quota and the season will close when the ACL is projected to be met. The trip limit is 75 pounds gutted weight; and there is not a minimum size limit. That is the summary.

MR. HAYMANS: I was just going to say, Jack, I think you said the 24th on the record, but it is the 14th.

DR. DUVAL: Are there other questions for Jack about the calculation of the total removals of red snapper from 2013 and the seasons for this year? I had one question, Jack. It looks like the commercial sector exceeded their allocation. I think it was only –

DR. McGOVERN: Like 12 percent.

DR. DUVAL: Yes; 3,700 fish or something like that?

DR. McGOVERN: They did; and is your question is whether or not there would be – because what we look at is the total removals and compare that to the ABC for that year. You can go over the ACL but just as long as the ABC is not exceeded by the total landings and dead discards; then you still have a season.

MR. BOWEN: Who picked the dates for the opening this year?

DR. McGOVERN: The council picked the dates. They were picked in Amendment 28. Amendment 28 specified that if there is a fishing season; that the fishing season should be July and that the commercial season should be the second Monday in July; should start the second Monday in July and the recreational season should start the second Friday in July,

Like I said, the amendment became effective in July; and so we had to ask the council last year, because this amendment is going to be implemented in July; when do you want the fishing season to be; and they said August.

MR. BOWEN: Okay, I guess that was right before my appointment so I didn't know. I'd like it on the record July is right dead smack in the middle of red snapper spawning season. I just want it on record.

DR. DUVAL: And that was the conversation that we had when we were debating all the dates was how much those dates might impact the spawning season. There was a lot of concern at that point because we had gotten burned the previous year that the red snapper season opened – the two weekends that we had in September of 2012 opened right after black sea bass had closed.

There were a lot of pretty upset people that those two species were not open at the same time; and there was a lot of concern about potential black sea bass discards. Obviously, we didn't face that situation last year; but just to give a little bit of background on where those dates came from and what the conversation was around the table. Jack.

MR. COX: The commercial industry appreciates the season of the 50,000 pounds; but the ACL is so low on it that most of the commercial guys are not going to go out and target these species. It would be more appropriate to make it a bycatch fishery as we interact with these species.

DR. DUVAL: Again, the first year that we did this back in 2012 the commercial trip limit was 50 pounds; and the commercial ACL was not met. I believe there were some complaints about that; so when we were in the final stages of developing Amendment 28, that is when we decided a 75-pound trip limit would be more appropriate.

MR. HARTIG: Just to Zack's question; actually we have a very intensive sampling program that goes on during this fishery. We're going to be collecting the biological information and the spawning information that comes from those samples. From my perspective, the relatively small mortality impact, we get a pretty good bang for our buck from the reproductive samples that we get during this time. I think it is a good thing.

MR. BOWEN: Mr. Chairman, back in 2009 I was part of a sampling system that aged and sampled over 600 red snapper during 2009. If my memory serves me correctly, July just about every snapper we sampled was full of roe. Then when we got in the later part of September and October, those fish had already spawned out. That is where my information comes from was from actual personal experience in 2009.

MR. HARTIG: I understand exactly that this is right in the peak spawning. That is a conscious decision by the council to allow the fishery to occur to collect the biological samples needed to

get the fecundity estimates for the stock. It is a decision we made as tradeoffs of whether you want to catch the fish whether they're spawning or whether they're not.

The increase in the biological samples and actually when people can actually get out there and fish in a relatively calm period of the year – you know, opening up this fishery; I would never open it in July going down the line; but just now I think we get a bang for our buck from the extra reproductive samples from the extra sampling effort we put in during that recreational opening.

DR. DUVAL: Are there any other questions or comments for Jack? I think there is an expectation that there will be a similar level of coordination amongst the state partners with regard to data collection efforts that have occurred in the past. I know that there has already been some outreach on the part of Rick DeVictor to make sure that the information listed on the NOAA Fisheries Service Red Snapper Harvest Webpage is correct. I'm sure folks are working on that.

All right, if there are no other comments, thank you, Jack, very much. The next item on our agenda is the Snapper Grouper Advisory Panel Report. Kenny Fex, who is our Snapper Grouper Advisory Panel Vice-Chair is going to come to the table and give the report. I believe this is Attachment 2 in your briefing book. Doug.

MR. HAYMANS: I apologize if I missed this; are we going to get a report on the biologics from last year for red snapper?

DR. DUVAL: On the what?

MR. HAYMANS: On the biological ages information from last year's sampling; are we going to get a report on that. I don't remember seeing it.

DR. DUVAL: I don't know if we've requested it necessarily. We could certainly ask if you –

MR. HAYMANS: No; I've seen the documents; but I didn't know if you wanted to give the report to the council.

DR. DUVAL: Doug is referring to the biological sampling efforts that went on last year. Some of the states had carcass collection programs. I think if folks want to see what those numbers were; I think we can certainly include that for September in the next briefing book.

MR. HARTIG: It is going to be available for the assessment coming up pretty quickly; but if you want that information specifically.

MR. HAYMANS: Well, the only thing I saw was that we are seeing some – we went from the bulk at age four and now we've got some scattered out to age eight, which tells me that we're growing that age distribution a little bit. I know it is in the assessment. I just didn't know if the full council had an opportunity to see that information.

MR. HARTIG: Well, basically, I've been waiting on pins and needles to see all this different information from the FWC, from the sampling effort from the recreational season. All of this points to a lot more large fish that are being sampled. Now, how that equates to age, I don't know yet; but when we see the assessment, all this information from the FWC will be going into the assessment. All of this information and the extra sampling effort has increased tremendously on the SEFIS – well, the fishery-independent side. The traps are catching fish. We've got a whole new suite of information to come to this assessment. I know we'll see all of it then.

DR. DUVAL: All right, moving on, Kenny, welcome.

MR. FEX: My name is Kenny Fex. I'm the newly elected vice-chair of the Snapper Grouper Advisory Panel. We met on April 9th through the 11th. We had to elect a new chair. Robert Johnson's term had expired. He did an excellent job representing the advisory panel. Jim Attack is now the chair and I'm the vice-chair. I'm standing in for him since he couldn't make it this meeting.

We first started off with John Carmichael did a presentation on minimum stock size threshold. At first we were controversial about your format of hurrying it up and not waiting for our opinions; but after listening to his discussion and listening to Roy's comments prior to that at the council meeting, we figured that was rational for the council to choose that avenue.

We also received a presentation by Chris McCaffity on descending devices he had learned at the Marine Education Research Program; one of the many great things that has happened from that. He did a presentation and we accepted it. We took a motion for the council to consider the use of descending devices to reduce the discard mortality rate in the recreational and commercial sector.

The reason for that is because you've got an amendment coming through. The science is already being done. I talked to Chip Collier the other day. They're already doing research on it for two months. They've already been involved in the descending device. I'm actually taking an observer out next month for that exact same research.

Then we had a presentation on existing MPAs – that is a big, hot topic – outreach, enforcement. The expert working group from MPAs; we had a present on that. Then we had a presentation by Gregg on an alternative approach to MPAs. After that idea, we took that into consideration and took a motion to the council to recommend to take the alternative approach to scoping in August regardless of the RA 11 lawsuit outcome and preserving the ability to limit fishing on more species other than just snapper grouper species.

I think that was in relation to maybe the pelagic species in the areas that you might consider to close. In that same alternative approach, we'd like to add another one that would include considering the use of the descending device to aid in the release of deepwater species and help reduce mortality.

Also, in that same alternative approach, we'd like to remove number six, that being the January through April spawning closure for shallow-water groupers, from the document; the rationale

being that if you take that document out to the public, then they might be thinking, oh, wow, we're going to get rid of that spawning closure when in fact it might not really happen.

We also strongly recommend the council request the SEFSC conduct research on descending devices for all snapper grouper species relating to the same alternative Gregg had talked about. We got a presentation from the Protected Resources Committee on right whales in regards to Amendment 16; that being the trap lines. Later on during this document you'll see our preferred.

We also got a presentation on the visioning process. I was fortunate to attend three of the meetings. Myra and Amber did a great job in facilitating them and keeping the people in check. I would like to commend them on that. Finally, under other business not pertaining to any of the amendments there, the AP recommended the council consider changing the start date for the golden tile hook-and-line fishery to May; the rationale being that during the longline fishery the value is the lowest; so if you change the hook and line to May, that the value of the fish might be a little bit higher and they might reap the reward for that.

Also under other business, that the council consider removing almaco jack and banded rudderfish from the Jack Complex and establish individual ACLs and conduct stock assessments as soon as possible for each of the species. The council should also consider removing the two for one on the snapper grouper permits; the regulation for the two for one to get a snapper grouper permit.

Also, last but not least, for deep water species require only one hook per line for the recreational to reduce discard mortality; the rationale being that when you're fishing for deep water recreationally and you can only have one fish per vessel, it is no sense to put three hooks on a line and drop them down, because you might catch three fish and have to release two of them. Other than that, all the other motions we brought forth are during the amendments.

DR. DUVAL: Thanks for that report, Kenny. Does anybody have any questions for Kenny at this time regarding the outcomes from the advisory panel meeting? I believe Kenney is going to be here for at least the rest of the day today and tomorrow as well; so he will certainly be around to come up to the table and provide some additional detail on the advisory panel input as we start going through some of the amendments.

The next item on our agenda is an update from our SSC Chair, Dr. Luiz Barbieri. I'm going to suggest that we take about a ten-minute break; and then we'll get into that and plow through until the end. All right, everyone, we're going to get back to work here. The next item on our agenda is the Scientific and Statistical Committee Report; and Dr. Luiz Barbieri is here to provide that report. The SSC Report is Attachment 3 in your briefing book; and I anticipate that there may be quite a few questions of the good doctor as he goes through his report.

DR. BARBIERI: Like I usually do, this report is a selection of the more perhaps complex issues and the issues that have not been covered previously in some of the other committee meetings or will be covered later. This is really an abbreviated version and I would encourage all of you to take a look at the actual SSC Report for details on a number of these items.

We're going to start with the Wreckfish Assessment Review, which was completed through our recently approved peer review process that the council approved late last year. This was the first third party assessment that was completed through that process; and it was considered to be a successful implementation of that process. The biomass status of the stock turned out to be not overfished and overfishing not occurring as well.

This was a combination of different models used for the assessment; but there was a statistical catch-at-age or catch/length model that was used for which the analytical team fixed steepness at 0.75. The SSC took this into consideration in applying our ABC Control Rule; and after going through all the different criteria, we came up with a P-star of 27.5 percent.

That then gave us some direction on how to proceed with catch level recommendations and getting yield streams for OFL at P-star of 50 percent and ABC at P-star of 27.5 percent. This is a bit longer projection period than we usually provide you with; but considering the fact that we may not have an update assessment conducted in the near future, since this was not conducted through the SEDAR process, we felt it was prudent to provide you with a longer catch level recommendation yield stream than we usually do. With that, Madam Chair, I'm going to just pause after each one of these topics to give the committee permission to ask questions.

DR. DUVAL: Does anyone have any questions for Luiz regarding the wreckfish assessment and the catch level recommendation? Those are obviously considerably higher than what we have right now. I believe our current wreckfish ACL is 235,000 pounds; so, yes, quite a change.

DR. BARBIERI: It was; it was quite a change. This was the result of applying an actual full assessment model procedure that took into account the actual dynamics of the population, the real productivity of the stock that we had not been able to account for through the relatively data-poor method that we had used before, the DC-AC.

This is really based on an assessment model that takes more of the population dynamics of the stock into account and was able to determine – actually the biomass of the stock seems to be quite well above Bmsy, the biomass that provides the MSY. As you can see, we're going to be sort of fishing the stock down a bit into the future because we are at fairly high biomass levels at this point. That was something that we didn't know until this assessment was conducted.

DR. DUVAL: We will be discussing a little bit later in the agenda and moving forward with catch level recommendations for wreckfish. Roy.

DR. CRABTREE: Luiz, if we wanted to avoid having a declining yield trajectory over time; did you guys look at all at what we might be able to set a constant TAC over a comparable time period?

DR. BARBIERI: We didn't discuss this. John, remind me if I'm wrong here, but we did not discuss this explicitly. It is not something that had been put in front of us, but it is something that can be considered. As you know, our ABC yield stream represents catch levels that cannot be exceeded; so the council can actually look into constant catch over whatever time period you see suitable as long as you don't exceed those catch level recommendations that are provided.

MR. CARMICHAEL: We discussed at the SSC and asked them to consider the 75 percent Fmsy yield, which is what the council has used in a number of circumstances when stocks are above SSBmsy as a way of giving a stable yield for stocks that are not overfished and not overfishing. The SSC's thought on that was, well, because that's lower than these yields, that's certainly an alternative the council could consider if they wished perhaps to be more precautionary or consider the overall uncertainties in this assessment. The SSC felt giving this recommendation here gave the council the most latitude; and certainly that 75 percent of Fmsy is a long-term stable catch level.

DR. DUVAL: Thanks for that clarification, John. Were there any wreckfish industry representatives at the SSC when you were discussing this; I can't remember. I was unfortunately not able to attend.

DR. BARBIERI: I don't think so; no.

DR. DUVAL: We have received some comments, though, I do believe regarding the setting of the catch level recommendations; so I'm sure we'll get to that a little bit later in the agenda when we actually discuss this. I think if nobody else has any other questions, we will continue on.

DR. BARBIERI: Then the SSC also looked at the recently approved peer review process by the council. Since this was the first application of that process in reviewing third party assessments, we're asked to provide some comments on how this had worked out. I did not hear anything contrary to the fact there it was considered a success; that the process really worked out very well.

We ended up with a better informed catch level recommendation. One specific comment would be about this hybrid assessment workshop that was conducted that really allowed the third party analytical team to interact with some of the SSC analysts and some of the science center analysts and looking at the model and how the data was fitting and whatever modifications; so it was really something that we felt added to the process. We are considering something that this could be a model for the future in terms of how to conduct this process.

DR. DUVAL: We had some discussion about this during the SEDAR Committee Meeting and approved the suggested changes that you recommended in terms of additions to the language of that document for this type of process. I'm glad that everyone felt it was a positive process overall and worked so well. Are there other comments or questions for Luiz on this part?

DR. BARBIERI: Moving on, we also reviewed the gag assessment update; and the stock status for the biomass was that the stock is not overfished but was considered to be still undergoing overfishing.

One point here to note regarding the biomass status is that this assessment took into account a different biomass metric than had been used in the past where biomass of both males and females were taken into account for the spawning stock biomass instead of just for females as is usually done.

This followed best scientific principles and recommendations that for protogynous or any kind of hermaphrodite, by the way, that you use a combined biomass metric of males and females since both sexes are actually important for reproduction. One other issue that came up during our discussions was the steepness parameter for the stock-recruitment relationship was fixed at 0.84.

It was not really estimated by the model; and that corresponds to setting a certain level of SPR or a per recruit basis type of assessment outcome. We took this into account in evaluating how much of the uncertainty in this assessment we could consider. We ended up with a P-star of 30 percent for gag.

A few points here regarding the SSC discussion; the assessment was considered to be very high quality and conducted according to best practices and scientific principles. However, there were some issues that came up that generated some concerns and discussion. Basically, the estimate of Fmsy was very close to or corresponding to the estimate of F at 57 percent SPR, which was outside the level of SPR that we usually associated with MSY.

We discussed this and there was some discussion about the choice of steepness that was used; and it was fixed; but also the fact that having that biomass metric that takes into account both males and females may be influencing that outcome of the assessment; because for hermaphroditic species you're going to have issues like age at maturity and the age of transition and how those things actually interact with the selectivity of the fishery.

So, how soon do they become available to the fishery and actually susceptible to the gears as it relates to their sexual maturity of females and the transition to males? All of this was discussed. To be perfectly honest, I'm not sure we completely understand all the issues here. It is something that is still kind of being evaluated and investigated, is new, and the reasons for this outcome are still kind of not completely clear.

The SSC accepted the scientific information provided by the assessment report because all the method used and all the recommendations that came out of the assessment were according to best practices and based on sound scientific principles; but given the fact that these different assessment choices may cause big differences in the reference points, we thought that we'd defer those discussions to the council since this is an issue that is really beyond our authority and our main input as a scientific committee. It's something that we're going to have to discuss.

Now in terms of catch level recommendations again are the yield streams for ABC and OFL that came out of this assessment. In this case we recommended five-year projections with a P-star of 30 percent for ABC and, of course, a P-star of 50 percent for OFL. Lastly, for gag we looked at the next assessment, the timing and the type of assessment for the stock.

We recommend that it be conducted within the next three to four years and that it be at least a standard assessment; but it might have to be a benchmark depending on the availability of some new series. We have the new video index and the way that some of the indices of abundance are treated that it might be actually warranting a benchmark assessment for the next one. I'll pause there again, Madam Chair, in case there are questions regarding gag.

DR. DUVAL: Are there some questions for Luiz? Ben.

MR. HARTIG: Luiz, as this understanding of steepness and SPR, I know it is new and it is evolving; and I don't think I'm too bent out of shape about it yet. Who makes the SPR decisions; is that a council decision that actually selects the SPR proxy for that? We have a range of things that we use, what, from 30 to 40 percent; is that our call or is it yours?

DR. BARBIERI: Well, ultimately it is your call, yes, as the policy body. Now, what we usually do is we try as your group of scientific advisers to provide you with some scientific basis for your choice so you understand the tradeoffs and you base your decision on sound science as well. It is ultimately a council decision.

DR. DUVAL: I think in the past, if I remember before the 2006 authorization, the council would frequently make a policy call as to for protogynous hermaphrodites we would like to maintain fishing mortality at an F associated with the 40 percent SPR. I think Roy or someone else who was around at that time could correct me if I'm wrong; but I think that's what the council has done in the past. Roy.

DR. CRABTREE: Well, you have done that in the past in terms of making a policy call as to what the appropriate proxy is; and you have done that much more recently than that. You have in some cases chosen a proxy that was different than what the SSC recommended. You did that with red snapper where the SSC had recommended a 40 percent SPR and you remained at 30.

Now, in recent years the way you have defined these proxies in your FMP has shown more deference to the SSC; but it is ultimately a policy choice that is yours to make. I know there have been arguments made about the linkage between SPR and steepness; and sometimes when read some of the South Atlantic documents it is stated as just the point of fact that choosing the steepness defines the SPR.

But that is not being done in other areas; most notably in the Gulf of Mexico whereas Luiz can tell you they reviewed a gag assessment last week and the steepness they used was the same as the South Atlantic; but they arrived at a very different decision on the reference point. Gulf of Mexico red snapper, the reference point is not linked or determined by the steepness; so again it is really a policy call as to how you want to go with that.

If I could, Luiz, I'd like to talk just for a minute about the status determination and a couple of other things. In this assessment and I believe in snowy as well, but your determination of status was based on the geometric mean of the last three years of the assessment, which it looks like 2010, '11 and '12, right?

DR. BARBIERI: Yes; that's correct.

DR. CRABTREE: And so based on that three-year period, the average F is above the reference point so overfishing is occurring; but the terminal year F dropped down quite a bit, and so the terminal year F in 2012 actually indicates in that year overfishing was not occurring, right? Then I look at the projections that we have, which incorporate the actual landings' estimate for 2013

and then I guess their best estimate for what is going to be caught in '14; and it looks to me like at least in the case of 2013, using the actual landings, the F and the projections is well below the reference point. Am I right on that?

DR. BARBIERI: Well, yes, it is whatever that turns out to be going forward. The assessment; when you look at the terminal year of the assessment, the assessment is really building a retrospective catch history and biomass trajectory of the stock; but it is limited to the terminal year of data.

DR. CRABTREE: Yes; and I guess what I'm trying to get to is so, okay, for the average for that three-year period, 2010 to 2012, the average F s were above the reference point; but it looks to me like we were in a transitional period where the F s were coming down and overfishing was ended. If you look at the terminal year and then the projected F based on the actual landings, it looks like overfishing ended in 2012; and if we're able to stay within these projections, we've ended overfishing.

DR. BARBIERI: And that makes sense to me. It depends on any potential changes in the selectivity of the fishery, any potential changes in the recruitment coming in and the existing biomass of the stock. The best we can tell based on the way that we are projecting – given all the uncertainties that we know exists in projections, it looks like we're not going to be overfishing going into the future.

DR. CRABTREE: Yes; and that is kind of the basis of how we're managing the fishery now is that we have ended overfishing. The one last thing – I know you were at the Gulf SSC meeting last week – they reached a different decision on the males and females combined reference point. I know they had everything figured out both ways, with females only and with sexes combined.

I guess in this assessment all we have is sexes combined. When the Gulf SSC evaluated that scenario, you decided to go with females only. Can you kind of explain to us why these different decisions are being made?

DR. BARBIERI: One thing is for the Gulf I was part of the assessment panel; so during that whole assessment development process, I actually was one of the people who recommended using the combined based on best practices and best principles. When you look at the population dynamics and the vulnerabilities of protogynous or any other hermaphroditic species, you're going to end up with that situation.

I made that recommendation, but then the analytical team actually provided assessment results that considered both. Basically, the assessment – this was a benchmark and the assessment went to the CIE review, and the review panel actually deferred to the SSC on that issue, feeling that they could talk about some of the technical issues of the assessment; but not really knowing the biology of the species that closely, they felt that the SSC might be best to come up with that evaluation and recommendation.

The SSC looked at the assessment results. We had yield streams; we had biomass trajectories and fishing mortality trajectories for both scenarios. When you look at the combined for the

Gulf, it really did not provide what I consider credible results. It really showed that the stock had been just grossly overfished over the entire time series of data.

The entire time series of the assessment the stock was just heavily overfished; and that didn't seem to be realistic given the fact that we have seen stock abundance fluctuate. We had indices of abundance and some other indicators that suggests that the stock has not been in that bad a shape. At that point in light of new information, I actually made a personal decision to change my recommendation because it didn't seem applicable in that situation considering the way that the model was parameterized.

In that case we looked at the trajectories that came out of the separate female-only metric, biomass metric and it provided much more reasonable outcomes. We discussed the issue of the potential for sperm limitation which has been suggested for the Gulf with gag. We looked at the recruitment time series of the stock.

We looked at some other indicators and we felt that we didn't have any reason to go with a combined in that situation. But, yes, we had both scenarios in front of us we could see which one seemed to be more realistic; and we decided to go with the separate females only.

DR. CRABTREE: That was an excellent explanation.

DR. DUVAL: Thanks for that thorough explanation, Luiz. Jack.

MR. COX: Dr. Barbieri, I've been fishing for gags since about 1980, for a little bit over about 35 years. Did you guys have any discussion on baseline changes or how the size of the stock has changed over the last 25 years or so?

DR. BARBIERI: Yes. All we can look at is the information that is provided with the assessment; so the assessment rebuilds trajectories of estimated biomass over time. We have all the landing trajectories. With that, we kind of reconstruct basically a history of the population; so in that way, yes, that was discussed.

MR. COX: Yes; I have noticed a pretty noticeable size change since 1980 to the stock size that we're fishing on now. I'm just curious. There was a good strong average 12 to 14 pound size; and now a lot of these fish are in the seven to eight pound size range; so I just wondered how that affected the assessment.

DR. BARBIERI: Madam Chair, with your permission, I have a slide here that I had put as extra at the end in case this type of question came up where you can see the biomass trajectory. This is the biomass trajectory of the stock in terms of spawning stock over time. Is that what your question, Jack, was in terms of the –

MR. COX: Well, I'm very curious about the size change. Is there a noticeable size per fish –

DR. BARBIERI: Oh, the size of the fish.

MR. COX: The size of the fish, not the stock but the fish.

DR. BARBIERI: Well, we looked at size and age compositions estimated by the model versus the observed; and nothing that came up as unusual that I can tell you.

DR. PONWITH: The steepness issue is an important question. Some things that I'm seeing seemed counterintuitive to me in terms of selecting a steepness or fixing steepness and then seeing what SPR arrived once that was done. It seemed backwards to what I was used to seeing. Luiz, correct me if I'm wrong, but what I understand this premise was based on is the fact that the reason we're talking about steepness and SPR in the first place is because ideally you would have MSY and you would be able to estimate it. That is the perfect situation.

Perfection doesn't happen that often in this business. An MSY is basically a stock-recruit relationship. It is a shape of a curve of how many adults – the relationship between adults and recruits into the fishery. In this case steepness itself is more like MSY because steepness is related to the relationship of that recruit curve; whereas SPR really isn't.

And so the notion of using steepness is to look across a suite of similar species like kind of the snapper grouper reproductive guild and look across them and do a meta-analysis on what steepness looks like across them and then fixing steepness at, what is it, the median of that group, which was this 0.84, and then looking at what SPR that related to. Again, the rationale for that is you're using like units with like units. Steepness is more related to MSY than SPR is; and then use the SPR that comes out the other end.

You might say, well, my goodness, that SPR is not traditionally an SPR you would expect to see with that life history. The response back to that in proposing this approach was that there are some papers out where they also did a meta-analysis across some life history aspects like age at first maturity or the maximum age these fishes get and determined that when they're looking at the relationship between those life history parameters and steepness; that there is not a really strong correlation between them; and so that's why I believe the analysts felt comfortable proposing this.

Again, it is that the steepness was more closely related to the MSY than SPR was; so use steepness to drive what your SPR is rather than the other way around. I think it is smart when you're doing something different for the SSC to look at it and grasp it and also to make sure that the council is aware of it. I think this is a really important discussion. Did I get that right?

DR. BARBIERI: You did. In this case for a given selectivity pattern for the fishery and given all the different life history attributes; you are going to have some correspondence between a value of steepness and SPR. There was a correspondence between the two; but it is not necessarily a one size fits all because selectivity comes into play; and there are differences in life history attributes that may cause that difference to manifest itself.

Basically when you choose steepness as a proxy, basically when you fix steepness at 0.84, you're basically saying my model could not really estimate steepness; and I don't have an estimate of

MSY. I'm going to use this one at a fixed parameter because then I can use this same value to project forward.

The procedural steps there are easier to handle and better to understand in line of the assessment. But, what it is basically saying is given a selectivity pattern and given these life history attributes, we are banking a certain amount of SPR as a way – since we don't know the productivity of the stock, we have to fix it. The model couldn't estimate it.

We are putting some fish aside to say, well, we guarantee enough reproduction to make sure that we guarantee enough future recruitment. In this case what I think jumped up at us and we wanted to present to you was the fact that this value of SPR was significantly higher than what you have been discussing in the past.

In terms of scientific principles, I think this assessment was spot-on; and I think it provided credible results that are meaningful; but just to let you know that there is an intrinsic change in policy here given the choices that were made. This was put in front of you since this is something that transcends the role of the SSC as simply the scientific advisors.

DR. DUVAL: I appreciate you're going into that detail, Luiz. I also appreciate that it might be more detail than some of us can grasp or are interested in hearing at this hour of the afternoon. I think it will become more important as you are more obvious of why you've had this discussion when you discuss the snowy grouper standard assessment, which also had a fixed steepness at 0.84 and there is a very different SPR that is correlated with that. It is really sort of teasing apart the different factors that lead to that such as the selectivity patterns and the age at maturity transition. I think that's why we're bringing this up. Ben.

MR. HARTIG: I've got to put a plug in for MREP. If you want to become more involved in these types of discussions, I can't tell you how much MREP helps. It gives you that first blush, that first introduction to everything that goes into the stock assessments. Whenever you happen to attend a stock assessment; it just builds on that and it is an incredible way to become more informed about the stock assessment process.

Then you could be more informed about making decisions at the council level based on the stock assessment process. I can't tell you enough about how I appreciate these conversations with Luiz and Bonnie and the different – well, I read the paper that came out relating to those. Now, I'm not going to go into the back of it; there is no way; but what happened through what came out of that, I did grasp. It is a really good program and it will help you tremendously in the council process.

DR. DUVAL: Marine Resources Education Program?

MR. HARTIG: Yes.

DR. DUVAL: Are there any other questions or comments on gag? If not, I'm going to let Luiz continue.

DR. BARBIERI: The next assessment that the SSC reviewed was the snowy grouper assessment. It was a standard assessment completed through SEDAR 36. The biomass status was that this stock is still overfished but not undergoing overfishing. We had perhaps the reverse situation of gag where the terminal year showed that the stock was actually overfishing but the previous ones had not; so averaging in this case, the last three years of the fishing mortality, turned out to be not overfishing status for this stock.

Like gag, the steepness parameter was not estimated by the model but fixed at 0.84. The comments that the SSC made and the discussion points were very similar, exactly the same that we had for gag. I put this here basically – you know, Bonnie's questions and comments raised these issues that for folks to understand why given the fact that steepness was fixed at the same value.

You have two protogynous hermaphrodites as species you came up with SPR equivalence corresponding that were so different. There are differences in size and age at sexual maturity, size and age at transition from female to male and then differences in selectivity of those fisheries that result in those different outcomes.

DR. DUVAL: Are there questions or comments? Are folks understanding this? Roy.

DR. CRABTREE: So in this instance the SPR that comes out of the steepness of 0.84 was 26 percent?

DR. BARBIERI: Twenty-three percent. If 26 is what I put in my report, I have to say that I went back to the assessment document; and actually it is 23.

DR. CRABTREE: It is 23?

DR. BARBIERI: Yes.

DR. CRABTREE: So it is very low SPR. The status determination, yes, I picked up on that it is kind of the opposite of gag. In this instance the F spiked up in 2012. That caused me a lot of concern because it made me worry that perhaps we haven't ended overfishing. In 2011 we had the 240-Closure in place; and we took that off.

Now, it looks to me like when you look at the assessment and look at the fleet-specific Fs; that you see a big jump in the recreational F that occurred in that terminal year; that is maybe what is driving that, is that right?

DR. BARBIERI: That seems to be the case, yes; and you can see here this is a trajectory of the F ratio; current F to Fmsy or proxy, and you can see here how – I mean, fishing mortality had been decreasing over time and then jumped up in that 2012 terminal year. Looking at the specific F streams there for the different fleets; it was apparent that recreational F had caused that big jump.

DR. CRABTREE: Yes; so it seems like the real question then is that a problem that is likely to have persisted since then or is that just an aberration? We know there is a lot of uncertainty

about the recreational catch estimates; so it wouldn't be surprising if they were bouncing around. If you look at one of the tables I think that was distributed, what you see is that in 2012 in Wave 3 in Monroe County there were 15,200 snowy grouper caught.

I don't know the CV on that number. I don't have it right in front of me, but I'm sure it is quite high. When you look at 2013, though, none of that happened again; and so the catches – we caught 17,367 snowy grouper in 2012. That's including Monroe County. In 2013 we fell back to 3,897. We've still got a problem in that we're going over the ACL; but at least based on what we know, it does appear that high F in 2012 was kind of an aberration and probably did not persist into 2013. Does that seem consistent with your –

DR. BARBIERI: I would agree with that, yes. In terms of snowy grouper catch level recommendations; we have here the ABC recommendations. Since the stock is still overfished, of course, it is under a rebuilding plan; so we have two options for ABC; either yield at F rebuild, which is the F that would rebuild the stock according to the timelines in the rebuilding plan; or, we can use something lower than that.

In this case, since F rebuild was very close to 75 percent of Fmsy, the SSC recommended going with the 75 percent of Fmsy. The difference in actual yield is very small, but that gives us some additional boost to the rebuilding plan. Down here, when you look at the trajectory of the biomass ratio for snowy, you can see that the stock is rebuilding, but perhaps not rebuilding at the pace that we would want to see it rebuilding. We felt that going with that 75 percent of Fmsy would be more in line with the idea of rebuilding the stock.

DR. CRABTREE: Just one other thing, Luiz, that I think is important; so past assessments of snowy grouper, as I understand it, have not incorporated the recreational landings from Monroe County; but this assessment did, which is a change from past assessments; am I right about that?

DR. BARBIERI: Yes.

DR. CRABTREE: So this is something we're going to need to come back to when we start going through the snowy amendment because it has impacts with respect to the allocation. There are a lot of snowy grouper landed in Monroe County; and the current allocation is based on the historical landings' series; and so we'll have to come back to that.

DR. BARBIERI: Yes.

MS. BECKWITH: So just to make sure I understand, if the council wanted to explore more traditional SPRs; how would that change these current projections? I assume if we went from the SPR of gag of 56 down to the more traditional 40; what would that entail?

DR. BARBIERI: Well, that would entail really different reference points and regenerating a new set of projections that are not necessarily these ones. We'd have to go back to the drawing board and do it again under these revised reference points. Now, how to get that resolved in the short term may be complicated because of the discussion that we had earlier in terms of the correspondence between SPR proxies and the fixed steepness and how those things operate. I

don't know right now off the top of my head how to address that from a technical perspective; but these sets of yield streams are in line with the reference points as estimated by the assessment.

DR. CRABTREE: Presumably if the council wanted to go with, say, F 40 percent with gag; that would be a little bit higher F than what the projections are based on; so you'd redo the projections figuring things at a slightly higher F. With snowy grouper, if we went with 40 percent or even 30 percent, that would be a lower F; and so when you reran the projections there, you'd get somewhat lower yields. I guess with gag you would get somewhat higher yields.

It doesn't seem to me that you would necessarily have to rerun the whole assessment using it with a different steepness; because I know we've had occasions where the steepness and the reference point didn't align exactly. We did that over here with red snapper and we've done it in the Gulf with gag last week. Yes; you'd have to redo the reference points and the projections but not the whole assessment, right?

DR. BARBIERI: No; not redo the whole assessment. It is just a matter of having internal consistency in your projections to the assessment the way that your reference points were estimated there. That would be a bit complicated; but, yes, we could just re-estimate what the F proxies would be in that case and regenerate a new set of projections. How that would turn out when you look at all those other biological parameters like the age at sexual maturity for the females and the age of transition and the selectivity pattern is difficult to tell.

DR. CRABTREE: If I could, we have in the assessments now – for both gag and snowy we have calculations of F 30 percent, F 40 percent and some of those are in there, so you can look and see what the different Fs are; and those have already been calculated.

DR. DUVAL: It seems like previously we were using SPRs as proxies because we didn't and we often still don't have the information that we need to use to estimate MSY using steepness and fixing that as a way to get at MSY.

We've also had the event of the P-star approach since sort of our first order of assessments have come on line; so I think there has been a shift towards relying on the P-star approach – someone can correct me if I'm wrong – but using that type of approach when setting catch level recommendations as opposed to relying more on the F SPR proxies.

MR. CARMICHAEL: Well, that's true and the P-star still builds off of Fmsy. I guess my question is more towards what our specifications are. My understanding is that we all know that the Magnuson Act directs us to manage by MSY. I thought that for our MFMTs; that we use Fmsy when we have it, and we only consider proxies when we don't have an estimate of Fmsy or we don't have a reliable estimate of Fmsy.

For these stocks we do and I think that's why you see the recommendations based on Fmsy. Now we have this evolution that seems to be occurring and thinking and there is a realization, maybe you can call it that, when you fix steepness, you don't necessarily have as robust, as pure, as unbounded an estimate of Fmsy as maybe we once thought.

There are some good examples for that. If you look at our fish that are not sex-changing fish, you do find that things like the Mangel et al paper and the various equations tend to work out pretty good; but for sex-changing fish, they don't work out so good. There is an equation in there that relates F_{msy} over M to like the square root of steepness and something else; and it works good for the non sex-changing fish and it gives you the equivalent values you'd expect; but it doesn't for gag.

Gag seems to be an outlier. That seems to be the crux of this issue is this high SPR level for gag. I suspect that one of the issues is that many of the examples that show how you can predict things like B_{msy} over B_{zero} from steepness and natural mortality; and when you fix steepness you're predetermining those things; it seems like a lot of that is based on not these sex-changing fish; and I think there is something else going on there. I just want to make sure that we keep that in mind.

I personally think in gag that so much of the realization of what you're getting for the F_{msy} is driven by the yield component of F_{msy} ; because F_{msy} is incorporating growth overfishing and recruitment overfishing. Growth overfishing is F_{max} . As steepness gets high, F_{msy} is supposed to approach F_{max} . If steepness is 1, F_{msy} equals F_{max} .

Well, in the case of gag and snowy, steepness I'd say is pretty high; it is at 0.8. I think in gag you're really seeing the F_{msy} you need to maximize yield; but don't forget that gag mature at 50 percent – transition from females to males occurs at like age seven; and for snowy it is age seventeen, so full recruitment to the fishery is like age four, pretty good at age three.

So you have a lot of young gag females that are protected from fishing mortality by virtue of selectivity. They're out there, but they're not being caught and they're not being landed. What that means is you apply a degree of F , but those mature females are protected; so it is realizing it is giving you this high steepness – I mean not this high steepness – giving this high SPR.

That 57 percent is because there is a lot of females that you're just not going to fish on. If I'm going to maximize yield from this fish, I have to let these fish grow and add poundage; so then when I take them, they give me poundage weight. I have to not fish them too hard; because if I fish them too hard, then I drive the age composition down and they're all really light.

I'm growth overfishing. I think that by virtue of this kind of wacky in gag, all these mature females that are not selected for gives you this really high realized SPR. We could look at it by just females as the Gulf has done. I looked at their presentation and they do discuss that in great detail; and they did a bang-up job.

They cite a reference by Brooks et al; and they make the comment that if you know that males are not limiting, then you should probably use the females. But if you have suspicion that they might be or you don't know that they might be limiting, then you should probably continue to use both SSB.

It would seem to me in the case of Gulf gag; that they went through that they went through that exercise and they determined that they didn't think males were limiting, so they felt comfortable using females only, which is very different than most of the sex-changing fish. That is not a point that we're at.

Another thing I noticed is that Gulf gag falls kind of between our gag and snowy grouper in terms of maturity in transition. Their Gulf gag 50 percent transition was like age ten; so it fell between the South Atlantic and the Gulf, which I thought was quite interesting. To me that sort of reinforced this whole idea of how much impact that is having on this realized SPR; and it may have an influence of the whole limitation of males potentially.

I don't know, it is interesting; but I definitely think we ought to keep that in mind and maybe not make too much of the SPR level; and then also consider if it is appropriate at this point if we have Fmsy estimates, would we be changing that? It may take a plan amendment, which may be something Roy or someone else knows.

DR. CRABTREE: I don't know; the only thing I would question – I think that's a great summary of it all; but I wouldn't characterize that we have estimates of MSY in either of these. If you're fixing steepness, then you're not estimating MSY. You're choosing a proxy. It is just a matter of the method of choosing the proxy whether it is by fixing the steepness or fixing the reference point and letting the steepness go where it is. I don't think we have estimates of either one of these.

MR. CARMICHAEL: To that to clarify; I think you're right; and that was a lot of the SSC's discussion as to whether or not you really do. That was one of the things that we had a note on. At the next meeting we're supposed to have a workshop to talk about the ABC Control Rule; and that was one of the topics to consider.

Discussing the uncertainty and the recommendations was given light of all this new development, do you really have an estimate of Fmsy that you can consider equivalent to one where, say, you didn't fix steepness? I think that is a technical question; and I don't know that we're at the point now of settling that unequivocally and that we need to maybe have the SSC spend some time on that question explicitly.

MS. BECKWITH: One, I feel bad for the people that are listening to this online because this is giving me a headache. This is complicated and to try and simplify it in my own head, I recognize that this is a policy change to the way we do things. As I read through this from a management perspective and I recognize that we're being overly conservative on gag and potentially under-conservative on snowy grouper by this new policy change; I'm trying to take it back to is this a policy change that, one, we thoroughly understand (ha, ha) and is this the right direction and try and understand what the alternative is to not making those policy changes.

I think the only people that have that clear in their head at this table is maybe Michelle, Roy and John; and I'm not sure that the rest of us really are there with an understanding of the true impacts of this policy change that it is going to make a difference. If we're overly conservative on gag, then we keep having these discussions at the council table that there is a lot of

uncertainties that are kind of layered on each other and it is the buffering and double-buffering of overfishing levels; and at what point do we decide that we don't have to be so conservative when we don't have to be; and are we potentially damaging the future of snowy grouper by not being as conservative? That is about as deep as my brain can handle this conversation.

DR. DUVAL: And those are all great observations, Anna, and it is a difficult issue to wrestle with, I think, just given the data limitations that we face here in the southeast. I think we can certainly have a little bit more discussion about this as we go through Regulatory Amendment 20 and we look at applying some catch level recommendations to gag and wreckfish based on those assessment updates. I think it is an evolving thing and certainly I think we'll have more information once the SSC goes through its ABC Control Workshop, which is I think becoming increasingly more important. Roy.

DR. CRABTREE: Just one last thing; the whole issue of the proxies and all is very complicated; but I think our overfishing definitions and what is in the FMPs now probably are not as specific as it ought to be. One thing that I'm hearing from folks in headquarters in particular who are looking at this is that while it is probably okay to use the average across three years as the metric for overfishing, if that is what you're going to do it probably ought to be in the fishery management plan; because we need to make status determinations based on what is in the plan.

That is what statute says we should do. We've used three-year averages recently; but we haven't always done it; and right now there is really nothing in the fishery management plan for any of these stocks that is that specific.

DR. DUVAL: And I guess I would also be curious to see if that protocol has been applied in other regions of using the average of the last three years in making that determination with regard to overfishing.

DR. CRABTREE: Well, I believe we've done it in some places in the Gulf, haven't we, Luiz, for some stocks? I'm fairly sure we have but I don't know about other regions of the country. I know this has been an issue in some other areas; because I talked to Rick Methot about this before the council meeting. I think other places are struggling with a lot of these same issues. We talk about being data poor; but you go down to the Caribbean and then we're data rich. So data poor or data rich, it is all a matter of perspective to some extent.

DR. DUVAL: Okay, Gregg, and then I think we should probably move on.

MR. WAUGH: In terms of our definition of overfishing is F current compared to F_{msy} . What we have allowed the scientists to do is come up with the best estimate of F current. In some years in the past they've used the terminal year. In other years due to the variability and uncertainty, they've used an average of three years.

I don't know that we want to put in a specific methodology that they're to use regardless of the variability in the estimates. The biomass estimates in the terminal year are much less variable; and so that's why we use those terminal years. As you can see in looking at these two different assessments, there is variability; and the SSC looked closely at using the terminal year I believe

it was for gag; and they came very close to using that terminal year but felt that looking at the distribution of the values it was too uncertain to use that terminal year.

From that perspective, I don't see where there is a problem in allowing the scientists on a species-by-species basis to use their best judgment to come up with what is the best estimate of F current. Maybe we need to inform the people higher up the chain in Washington as to why that is done rather than tie our hands on how we calculate the value.

DR. DUVAL: Good wrap-up point.

DR. BARBIERI: Moving on, Madam Chair, now we're getting to the easy part, I guess. The SSC also reviewed the revised and updated blue line tilefish projections. You may remember that there was a SEDAR 32 benchmark assessment for blue line tilefish; and the assessment was very uncertain but was accepted by the CIE Review Panel and the SSC as representing the best available science.

We didn't have projections in front of us at the time; so when we did get those projections, they seemed to be unusual in nature and we wanted to look at them more carefully. You gave us that direction to look at those revised projections more carefully and that would take in account I guess the last year of landings as well as some information on the age composition of the stock.

You also asked us to consider the feasibility and discuss the risks associated with establishing ABC at the equilibrium yield at 75 percent of Fmsy until the next assessment was to be completed. This would give us an interim ABC level that is by most measured considered to be sustainable and could be a placeholder until we got a new assessment.

However, I guess the key work there in this case was "equilibrium" yield at 75 percent of Fmsy. The SSC, after reviewing the new projections, discussing this issue realized that since the stock seems to be well below equilibrium; that fishing at that 75 percent of Fmsy was really not the best way to be that would cause overfishing at Fs that were higher than Fmsy.

The SSC then recommended the use of standard projections with a P-star of 30 percent for ABC and a P-star of 50 percent for OFL. Obviously, this was a very contentious issue and a very complicated issue. Given the uncertainty in the assessment and given the data-poor nature of this stock; the SSC discussed the need for better information on the age composition.

One issue that came up was very few older fish seemed to be represented in the current age compositions that we see. There was indication there of the stock being highly age truncated or juvenesced; but there was also some discussion about the fact that perhaps there are older ages that are not being accessible to the fishery right now and may be outside of our range of usual monitoring; so they are there and we just don't know about it.

The unusual spike in recreational landings in 2013 was driven by landings in Florida that seemed to be somewhat outside the pattern, kind of similar to what was observed for snowy grouper, but generated sort of like a curveball for us to deal with. The SSC discussed several possibilities of coming up with a way to integrate recreational landings in '13 into the landings that would be

used for future projections and eventually decided on basing those projections on MRIP landings' estimates for 2013.

That was the unusual nature of what had happened with that fishery in Florida and the fact that when you look at the imputed values that were explored by the council and you looked at the method that the Southeast Center has been using to estimate recreational landings, we ended up with sort of two extremes in a way; and using the MRIP landings' methodology for estimating 2013 landings provided something that was kind of in the middle and could be considered a balance between those two options.

Based on that methodology, the SSC requested blueline tilefish projections for ABC at a P-star of 30 percent and for OFL at a P-star of 50 percent; and those are the figures that you see on those tables. Just to give you a visual of the projections and the different estimations methods for the recreational landings in 2013; those are the plots that we had for ABC in our report. You can see that the SSC decided to go with the green line, which is in between those two other lines here that were considered and discussed. That completes the blueline tilefish, Madam Chair, and I'm available for questions.

DR. DUVAL: I think there are probably a few questions. I know I have a few myself. Are there other committee members who would like to go first?

MS. BECKWITH: I've got a couple of technical questions maybe starting with Bonnie to try and bring my understanding. It is my understanding that the model is reading the high catches as high recruitment which, of course, can't be sustained in the long run.

I guess I'm trying to understand why alternative levels of recruitment weren't explored; recognizing that the explanation could include the research being available, but increased shifting of effort from snowy grouper and golden tilefish and our directed fishery up north of Cape Hatteras. Why were there not other projections explored that took different recruitment levels into account?

DR. PONWITH: Well, my understanding is that through the course of this assessment the peculiarities of the catch-per-unit effort in the northern reaches of the landings were pretty heavily discussed. It was recognized that something was going on that was different. It was discussed and taken into consideration in the assessment; so this is the assessment and not the projections, okay?

My understanding is that looking at the catch-per-unit effort sort of across the span of time, those CPUEs were showing a pretty consistent decline; and these new data aside, the fact that they were seeing a long-term trend in the CPUEs going down led them to feel comfortable with an assessment result that was consistent with the stock being overfished.

Certainly, more exploration on this northern fishing is going to be valuable; but again my understanding is in the conduct of the stock assessment they didn't believe that drove the result. It confounded the result but didn't drive the result.

MS. BECKWITH: So there were some pretty high uncertainties that were I'm sure taken into account in the projections, but were any of those huge PSEs down-weighted during the projection process?

DR. PONWITH: I guess I can't answer that without consulting.

DR. BARBIERI: No, I can't either. My expectation would be that they were not down-weighted because this is not standard practice; but I don't know.

MR. CARMICHAEL: I guess I'm not sure of the question; huge PSEs down-weighted. I don't believe that PSEs go directly into the model. They have the observed and then they predict a recreational catch and sometimes they tend not to match up well particularly in years where there is high PSEs.

I believe the way they model is they have a CV that they apply to all the different – each catch stream has – and it can vary over time as well – has some CV which is a measure of how precise it is; and the PSEs can then inform the CV that is used in the recreational sector. PSE is purely a recreational term; so I'm just trying to make sure that is what you're referring to.

DR. DUVAL: I'm wondering if the question is more so is that done in the model when the model is being – I assume when the model is being fit, correct, and there are CVs that are applied when the indices are being developed, correct?

DR. ERRIGO: Okay, the way it often works for the BAM Model is for landings, they're often fit very closely. They usually leave a little more wiggle room in the recreational landings than they do in commercial; but the crux of how the model works is that it pretty assumes almost no error in landings in order to be able to estimate everything else.

They allow some wiggle room in the recreational landings. The CPUEs have an associated CV. That is basically standard deviation error. PSE basically is your standard deviation or CV. They are all related. The CPUE: the index streams will have an associated CV; and they're weighted often in relation to that CV.

The higher the CV is, the worse the fit will be in the model, which means the model will consider it less important when it is trying to fit everything. The independent survey such as MARMAP; they try to fit better because they might trust that more; whereas, the recreational index based on MRIP, the private recreational index, they might not fit well at all because that one has a very, very high CV for some species.

Going forward in the projections, none of that goes forward in the projections, per se. In going forward in the projections, what they do is they account for all the uncertainty in the model estimates by putting a distribution around certain parameters that were estimated in the model. They'll run the model a whole bunch of different times and they'll draw different estimates for each of the parameters that are on the model and they'll come up with this distribution and get a median value; and that is what we will use for projections. That is how we use the projections.

Your previous question about effort shifting and that type of thing in the north part of North Carolina sounds a lot like a spatial issue, which unfortunately the BAM is not spatial model, so it is hard to take that into consideration. They can somewhat do it with changes in selectivity, but they can't – unless they modeled as separate fleets; they can't change selectivities and things like that for only pieces of the coast.

They try to account for everything. Basically the model doesn't see the population as a coast. It is just like a big brown circle where the population is and the model tries to figure out what is going on. It is not spatially distributed; so if effort is shifting here and there, it can't account for that. We try to account for it ahead of time in the data inputs and perhaps some selectivities and things like that; but in that kind changes in way the fishing happens, it is difficult to – if it only happens in one area, it is difficult for the model to work that out. It is difficult for us to tell it what has happened. If it happens along the whole coast, then we can model that easier.

DR. DUVAL: I think some of these questions about the uncertainty like especially in the MRIP landings and sort of how the SSC discussed the MRIP landings and how to treat them is important from the perspective of explaining to the fishermen why there is effectively not going to be a fishery next year if the council accepts these catch level recommendations – you know, when folks are looking at MRIP landings and they see PSEs of 0.7, they wonder about the reality of those landings. I think that may be where Anna's questions are stemming from is trying to explain this to folks. Jack.

MR. COX: Yes; it is very hard, because this just is not consistent with what we're seeing, especially our blueline tilefish north of Hatteras. The abundance of fish that are there is not consistent with what this assessment is showing. My question to you is would you consider this a high-quality assessment?

DR. BARBIERI: That is a tough question because there are data limitations here. Bonnie brought this up earlier. If you look to the assessment report, the review report and then the SSC discussions and the report that we had back last October and then this last time around; we have plenty of discussion on the record about all the uncertainties associated with this assessment.

Now, as a council I believe that you're going to have to start evaluating what I call your tolerance for uncertainty. The assessment teams and the SSC are really trying to move away from simply average landings or ORCS-based, you know, those plain vanilla data-poor methods that may not be applicable and provide the best answer to having a stock assessment that uses the quantitative model that can more explicitly account for the dynamics of the stock.

I think that this is much, much better than having just average landings; but it has a whole bunch of problems that I think we have discussed. I mean throughout the process I see that there is documentation of all of those issues; that they are there. This is one of the reasons why the SSC is trying to be very emphatic about the fact that if we can expedite a new assessment for blueline tile, that would help inform an assessment; and, two, perhaps just having an update may not capture enough of what we need to capture here; that we need to expend a bit more; perhaps not as a benchmark but as a standard assessment. We don't want to come back to you with another assessment that is so uncertain.

MS. BECKWITH: So how much exploration was there of other data-poor processes before you guys move forward with BAM, recognizing the limitations and data at the beginning of the process?

DR. BARBIERI: Well, this is really something that is more directly associated with the SEDAR process. The process involved that data workshop and then an assessment workshop and then the review. In this case for a benchmark, there was a data workshop and all the working groups and all the different participants in that process actually felt, well, there isn't enough information content here to actually conduct a quantitative assessment.

We have had assessments in the past through the SEDAR process where we tried to hold a data workshop and then aborted the assessment because there wasn't enough there to support an assessment, a quantitative assessment. This was not the case; and I still believe that there was enough information content.

Now, obviously, there were some choices in terms of the distribution of the indices, how much of the full stock was being integrated into this assessment, all the spatial issues that Mike had brought up, you know, some of the other issues that created complications, for sure. We think that we can actually repair that issue from what we learned from this assessment in conducting a new one.

MS. BECKWITH: Okay, my frustration is there is a recognition that there is a problem that could be repaired in the next assessment; okay, but between now and then we have 94 percent of the commercial fishing that is happening in North Carolina and 66 percent of the recreational fishing coming out of basically north of Cape Hatteras and we're talking about moving forward and basically shutting down the data stream that is the only available information north of Cape Hatteras.

It has been clearly indicated that the indices don't take into consideration in that fishery. They don't sample it there. For potentially two years we're going to have zero information coming from landings of recreation and how is that supposed to inform the next assessment? It is like we're creating this negative loop where we get an assessment that is so devastating to our fishermen and then you shut down the data stream; and then two years later you reanalyze the information to what avail when there is no – so unless we can figure out some way to maintain some data stream coming from that fishery north of Cape Hatteras; I don't understand. It is not logical to me how we would move forward with this.

DR. BARBIERI: And I completely understand your frustration. I think that all of us share that frustration. If you go and listen to the records of the SSC meeting or SSC meetings, we have struggled with that ourselves. There are definitely shortcomings to the process that we're not being able to take care of with this assessment.

However, in terms of a solution going forward, I would say the most viable one that I can offer is that we conduct a new assessment ASAP. The only way to actually evaluate really where we are and where we can go with this is to say, okay, if some mistakes were made or perhaps some

decisions were not the best ones for this assessment, let's redo what had been done. Expediting that process is the only viable way that I can see for us to have something in front of us that would inform our decisions. This is what we had in front of us and we made our decisions accordingly.

MR. COX: I just have a hard time watching this fishery get shut down based on the half a million pounds we were fishing on not long ago; and then out 124,000, you're now looking at 15 or 16,000 pounds for the commercial sector; and telling these folks that there is just so much uncertainty in the model this is what we have to do, I don't think that we've got the data that was needed out of that north of Hatteras fishery. There is just not enough information coming out of there.

I would just recommend that the council send it back to the SSC is what I would say do with this before we shut that fishery down that is so important to these people. This was done at the Mid-Atlantic in the yellowtail flounder fishery. It just doesn't seem right just because of this level of uncertainty to shut this industry down.

DR. DUVAL: Well, I think when we took emergency action in December to cut the ACL down to that equilibrium yield of 75 percent of Fmsy, we thought we were taking a really significant step in the hopes that this would make the pain a little more bearable for 2015. I think it is incredibly difficult to go back to the fishermen and say, guess what, that's not really the case especially when you're having to explain that a great deal of the harvest that is going into the projections is recreational landings that have a high degree of uncertainty. Bonnie.

DR. PONWITH: Well, this is a comment to sort of Anna's conversation; and that is that when you do a data workshop you take a look at what data are available and that is how the decision of what modeling approach you're going to take is made. I think Luiz is right; you take a look at it and if there simply are not enough data to support a more quantitative approach, you use a simpler method.

If there are enough data, then you take the quantitative approach because a quantitative approach tends to incorporate more of the relationships. You can look at selectivity and you can look at different behaviors in commercial and recreational, and it gives you a little more contrast in the analysis. To take that stock assessment and then link into it – certainly, if there is a closure, I'm worried about the data stream, of course, because right now we are very reliant on the landings as an indicator of the status of that stock.

But to me those are two separate problems; one is what is the outcome from the stock assessment and what needs to be done about it based on the requirements of the Magnuson Act. And then once that is done, how do you deal with the change in the data availability for the next stock assessment is the second question. I don't know if we have the luxury of being able to link those two things together.

MR. PHILLIPS: It's almost I see the same shipwreck coming that we had with red snapper. We shut it totally down; we had no data streams coming in; and then we couldn't do an assessment.

It almost looks like we cannot win going down this road. What can we do that stops a total shipwreck?

DR. BARBIERI: Charlie, I agree and we all agree that is the situation. Unfortunately, the only way to do it is say, okay, to get to some better answer that might be more realistic is to go back and say, okay, if there were portions of the stock here that were not taken into account, those data exist and they existed before. They are just not included for different reasons.

There is a way to go back and redo it; but you're going to have to redo the entire assessment to see what comes out of the other end. This is why my advice would be to expedite that process. You have shown your priority for SEDAR assessments earlier today and I see that was at the top of your list; and I completely support that decision.

MR. COX: If we went through this as fast as we could; how long would it take and get a new assessment back?

DR. DUVAL: That sounds like a Bonnie question, but it would probably be at least a year.

MR. COX: Bonnie, what would be the fastest we could go through this process with a new assessment?

DR. PONWITH: That depends. Do you mean if we cancelled red snapper or do you mean –

MR. COX: Not red snapper.

DR. PONWITH: No, but that is what I'm getting at is how long it takes – you know, to do a benchmark stock assessment for red snapper – how long does it take are two questions. One is in terms of months and then the other one is given the schedule that we have. If we put it next in line after red snapper and triggerfish, how long would it take; that is the second question.

It is a benchmark red snapper stock assessment. When we've had the changes that we've had, it is something you don't want to do in a hurry. I view it to get from the data workshop to the review workshop in the best possible case is a nine-month process; and then you still have to take it to the – oh, you're talking blueline. A blueline update assessment – an update assessment is typically three or four months from the beginning.

DR. DUVAL: I think the SSC's recommendation was for a standard assessment, which would allow you to consider some alternate approaches. There may be some different configurations; so I think that is what Jack was asking.

MR. COX: Yes; and just one more thing. As specialized as this fishery is in North Carolina, this looks like it would be a good state quota system for this fishery for us.

MR. CONKLIN: From a common man's standpoint here, I just want to show my appreciation to Dr. Barbieri. It is not very often in this process that someone can – or a team could come back and admit that things could have been differently and bring it to our attention and then figure out

how we can work through this. I think we need to take full advantage of it and take Dr. Barbieri's advice and let's move this thing along and keep these fishermen on the water.

MR. BOWEN: I'm going to speak for my friend and colleague, Jack, and myself and I hope several members of the council here; by no way do we mean postponing the red snapper assessment; no way at all. Is that clear? Thank you.

MS. BECKWITH: Bonnie, if the council agreed to do kind of a – I know we've had discussions before about different ways to condense the time around assessments. Since one has been so recently done and the review workshop and all that stuff kind of went through and there has been defined problems that have been identified; is it possible for the council to turn around and say no public input; just lock yourself in a room; do a desk review and this back to us with some of the fixes; where could we stand on something like that.

DR. PONWITH: That's the absolute definition of an update stock assessment. An update stock assessment does exactly the same thing as you did for the last assessment and then incorporates the terminal year data for the landings and for the indices. It updates the indices. By virtue of the fact that no judgment calls are being made; then an update assessment can be done behind closed doors and peer reviewed by the SSC because there are no surprises.

If that is what you're looking at; that is the shortest thing to do. I guess my question is I see you shaking your head and I hear you say fix things; and I guess I would need to hear a little bit more about what you would fix; what you would change in the assessment to be able to understand where you're coming from on this.

MS. BECKWITH: There has been a recommendation to do the standard assessment; so there is no way for us to abbreviate a standard assessment when the process has been so recent I guess?

DR. DUVAL: Anna, I think Bonnie is asking for like what are the items that you would want either a standard assessment to focus on in terms of modification. Am I correct on that, Bonnie? I see you nodding your head. Dr. Barbieri would like to address that point.

DR. BARBIERI: Just as a point of clarification from the SSC's recommendation that – I mean one of the reasons that we recommended a standard – and, Bonnie, correct me if I'm wrong – is that I think it requires a standard at a minimum to consider new data streams. If we're considering indices of abundance and landings that come from north of Hatteras, it would require a standard assessment.

DR. DUVAL: So that's how you would attempt to go about trying to perhaps reconsider some of the decisions that were made in this assessment. Roy.

DR. CRABTREE: Yes; so we're in a bind here; and I don't see any way out of this at the moment. We have a catch level recommendation from the SSC that is very low and that is what we're going to have to deal with. I guess you can go back to them; but without something to put in front of them, it is difficult to know how we get anywhere out of it.

I guess the worrisome thing to me about this is here we are with an assessment that we just got. Our own SSC is raising a lot of concerns about it and recommending that we need to do it over as a standard; and ASAP I think was the word I heard. In the meantime we've got to close the fishery down rather than finding some more moderated approach to how to deal with this problem.

It just seems like once we get through this process and get these things, even if they're clearly issues, the process is so inflexible that it doesn't give us much way to do with them. Bonnie, I think the problem that I see with it and have from the beginning is you had a big spike of landings which the assessment explains as a really big spike of recruitment.

When you did the projections, those recruitments are all gone and the stock plunges. I think that is what has bothered everybody from the beginning. I'm not sure where we go with this at this stage; but it is kind of disappointing that we weren't able to find some alternative ways to look at this and to deal with all the uncertainty associated with it aside from coming to a closure of the fisheries.

In terms of this assessment and redoing it, the loss of the data stream isn't going to be an impact because we're going to have a fishery through 2014. If we do this assessment in '15 or '16; we'll have landings of data there. It is more down the road and we don't know how long we're going to effectively have to keep this fishery closed because there is no assurance that when we redo the assessment it won't come out saying, guess what, guys, you really do need to close the fishery.

I don't know; I look at the status of the stock and it is really not that bad. We were at 90 percent of the minimum stock size threshold; so I think a lot of this notion that we're out of equilibrium and things are so bad are really a function of the projections, which really all come back to the assumptions about recruitments. I think Zack is right; we can't postpone the red snapper assessment so we get this in the queue. I don't think there is any sense in even talking about updates. We clearly have got to do a standard assessment to deal with some of the issues that have been raised. I'm as disappointed as anyone is that we wound up in this kind of position.

DR. DUVAL: So let me try to bring this to a close because we have other items on our agenda; and we do need to move on. I think all of the disappointment and most of the questions have been raised. I think for me this is sort of a poster child of why we really need to focus on having some cooperative monitoring that folds in with our existing MARMAP and SEFIS independent monitoring programs, because we need monitoring of those deepwater species.

Having a fishery-independent index of abundance is really one of the only ways that we're going to address this issue, I think. The other thing that strikes me – and we might have a modest amount of conversation about this later on in our agenda – is really this is for golden tilefish, this is for snowy grouper, this is for blueline tilefish, but just the uncertainty in the recreational harvest estimates around those species; and we need to try to find some way to deal with that.

Monica and I have had a little bit of conversation about that. She will address Amendment 22 just a little bit tomorrow, but those are two big things that I see that are sort of overarching in

nature with regard to some of these species, particularly our deepwater species. I think the other thing that I would point out, as I did earlier in the SEDAR Committee, is we are seeing some increased landings off South Carolina. I think probably from the fishermen's perspective, the resource is out there. It's our ability or lack of ability to sort of accurately document that. Anna.

MS. BECKWITH: Sorry, I'm not quite off the soapbox yet. The SSC does have the ability to veer away from the ABC Rule if they feel that valid reasons are available. Even though they didn't choose to do that, if we did follow Jack's recommendation for them to reconsider this one more time, they could maybe come to a different conclusion considering the information that Jeff Buckel's data provided that came kind of late in the process that did show that the age structure wasn't that truncated.

I mean it is not much of a difference but if they would have utilized imputed values, it would have given us an extra 20,000 pounds, which isn't much, but it is a lot to the for-hire industry when they can utilize those bag limits to save their day for a few more days in the season. At a very minimum, I see no logical reason why that imputed value wasn't an acceptable alternative. I think that there are things that if the SSC was willing to take one more look at this would be worth contemplating.

MR. BELL: I was just going to say something you said made me think about the uncertainty of the recreational data in these deepwater species. The problem is they're just such low intercept fisheries for us; but that is perhaps a really good example of where some type of new reporting system like catch card based or something and combining with technology reporting would be really, really useful in the future.

Otherwise, you just don't catch these people in the conventional manning MRIP; but that might be a perfect example of something that in the future we could use that technology for and the public's willingness to participate and provide data in a cooperative sense.

MR. HARTIG: I appreciate you all focusing on these recreational spikes because ever since I have looked at data, it has always bothered me in some way to deal with those that need to be taken into consideration in the future. But the other thing I was going to say, Luiz, is we've talked about doing a standard and we've talked about how we get to that spatially explicit area off of North Carolina. Can that be done using the BAM Model or would we have to use a spatially explicit model to differentiate between the two groups of fish that are caught?

DR. BARBIERI: Well, that is not easy to answer either; and I'm not an expert on the BAM Model. It is a very good model. Mike brought it up and that could be added on as an additional fleet. We have done this before in other models for other reasons, but there are ways to get around that issue that could allow us to handle that situation without going into a spatially explicit model framework.

DR. DUVAL: What is your pleasure? Luiz, I guess there is one final question about the use of the 2013 general MRIP data versus the imputed averages Anna stated. Was it the committee's I guess conclusion that the use of those 2013 MRIP data would be more reflective of what actually occurred than using the imputed average?

DR. BARBIERI: Right; I mean that was –

DR. ERRIGO: Maybe people don't know what the imputed average is. Imputed average – the 2013 MRIP and the 2013 SEFSC data; that was the actual landings. The impute average is the average from previous years, 2012, 2011, 2010. I think it was the previous three years or 2010 and 2012.

DR. DUVAL: It was only 2010 and 2012.

DR. ERRIGO: The average of 2010 and 2012; and 2011 was excluded because of the 240-foot closure was felt altered the landings in that year. Basically it was felt that it was better to use actual landings than some average of previous years. That is why they chose that. Imputed average is simply the average from previous years. It has nothing to do with like the average between the MRIP and the science center or anything like that.

DR. DUVAL: Right; and I think if folks read the SSC report, they hopefully understood that; so thanks for that clarification, Mike. Ben.

MR. HARTIG: And it goes to you and Luiz; when does the season start for North Carolina; when does that fishery occur?

DR. DUVAL: Well, certainly north of Hatteras it is probably April or May before those guys start fishing. Certainly, May of this year was a horrible winter and pretty horrible spring. I think a lot of folks held off on going fishing because they knew that the emergency rule was coming into place so they wanted to try to hold off as much as possible and maybe try to fill in with some other species.

Now, south of Hatteras where Jack is, it is a little bit different because you're catching it as bycatch; and certainly Chris can attest to that, too. Up there it is going to be more of a directed fishery, but it doesn't generally start until later in the spring. I think when folks were seeing the ACL burn rate and asked me some questions and asked sort of where were the landings coming from; and more of those landings were definitely coming off South Carolina. Florida and North Carolina had roughly the same amount of landings. That is when it starts and generally runs through September in the past.

MR. HARTIG: Well, the question goes to it seems like the information from the northern area was missing or there wasn't enough information from that area on those fish. To me the critical thing is to hit that population as hard as you can, that fishing as hard as you can now, get as much information from those animals as you can to find different cohorts and ages and things of that nature that are in the fishery now in that area if you're going try and do a spatially explicit situation.

Some of these sampling techniques; we have sampling that goes on sporadically for a number of these stocks, especially blueline tile. It is not very well sampled. If you could have a sampling

program where you actually went outside the box and sampled more for one year in particular, I think you could answer some questions.

Now, Luiz may have a different opinion on that and Bonnie as well, but other stock assessment scientists have said that if you hit a population particular hard in any one year, you can answer a lot of questions about cohorts and ages and things of that nature if you don't have enough information throughout your time series of data. At least it updates you on what the population is now and what you have out there in the water. What is your opinion on that type of situation?

DR. DUVAL: There was a concerted effort by the National Marine Fisheries Service port agents out of Manteo to sample as many of the blueline tilefish trips as possible leading up to the assessment so that biological data could go in there. All the biological data that was collected as a result of the FEP, the observer program that North Carolina conducted during the deepwater closure; the biological information all went into the calculation of the growth curves and maturation curve. All of that information was incorporated. I do believe that the assessment team did look in the catches to see if there was a recent year class that was coming through; and I believe that was presented to the SSC, right?

DR. BARBIERI: Well, I don't think there was a formal presentation to the SSC; but that was explored I think by the science center team looking at the data. Marcel might have more information on what is available in terms of additional age information. John and Mike, correct me if I'm wrong here, but my recollection from the review of that assessment is that we didn't have enough ages in the assessment; and actually we had to substitute a lot of the – you know, fill in the gaps with lengths because not enough ages were available.

To Ben's point, yes, it is not ideal. Especially when you have something that lives for many, many years and you're trying to get an idea of the age composition of the stock, you want to have several years of monitoring, but something synoptic like this, of course, will be better than nothing. It might give some more information about the actual age composition that we have right now.

DR. ERRIGO: You're right; the problem of not having enough ages was for the entire area. We didn't have enough ages for blueline everywhere and every year. It was very sporadic. We were able to form a life/age key and basically fill in ages using lengths, but the relationship between length and age was sketchy. Also, I just wanted to note that what Luiz was saying is very true. We had data from north of Hatteras and we used it all in the assessment.

What we did not use is the fishery-dependent index data, so the catch rates, the CPUE north of Hatteras; and there were several reasons for that. There was a targeting issue. They're very, very efficient at targeting blueline tilefish, which makes what you get out of an index unreliable for tracking abundance; so a lot of the people felt that it wasn't – it may not be a good idea to use it to track abundance because they're so good at targeting just blueline tilefish.

Also, there was a big problem with teasing out effort. People would go out, target blueline, catch a bunch of blueline and then catch a bunch of other stuff on the way back in or out or this or that

or other things. There was a lot mixture of the effort so we were unable to tease apart the effort for blueline tilefish. That was another problem.

The third problem was the fact that the size of the fishery north of Hatteras ramped up very quickly very recently. If we put it in the way we had it, the model would have seen a huge spike in the population. If it you put it in the index, it would have seen a huge spike in the population and a huge CPUE all of a sudden meaning that population of abundance would have went up very quickly all of a sudden.

Nobody was sure that was a true picture of what was actually happening to the abundance because we had heard a lot of people saying that there was a developing fishery there, people were starting to fish more out there because they were switching from sharks to bluelines and this and that and the other thing.

We weren't sure that it was the fact that suddenly there were tons of blueline where they weren't. It is just people were putting effort in places where they weren't. That was why they decided not to use the CPUE stream north of Hatteras, but all the other data, the catches, all the landings and discard estimates up there, logbook type stuff, all the ages and lengths and hard parts and life history information was all used in the assessment.

MR. COX: In summary, I just want to get this on the record. Dr. Barbieri, what we're going to do is we're going to do a standard assessment for blueline tilefish as soon as possible, correct, and we're going to be able to fish being that we're sending this back on the 224,000 pound ACL until we get the result back; am I right on that?

DR. BARBIERI: Well, I'm not the person to answer either one of those questions; so I will be glad to pass to Madam Chair to direct that question to the right person; but thank you for the confidence.

DR. DUVAL: The SEDAR Committee did vote to concur with the recommendation for blueline tilefish as the top priority, as you know, for an update. That needs to get folded into the rest of the SEDAR prioritization.

In terms of continuing to fish on the 224,000 pounds; that is split equally between the commercial and recreational sectors right now; and we are very close to meeting that ACL certainly on the commercial side. I don't know what it is on the recreational side. There is not a lot of ACL left. I just want to make sure that is clear.

MR. COX: Yes; I understand that; but until the assessment comes back, where are we going to be; that's my question.

DR. DUVAL: We will be addressing that in our discussion of Amendment 32 coming up where we would take these catch level recommendations that the SSC has recommended of 36,000 pounds and change and applying that in the amendment; putting those catch level recommendations in the amendment.

You would have a commercial ACL of roughly maybe 18,000 pounds and a recreational ACL of roughly 18,000 pounds. I think it is three years' worth or five years' worth of catch level recommendations – three years' worth. They do go up but not a lot. So that's where we are. Is there any other discussion on this topic? I think you all for a productive and healthy discussion. I thin Luiz has a couple extra slides; and then after that, we're going to turn to Marcel to give his presentation on sort of our annual update from the MARMAP survey. Monica.

MS.SMIT-BRUNELLO: Just a quick question on Luiz' availability this week; I had a couple of questions on the SSC report. Will you be around the rest of the week?

DR. BARBIERI: Not the rest of the week but all day tomorrow, yes, through the evening.

MS. BECKWITH: We never got an answer from Luiz if he was willing to take this back to the SSC for any kind of reconsideration, even if it is just reconsideration of using the imputed anything?

DR. BARBIERI: Well, it is hard for me to really answer that question directly because I cannot speak for the committee itself. I'll defer to Madam Chair and all of you that are members of this committee to – if you want to ask the SSC – and John is nodding and might have something to add as well. If you want to ask the SSC to reconsider, it is your decision.

I don't see a problem with that. I think the committee has – I mean, we function by providing you scientific advice and reviewing the scientific products that go before you. If you want us to reconsider and to look further, perhaps, we can. I don't see that as a problem whatsoever; but I cannot answer for the committee in terms of how that will go.

DR. CRABTREE: Well, we've got some timing issues because the emergency rule that we have in place now is going to expire in April; so we need to get this in place before that happens, which means we really need to vote this up in September and the SSC doesn't meet again until October. I don't know what going back to them after we're done with it really accomplishes.

DR. DUVAL: All right, have we exhausted our supply of questions at this point? John.

MR. CARMICHAEL: And I think just to make the council's guidance is extremely clear to me as SSC staff on what would go to the SSC is if you wish to send blueline back to the SSC, please do that through a motion and identify what it is that you feel is deficient and the SSC should reconsider and on what grounds. That is typically how when you have asked the SSC to maybe take another look at an assessment or something; we've usually tried to get a very explicit memo that says what your concerns are.

DR. DUVAL: Is there anything else? All right, at this time then, Luiz, if you don't mind moving forward with the last few items in your report.

DR. BARIERI: We only have this one item and it is something fairly quickly to provide you with an update. As John mentioned before, the committee is going to be holding a one-day workshop right before our October regularly scheduled meeting to discuss our ABC Control

Rule and evaluate some revisions that might be necessary; consider how the rule has performed and evaluate the possibility of integrating some other criteria; removing some of the existing criteria; and evaluating the possibility of making it more consistent with data-poor methods. This will be in October right before our regularly scheduled October SSC meeting; so we will come back in December with some more discussion points for you on that. That, Madam Chair, completes my presentation. I had a slide for questions that I figured we just spaced through the presentation.

DR. DUVAL: Thank you, as always, Luiz, for a very thorough presentation and for your patience in answering all the questions of the committee. We definitely benefit from the SSC's guidance and from your ability to be here and put up with all of our questions. Ben.

MR. HARTIG: Luiz, under other business there was one topic that I was interested in that the council should consider having APs prepare annual fishing performance reports to help the SSC with the discussion of different fisheries managed by the council. I talked to Myra about this a little bit. It had been attempted at the AP with limited success at least at the Snapper Grouper AP.

I think this is critical. There are a number of fishermen that would participate in this process and maybe we don't do it through the AP. Maybe we do it through a select group of fishermen throughout the areas that are willing to participate in this process. I clearly see value in this. From my input to the SSC based on just what I see I find valuable at times. Certainly, I think this would be something that we should consider in the future.

DR. DUVAL: And I agree with that, Ben; and I think perhaps that is something we could put to the AP initially; because certainly the advisory panel we go to initially for that industry stakeholder level input; and they can advise on other folks that span the geographic range of some of our fisheries to provide that extra input. Obviously, we don't cover all of that on the AP. All right, next we have Dr. Reichert, who is here to give us our annual update on it is now the Southeast Reef Fish Survey.

DR. REICHERT: I'd like to thank the council for giving me the opportunity to provide this annual update on our fishery-independent monitoring efforts and in particular relative to the chevron trap CPUE. This presentation is similar to the one I gave in previous years and I keep including some slides to remind you of some of the procedures and methods we are using.

As Michelle mentioned, the combined survey is currently called the Southeast Reef Fish Survey, which consists of the MARMAP Survey that has been in place since the 1970's, with reef fish sampling starting in the late seventies. SEAMAP started reef fish sampling in 2009; and in 2010 the SEFIS Program managed from the Southeast Fisheries Science Center in Beaufort came on line. The most important change there was the introduction of video cameras on the traps.

The primary gear, as I said earlier, is the chevron trap. We've been using that consistently since 1990; and this update mostly provides the information from those chevron trap catches. The trap is baited with menhaden. It is deployed in depths to about 120 meters. The soak time is 90 minutes. In 2013 we used at least two video cameras on traps. This is a picture of the chevron

trap here. The red circles indicate the two cameras. One is pointed towards the opening of the trap; the other one is on the nose.

On the lower right-hand side there is an orange area and that indicates a camera that we have located inside the trap to look at the fish inside the trap and look at some species' interactions inside the trap. MARMAP is mostly deploying those inside-the-trap cameras. Our sampling design, as I have mentioned in previous years, is focused around randomly selecting about 1,500 stations from a known universe of 3,000 sampling stations.

The distance between the sampling stations that we select is about 200 meters; generally closer to 400. The map indicates our 2014 sampling universe. The red Xs are the chevron trap locations. I also added the blue Xs; and those are our short bottom longline stations; although due to funding we have halted the short bottom longline survey.

Currently MARMAP is sampling North and South Carolina; and SEFIS is sampling stations off of Georgia and Florida, and that is mostly a logistical decision. MARMAP and SEAMAP is mostly responsible for processing all the life history samples, in particular age and reproductive information. SEFIS is mostly responsible for analyzing the video data, although we have a South Carolina assisted SEFIS with reading about a thousand videos last year.

We are managing the dataset as one combined dataset with SEFIS. This is a picture of the two main vessels we are using, the Palmetto and the Savannah; but SEFIS has also sampled using the NOAA Vessel Pisces, and I will talk a little bit more about that in just a little bit. We have with the introduction of reef fish sampling by SEAMAP and SEFIS dramatically increased our annual sampling.

This is just an overview of the samples we took between 2006 and 2009. It is a little under 700 samples a year. Currently we're sampling between 1,100 and 1,500 samples. That includes our reconnaissance samples; so we dramatically increased our sampling efforts. I mentioned in previous years that MARMAP unfortunately had a 40 percent budget reduction.

In large part because of the support from council and others we have regained about 35 percent of that funding; so that's the good news in fiscal year 2014. SEAMAP has also has provided some additional funding which may allow us to resume short bottom longline surveys; so that's the good news for data on species such as snowy grouper and similar species.

Unfortunately, SEFIS was faced with a 10 percent funding reduction; and that resulted in the reduction of sea days and some funding to MARMAP to provide SEFIS with some assistance in staffing the research vessel and the processing of life history samples. We have some strides but funding remains a bit of a challenge.

The 2013 summary; we deployed 548 recon stations. The map on the right-hand side in blue were the recon stations deployed by SEFIS. A lot of those were deployed by NOAA Ship Pisces. The red and other colors are recon stations deployed by MARMAP. Many of these stations will be included in our sampling universe. This summer the NOAA Vessel Pisces will

concentrate on the area off of northern South Carolina and North Carolina to look for new bottom habitat that we can potentially include in the future.

This map is an overview of the sampling sites that we sampled in 2013. Blue is the sampling sites sampled by SEFIS; in red are the sampling sites sampled by MARMAP; and the other colors are miscellaneous other gears. We made over a thousand monitoring sampling collections using chevron traps, all with two video cameras.

In addition, we deployed a little under 600 other gear deployments, which included CTD and hook and line and other gear deployments. We collected over 41,000 fish representing 68 species, which we all identified weight and measured. We kept 7,620 fish representing 40 species for our life history studies.

We completed diet studies in support among other things of ecosystem-based fisheries management of red porgy, vermilion snapper, gray triggerfish and red snapper. We are currently conducting diet studies on grouper, squirrelfish, blueline tilefish, black sea bass and white grunt. When these studies are completed, we will add other managed species. This is an overview of the 2013 reef fish catches. As you can see, the vast majority of our catches consists of black sea bass; but a number of other managed species occur in our traps. I think what is interesting is that red snapper currently is our ninth most abundant species in the trap catches.

MR. BOWEN: When you mentioned that, a question popped in my mind. Did that happen after you switched bait to menhaden?

DR. REICHERT: No; we have used menhaden consistently since the start of the use of the chevron trap. Other gear is mostly hook-and-line collections for our diet studies, just as an aside. As I mentioned, we collected over 7,500 life history samples. Many of the samples were for the managed species black sea bass, red porgy.

As you can see, we collected a significant number of red snapper, 466, for our age and reproductive samples. These numbers include some additional collections from fishery-dependent sources. For instance, we aged red snappers that were collected in the mini-season in 2013. Those samples are included in these numbers.

The overview of the CPUE, I've selected several species. I have some additional slides for other species if you're interested. These are chevron trap data only. We only included the monitoring stations and not the reconnaissance stations. There was some discussion about including those in our CPUE estimates.

We selected the collections of certain depth ranges over which we collect about 95 to 100 percent of the specimens; and that is to reduce the number of zeroes in our samples. We only selected the soak time between 45 and 150 minutes. The time series is 1990 to 2013. The red asterisks on 1990 is to remind you that was the year after Hurricane Hugo; so in some instances there may be some questions as to the coverage because of the fact that it was the year after Hurricane Hugo.

CPUE is in fish per trap hour. As with other measures, we have been discussing using different measures of CPUE; but this is what we have presented in the past. I will present for each species two curves. One is a nominal CPUE, which is the straight fish per trap hour; and the other one is the Delta GLM standardized method. I explained that I think a couple of years ago. What it does is it corrects for variability in our sampling; so that takes into account, for instance, changes in temperature, changes in our latitude and longitude over sampling.

It is a correction that was applied to our CPUE. There are other methods that can be used and we're currently discussion and collaborating with the Southeast Fisheries Science Center to use potentially other standardizing methods. The data are normalized to the long-term average; and the standard error bars that you see on the graphs are one standard error just to give you an indication of the variability in our data.

Again, there are other ways of indicating variability, but that is the variability measure that we selected for this presentation. As I mentioned in previous years, I want to point out a couple of caveats. This is a summary overview and not an update of stock status for these species. An update of stock status would require updating other indices; it would require age compositions, length compositions. I just wanted to make sure that the people understand this is just a summary overview of the fishery-independent trap data.

Also, with that, the constraints, stratifications, the units and the model for CPUE may be different than those that are used in SEDAR, because those are determined based on the data workshop and the assessment workshop; so the patterns may be slightly different than you may see in stock assessments.

Also, many species have not been assessed or updated through SEDAR and not all trends or analysis have gone through that rigorous SEDAR – have not been discussed in the rigorous SEDAR framework. This is a slide to remind me that the species' name is green; that is the species that we routinely do not collect life history samples for.

We could if that would be a priority; but currently we're not collecting age and reproductive information. For some species we have done that in the past, but we are not doing that currently. This is black sea bass. I want to point out that the increase in the standardized index should be viewed with a little bit of caution because that occurs with the increase in our sampling efforts; and the Delta GLM may not be able to completely compensate for that change in sampling efforts, but at least it gives an indication of the increase in relative densities of black sea bass that we've seen in recent years.

This bank sea bass, a closely related species; of concern may be the decline in densities in recent years. The next species is scamp; and the CPUE has hovered around the same relatively low number for at least the last six years; and we haven't seen an uptick in our catches in recent years. The next species is red grouper; the next species is snowy grouper.

Snowy grouper we consistently collect in our chevron trap but in very low numbers. This is the species that we collect in much higher numbers in our short-bottom longline; so I think it is good

that we may be able to resume that short-bottom longline series so we get some additional samples for snowy grouper.

The next slide is gag grouper. This is another species that we consistently collect but in relatively low numbers. As you can see, there is no Delta GLM line in here; and that is because of the low numbers. It is also an aspect of the Delta GLM that you lose some samples calculating the Delta GLM.

The next species is vermilion snapper; a species that we catch in relatively high numbers in our traps. Red snapper, as I mentioned earlier, this is currently our ninth most abundant species in our traps. Here you can see also that sampling has increased and particularly in areas where we expect to catch more red snapper; so the Delta GLM corrects for that sampling in areas where we catch relatively high numbers of red snapper; for instance, off of Florida and Georgia; but we've seen a steady increase in our catches in red snapper.

Red porgy; until last year we show an increase in our catches. That trend hasn't continued in our catches this year. The next slide is knobbed porgy; of concern may be that knobbed porgy currently is consistently at the lowest level seen in our entire time series. This is one of the time series where the 1990 collection should be viewed with some caution because of that year after Hugo.

Tomtate; tomtate is the second most abundant species in our traps; and it has shown a relatively flat trend in our catches in recent years. This is white grunt. I mentioned in earlier years that until last year we saw a bit of an uptick in our catches, but the levels have been consistently around the lowest in our long-term time series.

This is Stenotomus. It is very difficult to identify scup and long-spine porgies; so we have combined these two species in one index. Again, this is one of the more abundant species in our catches. Relatively low numbers have continued this last year. Gray triggerfish; I want to remind you that gray triggerfish is currently or will shortly be assessed. The data workshop will be in October in SEDAR 42; and 2013 will be the terminal year, so this is data that will be used in the assessment. Ben.

MR. HARTIG: Do you have the age problem straightened out?

DR. REICHERT: We are still working on that. Currently the spines are being aged at the Southeast Fisheries Science Center and Bonnie may be able to provide an update on that. We are working on that and we are hoping that we could bring a good dataset to the data workshop. That is the last species. If you're interested in some other species, I can show you the CPUE.

In terms of our plans for 2014; our sampling season is once again May through September. We will continue to deploy traps with two video cameras. The Pisces will investigate the bottom off of northern South Carolina and North Carolina, as I said earlier. We hope to resume the short-bottom longline survey. We are in the middle of our 2014 sampling season.

We expect to realize between 80 and 100 sea days collectively; and that is only for the Palmetto and the R/V Savannah. I believe that is the end of my presentation. I want to acknowledge this is a large collaborative effort with many people involved. I want to thank you and I'm here for questions.

MR. BOWEN: That was an excellent report. The first slide that you showed was the soak time of 90 minutes?

DR. REICHERT: Yes.

MR. BOWEN: Does that deviate; and if so, how much? I will be really up front with you. The reason I ask that is because I actually was fishing close to the R/V Savannah a few weeks ago and their soak time on their trap was longer than 90 minutes. It didn't seem to be; I timed them. Does that deviate very often?

DR. REICHERT: We try not to deviate it depending on sampling conditions. Sometimes we deviate if a trap hangs up we may be forced to pick up the other traps a little later; but we try not to deviate from that 90 minutes too much. We are currently looking at what the effect – and we have actually published some papers – what the effect is of the soak time.

That is why I mentioned earlier currently we are measuring our CPUE in fish per trap hour; but there are other ways to approach that that may take the soak time of that equation. We've also looked at what is called saturation, looking at how many fish go into the trap, at what point during the deployment, and we may be able to use that information in the development of an index. That is part of the reason why we now have those inside-the-trap cameras so we can actually look at how many fish are coming into the trap and how many fish are coming out of the trap during what points in our 90-minute deployment.

MR. CONKLIN: I was just reading on one of these slides where it says that they go from 45 to 150 minutes.

DR. REICHERT: Yes; and that is to – in recent years most of our soak time is around 90 minutes; but we truncate that to eliminate very short and very long soak times. For instance, if something goes wrong and the current is too high; we may pick up traps immediately and we don't want to include those traps in our catches; or, if a trap hangs up and soak time is really long because we are having difficulties retrieving the traps, you don't want to include that data in the CPUE series. That is why we truncated that; but I would say the vast, vast majority of our soak times is around 90 minutes.

MR. HARTIG: Marcel, if you could pull up the gray triggerfish CPUE slide; and it is interesting to look at this because this is one of the problems we're having in king mackerel right now. It looks like you've got relatively high recruitment driving the fishery over X period of years. The sign waves marching right through show you relatively high recruitments followed by low points of – go ahead; did you have something to say? Well, I was just going to say that is just my interpretation and may not be the right interpretation.

DR. REICHERT: I want to caution for that conclusion. As I said earlier, this is purely an update of the catches in the traps. This is not an update of any age data; so to support your conclusion, you really should look at age data or length compositions, also, and compare that with previous years. That may be the case; but I would caution against that conclusion without looking at other aspects of gray triggerfish. That is why I said earlier this is merely our catches.

MR. BOWEN: One more point; I think you said red snapper was the ninth most caught species in your trap?

DR. REICHERT: Yes.

MR. BOWEN: Is that from 2013 or does that include some of the cruises from 2014?

DR. REICHERT: This does not include any data from our current sampling season. This is the update for 2013. If I remember correctly, last year it was the ninth most abundant species also; but in previous years it was much lower than that. Again, I would caution you because that may be partially because of the increase of our sampling efforts.

MR. BOWEN: The reason I bring that up is, of course, we all know the upcoming assessment or the data workshop we have coming up in August for the red snapper. This year we're seeing on the water a lot of 15- to 17-inch snapper, which I'm assuming is about a year and a half old fish. We didn't see those fish last year. I feel like we're going to miss those in the data stream in the upcoming assessment in August; because we didn't see them last year, but we're seeing them this year. I was curious if your traps are catching them this year as well.

DR. REICHERT: I haven't seen any of the data of this year's traps. Yes, that is the dilemma that you always have that once you do an assessment and you don't know what is happening right now at this point on the water or with the population. However, we are looking at the length compositions and at the age compositions, and you may get some indication of what is happening. That helps with projections. As I said, I don't have any of the age or length data, but that should be discussed at the data workshop in August.

DR. DUVAL: Are there any other questions or comments for Marcel? Thank you, Marcel, for providing this update. Again, this is something I think we started doing was it last year or the year before as –

DR. REICHERT: Two years ago.

DR. DUVAL: – sort of an annual update of selected species from the MARMAP Survey. Will you be here tomorrow at all?

DR. REICHERT: I'll be here I think until Thursday morning; so if you have any questions or you want to see some of the other trends and again of the catches, then I'm more than happy to show them to you.

DR. DUVAL: I know that it is 5:36; but I would like to get through one more agenda item today; and that is the Oculina Evaluation Report. Gregg is going to lead through this. I don't think this will take very long; and it will allow us to sort of jump ahead a little bit and perhaps get back on schedule tomorrow morning where we'd start with Regulatory Amendment 16.

If folks don't mind staying for an extra little bit tonight; I would really appreciate it. I should say this is Attachment A-4 in your briefing book. A couple different attachments were sent out. One is a PDF portfolio; and I think it is OECA 2014 Evaluation PDF is the document that Gregg is displaying on the screen.

MR. WAUGH: There were two documents. The PDF portfolio has all the attachments; and I'll mention what those are, but it doesn't open on everybody's computer, depending on what version of Adobe you have. The other document is just the decision document and that is what we will be going through. It is Attachment 4.

I'm going to be kind of brief here. We've got Mike Merrifield in audience that can add some input on the Deepwater Shrimp AP; and Amber can elaborate on any of the I&E AP information as well. The first part goes through just a little bit of background about how the final evaluation plan was set up and the three-year review. On Page 2 of that document this is the PDF portfolio; and it has the outreach report, the outreach presentation and then deliverables, which is a set of table showing all the detailed recommendations; and then the Outreach Evaluation Team Members.

And then 2A and 2B is the Law Enforcement Report and the presentation. All this comes from a series of webinars that were held earlier this year that Anna Martin coordinated with the evaluation team. Then the final 3A, 3B and 3C are the research and monitoring report presentation and deliverables. That is there as background material.

Again, I'm not going to go through that. If you have any questions; you're welcome to get with me one on one, and I'll be glad to answer them. The I&E AP met and reviewed the evaluation plan at their May 5th meeting; and they quite a number of recommendations. I must say that the outreach portion of this evaluation plan is the one that we achieved almost everything across the board.

They have some additional suggestions; and again we're not going to go through them. If you have any particular questions, you can get with me or Amber to talk about those. When we get to the end, I'll explain to you how we plan on addressing those and incorporating all of those recommendations.

On Page 6 the Coral Advisory Panel reviewed that report at their May 7 and 8 meeting. Their review provided refined specifics on the research accomplished to date and/or planned as well as identified their priorities associated with addressing specific objectives of the plan. Their output is in the form a refined spreadsheet; and they're still finalizing that.

Again, we got caught up in Anna's leaving these meetings scheduled right before our meeting; and so we're just working with them to get those final recommendations put together. What we

propose is that those Coral AP recommendations be added to the final report. Again, you'll see how we plan to address that.

They also provided a statement in their recommendation about the research and monitoring team's opinion that a proposal opening areas for trawling in the Coral HAPC/Oculina Experimental Closed Area would be extremely counterproductive and would put the remaining dense stands of *oculina varicosa* at risk.

They also point out the anticipated additional data collection during 2015 through '17 through the South Atlantic Council's Coral Contract with NMFS will provide information for improved habitat characterization for this area. Then the Deepwater Shrimp AP reviewed this draft report at their May 6-7 meeting; and actually their recommendations were also presented to the Coral Meeting.

We've got their recommendations bulletized here. You have in your materials the minutes from both the Coral AP and the Deepwater Shrimp AP. As you can see, the AP had quite a number of suggestions and opinions about some new changes due to the environmental degradation, a new algae showing up that is affecting their catches.

They're very interested in working cooperatively with scientists and cooperative research programs to address some of these areas, to look at the areas that they feel doesn't have any coral that they would like to be able to fish in. Their recommendations are here. We've got Mike Merrifield here if he wants to add anything specific.

DR. DUVAL: Mike, did you want to come to the mike and add anything specific to these recommendations or elaborate on anything?

MR. WAUGH: Mike is Chair of the Deepwater Shrimp AP and he also sits on the Coral Advisory Panel; so he was able to be at the Coral AP meeting and present those recommendations and also work with the scientists one on one to try to develop some cooperative research proposals.

MR. MERRIFIELD: There was a lot of concern regarding the lack of research that has been done. There were like six items out of thirty-three objectives that had been addressed in the matrix that was put together. The last expedition that was in the area; what happened was there were five dives, two of which I guess were in the OECA.

The other three were in the northern areas or the western areas that are now in the areas under Coral 8 that will be closed. There was concern that there wasn't enough emphasis put into research in the OECA. There was also concern that the planned mapping activities will be great for mapping the bottom and habitat of the OECA; but it doesn't give a lot of information in regards to fish utilization and spawning aggregates and all those kinds of things that were part of the Snapper Grouper Amendment that also applies to that area.

The environmental impacts that we've been hit with are an extreme lack of production; actually no production down south of the OECA in the last two years. That is in the same area south of

there where we've picked up a lot of the brown algae in 300 foot of water. Those are things that are very concerning to the Deepwater Shrimp.

Related to those are the discharge from the St. Lucie and Jupiter Inlets. I have also been involved with the Indian River Lagoon Assembly with the Marine Resource Council; and there are some incredible photographs of some of the releases that came out there, and they go straight east to the Gulf Stream and then go north; so it has got to be impacting this area. That is a big concern.

Discharges from the three large counties to the south also was brought up as a concern. What seems off was the fact that evaluating the environmental stressors in the matrix were at a low priority. From the Shrimp Advisory Panel; we just thought that should be raised up to a higher priority. I think the environmental stressors have got to be having a huge impact out there.

If they're impacting the rock shrimp availability down there; they certainly have to be impacting the coral. Cooperative research; there is a lot of interest and willingness to participate, but the Deepwater Shrimp AP just really feels like it is hard thing for us to get our hands around, because it is more of a grant-writing and grant-seeking activity.

While we can go and talk to different universities, FIT down in our area or some of the other universities, it is getting somebody involved and interested in that and then pursuing that grant activity; and it just seemed like it was out of our reach. There is certainly a lot of willingness there but just not a lot of understanding or knowhow as far as to how to pursue that.

The offshore one-third of the OECA is the sand roll-down bottom and the two-thirds inshore in less than a hundred meters of depth is where the oculina actually occurs. The council considered and rejected an option to reopen the offshore areas that did not have oculina coral a while back for the rock shrimp fishery.

It was rejected at the time because the reevaluation was coming up and so was a year or two away at that time; and so it was put off until this point to kind of relook at that and determine how to proceed. Here we are and what seemed obvious to us is an extremely counterproductive, kind of a perspective issue.

Losses in the fishery are a big concern because of the areas that we have lost to the south and now areas that we potentially are going to lose through Coral Amendment 8; there is a lot impact to the fishery. That is pretty much what happened at our meeting. The other question I have is will the SSC be reviewing this report and will be giving their input on that as well?

MR. WAUGH: Yes; they will. The original plan was to have them review it at their April meeting; but due to delays, it wasn't ready for them. They will see this at their October meeting.

MR. MERRIFIELD: It there are no questions; I'm finished. Thank you.

DR. DUVAL: Does anybody have any questions or follow-up for Mike? I certainly appreciate the difficulty in trying to perceive cooperative research I think from an industry perspective; not

really knowing what the avenues are and sort of who to contact and how to get that done. Obviously, you all have a lot of ideas for some research that could be done.

It is just a matter of connecting with the right folks and maybe we can have some follow-up conversation in terms of some of these suggestions moving forward and perhaps distribution of this evaluation report to universities that might have faculty who engage in that kind of research that might be specific to coral and would be willing to work with industry. Ben.

MR. HARTIG: To back up some of the observations of the shrimpers out there; we're seeing declines in productivity of our deepwater fisheries in that area as well, Mike, so there is something going on out there. Who knows what it is related to; possibly to water conditions. That extra nutrient probably has something to do with that algal bloom.

That is some wild-looking algae you guys had. It is pretty tough stuff. I saw some of it even inshore where I was. It is just interesting that we see some of the same changes you're seeing in the same area to the south. Probably it is a combination of things; nutrients, cold water upwelling increase, a number of different things that are contributing to differences in the productivity in that area.

MR. MERRIFIELD: Right; and the concern is it is just pushing the whole fishery up north into smaller areas. It is a much smaller area now than it used to be and Coral Amendment 8 having some impact on that as well.

DR. DUVAL: Are there any other questions or comments for Mike? Now we come to the committee action part of this.

MR. WAUGH: Yes; and this is on Page 8. The Draft 2014 Review of Accomplishments associated with the Oculina Experimental Closed Area Evaluation Plan are based on the individual outreach, law enforcement and research and monitoring teams' input and constitutes the council's specified ten-year review.

The evaluation plan had a three-year and a seven-year review; this is the seven-plus year review; so the ten. At the June meeting the council will confirm completion of this review and provide staff editorial license to finalize the document, to refine both descriptions of accomplishments and updates to prioritizations as provided by reviews conducted by all the advisory panels. The options we have here for you is to accept the Draft 2014 Evaluation Team Report; provide staff editorial license to complete the final report. You're free to make any other motions.

One new item that wasn't in there we want to clarify is that it would be your intent to have another review in five years. We have through our coral grant with NMFS that over the next three years of that process they will fully map the Oculina Experimental Closed Area and do habitat characterization work in the sites that are being sampled.

We will have a much better review and understanding of what is going on at the end of that. What we would suggest is you direct us to work up separate from the final 2014 Evaluation Plan a five-year review and have that based on the results from the ten-year review; but we'd lay that

out and bring that back to you with the timeline and so forth so that we'd have another five-year review.

That sort of ties in – this month is the 20th year anniversary of the Oculina Experimental Closed Area; and we had talked about doing something to acknowledge that. To be honest, when you look at what has been accomplished and what hasn't; it is maybe perhaps not the best time to go forward. We do another review in five years; that will be the 25th anniversary. We will have accomplished a lot more and perhaps that's a better time to do something like that.

DR. DUVAL: I think at this time I would entertain a motion to accept the Draft Evaluation Team Report and provide the editorial license as Gregg has suggested. Charlie.

MR. PHILLIPS: Madam Chair; I make a motion that we accept the Draft 2014 Evaluation Team Report and provide staff editorial license to complete the final report.

DR. DUVAL: Seconded by Zack. Is there discussion? Any objection? Seeing none; that motion stands approved. Gregg, in terms of another review in five years; so you would just like perhaps direction to staff from the committee to go ahead and plan to do another review in five years when all the mapping and habitat characterization is done?

MR. WAUGH: That's correct.

DR. DUVAL: Is there any objection to giving staff that direction to go ahead and do another review subsequent to the completion of the mapping activities five years from now? Zack.

MR. BOWEN: Couldn't we just include it in that same motion?

DR. DUVAL: It has already been approved; and this is just direction to staff, so you don't necessarily need a motion for that. Charlie.

MR. PHILLIPS: And hopefully we'll be able to get some work from the rock shrimp fleet working with some university that can also be included in that report.

DR. DUVAL: I would agree.

MR. WAUGH: That will come up again under the Data Collection Committee because we're going to be talking about the electronic technology plan that includes reporting and monitoring; and we've got some ideas for how we might be able to highlight this desire of the rock shrimp industry and may be another avenue for some potential attention.

DR. DUVAL: All right, I'm going to recommend that we stand in recess until 8:30 tomorrow morning and we will begin with the review of Regulatory Amendment 16 and just get an update on that. Thank you very much for your hard work today. I very much appreciate it and your willingness to stay a little bit late.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened in the Sawgrass Marriott, Ponte Vedra Beach, Florida, Wednesday morning, June 11, 2014, and was called to order at 8:30 o'clock a.m. by Chairman Michelle Duval.

DR. DUVAL: I would like to go ahead and reconvene the Snapper Grouper Committee. We're going to start today with Regulatory Amendment 16. I think this is probably just due to the workload that staff has right now; it is probably going to slip a little bit in the schedule that we originally had planned. You have decision document. It is Attachment 6B in your briefing book; so Myra is going to take us through that.

MS. BROUWER: This is Attachment 6B. You saw this amendment in March. It looks quite a bit different than this decision document that I'm going to walk you through today. The IPT had a conference call and we are suggesting some rearrangement of the alternatives to make them consistent and to just make it a little bit clearer.

The first thing we are recommending is some edits to the purpose and need. The purpose of Regulatory Amendment 16 is to reconsider the annual November 1 to April 30 prohibition on the use of black sea bass pot gear. The need statement as it is currently reads the need for the amendment is to minimize potential negative socio-economic impacts to black sea bass pot endorsement holders while maintaining protection for ESA-listed whales in the South Atlantic Region.

We suggesting a couple of edits. The first one is just a grammatical "November 1 through April 30 prohibition" in the purpose. For the need we are recommending that instead of saying "minimize potential negative socio-economic impacts"; that we change that to "increase socio-economic benefits to black sea bass pot endorsement holders".

The rationale for that, as you see on the screen, is that minimizing negative impacts doesn't actually capture the status quo, because there is currently no fishing allowed during that time period nor has there been any fishing during those winter months for some time because the ACLs were being met earlier. The IPT is recommending the need to be to increase beneficial impacts.

MR. CUPKA: Madam Chairman; I'd go ahead and make a motion that we approve the IPT's recommended changes to the purpose and need of Regulatory Amendment 16.

DR. DUVAL: Motion by David; seconded by Mel. Discussion? Anna.

MS. BECKWITH: I was going to suggest that we actually didn't accept anything except the grammatical change. To me I think it is a little bit disingenuous to change our needs' statement. That reflects better the council's original intent in moving forward with this amendment after the closure of Amendment 19. We began working on it kind of right after Amendment 19 passed; so am going to vote against this. I like the needs' statement, and I think it reflects our original intent better than this softening of the original desire.

DR. DUVAL: Are there other folks around the table? I think the record is pretty clear after Regulatory Amendment 19 that it was our intent to move forward with looking at options to modify this closure and hopefully get a new biological opinion at some point given all the restrictive measures that the council put in place with Amendment 18A. Anna.

MS. BECKWITH: David, would you consider a friendly amendment to just accept the grammatical change in that first sentence?

MR. CUPKA: Yes, that's fine. I guess one reason I like the change is because it changes it from a negative viewpoint to a positive viewpoint; but, yes, I'm willing to modify that if you want to consider that separately.

MR. BELL: I had the same thought. It seemed like you're basically turning it into something positive because you're already in a bad way. This is trying to make things better; so it seemed logical to me. I can live with it if David can live with it.

DR. CRABTREE: When you say we're already in a bad way; can you explain that? We're catching more sea bass now with the closure than we have since back before the rebuilding plan went in place. I'm not sure I'm following all this.

MR. BELL: No; I just mean in terms of you're trying to improve access or allow access for something where –

DR. CRABTREE: But they haven't fished that time of year for years.

MR. BELL: Well, that may not be the best option I think for the fishery. I think there are advantages to being able to maybe fish during that time.

DR. DUVAL: And just to be clear; it is only since the 2009/2010 season. It is not that long ago; and we might want to qualify what we refer to when we're saying years. Myra.

MS. BROUWER: I just wanted to reiterate the rationale of the IPT; and I think it has to do also with the way we need to analyze things and for NEPA purposes. The status quo right now is that there is no fishing during that time.

There hasn't been any fishing during that time for some time; and we can't really quantify any negative impacts to the socio-economic environment because there hasn't been fishing during that time of year. I believe for NEPA purposes and for analysis purposes that's why we suggested that change to facilitate that analysis.

MR. PHILLIPS: I know it is a fine point, but I agree with Myra because this is going to open up and allow fishing again, which is an increase. I think the IPT got it right. I know we're trying to fix a bigger picture, but the IPT I think has it right this time.

DR. DUVAL: Anna had offered a friendly amendment. David as the motion maker and Mel as the seconder; do you accept that?

MR. CUPKA: I'll probably still vote for the same way when we get to the second part; but that's fine.

MR. BELL: Yes; I'm okay with that.

DR. DUVAL: The motion that we have right now just reads approve recommended IPT suggested changes to the purpose statement. It doesn't address the need statement at all.

MS. BECKWITH: I'll make it easy. It sounds like I'm in the minority so you guys can go ahead and move ahead.

DR. DUVAL: Which the original motion would be approve the IPT suggested edits to purpose and need. Is there anymore discussion on this? I think she withdrew her friendly amendment. It looks like we need to just go ahead and move on the motion, which was to approve recommended IPT suggested changes to the purpose statement. I guess we can deal with the need statement in a bit. Is there any other discussion?

DR. CRABTREE: So this is the motion as David originally made without the amendment?

DR. DUVAL: No; the motion originally made was to accept the IPT recommended – and it is to purpose and need. There was a friendly amendment offered to simply accept the IPT recommended edits to the purpose, which was accepted by the motioner and seconder; and now that we've had some discussion on it, we have to stick with that motion; so that is what we're voting on. Everybody clear? Is there any other discussion? **Any opposition? Seeing none; that motion stands approved.** Do you want to deal with the need statement? Charlie.

MR. PHILLIPS: Madam Chair, I make a motion that we accept the IPT wording for the need.

DR. DUVAL: Motion by Charlie; seconded by Zack. Discussion? Any opposition? The motion passes with one opposed.

MS. BROUWER: On PDF Page 3 of your decision document is where the proposed action begins. There is, as you know, one action in this amendment with multiple alternatives. Action 1 reads, "Modify the annual November 1" – and here we're recommending again just a grammatical modification – "through April 30 prohibition on the use of black sea bass pot gear".

Alternative 1 is no action; retention, possession and fishing for black sea bass is prohibited using black sea bass pot gear annually from November 1 through April 30. In March of 2014 you approved the guidance to expand the no action statement; and so we have here a textbox that lists the current provisions that are in place that are intended or that would reduce the potential for interactions between whales and black sea bass pot gear. These are all the measures that went into place Amendment 18A.

You also gave us guidance that with the existing provisions in the Atlantic Large Whale Take Reduction Plan in Amendment 18A; to make sure that those are place for the no action and to clarify that existing measures would stay in place. What the IPT did is we added Section 1.6 to the amendment, which is a little bit more discussion of what is in place; things the council and NMFS have put in place.

Then we added Section 1.6.1, which is the Atlantic Large Whale Take Reduction Plan, so it just lists everything that is pertinent to the South Atlantic Region that would have anything to do with the use of this gear. Alternative 2, again for consistency a little grammatical edit there; so what we're looking is for you to approve the suggested edits to Action 1 in Alternative 2.

DR. DUVAL: All right, I'm willing to entertain a motion to approve the suggested edits to Alternatives 1 and 2.

MR. PHILLIPS: Madam Chair, I make the motion that we approve suggested edits to Alternatives 1 and 2.

DR. DUVAL: Motion by Charlie; seconded by Jack. Discussion? Any objection? Seeing none; that motion stands approved.

MS. BROUWER: Okay, this is where it gets a little bit confusing; so what I tried to do here is the alternatives had to be renumbered because Alternative 3 was put in the appendix; so that is what I'm showing here and strike-through at the top of the page. That is in the appendix. The older Alternative 4 is the one where the closure would apply to the existing designated right whale critical habitat.

Here, if you recall in March, we asked for guidance as to whether your intent would be for the boundaries of that closure to change when the right whale critical habitat designation is revised. Your guidance was that it would not. We also wanted to include the timeframe of November 15 through April 15 into the language of Alternative 4.

This is what we ended up with; and as I said, this is now Alternative 3 since old Alternative 3 went to the appendix. It is a little bit wordier, but it includes the description. All the alternatives from here on forward are structured in the same manner where the alternative language has the coordinates or the approximate boundaries.

Then there is a note underneath it that explains a little bit more – it gives a little bit more background as to where that alternative came from. They're all structured the same way. I'm not going to read the whole thing; but as I said, this is the alternative that would make the closure apply to the designated right whale critical habitat as it is currently in place. Here is what the map looks like. It addresses the area off of South Georgia and North Florida. Again, we're just asking for you to approve the way we are suggesting that alternative be worded.

DR. DUVAL: Does everybody understand and is clear on the new wording in this alternative? Okay, it would be great if someone would make a motion to approve the suggested edits.

MR. CUPKA: Madam Chairman, I would move that we approve the suggested edits to Alternative 3.

DR. DUVAL: Motion by David; seconded by Charlie. Discussion? Monica.

MS. SMIT-BRUNELLO: In the second sentence, Myra, it says this area encompasses waters when in the previous sentence you've discussed two area, the black sea bass pot closure and then the North Atlantic Right Whale Critical Habitat. I think it would be good instead of saying "this area", it would be to define exactly what you're talking about. I think you're talking about the right whale critical habitat; so I think maybe you should say "the critical habitat encompasses" instead of "this area" just to be clear to the reader.

DR. DUVAL: Are there any other comments on that motion; any other discussion? Any opposition? Seeing none; that motion stands approved.

MS. BROUWER: PDF Page 6 in your decision document; here is the old Alternative 4. This is the area between Ponce Inlet, Florida, to Cape Hatteras. The way we structured it, as I said, it is a little bit wordier, but it provides a little bit more of a description. The black sea bass pot closure would apply to waters inshore of Points 1 through 15 listed below; approximately Ponce Inlet, Florida to Cape Hatteras.

The closure applies to the area annually from November 1 through April 30. In the note we explain that this area likely represents right whale calving habitat. The area identified from Cape Fear, North Carolina, southward to 29 degrees north latitude is based on model outputs. Then it explains where that information came from and that it is an extrapolation of those model outputs and based on sea surface temperatures and bathymetry. Here are the coordinates that would bound that area and a map that depicts what that will look like. Again, we are requesting that you approve inclusion of this alternative the way that we have presented it to you.

MR. PHILLIPS: Madam Chair, I make the motion that we approve the suggested edits to Alternative 4.

DR. DUVAL: Motion by Charlie; seconded by Jessica. Discussion? Any objection? Seeing none; that motion stands approved.

MS. BROUWER: The next alternative is Alternative 5. Alternative 5 represents waters 25 meters or shallower from approximately Cape Canaveral, Florida, to Savannah. It is based on right whale sightings – this is all included in the note – and sightings per unit effort, which is a proxy of density by depth, and captures 97 percent and 96 percent of right whale sightings off the North Carolina and South Carolina area and the Florida/Georgia area, respectively. Again, we have a table with the coordinates for all the points and the map that depicts what that area would look like. Again, we're seeking to have a motion to approve inclusion of this alternative in the document.

MR. PHILLIPS: Madam Chair, I move to approve suggested edits to Alternative 5.

DR. DUVAL: Motion by Charlie; seconded by Jack. Discussion? Myra, I just had one thing. I notice on some of these maps like the bottom depth contours are noted in feet on a couple of them and then in meters on others; and I was wondering if maybe we could make that consistent. I don't think it really matters what unit of measure is used just as long as they're consistent. **Any comments on this motion? Any objection? Seeing none; that motion stands approved.**

MS. BROUWER: PDF Page 11 begin the alternatives that were developed as a result of scoping comments that we received. Alternative 6 is based on joint comments received from the Humane Society in response to NMFS' Notice of Intent to prepare a DEIS. This was suggested as a reasonable alternative for inclusion in the document, and you agreed to include it at the March meeting.

This is an area off the coast of Georgia and Florida; and it is based on calving right whale habitat modeling work from Garrison and Keller. It represents the 75th percentile of sightings off of Florida and Georgia. Off of coast of North Carolina and South Carolina, the closure would extend from the coastline to 30 nautical miles off shore; and here is the table with the coordinates.

The Protected Resources Division in the Regional Office; they're the ones that have done the majority work in putting these tables together and making sure that these alternatives represent what was suggested by these agencies. Here is the map that they created that depicts that alternative.

Alternative 7 again is new. You have not seen this one; and it also based on those comments, as I mentioned. This area here in Alternative 7 represents the existing management area, which is the Southeast Seasonal Gill Net Restricted Area under the Atlantic Large Whale Take Reduction Plan and an additional area off North Carolina.

That area off North Carolina includes waters that are shallower than 30 meters and is northward of the designated Atlantic Large Whale Take Reduction Plan Southeast Restricted Area. Here is a table with all the coordinates; and this is what the map looks like. We're looking for you to approve inclusion of Alternatives 6 and 7 as we have presented them.

MR. PHILLIPS: Madam Chair, I move we approve Alternatives 6 and 7 as presented.

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

MS. BROUWER: Moving on to PDF Page 16; this is the last alternative and it is one that you gave us guidance to structure in a manner that would facilitate the analysis. The motion that you approved in March is included. What the IPT came up with is Alternative 8; which reads, "The black sea bass pot closure applies to waters off the states of North Carolina and South Carolina annually from November 1 through December 15 and March 15 through April 30."

Then there are two subalternatives. Subalternative 8A; the black sea bass pot closure applies in the entire EEZ off the states of North Carolina and South Carolina. We have a table where we're

going to include the coordinates. Subalternative 8B; the black sea bass pot closure applies in the EEZ off the states of North Carolina and South Carolina in waters shallower than 25 meters.

That is the only distinction between those two; and again we're going to have a table with all the coordinates. Here we have a note that during the March meeting the committee discussed that in order to provide the necessary temporal and spatial protection to migrating whales, both Alternative 8 and Alternative 3 would have to be selected as preferred alternatives. Recall that Alternative 3 is the one where the closure would apply in already designated critical habitat; but it only addresses the area off Georgia and Florida.

In order to provide adequate protection, you would need to select both Alternative 3 and Alternative 8 as preferred. What the IPT discussed is do each of these alternatives meet the purpose and need; and if not, perhaps we need to combine them into a single alternative. That would not only address the purpose and need more directly but also facilitate analysis. This is what we'd like you to consider between these two.

DR. DUVAL: Well, what is your pleasure, folks? Jack.

MR. COX: Well, I just wanted to make sure that we have it in there as the preferred being 25 meters or shallower.

MS. BROUWER: Subalternative 8B addresses that. We did not spend time trying to come up with an alternative that would encompass Alternative 3 and Alternative 8; but if you give us that guidance, then we would go ahead and do that and structure it in a manner where that 25 meters or shallower is an option under that alternative; be it as a subalternative or whatnot, whichever way you want us to structure it.

MR. PHILLIPS: Maybe I'm not looking at the maps right; but Alternative 3, I don't think that critical habitat covers all of Georgia. I think it just goes up to the Altamaha River; so is there going to be a hole in there?

MS. BROUWER: Well, I guess if we stay with the way that Alternatives 3 and 8 are worded currently; apparently there would be. This would be addressed if we were to craft a new alternative that encompasses both what the intent of Alternative 3 and Alternative 8 are.

DR. CRABTREE: So if you just selected Alternative 8 and no other as preferred, nothing else; then you only have the closure off North Carolina and South Carolina; correct?

MS. BROUWER: Correct.

DR. CRABTREE: Which doesn't really make any sense; so it seem like we constructed an Alternative 8 that is not really a reasonable alternative. It ought to be either combined with something else somehow; but it doesn't seem to make sense to me as a standalone alternative.

MS. BROUWER: That is correct and that's why we're requesting that you give the latitude to come up with an alternative that is going to include both what Alternative 3 and Alternative 8 intend.

DR. CRABTREE: **Well, if I could, Michelle, I'll make a motion to give staff latitude to construct a new alternative that combines Alternatives 8 and 3.**

DR. DUVAL: **Motion by Roy; seconded by Charlie.** Roy, presumably within this motion your intent would be also address the hole that Charlie has pointed out along the coastline of Georgia?

DR. CRABTREE: Yes; and then Alternative 8 as it is structured now would go away and be replaced by that new alternative, I guess.

MR. CUPKA: It seems to me when you do that, that the new alternative would have to have some subalternatives because there are date differences between three and eight as well. I guess you could consider that under subalternatives; so we need to take that into account also when that is developed.

DR. DUVAL: I agree. Anna.

MS. BECKWITH: When we started talking about this, Alternative 3 was I think the one that was most desired as an option by the council at the time of discussion; and then Jack and I crafted Alternative 8 as kind of in addition to with the intent that it would be paired with Alternative 3. We crafted just for North Carolina and then Mel was okay with the way it was crafted and added South Carolina. For Georgia, I understand that we're concerned about a potential hole; but our original discussion there was much more support for just Alternative 3 and this was kind of an add-on. I want to make sure everybody kind of remembers where we were coming from with this.

DR. DUVAL: Right; the concern was that Alternative 3 only encompassed existing designated right whale critical habitat and Alternative 8 was crafted to address specifically those times of year during which right whales were most likely to be off North Carolina and South Carolina waters. Yes; the intent was that it would be paired. Myra, I guess the IPT is asking for this latitude or this guidance from the council to facilitate analysis?

MS. BROUWER: Not only that but also, as Roy mentioned, if you look at the alternatives on their own; they really don't meet the purpose and need; so we need to come up with an alternative that is going to keep what Alternatives 3 and 8 intend to do, but in a way that is going to meet the purpose and need and facilitate analysis as well.

DR. DUVAL: Anna, it sounds like perhaps your concern is that the original intent of that Alternative 8 as crafted previously is going to get lost somehow in the shuffle of this merging of alternatives; does that reflect your concern?

MS. BECKWITH: Well, I just don't remember us having – I don't have a dog in the fight for Georgia, but I don't remember us having much discussion on adding Georgia to that general concept of Alternative 8. I'm just trying to be the historic memory here.

MR. HAYMANS: I don't think it really matters to Georgia what you do because we don't have any pot fishermen there. I'm leaning the way the AP is leaning, anyway, which is Alternative 4.

MR. PHILLIPS: Well, we don't have any pot fishermen now, but there is no reason why somebody in Savannah or somebody from my dock won't get one. We have to cover this area whether anybody is in there right now or not. We just don't have a choice; we have to do that to be thorough.

DR. CRABTREE: Yes; and I suspect if we have a seasonal closure everywhere except one area off of Georgia, you will get some pot fishermen.

DR. DUVAL: Point well taken. All right, is there any more discussion on this motion, which is to give the IPT latitude to construct an alternative as a combination of Alternatives 3 and 8? Mel.

MR. BELL: Just to be clear; so three would no longer exist as an option by itself. You're going to combine that or you're just going to make sure eight looks better at bringing in the concerns from three and the hole and all of that?

DR. DUVAL: My understand is that three would not go away; but that this new alternative would be a separate alternative that is a combination of three and eight.

MR. BELL: Yes; it just improves eight, if you will, to the points that Roy made and Charlie made.

DR. DUVAL: That's correct. Any other discussion? **Any opposition? Seeing none; that motion stands approved.**

MS. BROUWER: That is all the alternatives. I have got here the recommendations from the AP; and as Doug just mentioned, the AP had originally recommended what was then Alternative 4, which is the one that addresses only existing right whale critical habitat. This was when they met back in November of last year.

Then when they met in April, they made no further recommendations, but they reiterated that vertical lines in the Northeast Lobster Fishery pose a much more severe threat to whales than black sea bass pots and questioned why there are no restrictions in place for the Northeast Lobster Fishery. That was the discussion that took place at the AP meeting.

Then we received from Protected Resources a proposed outline for the analyses that are going to be conducted for this amendment. What you see in front of you is that proposed outline and how the alternatives are going to be evaluated, the kinds of tools, the modeling approaches and the analyses that are going to be used.

Then finally the timing; based on the time that is to be needed for those analyses to be conducted and because of other tasks that the Protected Resources Division has currently, we are recommending that we approve this amendment for public hearings in December. That will give us time to pull all the analyses together.

You'll be able to see some of that preliminary work at the September meeting; but realistically as far as approving it for public hearings, we're thinking that maybe December is going to be a better time. Then public hearings would be held the first of the year, as we usually do the first round of public hearings in January/February of 2015; approve all options in March and then finally approve the amendment in June of 2015. That is sort of a rough recommended timing for this amendment.

DR. DUVAL: Are there questions for Myra? I have a few comments on the amendment itself.

MR. HARTIG: Have we mentioned the public comments at the committee level yet that we've received?

DR. DUVAL: That is what I was going to get around to. Mike Collins has received to his e-mail account a total of 13,705 form letter comments from Defenders of Wildlife expressing their opposition to any efforts to modify the seasonal closure that was put in place through Regulatory Amendment 19. I just wanted to draw folks' attention to that. The other comments that I have were really on the draft amendment itself.

I was looking at this last night; and Chapter 3, which is the human environment; and 3.3.1, which is economic descriptions; I have some real concerns about only doing this analysis from 2009 through 2013. That is a period of time over which the pot fishery – in fact the entire commercial black sea bass fishery itself and in many instances the recreational fishery wasn't even operating past September, October, November.

I personally feel like using that last five years for economic analysis is really a shifted baseline. Certainly, it is not going to show any economic differences because the fishery wasn't allowed to operate because the ACL had been met. I would like to see some analyses done with the past ten years of data.

I would also like that for Chapter 4, especially when looking evaluation of these different alternatives in terms of fishery effort that would be impacted by use. Those are just some concerns I have. I know that part of this is that staff is pretty overwhelmed with the total number of amendments that we have ongoing right now.

There are also a few other issues regarding black sea bass commercial landings in states north of the South Atlantic were likely caught in the South Atlantic but reported by dealers in the northeast; so I just want to remind everybody that there is actually a black sea bass fishery that operates from Cape Hatteras north that is managed by the Mid-Atlantic Fishery Management Council.

There is always a little bit of discrepancy between landings reported to the northeast versus landings reported to the southeast, because those are all from North Carolina; but a lot of states north of North Carolina also have a black sea bass fishery. There is a pot fishery with specific regulations. I just want to make note of that; but I wanted to get some input from the committee with regard to the years being used for analysis.

MR. COX: Yes, Michelle, I can remember those years well; and I think that's a very good idea to do that, to go back and look at those last ten years. I would say let's do that.

MR. BELL: Yes; I would agree. To Roy's point earlier about when I said we're in a bad way, I'm thinking back in time to when the fishery was more robust and we had access to that particular timeframe. That was good for us regionally from a market standpoint and product availability and all. Yes; so things could be better if they could be kind of like that; but I realize we're better than we were and things are not all dire, obviously.

DR. DUVAL: I think it would probably be helpful to capture that intent in a motion, if someone was willing to make that, just to give the IPT clear guidance with regard to the timeframe of years being used for analysis. Right now the years being used are 2009 through 2013; so it is five years. I was just thinking the past ten years just for ease of use; so perhaps 2004 through 2013; does that make sense? Is someone willing to make a motion to that effect? Charlie.

MR. PHILLIPS: Madam Chair, I would make the motion that we direct the IPT to use the years 2004 through 2013 for the analysis.

DR. DUVAL: Seconded by Anna. Is there any other discussion? Any opposition? Seeing none; that motion stands approved. Does anyone have any other questions for Myra? Monica.

MS. SMIT-BRUNELLO: And that is to be used throughout the document for any of the alternatives?

DR. DUVAL: I was referring specifically to Chapters 3 and 4. Chapter 3 is the human economic analysis and Chapter 4 is the analysis of impact of effort.

DR. CRABTREE: The only thing I'm going to point out here is if the economists, though, come back and tell me that's inappropriate and here is why; then we're going to have to revisit this. Ultimately these analyses are going to have to be done based on the best available, et cetera, et cetera. Maybe this makes sense, but may not; I don't know.

DR. DUVAL: I'm certainly willing to take that chance given as I've expressed that I think we operating and have been under a shifted baseline if you just look at the last five years. I think we need to evaluate these alternatives with regard to how the fishery operated before it was constrained by the ACLs. Are there any other questions or discussion with regard to Regulatory Amendment 16? We'll see this again in September. Jack.

MR. COX: So then in September we'll pick a preferred; is that correct?

MS. BROUWER: In September you'll have preliminary analyses. I can't really predict how much – I'm assuming that by then there will be enough for you to be able to pick preferreds. I guess that's all I can say about that.

DR. DUVAL: The timeframe would be to approve this at the December meeting for public hearings in January. All right, the next item on our agenda is actually Snapper Grouper Amendment 22, which is the tags to track recreational harvest. I believe that is Attachment 7.

MS. BROUWER: This is an options paper that you've seen before. It was revised back in November of 2013 and it has not changed. The reason it is back for discussion is during the March meeting we talked about – Monica gave us an update of what has been going on as far as issuing national guidelines that would be used to determine whether programs such as this one that is being proposed, which is the recreational harvest tag program, are limited access privilege programs.

In order to determine that, there needed to be some work done by NOAA GC. During the March meeting the work was ongoing and Monica stated that she would have further information for you at this meeting. That is why that amendment has resurfaced; and so at this point I'm going to let Monica give you that update.

MS. SMIT-BRUNELLO: I'll just apologize ahead of time; I don't have the update completed. The GC Opinion is not finalized and it wasn't able to be finalized due to extenuating circumstances. I did talk with the state representatives. They were great. Mel, Jessica, Doug and Michelle got me information very quickly on what the states require in terms of permits for their private anglers and charter/for-hire. I've got that summarized. Our memo, I will tell you, is in pretty good shape and it is being circulated within General Counsel right now.

It is not finalized; but what I can tell you is it looks to me like preliminarily the more eligibility criterion restrictions you put on the individuals to get these tags, the more it is going to look like a limited access system and then perhaps a LAPP. In order to have a lap you need a limited access system first.

The opinion's final decision has been made, but I just thought I would bring up to speed as far as what I can tell you at this point. I'm pretty confident that we're going to have it finalized by September, especially in the shape that I've just seen the analysis and all that. I guess I would bring it back before you in September.

DR. DUVAL: Are there any specific questions anyone has at this time? I do think that given the issues that have been so clearly laid out for us with regard to our recreational catches and some of our very low ACL species that we'd like as much as possible to structure this in a way that is useful and relatively painless to administer, we absolutely need something different than what we have for measuring those catches. Zack.

MR. BOWEN: If my memory serves me correctly, this year up to 106,000 fish on red snapper. For the life of me, I can't understand how we're going to come up with any tag program for

106,000 fish. If we're talking 500 fish or a thousand fish may, but 106,000 fish this year and putting tags, I can't see it. I don't understand it.

DR. DUVAL: Red snapper is not included in this amendment. This amendment would simply set up a framework for use of a harvest tag program as the council would determine on a case-by-case basis.

MR. BOWEN: Okay, the second paragraph I see options for the council could consider when addressing long-term management for red snapper, including trip limits, bag limits, a catch share program. I may be on the wrong thing; but when I see red snapper and we start talking tags –

MS. BROUWER: Zack, this background section, since amendment has changed so much, basically we just wanted to give a little bit of background of where we've been. We did have some discussions about including red snapper; but since then, the committee and council made it clear that their intent is for such a program to be applicable to deepwater species, snowy grouper, golden tilefish, wreckfish; at this point maybe even blueline tilefish – and we're going to talk about that when we get to Amendment 32 – since the ACL is going to be so low; but mainly the deepwater species. That is why you see red snapper mentioned in there. Originally Amendment 22 included – it was all about actually red snapper management, long-term red snapper management.

MR. BOWEN: So, now we're now not talking about red snapper management in this amendment; is that correct? Red snapper will not be included as one of the species; is that correct?

MS. BROUWER: That has been the stated intent is for the program to apply to deepwater species.

MR. BOWEN: Okay, I'm good; thank you.

DR. DUVAL: Are there any other comments? Okay, thank you for that update, Monica, and we'll look forward to something more specific in September. The next item on our agenda is Snapper Grouper Amendment 29. This is the Only Reliable Catch Stocks Methodology and management measures for gray triggerfish. That is Attachments 8A through 8C.

MS. BROUWER: Amendment 29, as Michelle mentioned, deals with ABCs for only reliable catch stocks, your ORCS species and a couple of actions dealing with management measures for gray triggerfish. On PDF Page 2 of your decision document; again we're suggesting some tweaks to the purpose and need.

As you can see up on the screen, we would suggest what you see highlighted, that we take away the statement "to incorporate methodology for determining ABCs for ORCS"; and that we simply say that we want to update the control rule based on recommendations from the Scientific and Statistical Committee; and also adjust ABCs for the affected species; revise the ACLs for the affected species; and revise management measures for gray triggerfish.

Initially we had established, but evidently there are already management for that species in place; so we just need to revise those. For the need we just including ACLs and ACTs as well as ABCs; so it just completes it a little bit more. You can see our rationale for those suggestions.

DR. DUVAL: All right, are folks okay with the recommended edits to the purpose and need; and if so, I would entertain a motion to that effect. Charlie.

MR. PHILLIPS: I guess I have a question. I don't know how updating the ABC Control Rule is going to prevent derby conditions.

DR. DUVAL: I think, Charlie, if you're looking at the second piece of the purpose statement where it says "revise management measures for gray triggerfish in federal waters off the South Atlantic Region"; and then when you go down to the need, "lengthen the commercial season for gray triggerfish to diminish and/or prevent derby conditions"; so it is just specific to gray triggerfish. David.

MR. CUPKA: Madam Chairman, I would move that we approve the recommended edits to the purpose and need statement.

DR. DUVAL: Motion by David; seconded by Ben. Any further discussion? Any objection? Seeing none; that motion stands approved.

MS. BROUWER: Here we get into the actions and alternatives. Action 1 updates the control rule; and we're not suggesting any changes to this action at this point. Your preferred, of course, is to adopt the SSC's recommended approach to determine ABC values for ORCS. That approach is going to then become Level 4 of the ABC Control Rule; and the existing Level 4 will be renumbered as Level 5.

Table 2.1.1 then shows you what the control rule is going to look like if this change is implemented. Then we explain why there are only two alternatives for this action for NEPA purposes. This is a recommendation from your SSC; and there really hasn't been any other recommendation that has been provided for you to consider. On PDF Page 8 begins Action 2, which is where we apply the revised ABC Control Rule to select unassessed snapper grouper species. This one is structured based on the risk tolerance scalars that you can choose from.

For species that have a low risk of overexploitation, which happens to be just one, the bar jack, your preferred alternative is to assign a risk tolerance scalar of 0.9. The table shows you the catch statistic used, the scalars that the SSC has recommended for the risk of overexploitation, what your preferred is for the risk tolerance, what the new ABC would be, what the current ABC is and then the difference between the two.

That's how all the alternatives are structured. Alternative 3, your preferred, is to apply a risk tolerance scalar of 0.8. Under Preferred Subalternative 3B I have silk snapper highlighted. The reason for that is because the ABC for silk snapper, if this subalternative is implemented and approved, would increase substantially, which would then change the ABC for the deepwater

complex. That has implications when we talk about blueline tilefish coming up in Amendment 32.

Finally, we made the change that you asked us to do in March for Alternative 4, which deals with species that have a moderately high risk of overexploitation; and that change was to select the most conservative approach for white grunt because white grunt happened to be included in two categories.

Based on I guess biological factors, the SSC had placed in in two different categories for the northern portion of that population versus the southern portion of that population. When we sent to the SSC to request that they give us some more guidance. They indicated they would reconsider their recommendations for management of white grunt in the future; but they did agree that the approach that you are suggesting to take for adjusting the ABC of white grunt is appropriate at this time.

During the SSC meeting, the SSC reviewed this amendment not in great detail; but there was one SSC member that expressed concerns regarding the ORCS approach. I have listed those concerns in the decision document so that you guys are all aware of it. Originally the SSC had reason that selecting the maximum catch as their catch statistic in the ORCS approach was okay; because ABC, after all, is a cap and not a target.

One SSC member has expressed concern about the methodology that is being used for this approach. However, the SSC stated that they still considered the current approach as the best available science and they are going to be revisiting the approach at their October 2014 meeting. As Luiz explained yesterday, they're going to have a one-day workshop where they're going to revisit this approach and consider other approaches that have since been put forth or tweaked or whatever that deal with data-poor species. Do you have any questions or any desire to change any of your preferreds in this action? If not, we can continue to move forward.

DR. DUVAL: Question from Bonnie.

DR. PONWITH: Yes; and it is going to the one SSC member who had concerns about this. Just to elaborate on this; it wasn't the ORCS process itself. It was the combination of selecting the maximum catch ever seen coupled with selecting a scalar that was quite high. My understanding is that there is still a comfort level with the ORCS approach, but that those two choices are not independent of one another; and what you choose as sort of the level of landings needs to be taken into consideration when you choose the scalar and vice versa. This is a little bit of clarification that I think was lost in the way the notes were captured.

DR. DUVAL: And just to clear; it is not the maximum catch ever seen. There was a timeframe of landings that was used. It was I think 1997 to 2008 or 1996 to 2008, 1999 to 2008. It was a ten-year timeframe and it was the highest catch within that particular timeframe. Jack.

MR. COX: So, Bonnie, what you're saying is there was just a little bit of uncertainty in the ORCS approach for that particular person; is that what you're trying to say here?

DR. PONWITH: No; it is less about uncertainty in that when you're using the ORCS approach, there are two choices to make. One is what time series should you be using for selecting sort of your catch history that you're going to base your decisions on. The second decision is what scalar should you use.

The point I'm trying to make is that two choices are not independent of one another. If you make a choice of a time series that represents a maximum or some high level, that choice should inform the decision that you make on the scalar.

If you have a tendency to choose a catch history that is high and you couple that with a scalar that's high; then it increases the element of risk; just as if you chose a statistic that describes your landings that is quite low and you create a really, really low scalar, you would run a risk of potentially leaving more fish; it would be more conservative, so there is a risk of not hitting fishing at optimum yield. In other words, when you make those decisions, you need to take the first decision into consideration when you're making that second decision.

MR. BOWEN: Again, I'm not familiar with the methodology that went into this; but instead of taking the highest landings through that time series, would it not be more appropriate to take the average landings for that time series?

DR. DUVAL: We had a pretty extensive presentation from John Carmichael at our last committee meeting explaining the difficulties in choosing the average. When you actually choose an average, it incorporates the high landings and low landings; so your average is in between. If you reset something at the average, you're automatically basically resetting your baseline for catch levels; and so you are automatically throwing all of those higher values that contributed to the average and saying those are no longer valid, those types of catches.

MR. BOWEN: Well, I understand that, but that would also decrease our risk of overexploitation; correct?

DR. DUVAL: You don't know that. These are all species for which we don't actually have an overfishing level.

MR. BOWEN: Well, I understand that; but in my opinion you would know that because if you go with an average versus the high, there is no way – in my opinion I don't think there is no way that it would come out that it is – that you would have a less risk of overexploitation if you started with a lower landings' number to begin with; correct?

MR. CARMICHAEL: Well, yes, that's correct; and what has always been tried to be balanced is then the ability to even have a fishery. The earliest discussions on all of this business of setting ACLs, the SSC acknowledged if we don't have an assessment, it is really hard to talk about the risk of overfishing. What we do know is that if there is no fishing, then there is no risk of overfishing; so that is one bound.

Then it is somewhere above that where there is some level of risk of overfishing. Obviously, we all know that the higher you set the limit, the higher the risk of overfishing; and that's all we can

say. We have no idea. Some stocks we could be incredibly precautionary by setting it at the maximum and other stocks we could perhaps not be precautionary at all by setting it at the maximum over that particular period.

Until we have some type of type of assessment, we just don't know. That has been the balancing game and that has been where the SSC has been pulled all along. One of the reasons they set the maximum is because many of these stocks are very recreationally oriented, these unassessed stocks; and the recreational data is quite noisy.

Let's say maybe you make different amounts of money for each trip you take every day; and if someone were going to set a limit on how much money you made, do you want that limit set at the average that you made over a year across all days or would you want that limit set at the maximum you ever made in one day knowing that you could never again receive any more money than that?

That's the way the SSC viewed this is saying if we set that limit at the average in the future, you will by definition have a lower average in the future. You'd create a shifting baseline; and that was another point of discussion. For these stocks, where they felt there was low risk of overexploitation, they felt it was inappropriate to set a lower baseline going forward into the future and shift that baseline.

That's how they ended up where they are; and then there was discussion about the scalar, which lets it go up even higher, which I think is a very good discussion. The SSC put this information forward a year and a half ago; and it was just at this last meeting that a new objection emerged. It was at the end of the meeting and they're really not in a position to dig further into it. As we've said, we will be talking about the ABC Control Rule at the next meeting in some detail and planned on it; so we will take it from there.

MR. BOWEN: And to be clear; I'm not objecting at all. When I see this, I just want some alternatives, I guess. I'm not objecting at all.

DR. DUVAL: Well, I think if you have some level of discomfort with that, Zack – and, remember we're using landings as more or less an indicator of abundance out there; and that can be a slippery slope. It is not always accurate particularly if there has not been any effort on a species; but the council can adjust this if you have some level of discomfort with our risk tolerance factor. We are free to choose different preferred alternatives here that would create more of a buffer between the ABC and the ACL.

MR. BOWEN: Well, my level of discomfort only comes up when I see some of these unassessed species and then what we're allowed to catch on then; and then three years down the road when we have an assessment, we overfishing them for the last three years. That is where my discomfort – and then we have to shut the fishery down or something. That is where my discomfort comes in; but I have no discomfort in what I see in front of me, no.

DR. CRABTREE: It sounded to me like when I listened to Bonnie's explanation of this individual, that it essentially came down to he felt this was risky and not conservative enough;

that is what I heard; not so much of a science issue, just a risk evaluation. I'm taking it, John, that the rest of the SSC didn't agree with that.

DR. DUVAL: Well, our SSC Chair is still here so perhaps it would be appropriate to ask Dr. Barbieri to come up here.

MR. CARMICHAEL: There was definitely discussion at the SSC. It totally was a risk discussion. There were some members that felt perhaps there was a point there; but there certainly wasn't a consensus across the board to withdraw the recommendations that they had put on the table. Given that it was a minority opinion, the individual who expressed that opinion was given free rein to express that in the report. What you see in the report expressing that opinion is the words of that individual and not modified by the Chair or by other SSC members or by staff. It is their words exactly.

DR. CRABTREE: Yes; and I think ultimately characterizing the risk in terms of how much risk there is, that's fine with the SSC; but determining how much risk is acceptable is a policy determination for the council to make.

DR. BARBIERI: First of all, I do feel that these types of discussions are healthy. It is good for us to make sure that we have a clear understanding of the methods and that we have a robust discussion, so to speak, of all the pluses and minuses, because then we can make the best informed decision.

I take your comments as just asking for more clarification on the methodology, which is fine. But just to go back to basic principles, having been one of the people who helped develop the ORCS approach, the idea goes back a few years, five years or so, when we were at a National SSC Workshop that brought people from all over the country.

At that time the agency had a presentation. Dr. Rick Methot, who takes a leading role within the agency, provided some recommendations on how we could develop catch level recommendations for these different stocks. It is easy for us or easier for us to handle the ones for which we have quantitative assessments, but for the other ones we are faced with much less information.

One of the things that Dr. Methot presented in this, which became known as the Methot Table – and it is referenced throughout the ORCS Report and has been discussed extensively at the following National SSC Workshops – is that some stocks that are likely exploited – you know, when you look at the exploitation level and the level of assessment information that you have you realize that about a dozen stocks or so, maybe less than that, represent 85 percent of the total landings.

There were a high number of stocks that are actually secondary or bycatch stocks for which you don't have directed effort, really. The idea then, as Dr. Methot presented, was to rank the things and say, okay, let's try and develop some catch level recommendations that are well aligned with the risk of overexploitation. For those stocks that we don't have assessments for, there was a

risk overexploitation; and that's related to how much fishing and some other factors, like the susceptibility of the species, habitat availability, a number of other criteria.

You're going to see that the vast majority, the bulk of the total biomass that is being exploited in the South Atlantic has gone through quantitative assessments; and for those we have much better informed catch level recommendations. These stocks that fell to ORCS – and there are some exceptions to that rule, unfortunately – but those stocks actually are minor stocks relatively speaking; and for those, the probability that they are being already overexploited is lower than the other ones given the lack of directed fisheries and so forth.

Those stocks, because their catch is not directed, is episodic; so you have a band of high variability where you're going to have some years fairly high catches and other years low and then high and then low. What the SSC was trying to do is not put you as the council in a situation where you would have to apply accountability measures and take management action that is responsive simply to data noise in this variability.

We decided that we would identify what is that band of variability and set the limit, not a target, but set the limit slightly above that band of variability. The stocks will naturally – the landings will naturally vary and you're not forced to take action unless that limit is exceeded, which would suggest that the fishery is expanding and becoming directed.

So if a stock is longer being a bycatch but now it has a directed fleet, that would increase the landings and it would trigger action by you. The justification of that maximum catch – and it is contentious. We are dealing with situations where the level of information available is insufficient for us to have certainty.

But the idea is to generate that band, put the limit, not a target, but the limit above that band of variability so you don't have like one year you close half a dozen stocks so you trigger AMs; and next year the stocks are – because you're just under variability. That is the justification for why we went to that maximum in terms of the process and the whole rationale and how it relates to risk of overfishing; and those are the issues that basically inform the SSC decisions.

MR. CONKLIN: Madam Chair, I just wanted to read the SSC comments back out to the group here. It said originally the SSC reason that selecting the maximum catch as their catch statistic in the ORCS approach was okay because the ABC is, after all, a cap and not a target. That is what Luiz said as well.

The last one says after much deliberation and they talked about everything, they made up their mind. They said it is okay, we're moving forward with Amendment 29; because even though there is a minority opinion, but the use of the ORCS approach is okay and we're going to move forward with it. We're sometimes forced to listen to them and I think now we ought to take advantage of their advice.

MR. JOLLEY: I have been in this thing a little bit since the very beginning. Luiz, call me down if you think I'm wrong; but this is highly speculative stuff, so I just wanted to caution the council to be a little careful.

I think the selection of the scalar is one area where we can reduce risk; and I think it was Jim on the SSC that had the biggest concern. I thought he had some pretty good points. I have been skeptical, as you know, of the ORCS method from the beginning; but I don't know enough to really – but I'd be a little cautious here when selecting scalars.

MR. HARTIG: I think after the discussion I made the comments about the evolution of the data-poor process; and it is an evolving process. The SSC did make the points that this was the best scientific information available at the time that this process was developed. There are data-poor workshops being held around the country; and I think one was held in Miami just six months ago, possibly.

You all are going to revisit all of this in October when you look at your ABC Control Rule. I didn't have the heartburn with what Jim was putting up there. His point was that in other areas of the country the scalars were more conservative and the catch statistics were more conservative. That was his main points.

I didn't have a problem going forward with this process now; and then as you proceed through – as we evolve with the new methodology for data-poor states, we get better ways to do that. The other thing is to John's point about being more conservative; this is one place where we could actually use adaptive management.

We can look at what catches are suggested by the ORCS approach, go back and look at the landings we have. If we're not meeting the landings' level that is suggested, we don't have to go there now. We could leave that conservative for now and then as we go through this and if landings increase, then we could increase it in an adaptive approach.

To me that makes a lot more sense. It is the only place really we have any of that luxury of being able to use adaptive management and certainly I think in some of our other venues it would be very important to do it, too, but that is just one way you could look at this and be a little more conservative if you wanted to be.

MS. SMIT-BRUNELLO: I think we've had some great discussion this morning for the record and for me and for everyone else listening. I think Dr. Ponwith's explanation of the concerns from that SSC member were illuminating and I think they really helped; and then you all have contributed greatly to my understanding as well as I'm sure everyone else who is listening to it.

My question is, Luiz, based on the SSC Report there is a discussion in here that you all – and we talked about this a little bit – are going to revisit the ABC Control Rule in October and then I think prior to that October meeting.

My question, given workloads and everything else, the council has before it Amendment 29, which contains revisions to the ABC Control Rule; should the council be waiting to take action on Amendment 29 until you – is the control rule possibly going to be adjusted again; so are we getting ahead of ourselves and then we will get – well, you don't know because I know you do have a crystal ball, but it doesn't work all the time.

Should we be taking this action and revising the control rule and then the council may have before it yet again another variation suggested by the SSC to the ABC Control Rule? This is a question for you all to consider as to whether we go forward with this or whether it is appropriate to wait or whether the control rule is always going to be revisited by the SSC. Maybe you could speak to that just a little bit. Also, will you be revisiting the ORCS approach again in the fall-time meetings?

DR. BARBIERI: Well, to your first question, I think you as the council, you should proceed as we evaluate the situation as it is presented now. There was a discussion about the level of management risk involved and you should proceed according to your best judgment in that case. The SSC as a scientific body will continue discussing this I would think perpetually.

Science works that way and we learn the adaptive management approach; and as the more we learn and as more we modify things, so we might be coming back to you some time with a revision of our ABC Control Rule. If it is going to happen after October, I couldn't tell you. I think that we're going to be having discussions of evaluating the performance – to Ben's point on adaptive management is evaluating the performance.

For example, this discussion that we had on application of ORCS or the data-poor approach for the Gulf Council, we realized that a lot of those caps were not being met; so even though the caps were set at a higher value, it doesn't mean the directed fisheries actually developed and that we are filling that quota since that was set up.

Most of those fisheries that are being regulated now have never had a cap and fisheries did not develop that way. When you actually set a limit, it is not that we're encouraging really that folks target that higher catch level. You're simply saying that above that level things would become more probably to be not sustainable.

In terms of the revision of the ABC Control Rule, we're going to look at how much we hit the spot in terms of setting risk of overfishing and have met that risk; how are we meeting our rebuilding plan targets or schedule for rebuilding stocks; so how are we applying the ABC Control Rule and whether it is working to address the needs of your management directions.

As part of that we're going to look at the data-poor stocks as well; and we're going to reevaluate and revisit this discussion. I think that Jim's point just adds to the whole discussion. As John said, there was a lot of uncertainty in this. It is a very uncertain methodology. Having these discussions I think is a positive thing; but I wouldn't recommend the council at this point to wait. We can always come in later I think and modify some of these management directives if we see problems with performance.

DR. DUVAL: Thank you very much, Luiz, for that additional explanation of where the SSC is in evaluation of the control rule and really just the rationale behind the use of the ORCS approach. Are there any other questions or comments at this point? Right now we're at a point where if the committee would like to do, we can certainly change our preferred alternatives with regard to the selection of the risk management scalars. Zack.

MR. BOWEN: I'm recalling from memory. I was just talking to John, but I think there are 19 species in this ORCS process. Again, I'm recalling from memory. We as a council have the decision if we so are inclined to pull out each species and assign as risk tolerance scalar to individual species instead of just the group of species; is that correct?

DR. DUVAL: I guess we could, but I would probably ask for a little bit of input from Monica on this because right now we're at a point of where we would take final action and submit this amendment for formal review. If we were to take each species out and assign a scalar to it separately and if it was scalar that was not something that was already take out to public scoping and public hearing, my concern is just that it would too great of a modification. I guess maybe a little more discussion about what your thought process is and then maybe Monica can provide us a little bit of advice.

MR. BOWEN: Well, the five species that are in front of us, I know gray triggerfish is coming up for an assessment; but what I'm seeing in my fishery off of Georgia I think there is a high risk of overfishing of scamp grouper than I do tomtate. In my opinion I don't think that they should have the same risk tolerance scalar.

MS. BROUWER: Zack, both those species were put in a category based on their risk of overexploitation, and that is something that the SSC provided. They went through a very extensive deliberation. There is an appendix in the document that contains all the criteria that they looked at in order to group species based on those overexploitation categories.

MR. CARMICHAEL: But there is also the two scalars – you have the risk of overexploitation, which was the technical one; and then the SSC brought forth the risk tolerance scalar; and I think that is what Zack mentioned was the risk tolerance scalar, which as we described then is the council's tolerance for risk on the individual species. Roy mentioned that earlier in this discussion about that being a council decision; so that's why these are set up with two different scalars. One is technical; the other is the council decision.

DR. DUVAL: Right; and I guess what I was just saying earlier was if we do choose to select different risk tolerance scalars, and especially if it one that has not been taken to the public, my only question is where does that leave us? Do we have to kind of loop around back to the beginning of the process? David.

MR. CUPKA: Zack, I think you were a part of that process; but the overexploitation scalar came not only from the SSC but it resulted from a workshop in which members of the AP as well as council members were there and we, using different factors, came up with those; and that is why they ended up grouped the way they did. There was input not only from SSC members but also some fishermen and council members that resulted in those groupings as well.

MR. BOWEN: Yes; I was a part of that process. I just want to bring to light that I feel like the risk of overexploitation of scamp is greater than the overexploitation of tomtate. As a council, I'm assuming we have the power or whatever to assign different risk tolerance scalars to different species on what we're seeing on the water.

DR. DUVAL: Our current Preferred Subalternative 4A would assign a risk tolerance scalar of 0.7 to both tomtate and scamp; so, Zack, are you suggesting that you would like to apply a difference risk tolerance scalar that is noted here or is there a different risk tolerance scalar that isn't in this document somewhere that you would like to apply to each of those species?

MR. BOWEN: I'm sorry, Madam Chair, we were discussing this; can you repeat the question.

DR. DUVAL: You mentioned both tomtate and scamp. My question is in terms of a risk tolerance scalar that you would like to apply to each of those species; is it something other than 0.7 and would that something other than 0.7 be either 0.75 or 0.5, which are the other two subalternatives listed; or are you thinking of something completely different?

MR. BOWEN: Again, when scamp comes up for assessment; I just don't want us to look back and we've been overfishing on them for the last three or four years and then that's part of the shallow water grouper. I'm trying to be a little cautious here when it comes to scamp grouper. I know that we're not seeing them like we used to just from being on the water. I feel like the chance of them being overfished is greater than tomtate. Now, do I have a recommendation on what risk tolerance scalar to put with each species; no, I don't. I like 0.5 for scamp, but I don't think that 0.75 for tomtate is bad either.

MS. SMIT-BRUNELLO: Zack, what you have before you are different alternatives that have gone out for comment, and there is public comment at this meeting, too. You have the analysis that goes with these groups depending on – for just this action depending on the level of risk that gets assigned to them. Here is what I'm going to say to you.

If you wanted to pull scamp and tomtate out of this grouping, you probably couldn't take final action on this document at this meeting because they would have to be pulled out and analyzed. You should have the analysis before you before you take final action. If you wanted to keep them in the groups, you've got three different alternatives that have different risk tolerance scalars, from 0.7 I think down to 0.5.

You could choose from 0.5 up to 0.7, change your preferred alternative if you want, and then take final action on this amendment at this meeting. You can do whatever you want to do. It just might take a little bit more time to get you to where you want to do. If you want to take final action at this meeting, then I would suggest you stay within your alternatives that have already been analyzed. You have big concerns and you want pull out scamp or whatever, then the IPT can analyze it and bring it back before you in September. That's kind of where you are.

MR. BOWEN: And I'm okay with not pulling it out. I just want it on the record that I feel like scamp grouper is going to be – I'm good; I'll let it go.

MS. SMIT-BRUNELLO: And, Zack, you also have your next action is where you set ACLs, as Jack reminded me, so you can set a different level of annual catch limit for that, too, if you want. This action sets up the ABC. Your next action sets up where you select the ACL that you feel

comfortable with for these different groups. You've got another opportunity there to exercise your concern and maybe set a lower ACL for that group.

DR. DUVAL: Thank you for that, Monica; that was kind of what I was thinking is that since we already had several alternatives that have been analyzed, that to do something where you're pulling individual species out might require additional analysis. Zack, I just wanted to point out that the difference between the existing ABC and the new ABC under the preferred subalternative is an increase of only 12,000 pounds. That is probably within the range of noise, but John wanted to say something about this.

MR. CARMICHAEL: Yes; maybe it is a bit of a complexity, but under these alternatives you have lumped these stocks based on their risk – to assign risk tolerance scalars and they're lumped by their overexploitation scalars. I think if you did pull out an individual species; maybe that technically becomes an additional alternative that addresses that species that Mike had pointed out to me. They're lumped and it was a council decision to lump them. It is not a technical issue, but it might affect your need to do another alternative. That's why all these species are listed together in this alternative because all these species have the same risk of overexploitation scalar.

MR. HAYMANS: But it would seem to me, John, that if Zack wanted to pull just scamp out and apply the risk tolerance scalar of 0.5, it has already been analyzed.

MR. CARMICHAEL: Yes; I agree it has been analyzed, which to me would think maybe it is an easy additional alternative for you to look at.

MR. HAYMANS: Right; and that basically lowers the ABC by 150,000 pounds, which is more cautious which seems like Zack wants.

DR. DUVAL: Monica, to do something like that, just pull scamp out and apply that Subalternative 4C risk tolerance scalar of 0.5; it has been analyzed certainly as it has been set up now; so there is some analysis. Would that still – would it require enough additional analysis that we would not be able to take final action?

MS. SMIT-BRUNELLO: That would be a good point for which we should take a break and I can get with Fisheries Service staff and council staff and we can discuss what that would entail before I give you my answer.

MR. BOWEN: Madam Chair, you said using a risk tolerance scalar of 0.7 is only a difference – it is a positive difference in the ABC of 12,000 pounds; but if you look at the next graph below, using a risk tolerance scalar of only 0.75, that is a difference of almost 50,000 pounds.

DR. DUVAL: But that's not our preferred subalternative; so I don't see where your concern is. The preferred subalternative applies the risk tolerance scalar of 0.7, which is an increase in 12,000 pounds.

MR. BOWEN: We're not catching the ACL on scamps now, anyway.

DR. DUVAL: Is your concern that by increasing the ACL potentially 12,000 pounds, which as Monica has pointed out the next action would be to actually set the ACLs, which you can back off from the ABC on doing that. Is your concern that people would then suddenly go out and start targeting more scamp?

MR. BOWEN: No; my concern is not that. My concern is the fish; that the fish aren't there. That is my concern. The scamp grouper is my concern.

MR. BELL: I think you hit on it, though. We have the ability to – the ABC does not always equal the ACL. We can ratchet down if we have concerns. If we have concerns from various data or what you're seeing or even trends in the independent data, we can deal with that as the council. We can add some extra measure of caution in there. But I would agree with you; I'm concerned about scamp, too, but I think we can deal with it.

DR. DUVAL: I'm going to go to Ben and then, Zack, I'm going to ask you if you would like some of that advice from Monica and the Fisheries Service, in which case we will take a break so that we can do that. Ben.

MR. HARTIG: Well, I think the concern with scamp has been voiced a number of times at the council level. We've voiced this concern about the trends in Marcel's presentations. We have tried to get scamp on the assessment schedule for a number of years. We finally got it on there and it looks like it may be bumped again or put off to a longer timeframe based on some of the problems that is occurred with assessment scientists.

I share your concern, Zack, with scamp in particular. Tomtate, maybe not so much; it is really an ecosystem species that supports – it is a forage fish that supports a number of reef fish species; and there are no commercial landings. If you think the recreational landings have any bearing on productivity of that stock, I don't share those views.

But for scamp, I think it would be prudent for this council to possibly entertain what Zack is trying to do and have a little more conservative aspect given that we continually push this fish a longer, longer way from a real assessment. That is just my thought.

MR. PHILLIPS: When we come back from break, just so we can get a whole picture, let's look at when scamp is on the assessment schedule, what the ACLs were, how much of it has been caught, so we can kind of look at it from a holistic view.

I don't think anybody is going to go start targeting them that hadn't targeted them no matter where we set the catch level. We could double it but they're not going to fish any harder for it, theoretically. Let's kind of look at it from a holistic view. If we can have those couple of items when we come back; that would be good.

DR. DUVAL: Well, they're not on the assessment schedule right now; so that takes care of one piece of information. Zack.

MR. BOWEN: Ben, to your point, I agree with you. That was my point exactly; I don't feel like scamp and tomtate should be on the same – have the same risk tolerance scalar. That was my point.

MR. CUPKA: Ben and I talked about this when we went through this whole exercise of setting the risk of overexploitation scalars; that there wasn't much spread among these things and we were concerned about it then; that some of these things we know were going on weren't being accounted for when we ended up assigning values to those.

We had concerns from the very beginning I think over the fact that there wasn't more of a spread when we set these overexploitation scalars, but we certainly have the ability to change the risk tolerance scalar and even more ability to back down from the ABC when we set the ACL. We were aware of some of these things I think when we started down this road but weren't dealing with them right off the bat.

DR. DUVAL: Jack has the commercial and recreational landings so I'm just going to let him speak to that.

DR. McGOVERN: I was just going to mention in 2013 the percentage of the ACLs for scamp taken; 39 percent of the ACL was taken for the commercial sector and 26 percent for the recreational sector in 2013.

MS. BECKWITH: I would suggest that we deal with this. I agree with Mel, deal with this under Action 3; and if we want to pull out scamp and apply an ACL equals OY of 0.8, then that would take care of our risk but not quite to the level of decreasing maybe 136,000 pounds from the current ABC.

DR. DUVAL: Monica, we'll take a break. We'll come back at 10:30. If you could check into whether or not pulling out certain species from these groupings and apply different risk tolerance scalars that are already amongst our subalternatives here to individual species is going to delay the amendment or not; that would be great.

Monica, before we go to you, I'm just going to make a few suggestions. I think if the committee feels like there are other species besides scamp for which there are concerns regarding the risk management scalar that is being applied and for which the committee might want to take an alternative approach; it might be better to simply hold off on addressing this piece of Amendment 29 in discussion right now, let people have an opportunity to think about any other species that they might want to address in this fashion over lunch and come back with a list of those species and we could simply move through the gray triggerfish stuff.

I think my concern about doing something different with scamp is if we do something extremely different; it has not gone out to the public. If we were to remove scamp and set a very precautionary but different ACL that was not based on any of the analysis in here; my concern is that has not gone out to the public.

My recommendation would be if there are species for which we just don't feel that there are a combination of scalars here that is appropriate, that we remove those and put them in a separate regulatory amendment. That is just something for folks to think about; but, Monica, what sage advice do you have for us on this issue?

MS. SMIT-BRUNELLO: There is much less legal risk if you do the following; and that is if Zack wants to pull scamp out and make it its own alternative really in terms of where you apply the risk tolerance scalar; then you haven't seen – although most likely he would choose 0.50; and 0.50 has been analyzed in the document for that group of species, but it hasn't been analyzed separately.

What you would be doing is if you went ahead – let's say he made the motion and you all approved it, you pull out scamp, it is its own alternative; you'd be approving potentially a document that you haven't see all the analysis for; and I would advise you not to do that. I think it is much better from a legal perspective if you would wait until September when you saw the document you are actually approving with all the requisite analyses in it.

That would be my advice is if you want to go that route, that's fine. You always have the prerogative of making different decisions at your council meetings; but I advise you then not to take final action until you saw the actual document with the analyses in it that you were taking final action on.

MR. BOWEN: And I'm perfectly fine going with your recommendation.

DR. DUVAL: Zack, you were not here when I made a few suggestions right at the beginning; but if there are other species besides scamp for which people are feeling like the preferred alternative or any of the other subalternatives under Alternative 4 are inappropriate and they would like to see those pulled out and pulled and applied separately in this kind of fashion; I would encourage folks to think about that over lunch.

We won't deal with this part of the amendment anymore because the last thing I want to do is keep jumping back and forth to, well, let's deal with this species; well, then maybe I have an idea about another species. I would prefer that the committee really give it some thought as to whether or not you're happy with the scalars as they've been applied; and if you want to consider a different approach, then consider a different approach recognizing that this amendment will be delayed. That is my suggestion.

MR. BOWEN: That's fine, Madam Chair. Can I ask for a list? I think there are 19. Again, I'm recalling from memory, but is there someone that can supply the committee members with a list of the species that are in the ORCS or show me where I can find them.

DR. DUVAL: They're on PDF Pages 8, 9 and 10. If you look starting on PDF Page 8 under Action 2; those tables have all of the different species. They're broken out by their respective risk of overexploitation scalar; but those pages provide all the species. I'd like to get a sense from the committee what you would like to do.

If other committee members have particular species that they might be concerned about that they would want to apply a different risk tolerance scalar to, whether they're individual species that folks are concerned about or if concerns could be addressed by simply selecting another subalternative.

If there are, what I am suggesting is that you spend time over lunch thinking about those species; but what I'd like from you right now is some thoughts on that approach; spending some time over lunch to think about that and think about if there other species similar to scamp that you would want to take out; and then come back and address that after lunch. Myra.

MS. BROUWER: With the understanding that if you do go that route, that there is going to be some changes to the timing of this amendment and you probably, as Monica said, should not approve it for final action at this meeting.

DR. DUVAL: The suggestion was to actually think about the species over lunch and not right now. What I'd really like some verbalization on is how you guys feel about that approach; if you'd like to think about other species over lunch, we'll go through the gray triggerfish stuff in this amendment. I'd like some input. Mel.

MR. BELL: I think that is an outstanding idea.

MR. HARTIG: In terms of timing – and I think if you substantive issues, that certainly trumps the timing issue. Basically if you have differences that could be analyzed; we'll be going out to public hearing in August; so by September we could possibly have public comments and come to final action in September. You would be putting it off for three months. To me I think some of the conversations over lunch are pretty critical on the way forward. I'm going to have to talk to Monica about my idea to make sure it floats; so we'll see.

DR. DUVAL: I guess one thing I might put in there is just given the workload that there is already on council staff and the regional staff and the tight timing we have on some things, I'm not sure I would necessarily expect – depending on action we might take this afternoon regarding these species; I'm not sure I would expect a document that would ready for public hearing in August. Gregg, can you weigh in on that at all?

MR. WAUGH: Yes; as we talked about at the Executive Finance Meeting, the docket is full. However, we work for you. If you feel there is something critical that needs to be added, it depends on how extensive the changes are. Again, to take something out to public hearing, it does haven't have to be in final version.

Again, we've got other amendments we're going to be talking about as well; and it depends on the sum total of the changes. If it is something like scamp that you feel is critical that other alternatives be inserted; then we'll get the best document available. If it needs to go back out to that round of public hearings in August or if it could just be taking public comment at the September meeting may be another avenue that would allow us to get more public input. Maybe that is something that Ben can discuss with Monica as well. That would give us more time to have a document ready.

DR. DUVAL: Let's go ahead and skip through to the gray triggerfish stuff, if everybody is okay with that, and just give it some thought over lunch as to any other species that you might want to take an alternative approach to with regard to the scalars. Myra.

MS. BROUWER: Actually, there is one bit of business that I'm not sure if you want to dispense of right now. The issue is, as I mentioned, Action 2 would increase the ABC for silk snapper, which will change the ABC for the deepwater complex, which has been modified temporarily through the emergency rule to take out blueline tilefish.

One of the things that we were going to ask you is to give us guidance through a motion to take out the Deepwater Complex ACL of Amendment 29 so that it can be addressed in Amendment 32.

MS. SMIT-BRUNELLO: Myra is correct; and the other way to do it is just when you get to Action 3, choose Alternative 1, no action, for the deepwater group and then you wouldn't be increasing the ACL. That is already in the document; and it does have to do with timing of the emergency rule and the fact that we put in place a different ACL for the deepwater complex and blueline tile.

Until blueline tile is taken out in Amendment 32 of the deepwater complex; the dominoes start to fall and it affects what you do here. I would urge you to take no action, which is under Alternative 1, Action 3, for the deepwater complex, when you got to Action 3.

MS. BROUWER: Right; so we can either take care of that right now or go on to talk about gray triggerfish and dispense with that bit of business when we come back around to Action 3. It is up to you; I just wanted to make sure that it was noted that needs to happen at some point.

MS. SMIT-BRUNELLO: And I would think you might want to wait based on Michelle's suggestion, which I think is a good one, to look at Action 2 for the different species and see if there is any other changes you'd like to make; because whichever ABC you choose will affect the ACL you choose in Action 3. I would think you'd want to keep those two actions together.

DR. DUVAL: I agree. If everyone is okay; then we'll just move on to Action 4, which deals with gray triggerfish.

MS. BROUWER: Okay, Action 4 is on PDF Page 17 of your decision document; and it is to modify the minimum size limit for gray triggerfish. We have a couple of suggested edits mainly just for clarification to the no action alternative and throughout. Recall that we added another alternative that would specify a minimum size limit just off Florida.

You had also given us the guidance to include subalternatives under each alternative that would give you the choice of selecting these changes for the commercial sector or the recreational sector; so we have structured those accordingly. Because those subalternatives are now part of each of the alternatives, then we have noted in here that they have been selected as preferred.

It just needs to be done that way; you can't have a preferred alternative without selecting both subalternatives as preferred the way that we have structured it, if that makes sense. That's way the word "preferred" was inserted in there even though you did not make a motion to select those preferred; but based on your intent, we've understood that these changes would apply to both the recreational and commercial sectors. We would need a motion for you to approve these edits to the language of the alternatives.

MR. PHILLIPS: Madam Chair, I make the motion to approve the suggested edits to the alternatives.

DR. DUVAL: Motion by Charlie; second by Jack. Discussion? Is everybody clear on the suggested changes and the reasons why these subalternatives have been selected as preferred just to ensure that we've completely covered the commercial and recreational size limits?

I guess I would note that I think the advisory panel selected Alternative 2 and Alternative 3 under this action. Is there any discussion or comments? **Is there any objection to this? The motion is to approve suggested edits to the language of the alternatives in Action 4. Any objection? Seeing none that motion stands approved.**

MS. BROUWER: So your current preferreds are to specify a minimum size limit for gray triggerfish of 12 inches fork length in federal waters off North Carolina, South Carolina and Georgia; and also Alternative 5 is the preferred and that would specify a minimum size limit for gray triggerfish of 14 inches fork length in federal waters off the east coast of Florida. That currently is what the preferreds are; and if there is any desire to change them, now would be the time.

DR. DUVAL: Again, I would just note that the advisory panel selected Alternatives 2 and 3 as their preferreds under this and would just ask the committee if there is a desire to change either of the preferreds at this time. Silence generally means no. Okay, moving on, Doug.

MR. HAYMANS: Just a question; we don't know the breakdown on that AP recommendation; the Florida representatives versus everybody else? It is really only Florida that would be bumped to 14 and everybody else gets 12, right, under our current preferreds; but under the AP is everybody at 12. I would assume that is what the Florida representatives went along with.

DR. DUVAL: I can't speak to as how the vote went. We don't record the votes that way so I don't know although I was there. Two were opposed and one abstention. For selecting Alternative 2 and Alternative 3 as preferreds by the AP; there were two members in opposition and one abstention on that vote. Any other questions? Okay, moving on.

MS. BROUWER: The next action is on PDF Page 21; and that is to establish a commercial split season for gray triggerfish. The no action reads the commercial fishing year for gray triggerfish is the calendar year. We have added a parenthetical just for clarification that's January 1 through December 31; and the commercial ACL is allocated for the entire year.

Currently your preferred is Alternative 2; and that is to allocate the directed commercial gray triggerfish ACL into two quotas; 50 percent to the period January 1 through June 30 and 50 percent to the period July 1 through December 31; and any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. This is the exact same way we have set B-liners. I'll remind the committee that there is no payback; so if there is an overage in Season 1, that does not get deducted from the Season 2 quota. That is the way it works for vermilion currently.

DR. DUVAL: Are there any questions for Myra? The advisory panel also selected Alternative 2 as the preferred under this action. Is there any desire on the part of the committee to change its preferred? If there is no desire to change the preferred; then we would just need a motion to approve the suggested edit to Alternative 1. Charlie.

MR. PHILLIPS: Madam Chair, I make the motion we approve the suggested edits to Alternative 1.

DR. DUVAL: Motion by Charlie; second by Anna. Any discussion? Objection? Discussion, Brian.

DR. CHEUVRONT: I was working on the economic analysis for this notion of splitting the season for gray triggerfish. When you look at the landings and know how it goes; you could end up with part of the year where there literally is nothing for snapper grouper fishermen to fish for if you split up the season.

We're talking about primarily April; so you need to be careful when in your deliberations that you're looking at the seasons that are available. I just wanted to point that out to make sure you include that in your deliberations on this, because it could have some serious socio-economic impacts as you're considering this.

DR. DUVAL: Thank you for that input, Brian. I believe the impetus for this particular action was to align the season of vermilion and gray triggerfish given that they're co-occurring, that they're caught together; and so during the vermilion season, you would not be discarding gray triggerfish because the season was closed.

However, Brian has pointed out some potential impacts of maybe just one species being available, maybe snowy grouper in the spring or golden tilefish depending on when that closes and which sector you're fishing for; so just something to be aware of. Any comments or questions? **Since there is no desire to change the preferred, we have a motion on the board which is to approve the suggested edit to Alternative 1 under Action 5. If there is no other discussion; is there any objection? Seeing none; that motion stands approved.**

MS. BROUWER: Action 6 is on PDF Page 24 of your decision document; and it deals with establishing a commercial trip limit for gray triggerfish. Your preferred currently is to establish a commercial trip limit for gray triggerfish in the South Atlantic; and that would be 1,000 pounds whole weight. We are not suggesting any changes to the language of the alternatives.

DR. DUVAL: I'll note that the advisory panel selected Preferred Subalternative 2B as well as Subalternative 3B as preferreds; and that was approved with one abstention. Jack.

MR. COX: Looking at this, it really needs to kind of mirror the vermilion season where when you get to that 75 percent and have that step-down to go to some kind of bycatch allowance; so I would certainly love to see our preferred being with Subalternative 3B at 500 pounds and see what kind of support I can get here for that.

DR. DUVAL: Are you making that in the form of a motion?

MR. COX: Yes; I'd like to make that in the form of a motion, please.

DR. DUVAL: So there is a motion by Jack to also select Alternative 3, Subalternative 3B as a preferred; second by Anna. Discussion? Charlie.

MR. PHILLIPS: Well, back to Brian's point, if vermilion is closed and you hit the 75 percent on trigger; who is going to run out there for 200 pounds or 500 pounds? It is just not feasible. You might run out there for a thousand pounds of trigger; but you're not going out there for 500 pounds when almost everything else is closed in April. I'm going to vote against the motion because I think it is going to be counterproductive for a lot of fishermen.

MR. COX: Yes; I understand what you're saying, Charlie. The thinking here is to have that allowance that you can extend the season a little bit; and 500 pounds, we're paying the boat at \$2.25 to \$2.50 pound on triggerfish and they can have their hundred pounds of snowies and then they can go to maybe have some king mackerel interaction and maybe a few other species. It could potentially put you at a trip of a 2,500 pounds, which is something that is better than nothing. That is just the reason I'm looking at this way, plus it will allow some interaction with those species when the consumer is looking for them.

MR. PHILLIPS: To that point, this is again where it is regional. You all have got a short trip. We're running 50, 60, 70 miles; we're not interacting with kings. We're not interacting with snowies. That is the problem; we're going to run into regional differences. What might work further north is not going to work for further south, for the guys from Mayport through wherever. All that said done; I'm still going to vote against it.

DR. DUVAL: I had just one question; and I don't know, Brian, if you might be able to answer this, but about Action 6 and establishing a commercial trip limit for gray triggerfish – and I think I maybe brought this up at the advisory panel, but the combined tables for the different split seasons. I think my question is do those include – when you look at the analysis for Subalternatives 3A, 3B and 3C in these tables; do these projected closure dates incorporate the different trip limit options of 500, 1,000 or 1,500 pounds?

DR. CHEUVRONT: This was the one that was really, really difficult to deal with; because each action contributed another part to this. What I did – I'm having to look at this just to make sure – this is all under Action 4 – okay, it shows the preferred alternatives that you had for a couple of the actions to reduce the number of combinations that you would have in the table.

In this case I chose the preferred January/June split season alternative in Action 5 and the 50/50 split and then you have the 12-inch minimum size limit and the preferred alternatives for Action 4. What we've got here is the different alternatives under Action 3 and then the different alternatives and subalternatives under Action 6; and so these assume you would – the dates assume the different possible combinations for those two actions assuming that you have Actions 4 and 5 with the preferred alternatives only. If you've changed preferred alternatives at all, then those tables are going to change. It is nearly impossible to do a table of combinations with four different actions, all the different possibility. Yes; and it does include the proposed increase in the ACL.

DR. DUVAL: Through the ORCS approach?

DR. CHEUVRONT: Yes.

DR. DUVAL: So we did not change either of our preferred alternatives under Actions 4 and 5; and so I guess my question is just if the closure dates that are projected under those preferred alternatives for looking at Alternative 2, 500, 1,000 and 1,500 pound trip limit; if the proposed closure dates under the Subalternatives 3A, 3B and 3C incorporate any of those trip limits in Alternative 2?

DR. CHEUVRONT: No; they do not. Is that the bottom line we're trying to get to.

DR. DUVAL: That is what I was asking; I'm sorry.

DR. CHEUVRONT: Okay, I was trying to figure out where you were headed with that; okay.

MR. HAYMANS: Brian, I can appreciate the complexity of this table and I have just a question. It looks like on the first table there that – and I'm look at Action 3, Alternative 2, as I go down; but it looks like it is about the same for all of them. You roughly extend two weeks going from a thousand pounds the whole year through, the whole period through; to dropping down at 75 percent to 500 pounds, you're basically extending two weeks.

DR. CHEUVRONT: That's correct.

MR. HAYMANS: Okay; so when I go to the second half of the season and I assume maybe there is more landings in the half; if I'm using that same approach – and I'm looking at Action 3, Alternative 2, 2B and 3B – I go from 27 September to 28 September; I extend by one day?

DR. CHEUVRONT: That is correct because it has to do with the average poundage caught on a trip.

MR. HAYMANS: Yes; so it really doesn't make much difference to do a step-down for one day or two weeks.

DR. CHEUVRONT: Right; basically what that is showing you is that a lot of these trip limits are going to have very small effects.

DR. DUVAL: Doug, you were referring to the bottom table for the July through December season, looking at Action 3, Alternative 2 Column and Alternative 2B and Alternative 3B, right, which falls onto the next page. That is what I was asking Brian was it those trip limit alternatives under Alternative 2 of this action, if the analysis was done in conjunction with the trip limit step-down predicted closure; and those two were analyzed separately. That is what he is saying.

DR. CHEUVRONT: Right; they were all analyzed separately so they're independent of each other.

DR. DUVAL: So if you look at the projected closure under July through December season, for Subalternative 3B up at the top of PDF Page 26, where it has 28 September projected closure; that was analyzed without a thousand pound trip limit.

DR. CHEUVRONT: That is correct.

MR. HAYMANS: It was unlimited up until the 75 percent?

DR. CHEUVRONT: Yes.

MR. HAYMANS: That makes a big difference. Brian, why didn't you look at the thousand pounds?

DR. DUVAL: Well, those were our preferred alternatives and he did what we told him to do.

MR. COX: Doug, I was just going to tell you where you really get your potential in this thing is to go to 200 pounds. There was a little bit of support from folks that I talked to about it. I think you get two more months out of the step-down at that level, but you're not really in a professional fishery at that point. It is just strictly bycatch. At 500 pounds, I'd say it is still a directed fishery.

DR. DUVAL: So that was a point I just wanted to make that everyone was clear on is that these projected closure dates for the subalternatives under Alternative 2 were analyzed separately from the subalternatives under Alternative 3; so they were not done in conjunction with one another; i.e., if you have a 1,000 trip limit, what would things look like if you then applied a 500 pound or 200 pound step-down. I just want to make sure that folks were aware of that. Are there other comments or questions?

We do have a motion on the floor. **That motion is to select Alternative 3, Subalternative 3B, as an additional preferred under Action 6. This would impose a 500 pound trip limit step-down when the ACL reaches 75 percent. Are people ready to vote? Can I see a show of hands of those in favor in the motion – I count 4 – those opposed – 5 opposed so the motion fails.**

That's pretty much as far we can go on this amendment today because the next item of committee business would have been to approve this for formal review, but again we're going to come back from lunch and pick up on Action 2, looking at the different risk management scalars. We'll go on to the next agenda item, which I believe is Amendment 32, blueline tilefish. This is Attachments 9A and 9B in your briefing book.

MS. BROUWER: We heard yesterday some more discussion as to how the ABCs were arrived at based on the stock assessment and the projections. PDF Page 5 starts the proposed actions and alternatives for this amendment. The way we structured it is Action 1 takes care of revising the composition of the deepwater complex by removing blueline tilefish and adjusting the deepwater complex ACL, OY and ACTs.

No action shows you everything that is currently included in the deepwater complex and notice that I've put a star next to silk snapper, which as I mentioned earlier is the one that if Amendment 29 is approved the way that you have your preferred selected, the ABC for that species would go up substantially and would change the ABC and the ACL for the entire complex.

There is a little note that reminds you of that. Here are the ACTs and how they would change; and it shows you the percent composition. If you don't mind, I have a short PowerPoint that Rick DeVactor put together to sort of give you an explanation for how all these different amendments and changes are going to work in concert with each other.

Let's do that first before we get into each of the actions. This is not in your briefing book. This is simply just to explain to you what the issues are. As you know, blueline tilefish is undergoing overfishing and is overfished according to the MSST definition, which as we know is in the process of being revised and changed through Regulatory Amendment 21.

The temporary ACL, which will expire on October 14 of this year, is 224,100 pounds. Blueline tilefish is in the deepwater complex until the emergency rule goes away. Here is the composition and the individual ABCs for each of the species that make up the deepwater complex. As you can see, blueline tilefish obviously is the major player there; and the total is 711,025 pounds whole weight.

Here is the percent composition; so 89 percent of the deepwater complex is made up by blueline tilefish. Amendment 32; what we've proposed to do is to remove blueline tilefish from the complex, then recalculate the ACL, OY and recreational ACT for that complex, and then go ahead and specify for blueline tilefish ACLs, MSY, OY, recreational ACTs and accountability measures and management measures for blueline tilefish.

The way that Amendment 32 is structured, as we just discussed with the previous action that we were looking at, is we just simply tier off the previous action's preferred alternative to facilitate the analysis so that we don't have to compare everything to everything else. When we remove blueline tilefish from the complex; the total ACL is going to go down to 79,684 pounds whole weight.

Now we need, as I said, to specify all of these for blueline tilefish, which is what Amendment 32 will do. The values that have the little star over here would be recalculated in Amendment 32; and the rest of the items would not be affected. For the council to consider and what we would suggest you do is change the deepwater complex accountability measures in the Comprehensive AM Amendment or consider doing it in Amendment 32.

I guess for ease of analysis, we would prefer that those AMs stay in Amendment 32 as opposed to leaving them in the Comprehensive AM Amendment, which is where they currently are; and then for silk snapper in the deepwater complex retain the action that would change the ABC for silk snapper but don't change the ACL.

Both Amendment 32 and Amendment 29 are going to specify ACLs; but Amendment 32 is going to specify the ACLs for the deepwater complex, taking into consideration the increase in the ABC for silk snapper through Amendment 29. Is that confusing enough? Here is the timing. As I said, the emergency rule, if it is extended, would carry you through April of 2015. For Amendment 32 we're looking at public hearings in August and approval for review at the September meeting, if all goes well.

Amendment 29; that one is up in the air at this point; but we did public hearings in January and approval for review would happen at this meeting. Our recommendation is that you specify the deepwater complex ACL and the deepwater complex AMs in Amendment 32. With that in mind, as we go through the various alternatives in Amendment 32, that is what we need to hopefully be working towards. Are there any questions thus far? Is everybody sort of clear?

DR. DUVAL: I really appreciate you going through that, Myra, because there is definitely some timing synergies that we need to make sure we're aware of. Ben.

MR. HARTIG: For silk snapper we have an ABC that came out of the ORCS – I can't remember which one – and what you were suggesting is not implementing that ABC and keeping the ACL the same? No?

MS. BROUWER: No; what we're suggesting is it is okay for the ABC for silk snapper to go ahead and be adjusted through the ORCS process in Amendment 29; but when it comes to changing the ACL, we would prefer that be done in Amendment 32 just because of the timing of all these various things, including the emergency rule and how long those regulations are going to be in place. That seems to be the way that would minimize any kind of timing issues.

DR. DUVAL: And, Myra, remind me again when the emergency rule expires?

MS. BROUWER: October 14; and then if you extend it, it would take you through April of 2015.

DR. DUVAL: Are we going to need a motion at this meeting to request an extension of that emergency rule or are we going to need that in September? Would September be soon enough; I guess that is my question.

MS. SMIT-BRUNELLO: I think September would be soon enough.

MS. McCAWLEY: So just another question for Myra; the ABC would be adjusted in Amendment 29 in the ORCS; what was the amendment that the ACL would be adjusted in?

MS. BROUWER: Amendment 32; this amendment.

DR. DUVAL: Has that percolated; everybody kind of understands where we are? Thank you very much and thanks to Rick for putting that together as well; so back to the decision document for Amendment 32.

MS. BROUWER: Okay, that is what Alternative 2 under Action 1 would do. It would remove blueline tilefish from the complex. It would revise the deepwater complex ACLs, OY and recreational ACTs to reflect the removal of blueline tilefish. It includes in the language of the alternative what the deepwater complex total ACL is and what it would be revised to.

For this action we just have the two alternatives; and the decision document includes a preliminary effects analysis. At this point you could select a preferred alternative. Here is the Snapper Grouper AP recommendation. They went through this amendment, which was in a much earlier stage of the development when they looked at it at their last meeting.

They did recommend adding the action that would separate blueline tilefish from the deepwater complex. This one was not there when you saw this in March. We would need to improve inclusion of Action 1 and then have a motion to address the deepwater complex or to include an action to revise the deepwater complex accountability measures in this amendment as opposed to the Comprehensive Accountability Measures Amendment where they currently are.

MR. HAYMANS: Madam Chair, I would like to make a motion to select Alternative 2 as our preferred, Action 1, Alternative 2.

DR. DUVAL: Well, first I think we need a motion to approve inclusion of Action 1 and its alternatives because we did not have this in the motion.

MR. HAYMANS: **I guess my motion would be to include new Action 1, Alternative 2, in the amendment; is that correct – and the alternatives in the amendment.**

DR. DUVAL: A motion by Doug; second by Charlie to approve inclusion of Action 1 and select Alternative 2 as your preferred; is that –

MR. HAYMANS: In one motion, yes.

DR. DUVAL: Is there discussion? It reads approve inclusion of Action 1 and select Alternative 2 as a preferred. Is there any objection to this motion? If there are no objections; then this motion stands approved. I think the next thing we'd like to do is go ahead and maybe take care of – I guess if we could get a motion from the committee to establish

accountability measures for the deepwater complex within this amendment as recommended by the IPT; that would be helpful as well so that we can take care of all of this in one amendment.

Basically what this would do is take those accountability measure actions that are currently in our Generic Accountability Measures Amendment and simply place them in here. I would be looking for a motion to do that.

MR. PHILLIPS: Madam Chair, I make the motion to include an action to revise accountability measures for the deepwater complex.

DR. DUVAL: Motion by Charlie; seconded by Zack. Discussion? Everybody understands this is really a timing thing. Is there any objection to this motion? Seeing none; that motion stands approved.

MS. BROUWER: Okay, the next action deals with redefining MSY for blueline tilefish; and it is on PDF Page 10. This is something that we've done with some other species. The latest one I remember where this table came from is for red grouper where Alternative 2 is the preferred. It reads MSY equals the yield produced by Fmsy or the Fmsy proxy. MSY and Fmsy are recommended by the most recent SEDAR/SSC.

This is just something that will give the council more flexibility so you don't need to be including actions to address MSY. If there is an assessment and the MSY gets adjusted; then that becomes the new MSY for that species. You can see on this table that the value for blueline tilefish would be 226,500 pounds whole weight.

DR. DUVAL: We don't really need to do anything here. We've already selected this as a preferred and the AP has as well.

MS. BROUWER: The next action is on PDF Page 12. This is where we start dealing with all the adjustments that need to be done just to blueline tilefish. This action would establish ACLs and OY for blueline. The no action is do not establish ACLs and OY for blueline tilefish. Then it explains the temporary removal of blueline tilefish from the deepwater complex and the temporary measures that are in place.

The total ACL for that species currently is 224,100 pounds; and that has been apportioned according to the existing allocations between the commercial and recreational sectors. This will be in place, as we've reiterated over and over again, through October 14 of this year and may be extended for 186 additional days.

Alternative 2 would establish an ACL for blueline; the blueline ACL would equal the OY, which would then equal the ABC. Then it says specify commercial and recreational ACLs for blueline for 2015, 2016 and 2017 and beyond. The ACL for 2017 would remain in effect until modified. ACLs in 2016 and '17 will not increase automatically in a subsequent year if present year projected catch has exceeded the total annual catch limit.

Then it specifies that the commercial and recreational ACLs would be based on existing sector allocations, which are 50.07 percent commercial and 49.93 percent recreational. You've got a table here that shows you what those values are; and this is, of course, based on the recommended ABC from the assessment.

Alternative 3 would set the ACL at 98 percent of the ABC. Recall that in March we went through an exercise where you had requested a figure of how much of the blueline tilefish landings came from north of the council's jurisdiction so that you could adjust your ABC accordingly. It turned out that only 2 percent came from north of the council's jurisdiction; so you indicated that the ABC would be 98 percent of that.

Alternative 3 captures that and everything else in the alternative is the same as under Alternative 2. Then we have Alternative 4, which would set the ACL at 90 percent of the ABC. That is again more conservative and that is what that would look like in that table. The Snapper Grouper AP recommended Alternative 3 under this action as preferred. At this time, however, when the AP looked at this amendment – okay, this is going to create some confusion.

When the AP looked at this amendment, it had not yet been structured the way that we're presenting it to you. What they in fact recommended is current Alternative 2, which is to set the ACL at 98 percent of the ABC, which is now Alternative 3; yes.

What we're looking for from the committee is to approve the suggested edits to Action 3 and its alternatives; clarify whether the ACL will be held constant, but here I'm told that it is probably best that we just stick with those projections given the status of the species. I don't remember if you have taken action before where you've combined or averaged projected ABCs; but from I understand, that is not advisable. Then go ahead and select a preferred among those three.

DR. DUVAL: Let's do the easy stuff first and maybe just get a motion to approve the suggested edits to Action 3 and its alternatives. Charlie.

&&MR. PHILLIPS: Madam Chair, I make a motion we approve the suggested edits to Action 3 and the alternatives.

DR. DUVAL: Motion by Charlie; second by Ben. Discussion? Gregg.

MR. WAUGH: Just a question; the SSC recommended ABC values through 2018 and yet these tables only go to 2017. I was wondering why the recommendation is not to go through 2018 and then keep the value constant.

DR. DUVAL: Typo?

MR. WAUGH: So it sounds like what we should do is add another line in those tables showing what the value is in 2018, which is 89,769 pounds, and it would be held 2018 and beyond. The value for 2018 is 89,769 pounds.

DR. DUVAL: So perhaps we can give direction to staff to add that 2018 ACL to the table. Are there any other comments? Zack.

MR. BOWEN: Just yesterday in our SEDAR Committee Meeting, I think we approved for this species to be next in line for our assessments right after red snapper and gray triggerfish. That being the case, will we need projections in 2018 because the assessment would be done before then, correct?

MR. HARTIG: That's pretty optimistic.

DR. DUVAL: That's a very optimistic attitude, Zack. I mean we have expressed –

MR. BOWEN: I think the council needs some optimism here.

DR. DUVAL: Those are our recommendations and then where they fall out in the mix of all the SEDAR stuff is kind of yet to be determined. Good eye for detail, though. Are there any other comments on this motion? **Is there any objection to this motion? Seeing none; that motion is approved and there is direction to staff to add the projected 2018 ABC/ACLs to the tables under Action 3. Anna.**

MS. BECKWITH: I move to add an alternative to Action 3 that extends the ACL established by the emergency rule until the next stock assessment becomes available. If I can get a second, I'll go ahead and explain why.

DR. DUVAL: There is a motion by Anna to add an alternative that extends the ACL established through the emergency rule until the next assessment. Second by Jack. Is there discussion?

MS. BECKWITH: Supporting this alternative as it stands, I would like to see this council take. We talked Monday morning about taking care of our working waterfronts and infrastructure and have national standards that tell us to consider impacts to coastal communities; yet we're the ones landing the punches.

The results of moving forward with this crippling ACL would be to lose all credibility and buy-in from our blueline tile fishermen in the assessment and council process in addition to losing our data stream. We have documented numerous concerns with this assessment throughout the process; and due to resource limitations, we have to wait for the next opportunity to deal with those issues at the expense of another species.

This proposed ACL of 224,000 pounds is a conservative yield estimate that can and should be paired with conservative bag and trip limits. I want to put our case in front of the secretary and allow him to make the final decision. In the meantime this will bring attention to this next generation's red snapper train wreck to anyone that is willing to listen about our needs for increased resources and some level of additional flexibility. Now, before Roy starts screaming at me, I'd like to ask Gregg if he could speak to our ability to pursue this and any ramifications for the council.

MR. WAUGH: Well, as we've advised you before, according to the guidelines in the Magnuson Act you're not supposed to exceed the ABC recommended by your SSC. If you feel that there are significant data issues and they have been addressed and raised during each step of this process, at the data workshop, at the assessment workshop and the review workshop, the assessment has passed the SEDAR Review and the SSC Review; but at each of those levels they point out the significant problems with the data that was used; one of the practical implications of the low ACL that comes out of the assessment is that you will lose your data; so it compounds the problem of improving the data to address the shortcomings.

We've talked about the – and you have raised the resource limitations that could improve the data; yes, we've put the assessment on the list, but we don't know what year that assessment would be done and provided to us. It really puts the council in a difficult position. You would definitely be pushing the envelope keeping an ACL at the 224,200 pounds that is based on a relatively conservative long-term yield at 75 percent of Fmsy. We have done that for many other species. If you believe that is closer to what would be a more reasonable level, then you can build the best case you can and see what happens in the review process.

DR. CRABTREE: Well, I guess I would ask you to explain to me how it is that 224,000 pounds; how does that not exceed the fishing level recommendation from the SSC?

MS. BECKWITH: As I said, I want to put forth a case to the secretary and have him make the final decision on this. If he kicks it back to us, then we have another opportunity to abide by these, but these are not something that I've got a lot of faith in at the moment. I want to put this in front of the secretary and I want him to make that final decision. I feel like the council and staff can make a case to be presented to the secretary within the document.

DR. CRABTREE: But the case has to be how this doesn't exceed the recommendation of the SSC and not about the science and not about the data problems it creates. Really your disagreement is with your SSC right now and not with the secretary. If you can't give me some rationale how this doesn't exceed their recommendation, then the secretary's response to this seems pretty clear.

We can't approve it if it exceeds the SSC's recommendation. Now, if you disagree with your SSC, you can go back to them; but rather than just submit something that clearly seems to violate the Magnuson Act, I don't see what you gain from that because your problem is with your own SSC. They serve at your pleasure. You can reconvene them right away and go back to them, but that seems to be where your issue is. I don't see how you gain anything by going down this path, really.

MS. BECKWITH: To that point; so we don't have a whole lot of power, but I do have the power to present an additional alternative to take out to public comment; and we do have the power to choose it as a preferred and to present it to the secretary. That is where our power ends on this issue, but it is within our rights to do that.

MS. SMIT-BRUNELLO: It is within your rights to do that. However, I agree with everything the Regional Administrator said. The Act seems very clear that your development of annual catch limits may not exceed the fishing level recommendations of your SSC. You do have the power to ask your SSC based on everything you heard at this meeting to reevaluate or please look at the assessment again on whatever issues you want them to look at.

You have that power to send it back to the SSC. They might give you different fishing level recommendations; I'm not sure. I think you're stuck in a loop on this one. Yes, you can take it out, but I feel fairly confident that it would be disapproved if it got to the secretary because the Magnuson Act is very clear on this issue.

DR. CRABTREE: You have more power than you seem to think you have. You appoint the members of your SSC, number one. Number two, you have the power to decide the proxy you want to use; and yet in the preferred you chose earlier you've have deferred that to the SSC; and you're adopting a more conservative reference point and a lower F than what your status quo is.

I'm confused that in some cases where you clearly have powers, we don't seem to be exercising them. I think you have more power than you think you do with dealing with some of these assessment issues. At any rate, you're right, you can vote this up and you can make a decision to submit this. I guess I would request, Madam Chairman, for a roll call vote on the motion.

DR. DUVAL: Are there other comments? Mel.

MR. BELL: I understand the disagreement, perhaps, with what the SSC has provided: but procedurally if we push back sort of to the SSC, what happens timing-wise or do we still move forward? That's the part I'm trying to figure out; what does kind of pushing it back to the SSC, how does that change things?

DR. DUVAL: Well, if you were to try to push this back to the SSC in order to get this addressed I think before the emergency rule would run out, unless you did convene a special meeting of the SSC, it is unlikely it would be addressed before them. The SSC doesn't meet until the very end of October. The emergency rule is going to run out in October. Obviously, we would need to take action probably in September to extend the emergency rule. I don't know; it seems to me it is a scheduling issue. Certainly, the SSC can or cannot provide a different answer. Monica.

MS. SMIT-BRUNELLO: Well, your executive director controls the – well, you all control the purse strings; so if you wanted to – I don't know whether the budget would allow you, but you could ask for a – I don't know whether you would call it an emergency SSC meeting or whether you would call it an additional SSC meeting; but you could ask them to meet before their next scheduled time.

MS. BECKWITH: And if we sent this to the secretary in September and he made the decision to disallow it; then we would have the opportunity to reconsider in December and resent. We would still have through April potentially with the expansion of the emergency rule. I'm not trying to – I want enough eyes on this and recognition that we need more resources.

We need stock assessments to be coming faster. The Southeast Science Center is overwhelmed. Our SSC is overwhelmed. We have to make a stand. I just can't in good conscience move forward with the choices that are before us. Again, I'm going to ask that this council makes a stand on this one. Roy has got a good point; we're kind of being led where we don't necessarily have to go sometimes.

If we are choosing an action to reference points that require us to be even more conservative than are required, why are we doing that? Recognizing the problems in the assessment, then I think we go ahead with things sometimes because – so as Roy says; maybe we don't know where our power lays. I do want this council to make a stand. Again, Gregg, if you've got anything to add from a council perspective, a staff perspective, I invite any input.

DR. DUVAL: Bob, I saw that you had sat down at the microphone here.

MR. MAHOOD: I think we're only on the first emergency rule for this, right? We actually can request an extension for another six months; so that deadline can be extended. I'm only here to listen and take notes.

DR. CRABTREE: So, timing-wise, if you go down this path and vote to submit this in September, we'd have to then go out with a Notice of Availability and all of that. I don't think you would have a decision on approval or disapproval by the December meeting. Bob is right; the emergency rule can be extended; but it is going to run out in April.

We wouldn't meet again after December until March, right, and so by then the emergency rule will have run out; and even if you voted up a new amendment at that time, I guess what you could do if this is disapproved is just go in and select a different preferred and resubmit it. If you did that at the March meeting, we probably couldn't have a rule in place until into the fall. My guess is where that would lead you is in catches well in excess of the 224 and potentially back up in the 500 or 600,000 pound level.

I'm guessing these guys would just go – and so then you're going to come and do your new assessment with these really high catch levels. I understand making a stand based on principle; but let's make sure we don't dig ourselves into a much worse position. Principle is great but at the end of the day reality is there.

Surely, if we approve this, we would be immediately sued; and no one has given me any argument how this doesn't exceed the catch level recommendation from the SSC. That is really the argument; that is what the statute says. Whether we agree with the science or not or whether we agree with Congress and the statute; that is what it says.

It just seems to me to be an indefensible position. What good does it do us to lose the litigation and go through all of that again? So, just think about all those implications and think about the value of a stand on principle versus continue to work with the SSC in trying to find some other way to work through this.

MR. PHILLIPS: Roy, I'll get you to clarify to make sure I understand. I think I heard you say we could send back to the SSC and we could choose some different values. I'm guessing we would tell them to use a different value because we felt like that value fit our level of risk; and that would be the rationale of changing the values instead of it being the best scientific choice. I'm trying to figure out the exact who does what, where and that would play out if we went that way.

DR. CRABTREE: All right; so if you looked at the action we just went over, the status quo is 30 percent SPR; and the F proxy there is 0.35. It is a little higher than your current preferred alternative. I guess you could go back to the SSC and say we're going to stay at 30 percent, and that is the reference point.

Now, I think that will make as very minor difference in the catch levels; and it is not going to significantly change the problem that you have. I think the only way to get to that is for the SSC to request some additional projections that treat the recruitment issues differently; and instead of assuming that all that – you know, the way the assessment is set up, to make some different assumptions about what is going in with recruitment.

Now, whether any of that is likely to happen, I suspect it is not all that likely to happen; but I don't know where else to go with it if folks just feel like they can't live with where we are. I think you can go back to the SSC and make your case to them. I wasn't at the SSC meeting; and I don't really know – I haven't seen minutes.

I've just seen the report; so it is hard for me to have a feel for how certain they felt about this, whether there were different views on it. Anytime you do projections, you're talking about what may or may not happen into the future. They're very uncertain. Any stock assessment biologist you know – and I'm sure Mr. Carmichael and Dr. Barbieri will say the same thing; when you start projecting into the future, it is highly uncertain. Anytime there is great uncertainty, there are different ways to look at things; and there are different ways to handle things. I guess that is what you be asking them to do is to explore some alternative dates; but I can't predict what the outcome of that would be or what they'll do.

DR. DUVAL: I'm going to let Gregg speak to that point first; then we'll go back to Jack.

MR. WAUGH: Under Action 2 where you're talking about the MSY; changing that is not going to affect the ABC and ACLs. This comes under your control rule; and that is covered on Pages 2 and 3 where they have applied the OFL is the yield at a P-star of 50 percent. ABC is the yield at P-star of 30 percent.

To change those levels, we would have to go through a plan amendment to change our control rule. Roy is right; it is in the projections you might be able to get some adjustment in the projections. I think, too, part of the core problem is beyond the SSC. The problems are the data and the assessment and the inability to get a revised assessment, an updated assessment, expand the assessment in a reasonable period of time. That is part of the box we're in.

If you go back to the SSC, you may get some adjustment on the projections. I agree with Roy; we don't know how much that adjustment would be. It is probably not likely to be significant; but it could change it some; but the core problem is the data that went into the assessment and now the inability to do an updated assessment. We still have no year associated with when we could expect the updated blueline tile assessment.

MR. BELL: I was just going to say – and I know part of this is making a stand and set an example, pointing out the shortcomings and all and taking it to the – I get the part of taking it to the secretary; but I wonder again if the remedy doesn't – or the potential remedy lies with the SSC if we were to push back to the SSC.

That is something that I don't recall we've done before; so that might set somewhat of a make a statement, set an example and be, as Roy pointed out, kind of working at the level where you have the problem or the perceived problem. We might be able to make the point and get better consequences out of it than what has kind of been transcribed is there could be some really ugly unintended consequences to the other approach.

Again, I go back to what would it take – you know, when we were dealing with black sea bass, we held a special council meeting to do that. What would it take to get the SSC to have an unscheduled meeting of some type to take this on or to try to help us out here; or is that just totally out of the question?

DR. DUVAL: I see Gregg speaking to John Carmichael right now; so perhaps we'll have a more definitive answer about what it might take to have perhaps an extra SSC webinar-style meeting; I don't know. Anna.

MS. BECKWITH: We can deal with some of those potential unintended consequences by constraining harvest using the bag and trip limits that we're going to be discussing in a bit. I would suggest accepting this as an alternative and working through the SSC at the same time and having the SSC call a special meeting and explore some of those additional options. It does not have to be one or the other. At the moment we have the ability to do both in concert.

DR. CRABTREE: Well, I think if you want to go back to the SSC, they need to have some alternative analyses in front of them. If you're going to ask them to look at different ways to do this; then I think you're going to have to have a discussion with Dr. Ponwith about what they could do looking at different scenarios and different ways to handle the recruitments; because to go back to the SSC, your chances of getting somewhere would be much greater if there were some alternative ways to look at it.

I don't want to put Bonne on the spot right this moment; but maybe that's something that John Carmichael and Dr. Barbieri and Bonnie could talk about and then we could come back to it at full council. I don't really know what those might be; but it seems like if you come in with some additional analyses for the SSC, the likelihood of coming to some conclusion might be improved.

MR. HARTIG: I understand drawing the line in the sand and trying to bring all our data problems to the forefront and why we seem to be getting on a first-time assessment for almost

every species we do these types of results. I also understand the legal part of it. We went through this with red snapper as well.

We tried to draw a line in the sand and the council vote in the end did not want to do that; and we didn't move forward with that. We've had some pretty extensive projection changes already. I don't know how much can go back or how you can look at it again; but I certainly would like to hear if there is something substantial we can back to the SSC with.

I was at the meeting and they weren't happy with what the results were; but they were pretty staunch in their outcomes of what came out of their deliberations. I understand the legal ramifications. It is not going to go forward if you send it back to the secretary based on the law, period, the way the law is currently structured. Right now we're in a hard spot.

MSA is hopefully trying to be reauthorized with some kind of flexibility to deal with these types of situations; and I don't know what is going to come in the Act and be able to do that or not. Right now I don't think we're going to be able to get anything out of drawing a line in the sand and going back to the secretary with trying to do 75 percent of Fmsy. There are just a few of my thoughts.

MS. BECKWITH: Roy, even if your perception is that the secretary won't allow this to go forward; the only answer I want is; is he capable of approving this if he so chose? Is that power with him?

DR. CRABTREE: Well, it is a she rather than a him. Well, if the secretary came down and instructed us to approve this; I suppose we would. Then we would be litigated and the court would overturn it. It is just too clear cut; so where does that get you? Realistically, the chances of that happening are almost – I don't see any way in the world that happens. If you submit to us a catch level that is clearly higher than what the SSC has given you; I don't see any way that is going to be approved. Then we're back to where we started.

MS. BECKWITH: So hopefully by the time that litigation moves forward; we would be within six months of having a new ACL provided by a standard assessment that has been moved and processed.

DR. CRABTREE: Look, that is not the kind of games that you want to play as the council. Let's remember all the appointed members took oaths to follow the Magnuson Act and uphold it. You don't want to play games like that, Anna, with things you know are going to be disapproved. I don't think that is where you want to go as a council.

DR. DUVAL: David and then Chris and then I think we need to start bringing this to a close.

MR. CUPKA: I agree with what Ben had to say and Roy; and that is not say I'm not sympathetic to some of Anna's concerns or what she is trying to do; but I just think it would extremely counterproductive to go that route. Therefore, I can't support the motion that is on the board now.

MR. CONKLIN: I just wanted to kind of look ahead a little bit and make sure or see if we as a council could come up with some sort of a way to communicate a little bit better throughout the assessment process with our SSC. You know, in the ORCS documentation there were concerns expressed and people are bringing up problems throughout the process.

If we could put some sort of a safeguard in place to where if there are some red flags or something isn't looking right and there are some different ways they could have done stuff before they spit out the final product and we're forced to sit here and feel like this, it sure would be nice to kind of work through it before we're sitting here again.

DR. DUVAL: I appreciate that, Chris; and I think in terms of the assessment process we do have council observers who are appointed, and I was the appointed observer for the SEDAR 32 assessment. While as an observer you may be participating in different workgroups and offering comments as requested; you're not part of the plenary, you're not part of the panel itself that is actually making the final decisions. That is left to the scientists who are there.

Now, maybe I could have been better about communicating how things were going with the assessment. I don't think you were here at that point and Jack wasn't here at that point. There are a number of council members who have come on board since the review came through. I appreciate and I don't disagree that perhaps having maybe some interim communication – I'm not sure if interim communication from this council is going to change the decisions that are made at the assessment workshop; I will just say that.

MR. CONKLIN: It is just frustrating to know that things could have been a little different. There is a lot of uncertainty, too, I understand that, but just to get these numbers back and then sit down and say, well, guys, we're willing to look at it again, but we've got to deal with it right now. I know there is not much flexibility in what we can do right now; and with that it is going to be tough for everybody. It is disappointing.

DR. DUVAL: I agree wholeheartedly. I think in the future if there are perhaps more specific instructions we want to provide with regard to projections that we would request; we can certainly do that. We were the ones who requested additional projections based on the emergency rule ACL that went into place. Again, I don't think anybody sitting around this table thought that the projections would come back looking like this. Gregg.

MR. WAUGH: Just to address to Chris' concern, I think this issue was identified at the data workshop. It was commented on at each and every level. As Michelle just pointed out, our staff and council members that were involved in the process worked to get the projections done in a way that addressed as many of our concerns as possible. The fundamental problem is the lack of basic data – it doesn't apply here – to a number of our assessments.

The people that do the assessment are doing the best job they can given the data that is available. The SSC is doing the best job it can given the data available. Our basic problem is a lack of resources to get our basic data that we should have and to do assessments in a timely manner. That's the two basic problems; and if we don't address those, we're going to keep dealing with this issue over and over and over.

As of right now, we do not have the basic data collection programs in place, funded at a sufficient level to generate sufficient landings' information, catch-per-unit information, size information, age information and reproductive information. When the Magnuson Act was reauthorized, it raised the level of how we were going to do things. What it didn't raise especially in our instance is more data, better data. When you want to try to address the problems here; it is not the SSC, it is our level of communication. It is basic data and ability to do assessments.

MR. BELL: So that is the overarching problem. If the whole point of this is to simply bring that to a high state of visibility; can you still do that without that approach and the potential unintended consequences that might come from it; again if that is what this is all about? If it is about bringing that issue to the secretary to the forefront; can we do it in a way that doesn't haven't as high a risk, perhaps?

MR. COX: Michelle, if we were to send this back to the SSCA; is there any additional data that you think we can find in our area that would help them or change the fishing level; that it may make a difference?

DR. DUVAL: I'm not sure, Jack. All the information that we had from the exempted fishing permit, the observer program where we had ten or eleven vessels that were certified to fish during that deepwater closure, all that information was included at the data workshop, all the biological information collected from the port samples. The landings were certainly included in there.

As Mike has described, it is the way the data were treated when it came to developing the indices of abundance that was different. In terms of data that we in North Carolina have, they've got it all. The new information would just be any landings from 2014. I think it is certainly interesting that off South Carolina we've seen this order of magnitude increase in landings.

I think that's certainly indicative that we don't have the resources right now to provide sufficient information that would allow for unbiased estimate of abundance that isn't based on landings' information. Again, that is something that's something that would be addressed in the new assessment.

MR. COX: So in your opinion sending this back to the SSC based on the information that has not changed so much, it would basically not make a difference?

DR. DUVAL: I don't know about that. Roy has laid out a couple of different options for requesting projections being done based on treating recruitment a little differently. I don't have the expertise to know exactly what we would request in that regard.

DR. BARBIERI: Well, I can't and don't speak for the full committee, of course, because I can't speak for them. I can give you my own personal opinion on scenarios here that could be considered. There are a few points here that I think are relevant to this discussion. The SSC doesn't really conduct any analysis. It is really set up to be a review body.

We review material that presented to us. There is analytical stuff that is prepared and brought before the committee and we go through those materials and review those. We would have to have additional analyses done and brought to us so we could evaluate those. I don't think this is a completely unreasonable request in own personal opinion; and I'll tell you why.

When you look at assessment uncertainty, you think about – you know, without going into the weeks; but in a modeling framework you think about parameter space; choices of parameters that you actually use to parameterize your projections or your models. If you have very high certainty and low uncertainty, your parameter space is relatively narrow; so you don't have a whole lot of choices.

If you have a lot of uncertainty, your parameter space actually is broader. You don't know where your parameters actually are within that broad space; so you make some choices on how you're going to configure your projections going forward. Usually within what is called a Bayesian Statistical Framework, you have what is called evaluation of alternative states of nature where you say, okay, what if this pattern in landings is due to this pattern of recruitment given this fishing mortality and these natural mortality scenarios and all the other dynamics of the population?

But what if this is really only one of many possible scenarios that could be considered? So there are ways that you can prepare a number of projections that evaluate this differently. We don't know if all of them are plausible scenarios or whether they have the same probability of being right. Sometimes we end up with some scenarios that are more likely than others.

The SSC would be able to evaluate all of this and look at the data and balance all the different things and say, okay, what is the most plausible scenario given this set of circumstances? The set of projections that we received to review and what corresponded to the emergency rule had a much narrower parameter space that didn't really allow us the flexibility.

In that case at the last meeting we could have given it a thumbs up or the thumbs down; and to give it a thumbs down we would have to say, okay, this is not right; what would be the alternative? If you're not presented enough to make a choice, right, or when you go through your options papers, you have a number of alternatives and options that you evaluate; and you're weighing which ones you consider the most appropriate.

In this case I can't speak for the committee and Vice-Chairman Reichert is here and he might want to pipe in on his own will; but I think that the SSC could provide a number of recommendations on potential states of nature to be used to configure future projections. They would be all weighted the same at this point and we will discuss when that happens.

That assumes that we will be able to meet through a webinar or a conference call or whatever to actually provide a set of recommendations, one; two, that those projections could be run by the center in a timely enough manner for us to review them through a following meeting and then provide you with a revised set of recommendations, if that would be applicable. That would be one possible scenario for this.

MR. HARTIG: To that point, Luiz, looking at the uncertainty envelope around blueline tilefish, it is very narrow at the base and very, very high at the upper end; so the uncertainty lies in the upper end of the possibilities – the different states of nature basically, at least from my basic looking at it; do you get the same sense from that?

DR. BARBIERI: Yes.

DR. CRABTREE: My understanding given the terminal year of the assessment was 2011, I believe, and the age at which these recruit to the fishery, we don't have a real recruitment estimate any more recent than 2008; and what is driving all this with the projections are the recruitments. I think the uncertainty is not just – I don't think the cone of uncertainty is narrow right now. I think the cone of uncertainty is very large even at the very beginning of these projections because of so much uncertainty about what has happened with the recruitments, which is ultimately what is driving this whole thing. Am I wrong, Luiz?

DR. BARBIERI: No, I don't think so.

DR. CRABTREE: I can see the cone of uncertainty gets bigger as time goes forward, but it is pretty big –

DR. BARBIERI: Well, uncertainty also has to do with parameter choices. As you know, every time you conduct an assessment or any kind of analytical exercise; you have to make choices of how you're going to use parameters to insert in your model. You make choices based on your best judgment and your professional judgment and knowledge and background.

I'm not saying that this would provide a solution to the problem. The SSC could come to the very same conclusion that we came last time when we saw the last set of projections. What I'm saying is that if you're going to send something back to the SSC, I think we would have to work together in structuring your request in way that is more meaningful; because otherwise we're going to just go through the motions and not have much to tell you.

MR. CARMICHAEL: One thing I was going to say was to just remember in December I gave a presentation on that issue, about the year class and about the retrospective that seemed to exist and the selectivity and the indices and how you really had to go back a number of years before you saw a good year class.

We had asked at that time for projections that looked into that to some extent; and I'm sure Roy and Ben remember being on a conference call with the science center and trying to say is there some way to do projections that consider maybe there was a good year class. Basically the response was, well, other than just making up fish, you really can't do that.

That's why we also said, well, but if we get an update as soon as we can, we can have data that goes into that and maybe informs it that there is a good year class. That's why we had gotten on that path. The other question was about looking at the age composition from the more recent years, and I guess SSC received some of that in a PowerPoint at their meeting.

It seems that much of this has been discussed and we have gotten the information that we have unless we have some idea of something to ask for more information from the science center, as has been suggested – you know, Luiz made a good point. We need that information to come to the SSC for them to have something to hang their hat on and to support making some other recommendations.

It seems that we've – you know, my thought is I think we've explored what we can; and we need to get that update/standard as quick as we can; because if there is any increase coming, it is either coming from there really is a good year class out there or it is coming from somebody can figure out that north of Hatteras is a separate stock; then you do that entirely different and separate the two out and solve your problems there. Both of those require some time and some information, though.

DR. DUVAL: Does anybody have anything else left to say?

MR. COX: This is my last comment. I continue to hear over and over that fishermen want to work more directly with the scientific community so they can rest at ease knowing that they've done all they can and you've done all you can when we come to these places that we're at today. In some form or fashion we've got to get there.

DR. DUVAL: I completely agree with that, Jack; and I would hope that if the catch level recommendations that unfortunately we've been provided with move forward, that we're going to need some cooperative research. We have a motion on the floor. There has been a request for a roll vote. I see our executive director is standing up there. Are folks ready to vote on this? Please go ahead, Mr. Mahood.

MR. MAHOOD: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. MAHOOD: Mr. Bell.

MR. BELL: No.

MR. MAHOOD: Mr. Bowen.

MR. BOWEN: No.

MR. MAHOOD: Mr. Conklin.

MR. CONKLIN: No.

MR. MAHOOD: Mr. Cox.

MR. COX: This is hard, Anna; I want to support you on this, but I've got to go with Roy's recommendation here; and I'm going to have to say no; I'm sorry.

MR. MAHOOD: Dr. Crabtree.

DR. CRABTREE: No.

MR. MAHOOD: Mr. Cupka.

MR. CUPKA: No.

MR. MAHOOD: Mr. Haymans.

MR. HAYMANS: No.

MR. MAHOOD: Mr. Jolley.

MR. JOLLEY: No.

MR. MAHOOD: Ms. McCawley.

MS. McCAWLEY: No.

MR. MAHOOD: Mr. Phillips.

MR. PHILLIPS: No.

MR. MAHOOD: Chairman Hartig.

MR. HARTIG: No.

MR. MAHOOD: Chairman Duval.

DR. DUVAL: Do I vote on a roll call vote in committee?

MR. MAHOOD: You don't have to. You have to say yes, no or abstain.

MS. McCAWLEY: I have a point of order question. It seemed like we called the whole council and not just the Snapper Grouper Committee.

MR. MAHOOD: That is a good point of order.

MR. WAUGH: John Jolley is not on.

MR. MAHOOD: I'm used to the whole group being on snapper grouper, but I think just John is not on?

MR. WAUGH: Jessica is on; John is not.

MR. MAHOOD: Okay, John, I'm sorry you can't vote. I believe everybody else is on the committee. I think John asked not to be on the committee is the only reason he is not on there. Well, I can tell you the motion failed.

DR. DUVAL: I think that is obvious. I think we've had a lot of good discussion. I appreciate the committee's forbearance. Can we get through these next couple of actions before adjourning for lunch? Myra has reminded me that we still need to select a preferred for Action 3 for the ACL if we want.

The alternatives are no action, which leaves us at the emergency rule; Alternative 2, which is ACL equals OY equals ABC for the projected catches that we've received from the SSC. Alternative 3 is setting the ACL equal to OY equal to 98 percent of ABC. Alternative 4 would set the ACL equal to 90 percent of ABC. Is there a desire on the part of the committee to choose a preferred alternative?

MR. HARTIG: Well, I'd move Alternative 3, which 98 percent of the ABC.

DR. DUVAL: Motion by Ben to select Alternative 3; second by Charlie. Discussion?

MS. BECKWITH: There was a recommendation by Luiz to convene the SSC to create recommendations for the alternate states – for the SSC to run projections that then can be evaluated by the SSC. We didn't finish that part of the discussion; and that would, of course, influence – well, maybe not – this action; so are we not going to go there?

DR. DUVAL: We can certainly do that. It might be best to sort of think about what you might want to request of the SSC in that regard. We could potentially come back to that under other business, if you'd like. Ben.

MR. HARTIG: I don't know if that's a fair question to ask Anna. I think Luiz said he was willing to work together to try and come to some alternative states of nature that the SSC could possibly – well, the SSC really has to talk about it and then get the projections based on, you know – so if you want to have the extra SSC meeting to try and do that; I think the feasibility and what we would get out of that discussion we should have hopefully over lunch. I think there was some talk between you and Bonnie and John maybe to see what could possibly be done and what could be the outcomes of those I think would be productive if you could do that at lunch.

DR. DUVAL: All right, any other discussion on this motion? Charlie.

MR. PHILLIPS: And just for the record; I'm guessing Ben picked the 98 percent ABC to take care of the 2 percent in the Mid-Atlantic.

DR. DUVAL: That's correct. Any other comments? **Objection to this motion? The motion passes with one objection.**

MS. BROUWER: The next action, Action 4, is on PDF Page 16; and that's to establish a recreational ACT for blueline tilefish. We have a number of revisions to the language of the alternatives. Alternative 2 uses the formula that you've used for other snapper grouper species, which includes the PSE. We have a table that shows you what those ACTs would be based on the various ACL alternatives.

Alternative 3 would establish that ACT at 85 percent of the ACL; and again depending on what the ACL is, there is a table that shows you what the ACT would be. The Snapper Grouper AP recommended Alternative 2 as the preferred. Here we would need you to accept those suggested edits and if you're ready to select a preferred alternative.

DR. DUVAL: Could I get a motion from the committee to approve the suggested edits to Action 4 in the alternatives? Charlie.

MR. PHILLIPS: Madam Chair, I make a motion that we accept the IPT edits on Action 4.

DR. DUVAL: Motion by Charlie; second by David. Discussion? Any objection to this motion? Seeing none; that motion is approved. Is there a desire on the part of the committee to select a preferred alternative? The AP selected Alternative 2. If no one speaks, that tells me that nobody has any desire to select a preferred alternative. We have typically established an ACT for our recreational sectors that I believe 1 minus the PSE times the ACL or 0.5 times the ACL.

MR. HAYMANS: Madam Chairman, I make the motion that we accept Alternative 2 under Action 4 as our preferred.

DR. DUVAL: Motion by Doug; second by Charlie. Discussion? Any objection? The motion passes with one objection.

MR. HARTIG: Madam Chairman, if I may, I think Anna's point is very well taken that we need to bring this to the forefront of both the secretary and the science director of NOAA. I think if we cobble together – not cobble together but write a letter pointing out the different things that have happened in this assessment as well as in red snapper, I think we can make a pretty good case about how we're not getting what we need to do our stock assessments. I would be more than happy to work with you to do that.

DR. DUVAL: I think that would be an excellent idea. We certainly tried to make this case on a number of fronts that we don't have the resources here in the southeast to get the data that we need for our assessments. Let's take it to the top and certainly that's something that I think we can do with the committee's agreement. Does anybody object to crafting such a letter? No; I can't imagine anybody would. Okay; we'll work on that.

MS. BROUWER: Okay, moving on to Action 5 – that is on PDF Page 18 – and that deals with accountability measures for blueline tilefish for the commercial sector. When you saw the

options paper for this document in March, we had the commercial and recreational AMs lumped together into a single action; so what we did was split them out.

This deals with the AMs just for the commercial sector for blueline tilefish. However, since you have given us guidance to go ahead and revise the AMs for the deepwater complex in this amendment, we would suggest that we alter this action to also include the accountability measures for the entire complex and to make sure that all those AMs are consistent, which is what you've stated as your intent.

Currently the no action is to not specify AMs for blueline tilefish for the commercial sector; and then we have what has been put in place through the emergency rule, which is if commercial landings are projected to reach the ACL, NMFS files a notification with the Federal Register to close the fishery for the remainder of the fishing year. Alternative 2 would specify in-season and post-season accountability measures for blueline tilefish for the commercial sector.

What you have here has been taken directly from the Comprehensive AMs Amendment; again to make sure we're all consistent. You have three subalternatives for what would trigger the accountability measures. Subalternative 2A is if the commercial ACL is exceeded, then there would be payback of the overage only if the species is overfished.

Subalternative 2B; there would be a payback of the overage if the total ACL is exceeded; so that means the commercial and recreational portions of the ACL. Subalternative 2C; the payback would apply only if the species is overfished and the total ACL is exceeded. Here we would need you to approve those edits to the alternatives; allow us to include the deepwater complex in this action as well; and then select a preferred alternative.

DR. DUVAL: I would be looking for a motion. Charlie.

MR. PHILLIPS: Madam Chair, I make the motion we approve the suggested edits to the alternatives under Action 5 and did we want to add the deepwater with that?

MS. BROUWER: Yes, do it all together.

DR. DUVAL: Motion by Charlie to approve the suggested edits; seconded by Zack. Any discussion? Any objection? Seeing none; that motion is approved.

MR. BOWEN: Madam Chair, I would like to make a motion we choose Alternative 2 as our preferred in Action 5.

DR. DUVAL: Would you like to select a preferred subalternative there?

MR. BOWEN: Yes, Subalternative 2A as our preferred.

DR. DUVAL: There is a motion by Zack to select Subalternative 2A as a preferred under Action 5. I will just remind folks that the advisory panel selected Subalternative 2C; and I believe

Subalternative 2C is what we have sort of consistently recommended in our Generic Accountability Measures Amendment. Charlie.

MR. PHILLIPS: I'm going to have to vote against the motion because I think Subalternative 2C is the AP choice; and I think it's what we normally do more often.

DR. DUVAL: So we actually need a second to this motion. Zack make the motion but it has not been seconded. David.

MR. CUPKA: Well, not only would I second it, but I'd offer a friendly amendment to change our preferred to Subalternative 2C to be consistent with what we're trying to do in other amendments. That's part of the problem we've had in the past is inconsistency in some of this. **I would second it and ask to make a friendly amendment to change it from Subalternative 2A to Subalternative 2C.**

DR. DUVAL: Does the maker of the motion accept that friendly amendment?

MR. BOWEN: I do.

DR. DUVAL: Is there any other discussion? Does everybody understand that we're trying to have some consistency in our accountability measures? **The motion reads select Alternative 2, Subalternative 2C, as a preferred under Action 5. Any objection? Seeing none; that motion stands approved.**

We previously approved a motion to add an action to this amendment to establish accountability measures for the deepwater complex based on the timing presentation that Myra gave us. I think we would just want to provide direction to staff here that it is under this action where we would want to include those accountability measures for the deepwater complex rather than establishing an entire separate action. Does that make sense to folks? This is the action within which we're establishing commercial accountability measures for blueline tilefish; we want to do the same thing for the remaining members of the deepwater complex.

MS. BROUWER: Action 6 specifies accountability measures for blueline tilefish for the recreational sector. Again, we have some recommended edits. You have Subalternatives 2A, 2B and 2C that deal with what happens if the ACL is exceeded; and like I said, the same thing for the commercial AMs, these mirror what is currently in place in your Comprehensive AMs Amendment.

Then there is an Alternative 3, which specifies an in-season accountability measure for blueline tilefish for the recreational sector. This is different than what is currently in the Comprehensive AM Amendment; and it reads, "If recreational landings for blueline tilefish reach or are projected to reach the recreational ACL, there will be a closure of the recreational sector for blueline tilefish for the remainder of the fishing year." Again, what we need from the committee here is approval of the edits and, selection of a preferred. The Snapper Grouper AP recommended Subalternative 3 as an additional preferred for Action 6.

DR. DUVAL: Myra, I thought we added that extra Alternative 3 to the Generic Accountability Measures Amendment, because we had a pretty protracted discussion I thought at the last council meeting about having authority for the Regional Administrator to have an in-season closure for those recreational sectors when we have projections indicating that they would be close to meeting their ACLs. Brian is the lead on that so let him respond.

DR. CHEUVRONT: I'm just getting right to the wording that we have in that amendment. The way you have it set in the Generic AM and Dolphin Allocation Amendment is if recreational landings are reached or are projected to reach the recreational annual catch limit, the National Marine Fisheries Service will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year unless, using the best scientific information available, the Regional Administrator determines that a closure is unnecessary.

Then there are two subalternatives under that. Subalternative 4A applies only if the species is overfished; and Subalternative B is regardless of the stock status. It is actually worded slightly differently, but this applies to all the multiple species that are included in that AM action in this amendment; and what you have now before you is specific to the species you're talking about.

DR. DUVAL: So it seems to me that we might want to make a motion to add Subalternatives 3A and 3B under Alternative 3 here under Action 6 to be consistent with what is in the Generic Accountability Measures Amendment. Does that make sense to folks? Gregg.

MR. WAUGH: There is another difference in the wording. The wording that you have in Blueline Alternative 3 is it is closed if the landings reach or are projected to reach. What is in the Generic AM adds the qualifier that unless using the best scientific information available the Regional Administrator determines that a closure is unnecessary. That is an additional difference. We may need to have some discussion whether that is even viable anymore because that's not what was put in the emergency rule.

DR. DUVAL: I think what we'd like to do here, though, is make this consistent with what is in the Generic Accountability Measures Amendment, correct?

MR. WAUGH: Right; and then you'd have to copy what is in the Generic AM; not just the subalternatives but the wording of the alternative itself. That doesn't track what is in here; so it is really adding a new alternative to the blueline tile document. Alternative 3 is added because that is what was implemented in the emergency rule. If you want to track what we're considering for all the others, you're adding a new Alternative 4 that you could copy directly from the decision document for the Generic AM Amendment.

DR. DUVAL: I understand. I think we would look for a motion from the committee to add a new alternative to Action 6 that mirrors the recreational accountability measure in the Generic AMs Amendment. Is there a chance someone would be willing to make that motion? Charlie.

MR. PHILLIPS: When they get it typed up where I can read it, I will make the motion, Madam Chair. **I make the motion that we add a new alternative to Action 6 that mirrors Alternative 4 and its subalternatives in Action 1 of the Comprehensive AMs Amendment.**

DR. DUVAL: Motion by Charlie; second by Mel. Discussion? Does everybody understand what we're doing here? The existing Alternative 3 in here reflects the language that is actually in the emergency rule as an accountability measure. **Is there any objection? Seeing none; that motion stands approved.** Now we actually need a motion to approve inclusion of Action 6 and its alternatives, because previously it was just a single action to establish both commercial and recreational accountability measures. Charlie.

MR. PHILLIPS: Madam Chair, I make the motion to approve inclusion of Action 6 and its alternatives in Amendment 32.

DR. DUVAL: Motion by Charlie; second by Jack. Discussion? Any objection? Seeing none; that motion is approved. Gregg.

MR. WAUGH: The next step would be to pick a preferred and I think it would be helpful to hear from Monica or the National Marine Fisheries Service in terms of is this still what we were looking in the Generic AM Amendment; is that still viable to have that type of qualifier given what they implemented in the emergency rule was just to track it and close it? Do we have the flexibility to do anything but that on the recreational side anymore?

MS. SMIT-BRUNELLO: I think if I understand this correctly, if you want an AM that's different than what is in the emergency rule; that's fine. You have the flexibility of doing that because this is a plan amendment. The emergency rule acts like a plan amendment while it's in place; but once it is no longer effective, it goes away. This would be taking its place; so it could have a different measure than what is in the emergency rule.

MR. WAUGH: And I guess what it gets down to is could the council select an alternative as its preferred alternative that does something than just track the recreational sector and close it if they meet or are projected to reach their ACL?

We've discussed this at the staff level; and given the lawsuit in the Gulf, we're wondering if we would receive some guidance here of whether we had to be more specific in terms of the recreational ACL is tracked and whether you close it; or can we give the Regional Administrator the discretion that is reflected in Alternative 4 in the Comprehensive AM Amendment to not close it if in his opinion, using the best scientific information available, it is unnecessary?

MS. SMIT-BRUNELLO: I guess I'll have to think about it a little bit more. I think you can leave that alternative there. Right now we have AMs that have a similar kind of flexibility that you've given to the Regional Administrator in terms of looking at the best scientific information available to see whether it should be – it is usually a reduction in the following season length is how it is put forward. Those kinds of things exist; and maybe I'm not getting all what you're thinking about, but I'll talk with you and think about it further before full council.

DR. DUVAL: All right, moving on, would you like to select a preferred? The advisory panel selected Subalternative 2C and 3; and we've just included an Alternative 4 that tracks the Generic Accountability Measures Amendment.

I think it would be helpful for the public, since we're scheduled to approve this for public hearings at this meeting, if we could select a preferred alternative so that we could let the public know what we're thinking about in terms of what the accountability measures are for the recreational sector. Subalternative 2C is consistent with what is being done for the commercial sector and it is consistent, I believe, with our preferreds in the Generic Accountability Measures Amendment.

MR. PHILLIPS: Madam Chair, I'll take the hint and I will make the motion we select Alternative 2C as our preferred.

DR. DUVAL: Motion by Charlie; second by Zack. Is there a desire on the part of the committee to select a second preferred alternative as well? What 2C does is it only speaks to the payback of an overage if the species is overfished and the total ACL is exceeded. It does not at all speak to an in-season closure.

MR. PHILLIPS: Madam Chair, I make the motion we also have a preferred of Alternative 4.

DR. DUVAL: Did we not approve the motion on the board? We didn't; my apologies. Is there any objection to selection of Subalternative 2C as a preferred under Action 6 for the recreational accountability measures? Seeing none; that motion stands approve. Now, Charlie.

MR. PHILLIPS: Madam Chair, I'd make the motion that we have an additional preferred of Subalternative 4.

DR. DUVAL: Motion by Charlie to select a preferred of Alternative 4. We do have subalternatives under there. 4A is if the species is overfishing; and 4B is regardless of stock status. Would you like to add a subalternative under that?

MR. PHILLIPS: Subalternative A.

DR. DUVAL: Subalternative 4A; second by Ben. Discussion. The motion reads select Alternative 4, Subalternative 4A, as an additional preferred. Any objection to the motion? Seeing none; that motion stands approved.

MS. BROUWER: Action 7 is on PDF Page 25; and it establishes a trip limit for blueline tilefish for the commercial sector. We have some suggested edits as you can see on the screen. Currently you have just two alternatives with three subalternatives. Alternative 2 would establish a commercial trip limit from January through April of 100 pounds.

Under Subalternative 2A, the trip limit from May onwards would be 1,500 pounds until 80 percent of the ACL is projected to be met. Then that trip limit would be reduced to a hundred pounds for the remainder of the fishing year. Subalternative 2B has a trip limit of 2,000 pounds from May onward; and then get reduced to a hundred pounds once 80 percent of the ACL is met or is projected to be met.

Finally, Subalternative 2C has a trip limit of 2,500 pounds from May onwards; and then it gets reduced to a hundred pounds once 80 percent of the ACL is met or projected to be met. What you have in the document is a preliminary commercial trip limit analysis. The analysts at the regional office also included an option that is currently not among the subalternatives being considered; and that is for a year-round trip limit of a hundred pounds.

You have those analyses to consider. The Snapper Grouper AP recommended Subalternative 2A, which is a trip limit of 1,500 pounds until 80 percent of the ACL is met or projected to be met. Here we would need you to approve the edits to Action 7 and the alternatives and then select a preferred and let us know whether you want to include that additional alternative that was already included in the preliminary analyses; and that is for a hundred pounds year round.

MS. BECKWITH: I'm not sure what the point keeping Alternative 2 in this document even is. With what you guys have chosen to move forward with the ACL; this is not feasible. I'm not going to make any more motions, but this is my comment.

DR. DUVAL: So one of the things that I was going to suggest is that possibly consider an additional alternative that looks at just the year-round trip limit of 300, 200 or 100 pounds. The states north of North Carolina, Virginia and Maryland – I forget if Delaware does as well – have state landing limits of 300 pounds. It would be consistent with that. I don't anticipate they're going to change their landing limits; but that is a suggestion for the committee to consider.

MR. COX: Do we have to make a motion on Action 7 to do away with that Alternative 2 and 2A and 2B and 2C, those subalternatives, now that we're going to be reducing the ACL to such a low level. Then we can incorporate some new trip limits; is that what we're going?

DR. DUVAL: You can do away with it if you want to; you can keep it in there if you want to. What I've suggested is just adding an alternative that would consider some additional trip limits.

MR. COX: I'll make a motion that we include an alternative to have a trip limit of 300 pounds, 200 pounds or 100 pounds. I think that's a good choice.

DR. DUVAL: Motion by Jack to add an alternative for commercial trip limits of 300, 200, and 100 pounds; second by Charlie. Discussion?

MR. HAYMANS: That is year round?

DR. DUVAL: Year round, yes. Is there other discussion or comment? Obviously, with the projected ACLs being so low, it doesn't seem like Alternative 2 is that viable of an alternative. It is up to the committee whether or not you want to keep this in for purposes of public hearing.

MR. PHILLIPS: Well, they've already done the analysis so it is not going to any work to leave in.

MR. WAUGH: Just one point for you to consider is if you take an alternative out; then you're telling the public that's a reasonable alternative and it could be chosen. Having done a lot of

public hearings, I can anticipate a question why do you have a 2,500 pound trip limit in here with this low commercial ACL; are you that touched?

DR. DUVAL: Any other discussion on this motion? Any objection to this motion? Seeing none; that motion stands approved. Zack.

MR. BOWEN: I would like to make a motion that we move Alternative 2 to the considered but rejected appendix.

DR. DUVAL: Motion by Zack; second by Ben. Discussion?

MR. HARTIG: Well, I think Gregg's comments are pertinent. I do think these are unrealistic based on the ACL we have now.

MR. COX: Can we put another alternative in there as well; just something else to choose from?

DR. DUVAL: Let's dispense with this motion first. Any other discussion on the motion? Any objection to the motion? Seeing none; that motion stands approved. Jack.

MR. COX: I'd like to make a motion that we have a trip limit of 100 pounds; and then when 80 percent of that has been caught, that we step it down to 50 pounds.

DR. DUVAL: Motion by Jack to add an alternative for a 100 pound commercial trip limit that would step down to 50 pounds when 80 percent of the ACL is met. Motion by Jack; second by Ben. Any other discussion or comments on this? Ben.

MR. HARTIG: I think that is a prudent way to deal with the bycatch issue. This is going to be a bycatch fishery; and while we catch snowies, being allowed to keep some of those blueline tilefish will help at least with the discard mortality because those animals probably aren't going to survive unless we get some information from the descending devices; that we can use that tool to actually ameliorate that, but that's off in the future.

MR. COX: This would come into play after the emergency rule plays out; is that correct, that this would start?

DR. DUVAL: That's correct; this amendment would set management measures once the emergency rule runs out. I bet I know what Roy is going to talk about; and it is going to be about able to project when 80 percent of the ACL is met.

DR. CRABTREE: Well, I just think this is parsing it too thinly. It is too burdensome and I don't see that going from 100 to 50 is worth it. I think this is just carrying this too far; so I can't support it.

MR. COX: I just see trip after trip where the guys are snowy fishing and they come in with 30 or 40 pounds; so I still think it is a way to deal with bycatch.

DR. DUVAL: Duly noted. Are there any other comments on this motion? **Could I see a show of hands of those in favor of the motion? I count four hands in favor. Those opposed; five opposed. The motion fails.** Anything else that you want to consider under Action 7? Right now we have two alternatives; no action and then the new alternative to consider a 300, 200, and 100 pound trip limit year round. Jack.

MR. COX: I just had a quick question. On that last alternative; would it be worth putting in something less than setting the 80 percent is caught; if it was like a 60 percent, then you'd go to 50; is it going to make any difference on that?

DR. DUVAL: I would defer to Roy on that. Roy, was it really like the percentage of the ACL and being able to project that?

DR. CRABTREE: Well, that will be a real problem but to me if you want to have a 50 pound trip limit, then have it; if you want to have a hundred pounds, then have that. I don't see given how low the ACL is and all that it is worth the tracking and all the error that is going to come from it.

DR. DUVAL: Okay, we have one alternative and we would need a motion from the committee to approve the suggested edits to Action 7 and the alternatives as they now stand. Charlie.

MR. PHILLIPS: Madam Chair, I make the motion we approve the suggested edits and add the alternatives that we just went over.

DR. DUVAL: Motion by Charlie; second by Jack. Discussion? Objection? Seeing none; that motion stands approved.

MR. HAYMANS: I think she needs to include in that motion to add the alternatives. I think that's what you said, right, to the action? It is not captured in the text.

DR. DUVAL: We have a motion to include a new alternative.

MR. HAYMANS: What Charlie said was to approve the suggested edits and to add the alternatives as we just passed. That is what he said so I was just making sure we captured it.

DR. DUVAL: Is that better? The motion reads approve suggested edits to Action 7 and additional alternatives. Okay, would you like to select a preferred alternative at this point? Would you like to allow the analysis to go forward and just take this out to public comment? I'm seeing nodding from some heads to just let the analysis move forward.

DR. BROUWER: Action 8 is on PDF Page 27; and this looks at bag limits for blueline tilefish. We have some edits as you can see highlighted in yellow. The no action retains the current aggregate grouper bag limit of three per person per day, which includes blueline tilefish. Alternative 2 removes tilefish from the aggregate bag limit. Alternative 3 establishes a bag limit of one per person per day. Alternative 4 establishes a vessel limit of one per vessel per day.

There were some preliminary analyses that were sent to you; and I do have some hard copies if anybody would like those. I was told that some of you may not have had a chance to look through them. The analysts also looked at vessel limits of three, five and six as well and looked at how many days were projected – projected how many days the season would be open under those vessel limits as well.

The note is saying that you might want to consider is in Regulatory Amendment 20, 22 – I forget which one; the one that deals with snowy grouper. You're going to be considering an alternative that looks at a bag limit just during the month of May; and so perhaps for consistency in how you manage the deepwater species, you want to include that as an alternative under this action for blueline tilefish as well.

DR. DUVAL: Is there a desire on the part of the committee to add some alternatives to be consistent with those that are included in Regulatory Amendment 20 for snowy grouper where it would be a – I think it is one per vessel per day for the month of May and then one per vessel per day for the months of May and June, I think is how those are structured.

One thing, Myra, that might be good to clarify is whether or not this bag limit analysis for Amendment 32 includes Monroe County because the assessment includes landings from Monroe County. I see Dr. Farmer coming forward.

DR. FARMER: Currently we don't have data post-stratified for blueline tilefish; but for the September meeting we could probably come back or prior to that, even, for the public hearing document with a revised analysis. We're awaiting that data.

DR. DUVAL: I think that would be great and helpful for the public to see it as it would move forward once this amendment is approved.

DR. FARMER: And we'll have 2013 data in there as well by then.

MR. WAUGH: And, Nick, we need to have discussions with our staff and yours when that analysis is redone because there were significant issues with how that analysis was done in combining headboats and charterboats.

DR. FARMER: I agree and those revisions are already underway.

DR. DUVAL: And the advisory panel selected one per person per day as their preferred alternative. If we're going to see some revised analyses, if those are going to be done in time for the August public hearings; do you want to select a preferred alternative or do you want to move forward without one? Doug.

MR. HAYMANS: Well, if we're going to see a revised analysis, then, no, I wouldn't.

MR. PHILLIPS: Could you refresh our memory, mine in particular, on why they had the one fish in May or May and June?

DR. DUVAL: Those analyses done in Regulatory Amendment 20 were predicated on constraining the catch to the ACL; so I think the only one – and that's why they looked at having a one fish per vessel per day only during certain months in an attempt to do that. Doug.

MR. HAYMANS: And just a question to make sure I'm looking at the right thing; if I look at the bag limit analysis that was provided for this amendment, you're saying that table is incorrect and that it is going to be re-analyzed?

DR. DUVAL: Yes, sir. If there is not a desire on the part of the committee to add any additional alternatives – Gregg.

MR. WAUGH: I would encourage you to add some more alternatives here. Otherwise, what we're going to have – and we can certainly revisit this at full council after Regulatory Amendment 20 when we talk about snowy. If your intent is to try to keep the recreational sector below their ACLs – and talking Regulatory Amendment 20 now snowy – looking at the data, you've got one year where the wave is much higher. It is the May/June wave. It is 16,000 fish.

That same wave in 2013 is 1,359 fish. You have to make the decision where you're going to have your bag limit for snowy. If you're concerned that the catches could be as high as is indicated in 2012, then you need a bag limit of one per vessel in May, and that is what the Snapper Grouper AP approved.

I don't think we want to have the situation where you've got a different bag limit for snowy and a different time open for blueline; because all we're going to do is have lots of regulatory discards. However you do it, I think we need to have that consistent open season for the recreational sector for our deepwater species.

MR. BOWEN: Madam Chair, I'd like to make a motion that we include an alternative that does just that, keeps our deepwater species consistent – our regulations consistent throughout.

DR. DUVAL: So perhaps it would be add an alternative that sets a bag limit for blueline tilefish of one per vessel per day during May. **Zack, if you could take a look at the screen and just let us know if this looks like it reflects your intent, add alternatives that mirror what is being considered for snowy grouper in Regulatory Amendment 20 in order to be consistent in managing deepwater species.**

Is there a second to that motion; second by Ben. Discussion? Understanding that there would be some revised analyses as Dr. Farmer has indicated. Any objection to this motion? Seeing none; that motion stands approved. So now we just need to approve the suggested edits to Action 8 and the new alternatives. Charlie.

MR. PHILLIPS: Madam Chair, I move that we approve the suggested edits and add the new alternatives.

DR. DUVAL: Motion by Charlie; second by Ben. Discussion? Objection? Seeing none; that motion stands approved. The last thing we need to do is approve this amendment for public hearings in August 2014. Does anybody want to do that? Charlie.

MR. PHILLIPS: Madam Chair, I move we approve Amendment 32 for public hearings in August 2014.

DR. DUVAL: Motion by Charlie; second by Jessica. Discussion? Objection? Seeing none; that motion stands approved. Now I suggest we recess for lunch. I think if we reconvene at 2:30; is that okay with everyone?

The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened in the Sawgrass Marriott, Ponte Vedra Beach, Florida, Wednesday afternoon, June 11, 2014, and was called to order at 2:35 o'clock p.m. by Chairman Michelle Duval.

DR. DUVAL: We're going to go ahead and reconvene the Snapper Grouper Committee. We're going to take up where we left off on Amendment 29. There were some concerns about some of the risk tolerance factors applied to at least scamp that I know of.

I guess I'm going to turn things over to Gregg to sort of outline what at least one additional option might be and ask if the committee members if they have any other suggestions or any other species for which they would like to apply a different ACL method.

MR. WAUGH: Before lunch we were talking about perhaps applying a different risk tolerance scalar of 0.5 for scamp and leaving the remainder of the species, rock hind, tomtate, white grunt and gray triggerfish, at the scalar of 0.7. It was felt the best way to handle that was to add a new alternative that would apply a risk tolerance scalar of 0.7 for rock hind, tomtate, white grunt and gray triggerfish and 0.50 for scamp.

DR. DUVAL: We would need someone to make a motion to that effect and just reflect that 0.7 and 0.5 are already alternatives that have been analyzed. I guess I might look to our esteemed attorney to ensure that this is okay. My assumption is that by approving this as an alternative and selecting it as a preferred, as we discussed prior to lunch, that we would need to come back in September and look at this and also take this document out to public hearing perhaps in August or have a public meeting at our September meeting.

MR. WAUGH: What was suggested for your consideration is since this is within the bounds of the alternatives that have already gone out for public hearing and they're in the document; that we not take this out to the public hearings in August because we've got so many items there – it would also give the staff and IPT a chance to complete the revisions – but that we publicize it ahead of the September meeting and then get public comment at the September meeting and vote for formal approval at September.

MS. SMIT-BRUNELLO: And I agree with that approach; I think that is just fine and legal.

DR. DUVAL: If nothing else, we want to be legal. Gregg is getting the language up there for the alternative; so we would need a motion to add a new Alternative 4D to apply a risk tolerance scalar of 0.7 for rock hind, tomtate, white grunt, and gray triggerfish and 0.5 for scamp. Zack.

MR. BOWEN: Madam Chair, I'll make that motion to apply a risk tolerance scalar of 0.7 for rock hind, tomtate, white grunt, and gray triggerfish and 0.5 for scamp.

DR. DUVAL: Motion by Zack; second by Jessica. Discussion.

MR. PHILLIPS: Just to be clear, so this is going to slow us up about three months if we do this; and so really the only thing that – and it is also going to slow up the gray triggerfish for three months – so that is the tradeoff; that we go ahead and change this and we'll get a new ABC for scamp is the species in question, which will be lower than it is now; but I think it is still going to be a whole lot higher than what the landings have been.

I guess the question we have to ask ourselves are we helping ourselves enough to add this alternative to get a new ABC that's still going to be significantly higher than our landings as a tradeoff for moving triggerfish back three months. I just want to make sure it is clear.

DR. DUVAL: That's a great point, Charlie. Gregg.

MR. WAUGH: And this was discussed, Charlie, and the bottom line in terms of timing, if you were to approve it at this meeting, there are certain changes that the staff and IPT have to do. Then it needs to be reviewed by Jack, Monica and myself. Then it goes to Ben for review. In reality if you were to approve it at this meeting, the likely submittal date is really late July versus if you were to make these changes now, we worked on it, we could do the review prior to the September council meeting and have it all ready to go.

Now, assuming you all don't make more changes at September, then it could be submitted right after the September meeting; so you're looking at more like six weeks delay. Also, the other item that we're going to address is setting the ACLs; and there is a suggestion for an alternative to set the ACL for scamp at 80 percent of the ABC. That will get the actual commercial ACL and recreational ACL down just slightly above what current landings are. It will affect a real cap on scamp.

MR. PHILLIPS: To that point; thank you very much for the explanation, so you see the pluses and minuses and it seems like a fair thing to do.

MR. BOWEN: Charlie, to that point, I kind of took the bull by the horns, I guess, if you will, on this; but I want to be more proactive than reactive. I do not want scamp to end up like red snapper and the blueline tilefish. With the downward trends in the CPUE and the downward trends in the catch records, I'm a true advocate for what we're trying to do here.

MR. PHILLIPS: And I'm not saying don't do it, Zack. I'm just outlining the pluses and the minuses of stretching it out another couple of months. I think what you're done or what the team

has done and thought out is fine. I'm supportive. I like to know the pluses and minuses; that's all.

DR. DUVAL: I think there has been a request to ask Mike Errigo if he could project the landing stream for scamp so that folks could see that. I'm sure people probably remember from Marcel's presentation yesterday the changes in the CPUEs over time. Roy, you had your hand up.

DR. CRABTREE: My advice to you with respect to timing here would be; I think I would put more emphasis on getting it right and getting it where you're satisfied with it than worrying about a few months. A couple of years from now no one will remember whether you approved it in June and August; but the lasting effects of what you do will still be there.

DR. DUVAL: Ben, I'm assuming that you wanted Mike to project those landings prior to us voting on this motion?

MR. HARTIG: Yes; do you want me to make a motion to do that?

DR. DUVAL: No, we have a motion on the floor to add this new alternative.

MR. HARTIG: No; I just think for the council's edification on this topic, while we're talking about it, it would be beneficial to show the long-term landings' trends from what Mike has.

DR. ERRIGO: All right, here it is from 1986 to 2013. The reddish line is recreational; the green line is commercial; and the blue line is total; and the black line up here is the ACL.

DR. DUVAL: Are there any questions for Mike on that? I guess you can see that the total landings have been under 200,000 pounds; it looks like maybe 180,000 pounds; something like that; and there has been a pretty steep decline since 2006. Everybody good; everybody ready to vote.

The motion reads add new Alternative 4D; apply a risk tolerance scalar of 0.7 for rock hind, tomtate, white grunt, and gray triggerfish; and 0.5 for scamp. Any other discussion? Any objection? Seeing none; that motions approved. Now that we've added this alternative, it would need to be selected as a preferred. Zack.

MR. BOWEN: I make the motion we select that alternative as the preferred.

DR. DUVAL: Motion by Zack; second by Charlie to select Alternative 4D as the preferred. Any other discussion? Any objection? Seeing none; that motion stands approved.

MR. WAUGH: There was discussion about looking at an alternative that for scamp would set the ACL equal 80 percent of the ABC. This is Action 3 on PDF Page 13. The ABC from just your prior action just now would 509,788 pounds. You ACL; 80 percent of that 407,830 pounds. The commercial allocation based on the 43.56 percent allocation would be 177,651 – and I'll type those up in a minute – and the recreational would be 230,179. If we deal with scamp first, then we can come back and deal with what you want to set your ACL for the other species.

DR. DUVAL: I think first we would need a motion to add Alternative 5 to Action 3.

MR. WAUGH: Alternative 5 was there; it just ended here; so it is modifying Alternative 5 to add that language.

DR. DUVAL: So a motion to modify Alternative 5 to add the appropriate language for scamp.

MR. BOWEN: Gregg, why just for scamp; couldn't we do it for all of those species listed or does it need to be just for scamp?

DR. DUVAL: You can do this for any species listed.

MR. BOWEN: Well, the reason I ask that if it is for all the species, then we wouldn't need to make any change – there wouldn't need to be any changes need to be made because it is already Alternative 5.

DR. DUVAL: Right; but based on the concerns expressed earlier and apparently the conversation some of you had a lunch that you might want to apply that particular step-down from the ABC only for scamp and not necessarily for other species in the complex. Chris.

MR. CONKLIN: Is it my understanding that if we select this action as our preferred, we're going to be losing about 156,000 pounds off the current ACL for scamp?

DR. DUVAL: Let's give Gregg a chance to get the numbers up on the screen and then I think we can go back and look at that. Yes, it will result in decreased overall poundage on the ACL.

MR. PHILLIPS: Are we going to need some alternatives bound-wise like 85 percent, 75 percent; are we going to need that for like NEPA or anything?

MR. WAUGH: Well, we've got it there for NEPA. These are the alternatives that were in there were no action that is ACL equal to current ABC. Alternative 2 is ACL equal to proposed ABCs. The third alternative was ACL equal to 95 percent. Alternative 4 equals 90 percent; Alternative 5 is 80 percent.

We have had that range in there and that has been analyzed. What we're doing now is discussing whether we set the ACL for scamp and/or the other species that need to be – except the deep water. We need to take no action on the deepwater complex here and let that get addressed in 32. We've got a full range of alternatives.

Now you just have to specify within your range of alternatives which of those are going to apply for which species. What is up on the board is showing the value for scamp because you just – by your prior action you changed your scalar for scamp; and so those values change. We've got a table in the decision document that shows the values for the other species. That is on Page 14.

MR. PHILLIPS: Well, I guess my question is we've separated scamp out from the rest of the species and just set ACL equals OY equals 0.80 for just scamp; and it is that by itself, for scamp an acceptable range. I'm guessing you're telling me it is.

MR. WAUGH: Well, it is because what you've got here is 90 percent for scamp, 95 percent for scamp or equal to the ABC for scamp. All we're doing is separating out now because there may be some interest in setting different levels for different species. If you're going to apply it for all of them, then we don't need to specify scamp here other than we need to take no action for the deepwater complex; and then whatever alternative you apply if you're choosing one for all the remaining species.

DR. DUVAL: Now that Gregg has all the numbers up on the screen, you can see that this would – by modifying Alternative 5 for scamp, you end up with an ACL of 407,830 pounds compared to the current ACL, which is I think like 509,000 pounds; so it is a reduction of roughly 100,000 pounds; so, Chris, that answers your question, hopefully.

MS. BECKWITH: You guys have the ABC listed from the 0.7; for the 0.5 it is actually 373,049; so it is going to be significantly less than even that. So to Chris' point, it is going to be a lot less than 136,000 pound reduction. It is going to be the 136,000 pounds plus 0.8 of that.

MR. BOWEN: But with those reductions, the ACL is still not going to be met going on current landings.

DR. DUVAL: So we'll just give staff time a little bit with some calculators here; but again once we get those numbers up, we'll need a motion to modify Alternative 5. While Gregg and Myra are getting this straightened out, we should probably have a little bit of discussion about what the committee would like to do with regards to the other species and what formula you would like to use to set ACL for the other species.

The way we have done it in the past is ACL equals OY equals the current ABC; but if you would like to apply a step-down from the ABC and calculating the ACLs for any of the other species, this would be the time to have a discussion about that. Anna.

MS. BECKWITH: I would like to maintain our current way of doing things and just have ACL equal to OY equals to the proposed ABC. We don't need a motion for that yet.

DR. DUVAL: Not yet; I just wanted to have a little bit of discussion while they're getting the numbers set up so that once we get to that point we can have the motion. Zack.

MR. BOWEN: Just so everybody is aware – and I'm sure they are – of these 14 species that are unassessed, two of them are deepwater species and one of is gray triggerfish with the assessment coming up in August. Everybody keep that in mind as well.

MR. WAUGH: Thanks for pointing that out, Anna. Now it makes more sense because the intent was to try to get some real cap in place. If you look at for scamp alone, your new ABC is 373,049 pounds.

Your ACL at 80 percent of that would be 298,439 pounds. That is slightly above what your recent landings are, so that is getting closer to providing a real cap should those landings start to come up. I think that was the intent that they were trying to get at; to have a meaningful limit.

DR. DUVAL: Okay, so now I think we're ready for a motion to modify Alternative 5 under Action 3 to include the additional language that Gregg has on the screen. Would someone like to make that motion? Zack.

MR. BOWEN: Madam Chair, I'm in favor of that and I would make that motion, but I'm not a hundred percent sure I want to say just for scamp. I'm thinking all of the unassessed species to go with that alternative.

DR. DUVAL: That's the conversation I was trying to have while these guys were working out the numbers; so how do other committee members feel? Do you want to maintain sort of status quo with where we have set the ACL equal to the ABC or do you want to step things down by some amount? Do you want to apply a step-down from the ABC to set the ACL only for certain tiers of species within this document? What do you want to do?

MR. BOWEN: I can tell you what I don't want to do; and I don't want to get in the position like we have been with red snapper and blueline tilefish. I think taking proactive steps with these species will guard against that.

DR. DUVAL: So Zack would like to see it applied to everything. Charlie.

MR. PHILLIPS: I sat through most of this process, workshops, and I'm satisfied that the work we've done is going to be probably as good as we're going to get and still give us flexibility. When we see a problem like we see with scamp, we pull it out and we do something with it. I don't want to constrict – most of these are bycatch fisheries. I'm happy where we are. I think what we've done with scamp is fine, but I'm happy with where we are everywhere else.

DR. DUVAL: One option that the committee has is to apply Alternative 2 – the committee could select Alternative 3, say, for those species that have a risk tolerance scalar of 0.7; and you could choose a different step-down for those with the risk management scalar of 0.9. There are different ways of doing this if you want to.

You don't have to apply the same formula to each species' grouping, but a little conversation about what you want to do. We've heard from Zack; he would prefer to apply 0.8 to everything. Anna would prefer to keep everything except for scamp at setting things at the proposed new ABCs. Charlie is satisfied with setting ACL at the proposed new ABC. Zack.

MR. BOWEN: Madam Chair, I'm going to make a motion and we can vote and then we'll get some reaction that way. I would like to make a motion to modify Alternative 5 to read ACL equals OY equals 80 percent of the proposed ABC for all unassessed species.

DR. DUVAL: There is a motion by Zack. The motion would read modify Alternative 5 to read ACL equals OY equals 0.8 times the proposed ABC for all unassessed species except the deep water complex. We do need a second to that motion.

DR. CRABTREE: I'll second for discussion.

DR. DUVAL: Roy seconds the motion for discussion. Jessica.

MS. McCAWLEY: What action are we on; are we on 3 or 2?

DR. DUVAL: On 3.

MS. McCAWLEY: Okay, I just want to make sure because we're having a debate about it over here.

DR. DUVAL: We already voted on Action 2, which was to add that extra alternative that would apply a different risk management tolerance scalar only to scamp apart from the other moderately high risk of overexploitation species. We vote on that and we selected it as an alternative; so scamp has a risk management scalar of 0.5. All the rest those species are maintained at 0.7. Then we've moved on to Action 3 where we're considering whether or not to step down for the ABC and setting the ACL. You can get a sense of this if you look at Table 2.3.1 on PDF Page 14.

MS. McCAWLEY: So is the motion asking us to make it our preferred or just modifying the wording of the alternative? That is the other piece that's confusing me.

DR. DUVAL: We're not there yet. The motion is just to modify that alternative. We would then have to select it as a preferred. Anna.

MS. BECKWITH: There were concerns brought up for scamp. I haven't heard anyone else have any specific concerns about any of these other stocks. I think we heard some great information from Luiz this morning going through the process of how we got here and how long it took. Hopefully Zack won't punch me when I say this, but I'm a little bit sensitive to the fact that you're making a pretty big judgment call here.

I'm not sure that you have read all of available information on how we got to this point. I think there was a lot of information and a lot of reports that came out on ORCS, multiple workgroups, and a thorough discussion where we arrived. I think it is valid. If we have a specific concern on one species, then I'm okay with that; but going on the ultraconservative route for all these other species, I'm not there.

MR. BOWEN: You're absolutely right, Anna, I have not read them all; but I don't want to be in the position like you were this morning threatening to send a letter to the secretary because these species are going to be assessed in the next few years and we're going to end up like we did with red snapper and blueline tilefish.

I am trying to take a more conservative approach, a proactive approach. Like it has been said, most of these species are bycatch species, anyway, so why not be a little conservative with them? It doesn't help anything – it doesn't hurt anything and the only thing it is going to do is help our fishery in the future. So, yes, I am taking the most conservative approach.

MR. CUPKA: I think in some cases you need to look at the individual species. What we've done now is in a lot of cases we've increased the ABC through the use of the risk tolerance scalar. Now we're going to turn around and reduce it down to 80 percent of that. I mean if you look at red hind, we're going to increase it 20 percent and then we're going to reduce it 20 percent; and we're going to be right back to where we were to start with on some of these. It doesn't make a lot of sense to me on just across the board.

MR. BELL: So using that Table 2.3.1 as an example, what this would do is add an Alternative 5 so you'd have another series of columns there. Then everything has to come out of that; in other words, we were focused on scamp, and I followed that and I agreed with concern about scamp; but to do that for scamp, then you have to apply it for everything then, right? To what basically do what we wanted to accomplish for scamp, you have to take the whole suite of 14 species that way; is that right or you can pick and choose?

DR. DUVAL: No; you could apply a 0.8 step-down from the proposed ABC to get your ACL just for scamp, and that was the original modification that was being discussed. Zack expressed his preference to apply that 0.8 step-down from the ABC for all the species that are in this document. That table on Page 14 is reflective of how some of our different complex ACLs would change under those different alternatives. Gregg.

MS. WAUGH: And, Mel, you wouldn't add a column for those other species. The values for those other species are shown there under Action 3, Alternative 5. The reason we have to come up with new numbers for scamp is because you changed the scalar. This Table 2.3.1 is based on a risk tolerance scalar of 0.7 for all those species; so only scamp do we need new numbers because we changed the scalar to 0.5.

MR. BELL: I've got you; I'm using the printed version.

DR. DUVAL: And just for folks to look at; the fine print below that table bolds the species for whom this ORCS approach is being applied to so that you can tell which species' ACLs within the different complexes would be modified. All right, we have a motion on the floor to modify Alternative 5. Are people prepared to vote on this?

Okay, could I please see a show of hands of those in favor of the motion; two. I will just say that the motion fails with two in favor. All right, would you want to fall back to the originally discussed modification to Alternative 5 that would apply this step-down in setting the ACL only for scamp? Is someone willing to make that motion? Charlie.

MR. PHILLIPS: Madam Chair, I make the motion that we modify Alternative 5 to read ACL equals OY equals 80 percent proposed ABC for scamp.

DR. DUVAL: Motion by Charlie; second by Zack. Discussion? Is there any objection to this motion? Seeing none; that motion stands approved. The alternative has been modified and now we need to select preferred alternatives. Are folks prepared to do that? Charlie.

MR. PHILLIPS: Madam Chair, I make the motion that our new Alternative 5 be a preferred.

DR. DUVAL: Motion by Charlie; second by Jessica. Discussion? Any objection? Seeing none; that motion stands approved. Is there a desire on the part of the committee to select an additional preferred alternative that might apply to the remainder of the list in this document?

MS. BECKWITH: I move we select Alternative 2 as our preferred for the remaining species except for the deepwater complex.

DR. DUVAL: Motion by Anna; second by Chris. Discussion on this motion? Any objection to this motion? Seeing none; that motion stands approved. I think this completes the work that we can do on this amendment today. Well, we need to approve all the proposed IPT edits to these alternatives as well as the alternatives that we have modified. We have a proposed motion up there if someone is willing to make a motion to approve the modifications to the alternatives for this action. Jessica.

MS. McCAWLEY: I make a motion to approve the modifications to the alternatives.

DR. DUVAL: Seconded by Charlie. Discussion? Opposition? Seeing none; that motion stands approved. Now we need a motion select no action for the deepwater complex because we're actually dealing with that in Amendment 32. Zack.

MR. BOWEN: I will make that motion, Madam Chair, to select Alternative 1, no action, as our preferred alternative for the deepwater complex.

DR. DUVAL: Motion by Zack; second by Mel. Discussion? Objection? Seeing none; that motion stands approved. Charlie.

MR. PHILLIPS: Madam Chair, did we approve the suggestions for edits to the alternatives?

DR. DUVAL: We did that with the previous motion by approving the modified alternatives since we had already restructured things considerably. Now I believe this completes the work that we can do on this amendment at this time. We will see this again in September. We will give notice to the public that there have been changes made to this amendment and the public will have the opportunity to comment at our September council meeting. We have concluded our business on Amendment 29. We will move on to Regulatory Amendment 20. Attachment 10A is the decision document.

MR. WAUGH: Okay, 10A is the decision document; 10B is the draft amendment. Nick Mada is the IPT lead in the region. He has done a super job pulling this document together; he and the

rest of the IPT. Mike Larkin in particular has done a lot of the analyses; and we got back with him with some requests for some new alternatives.

Some of those analyses are included that have just the biological analysis in terms of the table; so you can see the date changes. It was very helpful to have him analyze those on a very short timeline. We're going to walk through that decision document; and there are a couple of items that need clarification on Page 2 of that Table 3.1 where we show the OFL and ABC values.

The values that are shown there includes discards. That needs to be corrected to the values that show just the landings only; and that is 97.7 percent of the ABC are landings. I've got the values projected here for you to see. There is a slight decrease highlighted in red; so it is a slight decrease of 2.3 percent reduction. That will be corrected in the final document.

The first item is purpose and need; and we've got some revisions, some editorial corrections suggested by the IPT; nothing major at all, just changing the purpose. The yellow is the highlighted; the red strike-through is what was there before.

It just would read, "The purpose of this amendment is to adjust the rebuilding strategy, acceptable biological catch, annual catch limit, maximum sustainable yield, maximum sustainable yield, minimum stock size threshold, optimum yield and revise management measures for the snowy grouper component of the snapper grouper fishery. These adjustments address the recent stock assessment results based on data through 2012."

A slight modification to the need section; it would now read, "The need for the amendment is to prevent overfishing and continue rebuilding the stock while minimizing to the extent practicable adverse, social and economic effects." We're looking for you either to accept the IPT's proposed wording for the purpose and need or modify that in some way.

DR. DUVAL: Is there a motion? Charlie.

MR. PHILLIPS: Madam Chair, I make the motion that we accept the IPT's proposed wording for the purpose and need.

DR. DUVAL: Motion by Charlie; second by Doug. Discussion? Any objection? Seeing none; that motion stands approved.

MR. WAUGH: Next on Page 4, Action 1 deals with the rebuilding strategy. When we get in to talk about the projections a little bit, I guess this is a good place to do it. I will raise it here. We had some slight modifications to clarify some values. The no action alternative is just clarifying that the total allowable catch that was specified for 2009 was carried forward. That was adopted as the ABC.

In Alternative 2 we're just filling in 2019 as the values; and that is changed in Preferred Alternative 3 and Alternative 4 as well; and just a grammatical correction to Alternative 3. The IPT is recommending the changes to that wording; and then I'll explain something about the actual projections themselves.

MR. PHILLIPS: Madam Chair, I make the motion that we accept the IPT's proposed wording and changes for Alternatives 1 through 4 under Action 1.

DR. DUVAL: There is a motion by Charlie; second by Anna. Any discussion? Objection? Seeing none; that stands approved.

MR. WAUGH: The Table 4.1.2 shows the projections based on your preferred alternative based on yield at 75 percent of Fmsy. There was an issue that surfaced that in doing those projections, they assumed an estimated landings in 2013 and 2014; and the value they used for those landings were 105,817 pounds whole weight. There was some concern that perhaps we went over that in 2013 and may need to have some revisions to the projections.

The center looked at the values and apparently we're over by approximately 16,000 pounds; which when you look at it, that is pretty close. If you look at what that would do to the projections themselves, it wouldn't change the projections significantly at all. The discussion was that it wouldn't be worth the time to have the projections redone. All the analyses would have to be recalculated. We think the feeling – and Bonnie may want to comment on this – that we don't need to revise those projections.

DR. PONWITH: Yes; I do concur with that. I think that those are close enough; that given uncertainties in the landings and everything, those are close enough to be a good indicator of the projections.

MR. WAUGH: Okay, the next item will bring in some other discussion as well. Action 2 deal with setting the annual catch limit. What we've got is the no action alternative; again clarifying some wording, the acceptable biological catch and clarifying some abbreviations, total allowable catch. The IPT is recommending changes shown above for Action 2.

DR. DUVAL: So would you like a motion to accept those changes?

MR. WAUGH: Yes.

DR. DUVAL: So if you go to PDF Page 10 for some suggested motion language; Charlie.

MR. PHILLIPS: Madam Chair, I'd like to make a motion to accept the IPT's proposed wording for Alternative 1 under Action 2.

DR. DUVAL: Motion by Charlie; second by Jessica. Discussion? Anna.

MS. BECKWITH: Don't we need to have some discussion on the recreational numbers and potential allocation; and if that changes anything, then we'll have to come back and redo the wording on this again?

MR. WAUGH: Right; and we're going to get to that in a second. This just deals with the modifications under Alternative 1, the no action alternative.

DR. DUVAL: Any other discussion? Any objection? Seeing none; that motion stands approved.

MR. WAUGH: Then looking at the values here in Alternative 2, this would set your ACL. The alternative right now is to set the ACL equal to the ABC. Alternative 3 would set it at some percentage of the ABC. That's all the alternatives. Then the issue comes about that the new assessment incorporates recreational landings from Monroe County.

The previous assessment incorporated commercial landings but not recreational. We're adding now the recreational landings from Monroe County; and the recreational sector in Monroe County has much higher landings than the commercial. When you add those in, your ABC goes up, but we have to address the issue that you're adding in lots of recreational landings from Monroe County. This brings about a need to look at the existing allocation. You're getting an increase in the ABC and the ACL because you're adding in Monroe County recreational landings.

That makes it hard to argue to leave the allocation at 95 percent commercial and 5 percent recreational. What we did was look at updating the council's formula for the allocation. This was set in Amendment 15B; and it used the average landings from 1986 through 2005. When we looked at that in 15B, the allocation came out 95 percent commercial and 5 percent recreational.

If you update those landings now, including the recreational landings from Monroe County – this is exactly what we did and I think it was Regulatory Amendment 13 where we updated the formulas with new values. When you do that update, use the same '86 through 2005, using the SEDAR landings, you come out with an allocation – so this is Table 3 from the SEDAR assessment – commercial hook and line, commercial longline, headboat, MRIP – when you look at that time period, the allocation comes out to 83/17.

The magnitude of the percent change is more than what we looked at previously when we did this through a regulatory amendment. If you look at what impact this has on your ABCs and ACLs – and this is updating what you have on Page 8 under Alternative 2 – the numbers over here on the right are with the new allocation.

You've got the ABC with Monroe County recreational landings, the ACL; here is the existing 95 percent/5 percent; here is what would be the new allocation of 83/17. You can see that even though the allocation to the commercial sector is obviously much less on 83 percent than 75 percent; it is still an increase from where they are now.

The commercial ACL right now is 82,900 pounds gutted weight. Where you apply new 83 percent/17; that would go up to 115,451 pounds in 2015 and then increase each year thereafter. The recreational ACL is currently 4,400 pounds or 523 fish; and we track that in fish, so it would go up from 523 fish to 4,152 fish in 2015; and then increase each year thereafter. We need to talk about how you want to handle this allocation. I think Monica has some comments about whether we can update your formula within a regulatory amendment.

DR. DUVAL: So just to make sure everybody is understanding this, the previous snowy grouper assessment included commercial landings through Monroe County but it did not include recreational landings through Monroe County because we didn't have a way to post-stratify that at that point.

When that allocation was established in 15B, like Gregg said, it included commercial landings from Monroe County, but it didn't include recreational landings. Now with this updated assessment, we do have the means to post-stratify those recreational landings; so we're adding those in so that everything includes Monroe County landings on both sides.

The ABC is based on those landings from Monroe County as well; so we need to incorporate that into this. I just wanted to make sure people understood sort of the history of where this came from. Now I think is where we turn to Monica to ask for some input regarding updating this allocation with what is basically a new landing stream information similar to what we did in Regulatory Amendment 13 where we updated all of our landing streams with new MRIP information, which did result in allocation shifts – and some of them significantly. I think gray triggerfish and blueline tilefish were a couple that did change fairly significantly. Again, Monica, give us the benefit of your wisdom.

MS. SMIT-BRUNELLO: It kind of depends on how you want to go. The framework process – and this is a framework amendment – doesn't allow you to make allocation decisions via framework. You've all said before the council has a policy that if we make allocation decisions, we want those to be made in plan amendment; and this is a framework amendment.

We call it a regulatory amendment, but it means the same thing. My recollection – and I can't remember the jumps in Regulatory Amendment 13 in which we applied new MRIP information with the conversion. There were some shifts in allocation. Those shifts were done based on the formula that you had chosen to allocate between the recreational and commercial sector.

This, too, would be based on – unless you change it – the formula you've used before for allocation. In this particular sense, it is a pretty good jump from 5 percent recreational to 17 percent recreational. You are using the same formula; so we can argue all you're doing is putting the new numbers in and using the same formula and this is the result; therefore, you can do it via this framework process.

On the other hand you have to decide if you're comfortable enough with that or if you think it is a big enough shift in allocation that you think you ought to be doing it via plan amendment. I think we can probably defend it either way you go. There is always less legal risk if you do a plan amendment; and what that means is you send it out – it gives the public more time to comment.

They get 60 days to comment on the amendment in addition to usually 30 days on a proposed rule. If you do it via framework process, then there is no big comment period on the amendment. It is just the comment period on the proposed rule.

DR. DUVAL: And just to remind folks, we're scheduled to approve this for public hearing for August; so the public would have a designated separate comment period from a council meeting to comment on this. The only other thing I want to note is that currently – and Roy can correct me if I'm wrong – the way the ACLs are tracked, the commercial ACL is tracked inclusive of Monroe County landings, but the recreational ACL is not based on the previous assessment; is that correct?

DR. CRABTREE: I believe it is.

MR. WAUGH: But should this amendment be implemented, then it would be tracked including Monroe County's recreational landings and the Atlantic.

DR. CRABTREE: That's correct; and so to me what we're doing now is sort of allocation neutral. But if you were, for example, not to do this – well, it is because we're counting those Monroe County catches in the assessment and in the ABC, which means we're going to have to track them against the ACL, but we're shifting the allocations to take that into account; so it is effectively neutral.

If you were to stay at 95 percent and 5 percent, then clearly you would be counting a whole new section of the range and those catches against the recreational allocation but not making any change to account for that. To me if you stay at 95/5, that is a de facto reallocation to the commercial fishery away from the recreational fishery.

By making this shift, we're reflecting that time period that we chose to base the allocation on; and we're just updating those landings and factoring that in; so it in that sense should be neutral. I think it's the right thing – I think we have to do that unless you want to look at other alternatives and reopen the whole allocation issue. That would be up to you.

DR. DUVAL: And recall that we made the decision to examine allocation at large through the visioning process for the snapper grouper species. We have an existing allocations' amendment that we've put on hold until after we went through the port meetings and have had the opportunity to garner that input.

It would be my intent to bring up that amendment again once we've had the opportunity to have our October visioning-focused council meeting. I do have one technical question, which is why is that the estimated number of recreational fish doesn't change when you look at the gutted weight versus whole weight? I mean 1,100 pounds is pretty significant if you're looking at the gutted/whole weight comparisons.

MR. WAUGH: Yes; I had the same question when I first looked at this. The first calculation is whole weight; the numbers come out of the assessment in whole weight; and you convert that to numbers of fish. Then whether that fish is gutted or whole, it is still one fish; so it doesn't change when you go down to the conversion to gutted weight.

DR. DUVAL: Okay, that makes sense. Ben.

MR. HARTIG: I guess my concern, Gregg, about the calculations – and I did a lot of that back when I first came on the council. I came in at the end of the allocation debate, but I did a lot of work on looking at a lot of different species and seeing how those allocations – and the landing stream influenced those decisions.

Knowing you have such sporadic landings for snowies and never knowing really what is real just by the sampling in the recreational community; I would have to see those figures and how it was done before I'd feel real comfortable about moving ahead with an allocation decision right now. I'd have to see the landing stream and how it was recalculated based on those times; what is the variance in each of the landings? The rarer species have inordinate numbers of high and low landings.

DR. DUVAL: I would agree; and that is a big concern and kind of an allocation issue we have with those species. Anna.

MS. BECKWITH: I'm just curious. With these new potential estimated recreational numbers and the Monroe recreational landings; would we have been blowing the ACL like we have been?

DR. CRABTREE: Well, we've been over the ACL whether you count Monroe County or not.

MS. BECKWITH: Right; but has Monroe County been blowing their ACL as well?

DR. CRABTREE: Well, Monroe County I guess hasn't been included in anyone's ACL at this point.

DR. DUVAL: So the ACL has just been tracked based on the Atlantic stuff.

DR. CRABTREE: But when we determine that the ACL is caught, we close the fishery down throughout the South Atlantic, including Monroe County; but in making that determination, because the assessment didn't include Monroe County landings, we didn't track Monroe County. Once this amendment is approved, that will change and we will then begin tracking Monroe County and counting it against the ACL.

MR. BELL: To Ben's point, I know for us snowies are just so rarely encountered, I wouldn't trust our numbers; but down there, I would think you'd have a little more confidence in your numbers down there maybe just because of the – yes, the fishery all comes into a fairly small place. I don't know if Florida tracks it closely or not; but I think there would be more confidence in those numbers; certainly more so than what we would see up our way.

MR. HARTIG: I think, Mel, we had – and I can't remember the numbers; but it was a hundred and something thousand fish one year and thirty-something the next for snowy. Those are pretty substantial differences.

If you happen to catch that big number in the three years that you use to add to the average, you significantly impact the commercial fishery because you're using a number that may or may not be real but is very, very high in that three years, it really impacts the allocation. That's what I'm

trying to get at. I've done of those calculations. Red grouper was one that had a very high value in one year in those last three and it changed the tenor of the allocation for the commercial fishery.

DR. CRABTREE: Yes; and that's good point. I don't really remember the discussion we had back in, what, 2004 or '05, Gregg, when we did this; but we chose a fairly long time series. What was it, Gregg?

MR. WAUGH: '86 to '05.

DR. CRABTREE: And so I think that is partly getting at what you're saying, Ben; because by choosing a long time period to define the allocation, it would tend to smooth out some of those variances to the extent we can; whereas, if you were to choose just a few years, you could get really different results. I don't know if we consciously took that into account at that point; but I think it makes a lot of sense for something like this to try and get a representative view of the mix of the fishery for the allocation; and you wouldn't want to use a lot of years just for that reason you bring up.

MR. HARTIG: And it wasn't to a lot of years; it was the three years that was used for half of the allocation. That is where the real problem came in. If you have one aberrant landings that is four or five times the normal landing stream in those three years, then that is a big change in the allocation – what you get out of it. I lost my word but whatever that is calculated to be. That is my point. I don't have a big problem with moving forward now. I just would like to see the way the calculations were done.

MR. WAUGH: Here are the values pulled right out of the stock assessment, Table 3; and I only pulled the years that we used to do the calculation, from '86 through 2005. It shows the commercial hook and line, commercial longline, headboat, MRIP; and then we've got the commercial and the recreational totals. These are in thousands of pounds whole weight. You can see there are a couple of years of zeroes here in '86 and '89 for the MRIP.

I guess the high is 265,000 pounds in '97. Here you've got 67,000 pounds in 2003. That is how it varies. I guess it is tricky how you look at this. You're not changing your allocation. We set the allocation based on the landings from '86 through 2005. When we did that, we weren't including recreational landings from Monroe County.

Now that the assessments have been done, including those, all we're doing here is, okay, going back and applying your same formula. Here are the landings now with Monroe County, with any corrections that have made to the landings' data since we did 15B, any adjustments that were made in SEDAR.

When you have a SEDAR, the landings that come out of that SEDAR assessment are the best landings. They've made adjustments and that is what goes into the assessment. It is applying your same formula, the average from '86 through 2005; and so updating your formula now with landings from the assessment gives you this new allocation, which admittedly is quite a bit different from the 95/5.

DR. ERRIGO: I just wanted to make a comment. If the data from the SEDAR assessment was used, the SEDAR assessment actually took steps and went to lengths to fix certain data points that the data workshop felt were outliers specifically in the recreational data and more specifically several of the data points from Monroe County.

They tried to fix those data points because they felt that they were not reliable; a single intercept leading to almost 100,000 pounds of snowy grouper. They did try to fix those types of data problems in the landing stream; whereas, if it was just the data used to track the ACL, those data are not gone over like that. They don't try to do anything with them.

MR. HARTIG: Okay, this has illustrated my point. You've got your time series you used, which is 1986 through 2005?

DR. ERRIGO: Yes.

MR. HARTIG: Okay; and how we use that; is this done by the Bowtie Law?

MR. WAUGH: No; it is average.

MR. HARTIG: Oh, it is not! Okay, well, that's different than how we calculated the allocation before; and that is what I'm getting at.

MR. WAUGH: No; this is how we did it for snowy.

DR. DUVAL: So it is applying the same formula that was in Amendment 15B, which is just a straight average of the landings.

MS. BECKWITH: So to Mike's point; is including the Monroe County and tracking them through MRIP; is it going to increase our opportunity to blow the ACLs? Is it going to make a bad situation now potentially worse or is it somehow more beneficial for us to continue to deal with our MRIP numbers for snowy grouper and not including Monroe County?

DR. DUVAL: We had some discussion about this; and I think Roy's point is because the assessment was conducted with Monroe County landings, the ABCs were calculated with Monroe County landings. The projections have been calculated with Monroe County landings. In order to continue to track things only on the Atlantic Coast of Florida for the ACL, as is done now, there is a lot more stuff you would have to go back and redo.

MS. BECKWITH: Couldn't we just back out the recreational portion of the Monroe County as we move forward?

DR. DUVAL: I'm sure Monroe County would love to be backed out of pretty much everything in the South Atlantic based on some of the South Florida conversations.

MS. BECKWITH: But we still have that data question with the one intercept in Monroe County pushing up to 100,000 pounds; and the fact that when we're tracking ACLs, like Mike said, they're not gone over the way that they are for an assessment and correcting accordingly. If we have more opportunity for more intercepts in Monroe County, then I can see the potential to make our currently bad situation worse when tracking these low ACLs for the recreational.

Just to explore options, I'd be curious if it was conceivably an option to back out that portion of the ABC that would have been part of the Monroe County recreational portion of it, but continue to do the MRIP numbers for Monroe north.

DR. ERRIGO: Unfortunately, the right way to do that would be to rerun the assessment without Monroe County data in it, because the model took that into consideration along with the age distribution and size distribution of the catch coming from Monroe to get the benchmarks and the overall population biomass.

It uses those landings to scale that; so I don't know what the difference would have been if they removed the Monroe County landings; but it is almost impossible to say. I'm not sure what kind of factor you would use to scale it down or to scale our landings or to just take the Atlantic landings and just scale them up; I'm not sure how you'd scale them up. It's very imprecise science.

DR. DUVAL: I definitely appreciate what you're trying to do, Anna, and what you're asking is something that I sort of spun around in my head as well. Gregg.

MR. WAUGH: One way perhaps we could deal with it is similar to what we did with blueline. With blueline tile, the assessment was done Atlantic-wide; we looked at what the contribution was north of North Carolina. It was around 2 percent and so we set our ABC at 98 percent; and so we're not counting the fish that are landed north of North Carolina because we have accounted for them.

If you were to take that logic and try and apply it here, you would be making some adjustment to your ABC, but it would seem like it would have to apply to all catches coming from Monroe County. We could look at the data and see what were the average landings from Monroe County recreational and commercial and step down your ABC and have an ABC for north of Monroe County. Then it leaves the question, okay, who is going to manage Monroe County? Do we just split our ABC and we still manage Monroe County but split the ABC and so you have an ACL – in reality an ACL for Monroe County and an ACL for north of Monroe County. That might be a way to get at what you're looking for.

DR. CRABTREE: I don't think you can just back it out and ignore it. Now, you could I suppose set up two recreational ACLs, one for Monroe County and one for everybody north of Monroe County. You'd have to take this recreational ACL and then allocate so much to Monroe County and so much north of Monroe County.

I think that would have to be probably done in a plan amendment. I think, frankly, it makes all your problems worse because now you're tracking two quotas instead of one and the variances

go up. I think it would be a really bad move, but I guess you could do it if you wanted to. I think really where we are is we need to adjust this allocation and move forward with it that way. I think trying to split this up further just makes the problems worse.

DR. DUVAL: Okay, where does that leave us?

MR. WAUGH: We would need a motion to apply the council's existing allocation formula and update it with the new landings from SEDAR and use that to split the ACL into recreational and commercial portions.

MR. PHILLIPS: Well, Madam Chair, I'm just thinking ahead to our South Florida Management Meeting. As we go along this path, do we want to keep an eye on what we might do there where we're going to start figuring where lines are to split stuff and odd and end things like that?

DR. DUVAL: That's certainly logical. I think that's kind of what Anna was getting at with some of her suggestions about trying to parse out the Monroe County landings. Certainly, as Roy indicated, we could do basically a sub-quota for Monroe County. That does make it more complicated. I guess it might be a plan amendment. This is a regulatory amendment.

I guess, Gregg, moving forward with updating the council's existing allocation formula with these new landings, it is going to have to be a very careful explanation of sort of how we got there. This is going to cause a lot of consternation amongst a lot of people that the council is trying to reallocate something very quickly and unfairly.

We're going to have to explain how the way the ACLs are tracked right now, commercial and recreational differs, and that Monroe County is included in one and not in the other; that the assessment included Monroe County for one but not the other; and now this new assessment includes Monroe County for both. It is going to have to be a pretty careful explanation. Mel.

MR. BELL: So the oversimplification of this is in the old scheme in our region we have snowy grouper pie and we divided that snowy grouper pie 95/5; so we just acquired more pie by including them in this recent assessment. We've got more pie but we also have got more pie eaters; but the way that breaks out is 83/17 or whatever. Everybody still gets pie; they brought own pie with them to some degree, but we don't necessarily trust the numbers I guess is what we have –

DR. DUVAL: The ingredients in their pie.

MR. BELL: Well, did they bring enough pie or not I guess is the question.

MR. HAYMANS: I'd be honored to make this motion, but I do want to make sure of the council's existing allocation formula as it applies to snowies, because we don't really have – and we've used the Bowtie Law for a long time and whatnot; and I just want to make sure that down the road that doesn't get misread.

DR. DUVAL: Yes, I agree, Doug, perhaps –

MR. HAYMANS: As it applies to snowy.

DR. DUVAL: Yes; add the language as it applies to – it would say update the council’s existing allocation formula as it applies to snowy grouper and then those parentheses?

MR. HAYMANS: Yes. **Okay, I would make a motion to apply the council’s existing allocation formula as it applies to snowy grouper (average landings from 1986 through 2005); using the SEDAR landings data. The resulting allocation would change from 95 percent commercial and 5 percent recreational to 83 percent commercial and 17 percent recreational.**

DR. DUVAL: Motion by Doug; second by Charlie. Discussion. Monica.

MS. SMIT-BRUNELLO: When you use the word “update”; to me that implies that you have changed the allocation formula. I would just offer a friendly suggestion that we call – instead of “update”, put “apply”; “apply the council’s existing allocation formula as it applies to snowy grouper” and so forth.

MR. HAYMANS: Friendly amendment taken.

DR. DUVAL: Okay, with Charlie? Okay, more discussion on this motion? **Is there objection to this motion? Seeing none; that motion stands approved. I’m sure we’ll hear about it.**

MR. WAUGH: So now what we need to do is pick your preferred alternative for setting ACL. Alternative 2 would set the ACL equal to ABC equal to OY. Those are the values now that are shown here. It changed the values that are shown under Alternative 2. Alternative 3 would apply a series of subalternatives that would reduce it to 95 percent, 90 percent or 85 percent.

DR. DUVAL: As a reminder, this assessment is a little bit different in that any landings north of the North Carolina/Virginia Border were not included in the assessment because they were so small.

With blueline tilefish, we had similar sets of alternatives and some alternatives to sort of account for the landings that are occurring north of North Carolina; and those landings were also incorporated into the assessment. This situation is a little bit different; so what is the committee’s pleasure in terms of choosing a preferred? Charlie.

MR. PHILLIPS: Madam Chair, I move we approve Alternative 2 under Action 2 as the preferred alternative.

DR. DUVAL: Motion by Charlie; second by Doug. Discussion? Any opposition to this? Seeing none; that motion stands approved.

MR. WAUGH: Okay, Action 3 was to split the commercial fishing season for snowy grouper. We’ve got some recommended edits to the language to change that to read “split the commercial

fishing year into two fishing seasons for snowy grouper”; against just changing “season” to “year”; and the no action alternative clarifying split the commercial ACL into separate seasons.

Alternative 2; we’re recommending revised language clarifying that what this would do is split the commercial snowy grouper ACL into two quotas; 50 percent to the period January 1 through April 30 and 50 percent to the period May 1 through December 31. Any remaining commercial quota from the January through April season carries over into the May through December season. Any remaining commercial quota from the May through December season does not carry over into the next fishing year.

Then the series of trip limits; these are the same trip limits that you had before; and we’re just standardizing how we do our abbreviations. Our previous action changed the commercial ACLs; so these numbers would change to these numbers; and I’ll update that for full council. We split that equally between the two periods.

The Snapper Grouper AP chose Alternative 2, Subalternative 2C, as their preferred. We also had a suggestion to add a new alternative. There was some concern from the NEPA side and also a suggestion for splitting the – rather than 50/50, do it 40 percent to the first period and 60 percent to the second period.

This approximates how the average landings have occurred over the past several years. That is where the 40/60 came from. Basically, it is very similar to Revised Alternative 2 except that it maintains the current 100 pound gutted weight trip limit for the January 1 through April 30 season; and then established different trip limits for the second season, May through December.

That would be 100, 150, 200, 250, 300; and, of course, 100 is where we are now. The IPT recommends the changes to Alternatives 1 and 2 and insertion of the table for Alternative 2; and as I mentioned that will need to be updated based on your previous amendment. Just a note here; the analyses have been conducted for the increase in ACL for 2015.

If the ACL increases each year, which the SSC has recommended and which we just did under Action 2, so those benefits would increase each year. New Alternative 3 was requested by the Snapper Committee Chair. Preliminary analyses have been added; and if included, economic, social and administrative impacts would be added.

You’ve got Table 4.3.2 that shows the expected dates. Under 4.3.2.A, under the existing alternatives show when those would be expected to occur. Again, there is going to be some adjustment to this because we have changed what the commercial ACL is. Since the commercial ACL is a little lower, expect that these season closures, when they occur, would occur slightly earlier. We will have that revised for the public hearing version.

4.3.2.B shows the new Alternative 3, what the expected closure dates would be. At some point if we keep both Actions 3 and 4 in here, we’re going to have to explain and address that we’re looking at commercial trip limits under two different actions. When we get to 4, you’ll see that there was some recommendation to move that action to the considered but rejected.

We've got a new alternative that we have added under there, too. It is just a bit odd to analyze commercial trip limits under two different actions. We're looking to accept the IPT's proposed wording for Action 3, Alternatives 1 and 2; and then you have to figure out how you deal with that new Alternative 3.

DR. DUVAL: The revised analyses with the new allocations; I assume those would be complete in time for public hearings?

MR. WAUGH: Yes; they would.

DR. DUVAL: I requested that new Alternative 3 be added because I had some concerns about only having an allocation that split the quota 50/50 between two parts of the year that were not 50/50, especially considering that the commercial landings are more reflective of a 40/60 split from January through April and May through December.

I was also concerned about potentially allocating out of the fishery a region of the range that has difficulty accessing it; and that is the northern part of North Carolina; so I asked Gregg if this could be added and analyzed. Folks have had a chance to look over the IPT's proposed edits and perhaps we can get a motion to accept the proposed wording for Alternatives 1 and 2 under Action 3 and then we can maybe have a separate motion dealing with new Alternative 3.

MR. PHILLIPS: I have a question, Madam Chair, and maybe Gregg can answer it. I know there is some support for a split commercial fishing season, but this is again going to public hearing. Do we want to just rename the title of this, whatever you would, just commercial fishing season and then have the split seasons; and maybe go down out of Action 4, pull Alternative 2 or something that would have some weights like 300, 200, 150 that would open on January 1 and close when it closes for the public to comment on. Then it is all in one place.

The second thing is the TAC is going to go up – the ACL is going to go up every year, if I read the tables right, so it is going to change every year and it is going to allow different opportunities for different fishermen in different regions every year. I fully understand you want your guys to be able to fish off Hatteras.

I support the guys down south that don't have anything to catch in April when snowies might be closed. I'm just kind of throwing these out here since we're going to take all this to public hearing. I'm not offering a preferred; but I'm just thinking if we're going to structure this and we're going to go to public hearing, let's give them the range and keep it simple for them to look at.

MR. WAUGH: If I understood the first part of your question, it was could we change Alternative 3, Action 3, to just deal with splitting the commercial season and then deal with trip limits under Action 4?

MR. PHILLIPS: No; I would just have it listed maybe the commercial seasons for snowy. It could be split or it could be one season. Instead of having two different actions, you can go through one action and you can have options for it being split, you can have options for it

opening on January 1 or whatever dates you want and then close; and it is all in one action. I heard there was an issue of having two different actions with basically doing the same thing.

DR. DUVAL: So it might be either if it was titled – if you want to pull it all into one action – for it to be titled “commercial management measures”; and then you could have alternatives examining the split season and alternatives just examining a trip limit? I understand what you’re getting at.

MR. WAUGH: So combining Actions 3 and 4 into one action: I think that is where we started out actually. It would be combining one action and it would look at the – basically you’re going to clarify what alternatives we look at, but it would be commercial – and we can refine the wording; but the action would be commercial management measures; and within that you’d have basically all the alternatives that are under 3 and 4 now except that you will modify some and hopefully get rid of some. Is that what you’re getting at?

MR. PHILLIPS: Yes.

MR. WAUGH: I agree with you.

DR. DUVAL: Can we get at least motion to accept the IPT proposed wording for I guess Alternative 1 and Alternative 2 under existing Action 3. Jessica.

&&MS. McCAWLEY: Motion to accept the IPT wording under Alternatives 1 and 2 under the current Action 3.

DR. DUVAL: Motion by Jessica; second by Chris. Any discussion? Any objection? Seeing none; that stands approved. Next we need to deal with new Alternative 3, which is a 40/60 split of the quota into two seasons, January through April and May through December; so you’re basically splitting the ACL that is more reflective of how the landings are actually spread out.

There are several subalternatives for a trip limit for the second season. The first season proposes to maintain the existing 100 pound gutted weight trip limit. I’ve heard some input to increase that to 150 pounds instead; so I think if there are some modifications to this proposed new alternative, it would be good to hear those; or we can we just accept the new alternative as written. I would love a motion. Jessica.

MS. McCAWLEY: I move that we accept the new alternative as suggested.

DR. DUVAL: Motion by Jessica; second by Charlie. Discussion? Objection? Seeing none; that motion stands approved. Doug.

MR. HAYMANS: Since we’ve made that decision; can we then move Action 4 to the considered but rejected, since you’re taking care of it all in Action 3?

DR. DUVAL: I can’t hear you.

MR. HAYMANS: Since we've made that decision; can we then move Action 4 to the considered but rejected because it seems like the possibilities are there in 3 unless there is something extra in 4 that I don't see. Yes, there is also areas.

MR. WAUGH: My understanding of what we were trying to achieve; there were two approaches to achieving access to snowy grouper. One was to do it with a split season and some trip limits. That is under what is now Action 3. The other is what is under Action 4 was to do it with not splitting the season but using trip limits in different areas to achieve the same thing, to spread out harvest and give access throughout the range.

DR. DUVAL: Doug, I do agree that under that Alternative 2 under Action 4 is very similar to Alternative 2 under existing Action 3; and that may be what you were getting at.

MR. HAYMANS: So I would move that we move Alternative 2, Action 4, to the considered but rejected.

DR. DUVAL: There is a motion by Doug to remove Alternative 2 under Action 4 to the considered rejected; second by Jessica. Discussion? Charlie.

MR. PHILLIPS: Well, that is the exact alternative I thought we might move into Action 3 because they're not the same. You could have, depending on the weights and the ACL, if you split the season in Alternative 2, Action 3, you could have a closed season in April when there is no fish, no grouper on the market.

If you have an open season, you're going to probably catch that possibly a month of when the markets, the restaurants; and you would have a fish in the market when there is not anything else, which is what I wanted to take to public hearing and get their thoughts on it. So even though the weights are the same and there is probably not a lot of difference, there is some difference.

Actually, I think that's probably the only alternative I would move from 4 into 3. Do you want one straight season where it is continuous and you set the weights where it is long enough to take care of the North Carolina boats; and as the TAC goes on, it will stretch further into the season. A lot of the guys are going to be B-liner fishing when it is open; so they're not going to be going for snowies for the most part; a few maybe, but you'll have some coming in with the golden tile on the longlines, but the rest of them, for the most part, are going to be vermilion fishing.

MR. HAYMANS: Gregg, would you remind me what that new ACL was that we –

MR. WAUGH: The new commercial ACL for 2015 would be 115,451 pounds gutted weight and would increase each year up through 2019.

DR. DUVAL: So that ACL would be 27,000 pounds more in gutted weight than what we have now.

MR. HAYMANS: Right; what I was looking at was based on that Table 4.3.2B, whether or not there might be a closure. It looks like to me if we do 40 percent in the first half, that's 46,000

pounds; and you would still stay open year round with a 100 pound limit. I mean you would stay open throughout that first season.

MR. PHILLIPS: I think you said that was with the hundred pound; but if you want to make a trip limit that makes it worthwhile for fishermen to go after, you may want to go up to 150 or 200. Then you could very possibly come into a closed season where there is a hole, where there is no fish on the market or no grouper on the market.

I think some of the North Carolina – and Jack can enlighten me – some of them needed more than a hundred pounds to go fishing. How do we skin the cat where it works the best for everybody and we still keep fish on the market when there is not anything and when they're very expensive? Snowies are worth a lot more in April than they are in May or June when gags are open.

DR. DUVAL: So we have a motion on the floor to move Alternative 2 under existing Action 4 to the considered but rejected appendix; and we're hearing some discussion about why we might simply want to move that alternative under existing Action 3 as another way to address things.

MR. HAYMANS: I would withdraw my motion – and the seconder is the one that is having the discussion – if that's what he wants to do.

DR. DUVAL: Jessica seconded the motion. We've had a lot of discussion so it would require the committee's consent to withdraw that motion. **Does the committee agree to withdrawing that motion? I'm seeing nods around the table. Okay, thank you.** So, Charlie, would it be that you would like to see Alternative 2 moved under Action 3, then?

MR. PHILLIPS: Yes, Madam Chair. I don't want this very complicated or any more complicated than it needs to be, but, yes, I think Alternative 2 would probably give us the range of actions to take to the public.

DR. DUVAL: I understand what you're doing; you're trying to give options for January 1 until you're done, split season to try to address some of the regional differences with different trip limits under it. I understand. Jack.

MR. COX: I'm just going to support what Charlie is asking for here because we couldn't afford to be closed down in April. That is very important.

DR. DUVAL: So is that in the form of a motion?

MR. PHILLIPS: Madam Chair, I make the motion to move Alternative 2, Action 4, under Action 3.

DR. DUVAL: Motion by Charlie; second by Jessica. Any more discussion? Any objection? Seeing none; that stands approved.

MR. WAUGH: So then is the intent the remaining items under Action 4 would go to the considered but rejected? The Snapper Grouper AP recommended that Action 4 go to the

considered but rejected. The IPT has recommended that Action 4 not be analyzed and moved to considered but rejected because the catch data can't be broken down by those boundaries. The new Alternative 4 that was added, we can break the data out by that boundary.

DR. DUVAL: So if folks will turn the page – to address the regional differences in a way that the data could handle; I asked Gregg if this alternative could be modified to maintain the current snowy grouper trip limit of a hundred pounds except for May through August from the Volusia/Brevard County Line north when the trip limit would be one of those three options; and that is similar to what we were trying to get at with that Alternative 4.

It is just that we were trying to break it out by north of Canaveral and south of Marathon, I believe. Some of the feedback that I have heard on this revised alternative is that perhaps we would want to consider modifying the current snowy grouper commercial trip limit to 150 pounds, basically January through April everywhere – I'm having a hard time reading this alternative.

It would maintain the 100 pound trip limit all year until the ACL is met or projected to be met except for the time period May through August, basically from the county line where Canaveral is north when there would be a different trip limit during that time of year.

MR. HARTIG: You want a motion to revise Alternative 4 to change the 100 pound gutted weight to 150 pounds?

DR. DUVAL: I think probably what we would need, since this is a revised alternative for the committee's consideration, is to accept it but with the modification of instead of 100 pounds gutted weight, 150 pounds gutted weight, if you wanted to do that. I'm just trying to be sensitive to some of the concerns that I've heard from folks sort of in the southern part of the range of the value of snowies during that early part of the year and that 150 pounds would be much preferable than 100 pounds.

I think what you might want to do is move existing Alternative 4 to the considered but rejected appendix and then perhaps a second motion to accept Revised Alternative 4 with the modification of 100 pounds to 150 pounds. It is a lot like Action 3, Subalternative 3. We would need a motion to do something.

MR. HARTIG: How about under Action 4, Alternative 4, move to the considered but rejected appendix.

DR. DUVAL: Motion by Ben; second by Jessica. Discussion? The motion reads move existing Alternative 4, Action 4, to the considered but rejected appendix. Any opposition? Seeing none; that motion stands approved.

MR. HARTIG: And then under Revised Alternative 4, accept the wording "maintain the current commercial snowy grouper trip limit" – no. The commercial snowy trip limit will be 150 pounds gutted weight all year or until the commercial ACL is met or projected to be met except for the period May through August from the Florida Volusia/Brevard County Line north when the trip

limit will be as follows under the subalternatives; 4A, 200 pounds; 4B, 250 pounds; 4C, 300 pounds.

DR. DUVAL: Motion by Ben; second by Charlie. Discussion. Roy.

DR. CRABTREE: So I'm reading this right that the Snapper Grouper AP opposed this whole action?

DR. DUVAL: No; they recommended moving the existing Alternative 4 to the considered but rejected appendix.

DR. CRABTREE: I'm reading it said recommends this action be considered but rejected be moved. Does that mean the whole action?

DR. DUVAL: You're correct.

DR. CRABTREE: I agree with the Snapper Grouper AP. It seems to me these are fairly modest increases in the ACLs that we're talking about; and the fishery is closing generally. Do we really have enough fish to be raising these trip limits? It seems we'd want to keep the fishery open.

MR. PHILLIPS: Well, actually we're raising them – it is not a lot fish, but percentagewise it is a fairly good percentage. It is probably on the order of 20 percent each year or something like that. We went up 20-something thousand pounds; so that is probably 20 percent or more; and then it will go up again the following year.

DR. CRABTREE: Why did the Snapper Grouper AP recommend not doing this?

DR. DUVAL: I don't remember. Kenny, do you recall? My recollection was that they recommended moving Alternative 4 to the considered but rejected appendix, the existing one the way it was written with north of Canaveral and south of Marathon, based on the IPT recommendation. I didn't recall that it was the entire action.

MR. WAUGH: My recollection is they did that because they felt the alternatives under Action 3 addressed the issue sufficiently; and given that the complexity of Action 4, they felt that it was addressed by Action 3, those alternatives.

MR. HARTIG: Well, to Roy's point about modest increases, they're more modest now based on the allocation, for sure; but still, Roy, the timing of how we get things done with this council process, I'm looking towards the later years of what we're going to be managing. Yes, we may have closures early for a year or so and then maybe it will pan out to where these extra trip limits will actually help be economically feasible for some vessels and also allow the fishery to hopefully last a little bit longer as we increase these ACLs each year.

DR. DUVAL: All right, there is a motion on the table; what is your pleasure? **The motion is to add revised Alternative 4 under Action 4 with the modification of changing 100 to 150 pounds. There is still Alternative 3 under this action as well. Are folks ready to vote? Can**

I please see a show of hands of those in favor of the motion? I think it was six in favor; the motion passes. Charlie, did you want to move this now under Action 3, which is sort of a general commercial management measures action?

MR. PHILLIPS: Yes; all of these need to be under Action 3. **I would move the Revised Alternative 4 to Action 3.**

DR. DUVAL: Motion by Charlie by move Revised Alternative 4 to Action 3; second by Ben. Discussion? Chris.

MR. CONKLIN: I just wanted to reiterate Charlie's point that this alternative really doesn't bring more fish on the market when the prices are a lot higher. I'm wondering if anybody would be in support of having an alternative where you can catch more in January, February, March and April when the market commands the fish.

As far as the fishermen go, they need those fish in those months and not so much – I mean I know you're real sensitive to north of Hatteras, and that's fine, but overall the prices I pay for fish, there is a 20 or 30 percent increase in the four months of the year on snowy grouper and then the prices go back in the dirt.

DR. DUVAL: So you have alternatives in there that would raise the trip limit to 300 pounds from January 1 until the quota is met; so you have alternatives under this action that would address that.

MR. CONKLIN: There are and then that just makes me wonder why we need to have this action to where you can catch more, but you're right.

DR. DUVAL: I think we're just trying to address some regional differences in how the fishery is prosecuted. Honestly, the ideal way to do this would be to have state-by-state quota allocations. That way everybody would be able to open and close when they wanted to and we wouldn't have to deal with really complicated alternatives like this. I am sensitive to the fact that there is a chunk of fishermen who have been allocated out of the fishery due to existing regulations that have been in place since 2006. Charlie.

MR. PHILLIPS: Well, hopefully, we'll get some public comment from fishermen to let us know; and we will get the analysis so we can know if we do 200 pounds or one season, how far it will go; will it go in there far enough to help them; and as the allocations – as the ACLs go up, will it help them?

Personally I'd be afraid to go too high with the trip limits because then that is just going to make a lot more people want to go fishing, which is going to shorten the season. Not only can they catch more, but they would be more inclined to go fishing. I'm thinking the 150, 200 maximum, and then try to balance it out where it gets into that season where they can actually utilize the fish. Hopefully we'll get these analyses and get some public comment back where we can do a good job with wherever we need to go.

DR. DUVAL: We still have Alternative 3 under Action 4, which is very much like Subalternative 3 under Action 3. Do you want to maintain this or move it?

MR. HARTIG: Well, what you're asking for on Alternative 3; what are you asking?

DR. DUVAL: Alternative 3 under existing Action 4 is very much like an alternative under existing Action 3 right now. It is very much like I think new Alternative 3.

MR. HARTIG: So what you're asking is does the council want to entertain the idea of moving Alternative 3 to the considered but rejected alternatives?

DR. DUVAL: Yes.

MR. HARTIG: And I would make that motion.

DR. DUVAL: My apologies; there is a motion on the floor to move Revised Alternative 4 to the Action 3. **Is there any objection to this motion? Seeing none; that motion is approved. Now, Ben.**

MR. HARTIG: **All right, move Alternative 3 under Action 4 to the considered but rejected appendix.**

DR. DUVAL: Motion by Ben; second by Charlie.

MR. PHILLIPS: Ben, I'd second it and make a friendly amendment that since there is nothing really left in 4 that we need, that we would just send Action 4 to the considered but rejected appendix, because we're already moved everything we wanted, I think.

DR. DUVAL: That makes sense. Ben.

MR. HARTIG: Do you want me to rephrase my motion?

DR. DUVAL: Yes, please.

MR. HARTIG: **Move Action 4 to the considered but rejected appendix.**

DR. DUVAL: The motion reads move Action 4 to the considered but rejected appendix. Discussion? Objection? Seeing none; that motion stands approved.

MR. HAYMANS: Madam Chair, as we flip to Action 5; may I ask Gregg a question? Gregg, as we go to Action 5, you passed by Page 22, Table 4.4.1.B, commercial. We have an awful lot of discussion in here about confidential data and the problems with confidential data. It seems to me that there is at least one column of confidential data that is expressed in that table; and I'm kind of curious. 4.4.1.B on Page 22 of the decision document; in one of those fine states there is only one dealer who deals in snowies; and I'm just kind of curious as to how that wound up not being confidential in that column, just a question.

MR. WAUGH: It shouldn't be confidential and I'll look into that. Action 5 deals with modifying the recreational bag limit. The IPT is recommending changing the wording under the no action alternative clarifying that the current recreational grouper bag and possession limit is as follows – and you can see the wording there – also to clean up some wording in Alternative 3 that shouldn't have been there, such that Alternative 3 would end after “year”.

The IPT recommends using the most recent two years of data, 2012 and 2013, for data analysis, recreational datasets and commercial logbook, due to regulatory changes. Analysis of data from any other time period would need to be stated explicitly in the amendment. That has to do with the deepwater closure that was in place.

Let me just go through a little bit of the background here. The Snapper Grouper AP did choose Alternative 4 as their preferred. Alternative 2 would modify the recreational bag limit from one per vessel per day to one per vessel per day May through August and no retention during the rest of the year.

Alternative 3 would modify the recreational snowy grouper bag limit from one per vessel per day year round to one per vessel per day during May and June with no retention during the remainder of the year. Alternative 4 would modify the bag limit from one per vessel per day year round to one per vessel per day during May with no retention.

Alternative 5 would modify the bag limit from one per vessel per day year round to one per vessel per day during June with no retention. We've got some analysis to go along with this. Some of this has been pointed out and discussed already in the earlier discussions. I'd call your attention to Table 4.5.3 on the bottom of Page 29.

This shows the recreational landings in terms of number of fish by wave. It does include Monroe County; and this is where you see the heavy contribution from Monroe County. You can see that the landings in the May/June wave would exceed the recreational ACL; and that's why we added some of those alternatives for having a bag limit of one per vessel per day in May or in June.

We also have in terms of discussing how we deal with this and what is analyzed in the amendment Table 4.5.4 and Table 9, which is on the following page. We've got some pretty significant differences in the regional ACL dataset. Again, all of these numbers, we will have to update this for that allocation change; but the existing numbers for 2005 through 2012, you've got commercial and recreational there, and you can see what the harvest was.

The issue we're trying to figure out how to deal with is when you compare this dataset to the dataset that was used for the SEDAR assessment, you get significant differences. For instance, in 2005 the ACL database shows 353,000 pounds total whole weight; the SEDAR assessment has 492,000 pounds; so about 140,000 pound difference.

You can see those differences vary in other years; 2012, the most recent, is about a 40,000 pound difference. Table 7 there on Page 35 shows since the ACL was implemented and the quota

monitoring system, we were over in 2010, under 2011, over in 2012; and the landings thus far in 2013 are over. That is the reason for considering such a restrictive bag limit.

DR. DUVAL: I think initially we would need to have a motion to accept the IPT's proposed wording for Alternatives 1 and 3 under Action 5. Jessica.

MS. McCAWLEY: I move that we accept the IPT's proposed wording for Alternatives 1 and 3 under Action 5.

DR. DUVAL: Motion by Jessica; seconded by Charlie. Discussion? Any objection? Seeing none; that motion stands approved. Gregg, do we need to clarify that it is our intent that this remain within the three-fish aggregate bag limit?

MR. WAUGH: The way this is written is assuming that it does stay within the recreational aggregate bag limit; if you want to consider splitting it out – and the reason we didn't have any alternatives in here and splitting it out is if you split it out, that could allow the harvest of the groupers and tilefish to increase. All of these alternatives were written with the intent that it remain within the aggregate bag limit.

DR. DUVAL: I think that was my intent and I would assume the committee's as well. I was just looking at some of the committee decisions. Is there a desire on the part of the committee to select a preferred alternative? Right now we're at one per vessel per day. Alternative 2 goes one per vessel per day to just allowing that May through August; Alternative 3 is just May and June; Alternative 4 is just May; and the Alternative 5 would be one per vessel per day in June. The AP chose Alternative 4, which is one per vessel per day during May only. Doug.

MR. HAYMANS: I just want to make sure I understand. Snowy is part of the combined aggregate of three fish. Even as part of the three fish, if we allow one fish per vessel, we're going to get one month out of that fishery. I mean that is what saying, right? Wow!

MR. WAUGH: If you don't change where that is now, you're going to go over the ACL. What we're saying is allowing a bag limit of one per vessel per day during May or during June, is the one based on the catch – looking at the catches shown in Table 4.5.3; if catches are similar to what happened in 2012, then you're going to be close – that's the only one that allows you to have a chance of not exceeding the ACL. If landings are more like what occurred in 2013, then you're going to be under your ACL.

MR. HAYMANS: Do we give the RA the latitude to extend if we're under or no?

DR. DUVAL: We do not have that in here right now. Zack.

MR. BOWEN: To Doug's point, I don't know that we have the data quick enough to give them that leeway, if you will.

DR. CRABTREE: I would encourage you not to go down that path. What is concerning to me about it is we're trying to get information to Florida to consider adopting the one fish per vessel

bag limit change that we put in place some time ago; and now we're talking about more changes to it. I want to make sure whatever we do here that – the critical thing with me is not so much how we do this, is that we get everybody, particularly Florida, on board with it. That is my main concern with it.

DR. DUVAL: I agree; and I think certainly the state waters – the lack of complementarity in state waters in Florida added to some of our overages. Well, we don't have to select a preferred. It is nice to go to public hearing with one. I think the public is going to be pretty surprised at some of these alternatives as they stand. Is there a desire on the part of the committee to select a preferred? I'm hearing no. Ben.

MR. HARTIG: Basically from Doug's question, we have one alternative that will keep us within the ACL and that should be the one we go to public hearing with because that's our charge is to keep the fishery –

MR. HAYMANS: It is May or June.

MR. HARTIG: Oh, May or June. If you have a wave, though, that is comprised of two months, how in the world do you separate the two months into harvesting?

DR. DUVAL: What's your question?

MR. HARTIG: Well, basically my question is about the wave. If you take one month out of the wave, how do you separate the one month out of the wave for analysis; can you do that?

MR. WAUGH: You just divide it in half; that's how we've done it before. It ain't pretty but that's how it has been done.

DR. DUVAL: But May and June are all Wave 3.

MR. WAUGH: Correct. If you look, the numbers of fish that would be the recreational ACL would be 4,152 fish in 2015. If you look at that Table 4.5.3, what bag limit do you set to have a chance of not exceeding that 4,152 fish?

MR. HARTIG: Well, for one thing, it depends on the year you choose. I mean in 2012, yes, we blew through it; in 2013 we're under, if I'm reading this right.

MR. WAUGH: That's correct; that's the variability in the MRFSS/MRIP estimates.

DR. CRABTREE: The bottom line is you don't have enough data here to do much of a quantitative analysis; and a lot of what you're looking at up there is sampling error. Remember, you're looking at numbers with CVs I think we were told today approaching 100 percent. There is only so much you can do with this stuff.

DR. DUVAL: So then I think based on the lack of comment I'm hearing around the table, my recommendation would be that we just go out without a preferred.

MR. WAUGH: So given the variability in the recreational catch estimates and the high CVs, would it be a reasonable alternative just to stay with our existing bag limit; and assuming that, hey, based on catches as they occurred in 2013, that is what we expect in the future; so we don't need to change the bag limit.

If that's our position and if that is an acceptable alternative, then it seems to me we'd want to indicate that now so we don't overly concern people thinking that we really are going to go to a one-fish bag limit in May. If we can leave it where it is now, then let's pick that as our preferred so that we allay the public fears.

DR. DUVAL: And that would be no action. Anna.

MS. BECKWITH: I wasn't going to say anything because if you can't say anything nice and I'm trying to be focused; but no action is the acceptable option to me for this. If I'm not going to get yelled at by Roy, then I would put that forward as a motion.

DR. DUVAL: Motion by Anna to select Alternative 1 as a preferred; second by Zack. Discussion? Any objection? Seeing none; that stands approved. The last thing we need to do with this one is approve this regulatory amendment for public hearings. Doug.

MR. HAYMANS: Madam Chair, I'd make a motion that we approve Amendment 20 for public hearings.

DR. DUVAL: Doug makes a motion to approve Snapper Grouper Regulatory Amendment 20 for public hearings; seconded by Ben. Any discussion? Any objection? Seeing none; that stands approved.

MR. WAUGH: And just to clarify, we had timing under there depending whether we use the abbreviated framework or not. This will be done as a regulatory amendment and the timing is laid out there. We're targeting approval for formal review at the September meeting.

DR. DUVAL: We're going to keep going ahead, but we're going to take a short break. Next is gag and wreckfish fishing level recommendations and then we also have Regulatory Amendment 17. All right, the next agenda item – and I'll just remind folks that our agenda notes the public listening session starting at 5:30. I'm sure we'll be a few minutes late on that, but I want to at least try to get through these gag and wreckfish fishing level recommendations. That is Attachment 11, Options Paper; Gag/Wreckfish.

MR. WAUGH: The first decision here was to talk about whether we use the abbreviated framework that would allow us to do this more quickly. I've got the wording for the abbreviated framework there – whether we do it as a regular framework or plan amendment, depending on what actions you wanted to include here.

Let me mention a couple of other things. If you go into the gag alternatives and on Page 4 we've got a table there that presents the values. The determination is – and we talked about it this

morning under the SSC Report – that we’re overfishing for gag; and there was concern with how the projections were labeled.

We distributed the projections. We added some clarifications in Table 2 there. The headings that were used on this column said ABC; and if you look at those numbers, they increase above where we are now; so it didn’t make sense that you had overfishing going on and we’re going to raise the ABC and ACL. This is the ABC; this is the total of landings and discards.

We’ve talked with them and this labeling issue won’t be a problem in the future. We inserted above this landings’ column “ABC”. That’s how the Scientific and Statistical Committee expresses the ABC in terms of landings only. These are the numbers that we used. When you look at those projections – and this is shown on Alternative 2 on Page 5 – there is a reduction in 2015 of about 4 percent, 4 percent reduction in 2016.

As we discussed this morning, the trajectory of that F rate is that in the terminal year we were not overfishing. That is expected to continue; and so eventually the stock increases and so the ACL then starts to go up. One other point to clarify is under Alternative 1, when we set these values for gag, we pulled information out of Amendment 16.

Amendment 16 set OY equal to the yield produced by Foy. It also had an ABC, landings only, of 805,000 pounds. The OFL was the yield at Fmsy, 903,000 pounds. When the council set the total ACL, they set the yield at 75 percent of Fmsy, which is 694,000 pounds. We didn’t have ACL equal to ABC; so this raises some questions about whether we can really make these adjustments under the abbreviated framework. I think Monica is going to provide us a little bit of guidance on how we should proceed here.

MS. SMIT-BRUNELLO: Gregg, you laid it out I think very well. The abbreviated framework process that you all approved last year I think in Amendment 27 set out the kinds of things you can do in an abbreviated method based on a new stock assessment and that kind of thing. One of the things you could do is that you could specify ACLs if they already been – the formula that you already used was previously approved by you – well, it was approved by you in a previous amendment.

In other words, you’re just putting new numbers into a formula that you’ve already used before. In gag that wouldn’t necessarily be the case here because of what Gregg just described. My suggestion is not to do an abbreviated process but to do just a regular framework or regulatory amendment; and then you wouldn’t be stuck with that particular problem.

MR. WAUGH: And in terms of timing, if you turn to the very end of this document, it shows you the timing; and basically there is the difference of one council meeting. If we were to use the abbreviated framework, we could have finalized the document at September – taking public comments at September and finalized.

Using our regular framework procedure, you would approve it for going out to – you would give us guidance here at this meeting. We would draft a framework; you would approve it for public hearings in September. We could hold public hearings via webinar hearings prior to December

and then hold a public hearing in conjunction with the December meeting; or we could take it to public hearings in January and February. I'm sorry; it is a two council meeting difference depending on how you choose to move forward.

DR. DUVAL: Well, since we've heard from Monica that really legally it sounds like our only option is to use the regular framework process; approve in December or March. I assume that we would include – like in this regular framework document that we would include wreckfish as well?

MR. WAUGH: That's correct. We're going to go through and talk about gag first and then wreckfish.

DR. DUVAL: So in terms of committee action, you need a motion to modify the ABCs and ACLs for these species via the regular framework, it looks like. Is someone willing to make that motion?

MR. PHILLIPS: Madam Chair, I make the motion to modify the ABCs and ACLs for gag and wreckfish under the regular framework.

DR. DUVAL: Second by Jessica. Discussion? Objection? Seeing none; that motion stands approved.

MR. WAUGH: So then we'll go through and deal with gag first. The values from the SSC meeting – and again we went through these this morning. Action 1 is to revise the ACLs and optimum yield. Alternative 1 is due not revise them; and I show the values there. Alternative 2 would be to set the ACL equal to the ABC equal to the projected landings from 2015 through 2019 with a P-star value of 0.3. Those shown in this column; in 2015, 666,000 pounds; increasing in 2019 to 773,000 pounds; would at that level until changed.

Applying the existing 51 percent commercial allocation gives you your commercial ACL. There is a directed commercial quota. When we separated gag from closing with the shallow water groupers, we had to account for any discard mortality. That value was 27,218 pounds. That's accounts for the discard mortality after closes and shallow water grouper is open.

The assessment goes through 2012, which is prior to that change in 2013, so those discard values aren't accounted for in the stock assessment. When the next stock assessment is conducted, those discards will be included in the analysis and so we won't have to make that adjustment. We have to here and so that's why you have this directed commercial quota. The recreational ACL is 49 percent. Those are the changes showing the changes from the ACLs in place for the commercial and recreational.

There is some indication of what impact this has in terms of the recreational change from average landings. From the last two-year average landings, you can see it is a significant increase as it is for the last three years and four years. Alternative 3 would set the ACL equal to the ABC equal to 95 percent of the proposed ABC; Alternative 4, 90 percent; Alternative 5, 80 percent.

You can see those values there in terms of what the ACL would be. There are tables of landings if you want to see what has been landed the last several years and some of those values where we came up with the average of three and four years. If there any questions about those, I'd be glad to answer them.

MR. BOWEN: I'm really at a loss here of which direction to go because if the commercial ACLs are being met or exceeded and the recreational ACLs are not even being close to being met – and I'm just speaking of the last four years. I know there was one year that it was like five years ago. I need some direction or guidance from someone else, but I'm at a loss because of the commercials meeting their ACLs and the recreational sector not.

DR. DUVAL: Zack, is the guidance that you're looking for where to set the ACL from the ABC?

MR. BOWEN: Yes.

DR. DUVAL: That is up to the committee. Ben.

MR. HARTIG: Just to inform your question, the commercial sector is out there as hard as they've ever been and what they've seen over the last few years are increasing catches of gag and they're closing earlier in the last few years and catching the quota. I guess three or four years ago they didn't even catch the allocation and now it is being caught earlier each year.

What that tells me just looking at it is that gags are increasing. Now, why the recreational allocation isn't being caught, primarily to John's point that he makes occasionally about the recreational effort being down. Offshore effort in the recreational fishery is down as much as 50 percent; so that would tail nicely into gag where we're only catching 50 percent of the allocation because the effort is only 50 percent.

MR. BOWEN: Thank you for enlightening me because if that is the reason, that makes perfect sense.

DR. DUVAL: I think what we're looking here is a motion from the committee to approve the range of alternatives. You don't have to select a preferred, but it might be good to select a preferred. Charlie.

MR. PHILLIPS: Madam Chair, I'd make the motion to approve the range of alternatives and select Alternative 2 as the preferred.

DR. DUVAL: Motion by Charlie; second by Ben. Further discussion on the motion? Anna.

MS. BECKWITH: Well, to Ben's point, we talked not that long ago about the potential of increasing the recreational bag limit to two, but we wanted to wait until the assessment was finalized to see if it would appropriate. It may be time to rehash that conversation.

DR. DUVAL: Point taken. Any other comments on the motion? **Any objection to the motion? Seeing none; that motion stands approved.**

MR. WAUGH: And we didn't have to add any other alternatives adjusting management measures because coming into this the idea was that we would use the abbreviated framework where you would just be adjusting the ACL/ABCs. Certainly, if you want to look at adding alternatives since we're doing this as a regular framework, we can certainly look at that.

You've got the tables showing the landings. You can see what the recreational landings have been. Table 3 shows the recreational landings, the percent of the ACL that has been harvested. In 2013 it dropped to 19 percent, but in 2013 is when the MRIP methodology changed; so there are significant issues there. We can look to add alternatives if you want to that would look at modifying the bag limit.

MS. BECKWITH: Yes; I would make that in the form of a motion, that we consider a bag limit increase of two per person per day.

DR. DUVAL: Motion by Anna; second by Ben. Jack.

MR. COX: I just had a quick question. How much underage was the ACL on the recreational side last year?

DR. DUVAL: They only achieved 19 percent of their ACL. This is something that has been brought up by the advisory panel before, increasing the bag limit from one to two, and we actually considered it in early versions of Regulatory Amendment 14 and then took it out, I think.

MR. PHILLIPS: Yes; and I think the three years before that it was running around 50 percent, give or take. The new way they did it with MRIP, I would really like to know a little bit more about what happened to cause such a drastic drop in the percentage. Yes, we can take this out, but I'd like to know some more about how that happened at some point in time.

MR. HAYMANS: Well, because it is so low, could we just add to the motion three per person just for the analysis purposes?

DR. DUVAL: I think I was going to suggest that perhaps we could direct staff to expand the analysis as appropriate to allow for other alternatives. Gregg.

MR. WAUGH: The existing bag limit right now is we have the aggregate bag limit; and I would assume this would be retaining it in the aggregate bag limit; but right now no more than one fish may be gag or black grouper. We did that together because of the species ID problems in large part. Is the intent here to increase that one may be black or gag to two or three or to leave black at one and separate gag and raise the gag?

MR. BOWEN: To Charlie's point, I sure would like some more information on – I mean, I understand Ben saying the lack of effort, and I witnessed that in my fishery off of Georgia. I sure would like some – before we get too deep into this and raising the bag limit, I sure would like some more analysis on why we're only at 19 percent the last year of the ACL.

DR. DUVAL: Well, if bring this back and review it in September, you'll presumably see some of that information.

MR. BOWEN: And that's fine; I just can't support this motion without having that information.

MR. HARTIG: I believe that black grouper recreational, the ACL is fully utilized in Florida now at one fish. Ninety-plus percent of the allocation is being caught – 96 I think – so I would not add black grouper. I would separate black grouper out of that – yes, remove gag.

DR. DUVAL: You would have this measure apply only to gag?

MR. HARTIG: Yes.

MS. BECKWITH: Yes, and that is what I was going to say. The last time we talked about this, that was my recollection and the discussion as well. I don't have an issue with three per person for analysis, but I would feel very uncomfortable having that level of an increase.

DR. DUVAL: The motion reads add an action and alternative to increase the recreational bag limit to two per person per day or three per person per day. The intent is to keep this in the aggregate and to separate gag and black. Black would remain at one per person per day. Is there any other discussion on this motion? Mel.

MR. BELL: Did Gregg say that in 2013 – was maybe that 19 percent had something to do with shift in methodologies or to MRIP and that is why – because before that it sort of tracked along at about 50 percent and then all of a sudden you jump to 19; but that is kind of suspect, maybe.

MS. BECKWITH: The last time we discussed this; did we have any discussion on the benefits of retaining it within the aggregate or pulling it completely out? I don't remember. Would it be worth exploring just pulling it out of the aggregate? I don't know what the ramifications or benefits to that would be.

DR. DUVAL: The last time it was maintain within the aggregate when this was in early versions of Regulatory Amendment 14. I don't know; I guess we could pull it out of the aggregate.

MR. WAUGH: That's a good point because the bag limit, the way it is worded now the bag limit is three in aggregate; and so if you increase gag to three or two, then that is going to reduce the harvest of the other groupers and tilefish. We've got groupers and tilefish in this aggregate bag limit.

MR. PHILLIPS: And this is not the area of my expertise, but if you were to decide that you wanted to try to give some more fish back and maybe you decide that two fish per person might

be too much, maybe some of these older and wiser – or maybe younger and wiser heads could come up with something that might be a boat trip limit that would kind of split the difference and do what they want to do.

MR. BOWEN: Let's just keep in mind – let's just say with the change in methodology in 2013 is the reason that percentage is at 19; but just for topic of conversation, the three years previous to that we were at 51, 54 and whatever percent. If we double the bag limit to two and that methodology change in 2013 is accurate and the reason that we're at 19 percent, that puts us with a high risk of exceeding the ACL. Again, that is just another reason that I can't support this motion.

DR. DUVAL: Well, if the methodology changes in MRIP were accurate and the actual harvest was lower, I would think that doubling the bag limit it would not put you in a position of exceeding the ACL.

MR. BOWEN: Madam Chair, with all respect, are you saying that methodology change in MRIP is accurate?

DR. DUVAL: No; I'm not saying – I'm saying assuming it is accurate; that's all.

MR. BOWEN: I just can't assume that because of the 28,000 snapper that was caught – said that was caught in Georgia in 2013 by MRIP. I can't assume that.

DR. DUVAL: So your point is taken; your mistrust of MRIP methodology does not allow you to support this motion. Any other discussion on this motion? Ben.

MR. HARTIG: Well, where does moving gag out of the aggregate stand based on what was just said? It seems to me we have to move gag if it would go to three; even to two you would – if you had two gags and one tilefish, that's all you would have. You couldn't have a snowy or any other of the other animals. To me I think it makes sense if we're increase gag is to dispense with this motion, withdraw it and then go back and take another venue removing gag from the aggregate. I think that makes more sense to me. Is that what is up there?

DR. DUVAL: I think you could look at it both ways. There is nothing right now to prevent people from going out and harvesting three sand tilefish or something. They're all included in the – the only ones that have limits on them are one gag or black, one snowy per vessel, one golden tilefish per day. Those are the only ones in the grouper aggregate bag limit that have those limitations on them.

MR. HARTIG: Well, that's what I was saying. Let me get this straight in my mind, okay. Under the aggregate, if I go and catch – and we increase it to two gags; from then on can I have a tilefish and a snowy grouper? No; I can't; I can't have a snowy grouper. What I'm saying is we should preserve the opportunities for all those species for the recreational sector by removing gag out of the aggregate bag limit because we want to increase it to two, which would impact the species you could have in association with gag if you caught two gags.

That's all I'm saying; I'm trying to preserve access to all the recreational fish that we have one of to give to them. If we're going to do this for gag, I think we ought to remove it from the aggregate and allow people access to one golden tile, one snowy grouper and one whatever, scamp or whatever you could have in association with that.

DR. DUVAL: Do you want to modify your motion, Anna?

MS. BECKWITH: Yes, sure, so the intent would be to remove it from the aggregate.

DR. DUVAL: And I think the seconder was Ben; so Ben is obviously okay with that. Roy.

DR. CRABTREE: My trouble is now we're making these things really complicated. We have an aggregate and it is this, only it is not that, and the bag limit is this except for that. We've got compliance problems and all sorts of issues; and it seems to me to some extent we ought to try to keep this as simple as we can. If you've got three grouper in your boat – and I don't care what kind they are; but if I go fishing and get three legal-sized grouper, that is a pretty good day for me. I'm not sure why we need to start pulling these things out of the aggregate bag limit.

DR. DUVAL: Charlie, one more comment and then we're going to cut the discussion and we're going to vote on this motion so we can get through wreckfish because there are people outside that are waiting to talk to the chairman and to Roy.

MR. PHILLIPS: I'll keep it short, Madam Chair. I agree with Roy. If and when we want to go down this path and this aggregate bag limit is including golden tile and including snowy that we're actually going to be looking at a possible tag program for, we might want to look at the whole picture before we start picking pieces apart.

DR. DUVAL: All right, are people ready to vote this motion up or down? **The motion reads add an action and alternative to increase the recreational bag limit to two per person per day or three per person per day. The intent is to remove gag from the aggregate; and the intent would be to separate gag and black. Black would remain at one per person per day. Can I see a show of hands of those in favor of the motion, please? Six in favor. Those opposed; 4. The motion carries six to four.** We will see some analysis of this in September.

MR. WAUGH: Okay, the next item is wreckfish. We talked about those values this morning from the SSC Report. We've got those included in Table 6. Your action is to revise the ACL and OY for wreckfish. Right now the ACL equals the ABC equals OY equals 235,000 pounds whole weight. The allocation is 95 percent commercial and 5 percent recreations.

The commercial ACL is 223,250 pounds whole weight and the recreational ACL is 11,750 pounds whole weight. There are no ACTs for wreckfish. Alternative 2 would set the ACL equal to OY equal to ABC equal to the projected landings from 2015 through 2020 with the P-star equal to 0.25. Those are the values.

Alternatives 2, 3 and 4 would set the ACL equal to 95, 90 and 80 percent; and those values are shown. There is another alternative to set the ACL equal to OY equal to the OFL; and those are

the values. We received some letters. The reason this is in here; this would allow you to consider the letters that were received. The three letters are attached to the decision document urging consideration of a higher ACL and perhaps using the OFL.

Obviously, it is much more risky, but there was discussion at the SSC about setting an ACL higher, but ultimately the SSC did not go along with that. They used the P-star of 0.275. We've got a table that shows what the commercial wreckfish landings from the Southeast Regional Website are.

DR. DUVAL: We need to select a preferred alternative. Ben.

MR. HARTIG: I would move that we select Alternative 2 as our preferred alternative.

DR. DUVAL: Motion by Ben; second by Charlie to select Alternative 2 as the preferred. Discussion? Any objection? Seeing none; that motion stands approved. The final thing is Action 3, specify wreckfish recreational ACL in numbers of fish.

MR. WAUGH: That's correct; and we would need the Southeast Fisheries Science Center to give us the average weight to use each year in those projections in order to convert the pounds each year into numbers of fish.

DR. DUVAL: Right now wreckfish is still in pounds recreationally as opposed to numbers of fish. Is there any desire on the part of the committee to change that? If we did, we would need to get those numbers; that's what Gregg was saying.

MR. WAUGH: The recreational numbers are recorded in – the data are collected in numbers of fish. That's how we've tracked a number of our other species; and that's why it is here for consideration.

DR. DUVAL: And the bag limit is one fish from like July through August-ish, I think. Do you want to go from tracking the ACL in pounds to numbers of fish for the wreckfish; the recreational ACL? If you don't, then our preferred alternative is no action under Action 3. Jessica.

MS. McCAWLEY: I'd like to make a motion that we change it to number.

DR. DUVAL: So your motion would actually be to select Alternative 2 as our preferred, then?

MS. McCAWLEY: Yes, my motion is to select Alternative 2 as the preferred.

DR. DUVAL: Okay, second by Charlie. Discussion? Bonnie.

DR. PONWITH: So mathematically converting pounds to numbers is a simple thing. It can be done. The challenge is that we've explored that for other species in other areas; and one of the challenges is that the commercial is always done in pounds.

In situations where you have an allocation, it becomes challenging then particularly if the stock is changing; that if you manage one in pounds and the other one in numbers and those numbers of fish, the average weight is changing over the course of years, then you end up with a creep in the allocation. That is something to consider when you make that decision.

DR. DUVAL: Didn't we just do that for snowy grouper, though? Those numbers of fish; don't they change? Roy.

DR. CRABTREE: Well, I'm looking now at the MRIP Webpage; and in the history of the survey, there have only been 25 landed; and that was all in 2012. You can talk about all of these things; but, one, it is going to be a pretty weak average size or weight; but I don't personally see whether you convert it to pounds or convert it to numbers in the long term it is going to have much meaning because the catch statistics have a percent error of a hundred percent on them, anyway.

DR. DUVAL: Any other discussion on this motion? **Any objection to this motion? Motion passes with one objection.** We will see this again in September. Mr. Chairman, I'm going to suggest we stand in recess so that we can invite the folks in for the listening session. We do have two more items on our agenda for tomorrow. I was going to suggest that perhaps we could start at 8:00 o'clock and finish up snapper grouper and move immediately into Joint Snapper Grouper/Dolphin Wahoo; and then we can plow through everything.

MR. HARTIG: Okay, we'll start at 8:00 o'clock in the morning.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened in the Sawgrass Marriott, Ponte Vedra Beach, Florida, Thursday morning, June 12, 2014, and was called to order at 8:00 o'clock a.m. by Chairman Michelle Duval.

DR. DUVAL: We're going to reconvene the Snapper Grouper Committee and we're going to do our best to not bleed too much into the Joint Snapper Grouper/Dolphin Wahoo Committee. That is scheduled to start at 8:30. We really just have two more items on our agenda; the first of which is Regulatory Amendment 17.

Gregg is going to walk us through that; and that is Attachments 12A through 12C in your briefing book; and really we're going to focus on Attachments 12A and 12B. We have a decision document and a potential scoping document. Then we just one more item, which will be Snapper Grouper Amendment 35 and Gregg is going to walk us through that – actually two more items because we do have a golden tilefish endorsement issue that Myra is going to take us through.

MR. WAUGH: We're looking at new Snapper Grouper Amendment 36 that would look at spawning special management zones or Regulatory Amendment 17. As background why are we here? The 240 Closure was implemented on January 31, 2011. That provided additional protection for Warsaw grouper and speckled hind.

That was removed effective May 10, 2012. A lawsuit was filed; the Secretary of Commerce was sued by the Natural Resource Defense Council and Ocean Conservancy on June 8, 2012. We have made the case that we are taking additional actions; so what is that additional action. It is on top of Page 2 of Attachment 12A.

We're working on Regulatory Amendment 17; and that may or may not morph into a different amendment. We formed and convened the MPA Expert Workgroup a couple of times. We have their input. Coral Amendment 8 that was the subject of much discussion last evening; this expanded Coral HAPCs.

The actions that would provide additional protection in terms of area closures and provide more protection for speckled hind and Warsaw are Action 1, which would expand the Oculina Bank HAPC by an additional 343 square miles; Action 3 expanding the Stetson-Miami Terrace Coral HAPC by an additional 490 square miles; and Action 4 expanding the Cape Lookout Coral HAPC an additional ten square miles.

The analyses that have been done by the region assign a 50 percent effectiveness to these areas. In other words, they're 50 percent as effective as a full MPA. Our case is that we're moving forward and we've provided additional protection through these areas that are proposed. The council is evaluating additional action also regardless of how the judge rules on this lawsuit.

What is in Regulatory Amendment 17 right now? The purpose is specific to reducing the bycatch of speckled hind and Warsaw grouper. We had presentations at the December 2013 meeting and looking at what has been accomplished in the existing MPAs. We talked about a system management plan that we're going to have put together for our existing MPAs.

We're hired a contractor, Michelle Meadows, who will work with us to help pull that together. The council approved a list of Type 2 sites for scoping in August. They requested that the Snapper Grouper AP receive the same presentations as you did in December. They received those at their April meeting, and they had some additional presentations as well.

We've got the large MPAs and the concern is that these will meet with lots of public resistance and the process of moving forward will likely result in failure for establishing new MPAs. We've got several separate ongoing efforts. We've already specified that once spawning aggregation locations are identified, those would be considered and designated as EFH and EFH-HAPCs.

Our current snapper grouper framework allows the council to close areas identified as spawning locations. We've also got the issue of placing artificial reefs within existing MPAs. Properly located, these could provide protection for Warsaw grouper and likely speckled hind. We had some presentations by Mel Bell at the AP meeting showing Warsaw grouper on the artificial reefs off South Carolina.

Should we move forward in this approach, the council would work cooperatively with the states and state artificial reef programs to build support and get materials placed. We have this opportunity to modify our approach and provide more protection for spawning aggregation and

sites. The current approach we're on – and that's reflected in the 12C, the scoping document for Regulatory Amendment 17 – has the council taking all sites developed by the MPA Expert Workgroup out to public scoping for comment. The concern is these large sites would have a large impact on fishermen and much public resistance. There is some support for it, but the likelihood of being implemented appears to be low.

There is a potential alternative approach that would create spawning SMZs off of North Carolina, South Carolina, Georgia and Florida. When we get into looking at the scoping document, there are additional details about that SMZ process. This would scope a process for identifying spawning sites and aggregations for snapper grouper species, including speckled hind and Warsaw grouper based on the characteristics of the sites important for spawning, the bottom topography and current system; so it broadened it from just being specific to speckled hind and Warsaw, but those two species would receive additional protection.

The way we've talked about the current approach we're on and certainly how we would envision thus far this alternative approach would only consider prohibiting fishing for an/or possession of snapper grouper species. That's all species in the Snapper Grouper Fishery Management Unit. Fishing for all other species would be allowed.

During scoping and public hearings, the public would be encouraged to suggest sites that could be considered. We would also explore placement of artificial reefs within existing MPAs. The alternative approach would not make any changes to the existing MPAs. The feeling is that these smaller sites would have lower impacts.

You'd have more public buy-in, particularly if we're allowing the public to come forward with those sites and voluntary compliance would be higher. This would benefit many species, including speckled hind and Warsaw grouper. We had a motion at the November 2013 AP meeting that indicates the level of support for such an approach that could be expected.

There may be mixed support for this from the NGO, the scientific community and members of the public. We feel over time, as this approach develops, we can address many of those concerns. The feeling is the likelihood of implementation is higher; it would promote voluntary compliance; and so we had asked the Snapper Grouper Committee Chair and Council Chair if we could present this alternative approach to the Snapper Grouper AP. We did that and I'll talk about that in a moment.

In terms of timing, if we switch to this new approach, it wouldn't change the timing at all. Right now we're scheduled to take Regulatory Amendment 17 to scoping meetings in August. If you approve this new approach, it would go on that same timeline; and we've got the timing that you had previously approved laid out there on Page 4.

At the Snapper Grouper AP meeting in April, they had all the presentations that you received; and we brought in some additional presentations particularly at Ben's request to show what is being done in this country. Will Heyman came and presented some of his work that started out in Belize and working up into the U.S. Riley's Hump work was presented by Mike Burton from the Southeast Fisheries Science Center and John Hunt from the Florida Wildlife Commission.

Mel Bell presented on what is being done with artificial reefs off South Carolina. Then we went over the alternative approach. What the AP ended up approving is shown there. They approved a motion to recommend the council take the alternative approach to scoping in August regardless of the regulatory amendment lawsuit outcome and preserving the ability to limit fishing on more species other than just snapper grouper species. The Snapper Grouper AP approved that motion unanimously.

In terms of the species, there was some concern during the initial discussions that we were only talking about the snappers and groupers; and we clarified that, no, this would apply to all the species in the management unit, including things like greater amberjack. The decision for you is to talk about which approach you want to approve to take out to scoping.

You already know what is in Regulatory Amendment 17; and so what I'd like to do is just quickly go through what is in the new scoping document for the new spawning SMZ approach. This is Attachment 12B. Amber put this graphic together to show the impacts. If you're fishing while these species are aggregated to spawn, then we're going to have a much greater impact on their abundance.

Some of the background information is the same; I'm not going to go through that again. That is basically copied from the decision document. What we do have is a new purpose and need for consideration. The purpose would be – and this just broadens it a little bit in terms of what was in Regulatory Amendment 17 so specific to speckled hind and Warsaw.

The purpose is to identify important spawning habitat for snapper grouper species that can be designated for protection to enhance spawning and increase recruitment; reduce bycatch of snapper grouper species, including speckled hind and Warsaw grouper. The need is to protect spawning habitat, promote recruitment and reduce bycatch mortality of economically and ecologically important snapper grouper species, including speckled hind and Warsaw grouper, while minimizing to the extent practicable social and economic impacts to snapper grouper fishermen.

We presented this to the Snapper Grouper AP and they approved the purpose and need wording at their meeting. They also approved a motion recommending the council take the alternative approach to scoping in August regardless of the regulatory amendment lawsuit outcome and preserving the ability to limit fishing – the same motion I read in the other one.

We outline there what the specific items the council is considering; and again this is the same material that we went through in the decision document. We've got the series of scoping meetings coming up in August; and just briefly go through Appendix C that outlines now the approach. You'll notice there is no sites in here.

Since it is just going to scoping, we're outlining the problem and asking the public to comment. We're mapping out a broad approach to how the council is choosing to address this issue. Looking at Appendix C, the council is only considering prohibiting fishing for and/or possession

of snapper grouper species in the Snapper Grouper Fishery Management Unit. Fishing for all other species would be allowed.

The alternative approach would not make any changes to existing MPAs; and the council is preparing a system management plan for the existing MPAs. In terms of site selection, identifying these sites will be based on the characteristics of the sites, as I mentioned before. This will be done scientific input on bottom topography and current systems to identify likely sites. When possible, actual on-site observations would be made by scientists. This will be pulled from the literature but preferably based on more current collaborative work between scientists and fishermen.

Will Heyman has done some research off of South Carolina. The Florida Wildlife Commission has done some spawning aggregation study currently underway through a cooperative research grant. We have that type of interaction with the fishermen. Potential sites off each state suggested by the public and fishermen outside of cooperative research efforts would also be examined.

Instead of Regulatory Amendment 17 now – we’ve got a whole list of sites – this is stepping back and allowing the public the opportunity to suggest sites that they feel should be examined. It is anticipated that the council would prepare a draft list of sites for consideration and evaluation at the September meeting.

You’d review the public input and then come up with a draft list of sites. That would be evaluated; and then at the December meeting the council would approve a draft list to go out for public hearings. At public hearings the council would also consider addition sites if suggested during the public hearing process.

People want to know the size; how big are we talking about? This will be determined on a case-by-case basis. For a particular site, basically you’re looking at trying to draw a square with the center of that square at the center of the site; and the area would be drawn sufficiently large to protect the area identified as important for spawning and aggregations; but we wouldn’t be building in any buffer. The attempt here is to minimize the size of the area.

Now, the Snapper Grouper AP also commented that if the area were sufficiently small, two by two or four by four square miles, they felt the council could consider prohibiting all fishing to improve enforcement. The council could also look at Type 3 MPAs to seasonally prohibit all fishing. Any such designation would need to address enforcement concerns.

There is the ability to use seasonal versus year-round closures. Now, if you go with year-round closures, you’re protecting the habitat and the species that are resident on that site; but the fishermen lose access to that area. Seasonal closures would protect the spawning fish and aggregations but could allow fishing that could have impacts to the habitat and removal of resident fish.

We talked about using artificial reefs to improve habitats; so we’d encourage the placement of artificial reefs on appropriate bottom within existing MPAs to target Warsaw grouper, speckled

hind and other species. Protecting these fish within these areas would increase the amount of egg production and subsequent recruitment.

The AP spent some time talking about descending devices. They recommended the council include use of – and it should be descending devices to improve survival of released fish. Use of innovative descending devices in other areas of the country appears to be reducing mortality. They approved a motion to strongly recommend the council request the Southeast Fisheries Science Center conduct research on descending devices for all snapper grouper species.

The Snapper Grouper AP also recommended that the council include a provision to allow transit through the spawning. SMZs with gear appropriately stored. In terms of a spawning SMZ enforcement, monitoring and evaluation plan, should we go down this road, a written plan outlining the specific levels of outreach, enforcement and research and monitoring that are necessary to determine the effectiveness of spawning SMZs will be developed; and specific dates would be set for periodic evaluation reports and review by the Snapper Grouper AP, Scientific and Statistical Committee and the Council.

The final item here is number eight. I pulled the information taken directly from our original Snapper Grouper FMP back in 1983 that established this SMZ provision. Then there is a history of our use of that; and we've got quite a number of them off of South Carolina, Georgia, a few off of Florida; and we've been contacted about some additional potential sites off of Florida. You can see that we've limited certain gear types and we've even gotten in CE-BA 2 to where we have limited the harvest and possession of species in SMZs off South Carolina to the bag limit.

We've also addressed some of the coastal migratory pelagic species. We've started to broaden the use of that process; but should we go this route, we would need to expand the artificial reef SMZ procedure to address spawning aggregations in these spawning SMZs. That is the reason for changing to a plan amendment. That is the highlight of what we've got in the scoping document for the alternative approach; and as we mentioned, Regulatory Amendment 17, that is the same scoping document that you saw at your December meeting.

DR. DUVAL: Are there questions for Gregg right now? I think the first item of committee action, which you'll see on the last page of your decision document, Attachment 12A, is really having some discussion about which approach we would like to take; if you would like to take this alternative approach, which would be Snapper Grouper Amendment 36 Scoping Document, or would you prefer to stay on the road of Regulatory Amendment 17. Anna.

MS. BECKWITH: Yes; I like the alternative approach. I think it makes a lot more sense. The only caution I would have is I don't quite want us to lock ourselves in with that phrase "fishing for all other species will be allowed", big, bold parentheses, whatever. I like the idea if it is a limited amount of time and space, that is a viable option for us to consider – and I don't want to give the public an impression that is not something we would ever consider. That would be my only comment.

DR. LANEY: I'm not on your committee, Madam Chairman, but I think it is a viable alternative; certainly a more socially acceptable one. I take heart from the fact also that the Snapper Grouper AP said if these areas are going to be small, they would certainly be willing to entertain the idea of some sort of a fishing prohibition, either a total prohibition or a seasonal prohibition.

One question I have, Gregg, is I know the Document 12A notes that it does promote voluntary compliance and that enforceability may be much better due to the probability of a violator being seen by others in the area; but I would like to hear some input from law enforcement as well; because if we're talking about a whole lot more areas that are smaller and more scattered, I'm guessing that they might have some concerns. I would look to Morgan for comments on that as well as to the National Marine Service Law Enforcement folks. I just would like to hear what they have to say about it.

DR. DUVAL: Lieutenant Fowler or Mr. Dunn; do either of you have some comments in that regard?

MR. DUNN: All right, for small areas it is a really difficult question; and I'm going to be purposely vague on this in that the closer an individual is to any line, the more difficult it is for us to really make a good case. We always advise have enough of an area – because we've talked about buffers in the past and keeping people far enough away from what you're trying to protect to ensure protection of that area.

How far that is depends on so many factors it is difficult to really describe. If you have a small area that is close to shore that can be well marked, well, that is a completely different scenario than a small area farther offshore that now you have all sorts of other factors that come into that, weather and whatnot.

It is not a very easy question to answer with enough specificity to kind of meet what you're looking for here; and I apologize for that, but there are just a lot of factors that go into those, making cases in an incursion in a small area. I always look to legal counsel if there is something I said that is not consistent.

DR. CRABTREE: We're talking a scoping document now; so I certainly don't have any problems with adding this kind of concept into the scoping document along with these other things and going out to the public. I do have some of the concerns Tracy raised. These things get small enough, then they will become extreme difficult to enforce. The other problem you're going to have is I think it is going to be difficult or impossible to do any analysis of what effect it is likely to have.

I think it will be very difficult for us to document any effects after the fact, which seems like something we get complaints about from the public. It is just not clear to me if the area is small enough; I don't know how you're going to conclude what the reduction in fishing mortality would be; and I'm not sure now you document the benefit of not fishing on spawning aggregation, although I agree there is a benefit from not fishing on a spawning aggregation. I

think those are some of the hurdles; but in terms of adding this into the scoping document as something to go out to the public with, I think that's fine.

DR. DUVAL: Lieutenant Fowler, I want to give you the opportunity to respond to Dr. Laney's question as well.

LT. FOWLER: I would just agree with what Tracy said about the larger the area the easier it is for us to enforce. We tend not to pursue vessels that are maybe only 50 or 100 yards inside those unless it is very clear that they're inside of a closed area, if they're 500 yards, 1,000 yards or a mile inside.

Also, I would say fully closed is easier for us to enforce than say, well, you can fish for other species, because then it is clear to us, looking at the vessel to see if they're fishing, well, then, obviously, they're in violation. That prevents from having to go on board and say, okay, what are you fishing for and really having to pursue it. It is easier for enforcement – the more restrictive you make it, the easier it is for us to enforce.

DR. LANEY: Well, Dr. Crabtree said part of what I was going to say is that you need to consider the benefits of the area. You need to be able to document that; and we clearly had issues doing that in the Oculina Closed Area despite the fact that it is a fairly significantly size. I think we need to take that in consideration. And some of these things – again, I agree with Roy, for scoping it's fine, but I think we need input from the science center. There is a tremendous body of literature out there on MPAs and how big they need to be to provide a benefit. I think there are quite a few studies that we can look to and get some guidance on that point.

From a social standpoint, clearly, the smaller the better; and small is a relative term here. I think of a four-by-four area is that is 16 square miles. That sounds big, but I know when you're Coast Guard and NMFS Law Enforcement, 16 square miles is not too big, probably, from an enforcement perspective. I don't know what you were thinking, Tracy, when we were talking size here.

I guess I would just encourage us to at the same time we start scoping the idea, start really digging into the science behind MPAs and come up with some sort of plan, again, for being able to, whatever we do ultimately, try and document the impact; not only the social impact but also the biological and ecological benefits of establishing these areas regardless of how big they are.

From my perspective, I didn't have any problem with the concept of adding the larger MPAs that we talked about under existing 17; but I know socially that's – as Gregg already pointed, that's not something that is likely to generate a whole lot of support from the average angler out there. I'll just say one other thing; and that is I think part of the issue is an educational one.

If there is some way that we could somehow summarize the existing literature that documents the benefits of these kinds of areas that have been established elsewhere around the planet, then I think that would be a good thing that we could do to pave the way regardless of which option we ultimate wind up pursuing.

MR. PHILLIPS: To Roy and to Wilson, if we're going to tell the public – go back in scoping and tell the public we can pick different sizes, we also, if we can, put in the discussion why we need X amount of X size, a larger one so they can understand you just can't get a little tiny spot. We need to educate them so that when they come back, they're giving us something that we can actually use.

We need to kind of give them the pros and cons maybe in a discussion paragraph or something. We've seen in visioning that we need to educate and tell them why we need to do stuff. I would strongly encourage us to put something in there so they would understand the pros and cons of small versus larger.

MR. COX: Being on the expert working group, this is more of what we had in mind is having smaller areas and having fishermen help design where those aggregation sites would be. I can tell you that this is probably the most proactive thing that we can do is to protect spawning aggregations. I am in support of it.

MR. BELL: One of the selling points of this is that in theory you'd get more bang for your buck in protecting maybe some of these smaller areas where you can document spawning activities. That makes sense. One thing to keep in mind, whether it is Coast Guard or the Service in terms of assets, the more areas we have out there, they have a fixed amount of assets, a fixed amount of personnel and budget, it just creates the challenge for law enforcement.

I think it is worth exploring these; and I think again the size issue, keep in mind we have – I don't know what the total number is now – 35 or so of these SMZs off of South Carolina. Our artificial reefs are typically only a square, if that, with a buffer, and we originally incorporated buffers; and that goes back to the days when we were trying to navigate with Loran and the buffer was really useful in terms of trying to be able to make a case.

With GPS now, maybe that's not quite as big a concern, but the point that was made about enforceability issue of whether or not you can document inside, clearly inside, clearly outside the box, that is an important issue. Fishing and not fishing – and I appreciate that it is always easier to just don't go in the box.

If you're in the box or you're in the box and you have this gear, you have these fish or you're doing this; then that's much easier to document than what are you doing in the box, do you belong in the box, do you not belong in the box. One advantage to kind of the Type 2 approach, if you will, is you have other people that can legally be in the box; therefore, you have the ability for people to see what others are doing and inform on them or perhaps dissuade them because they might get informed on.

There are kind of pluses and minuses to whether the totally closed or partially closed at time. Seasonally, that's a whole 'nother option; if you could do the same thing seasonally, but there is no really, really simple solution. From an enforcement standpoint, there are a number of challenges.

Again, I'd use our system and JEA patrols and what our guys have been doing is kind of small area proof of concept. The point there, though, is they're much closer to shore; and these areas that we're going to be talking about are probably going to be out in the same sort of area that we're kind of working now. The farther you get from shore, the more difficult the enforcement issue becomes. If you're in close to shore, it is a lot easier. If we could magically find some areas that were close to shore, that would be terrific, but perhaps not.

MR. HAYMANS: Thanks, Mel, you kept talking until you talked through my points. I mean distance from shore is certainly the main one. We've already heard several presentations from law enforcement that said there is basically no enforcement on the MPAs that are out there, anyway. I mean one case has been made off of Florida. It is just too far away.

But then Jack said something that peaked my interest, and this is where the expert working group began, anyway, was looking at spawning areas. If you remember all the beginning charts, we had spawning sites or potential spawning sites and look what it grew into. Although I agree with exploring Amendment 36, until we put boxes on what we're willing to do or what we're willing to consider, I'm afraid when the experts get back into it that it is going to grow back into these large areas again.

Quite honestly, I'm looking at – and Georgia has got 19 SMZs as well and they're two-by-two square miles; and we're about to add six more at one square mile each. I guess where I really want to go is to the visioning comments that came in from the public; and there was one really good one – well, there were a lot of really good ones, but one that kind of stuck in my mind that was a time closure. It was five-month shutdown of all deepwater fishing.

Now, maybe five months is a bit long, but I think at least – and I know that the timing on this is going to set scoping up in August, but I would really like to explore that again. It is sort of going back to the old '98 T-40 Closure but not year round and some confines; so you know you've got seven or eight months to fish for bottom species; and that is enforceable when you know you can shut down for three months or four months. Anyway, I guess my point is I feel like we're just a little bit ahead of visioning; and I'd love to see what is coming out of that before actually making decisions. Anyway, that's it.

DR. DUVAL: Thanks, Doug; and remember if you all approve this alternative approach and take it out to scoping in August, we will see some of those comments in September, but we'll be having our visioning meeting in October. I could certainly see the two meshing well and overlapping.

DR. CRABTREE: One concern that is a little worrisome to me; we go through this process and it is a public process so we end with a catalog of the locations and coordinates of every spawning site that we know of; and we essentially publicize them and inform the public about them and we end up drawing more fishing mortality to the spots than they had before we started. We ought to be really careful that we don't have exactly the opposite impact by doing this, because we're clearly going to put big targets on these; these when they aggregate and here is what species and here is when.

MR. COX: I think most fishermen want to do the right thing; and if they understand why these are spawning, then I would certainly think that – I know the fishermen that I fish with, they would want to know after education that these are places that we will get benefit out of down the road; and so we will put pressure on each other not to go in there and fish on them.

Ben and I have had a conversation before; if we can go out there and do these things and take this approach; that I would hope to see that we could fish closer to both sides of that closed spawning season that we have now. I would hope we could gain that back out of going down this road.

MR. BOWEN: I think the rednecks in Georgia are a little different than your constituents in North Carolina because rednecks in Georgia, if you point them spots out, they're going to go fish on them; just for the record.

MR. PHILLIPS: Well, if you're ready for a motion, Madam Chair, I would move that we approve the alternative approach, Attachment 12B, for scoping in August of 2014.

DR. DUVAL: Motion by Charlie; second by Jessica. Anymore discussion? Ben.

MR. HARTIG: I think from what the AP saw in the presentations, it sells itself. After the AP saw the presentations and the videos and the actual spawning that has been videoed and the number of animals that have increased specifically in Riley's Hump, it is a pretty powerful tool to be able to get public buy-in.

Having said that, the schedule is rather ambitious, Gregg. We have a process that is dependent on the public giving us sites to close. How that is going to work we'll find out during scoping; but I'm not sure – well, I don't know, so I'll leave that in abeyance for now. The sizes of these particular things will have to be done by the different areas where they are.

If you close a four-by-four portion of the area in Florida, you essentially close the whole reef system in certain areas. These reef systems in Florida are pretty discrete. It is not just one continual shelf edge. They come out of the sand for a period time and go back in; and that is one of the reasons why the St. Lucie MPA is smaller than all of our others because it does incorporate a significant amount of that habitat while allowing still some of the habitat in the area to be fished.

I certainly approve going down this road and how it would work. I think it is very valuable. The other point I will bring to the table is that spawning in the continental areas is different. It is not the same as in the ancillary areas where you have very clear waters, very well-discerned spawning sites. That goes from the education in my area.

I don't know how – when you get much farther offshore where the conditions aren't changed so much by continental riverine systems, maybe that will work. I'm basing my history on what I've seen, but that may not be appropriate for the entire region. I'm willing to look at some of this and see how we move forward. I think it is a very valuable exercise to be able to do this; and then we'll just have really see how it works as we go through the process.

MR. HAYMANS: Just another quick about enforcement; NMFS has already agreed that two by two is enforceable and close to shore because we closed off four square miles of Grays Reef, which is only 15 miles off the beach, 16 miles off the beach, and said it was enforceable.

MR. COX: Just one more thing; through my commercial fishing, I do quite a bit of spear fishing as well; and I can think of places over the last 30 years that I have noticed spawning aggregations, especially with gags. There are so many people that can get into these areas and fish them and unfortunately I don't see what I saw 25 or 30 years ago. I can bring that level of experience to the table; and that's what helps me make a decision on this, especially with the gags. As far as the motion, maybe it should read approve the alternative SMZ approve. I think SMZ should be in there somewhere.

DR. DUVAL: There is some friendly amending going on; approve the Alternative SMZ Amendment 36 approach. This would retire Regulatory Amendment 17. John.

MR. JOLLEY: I'm not on your committee, but I can't let this escape without just a plug for Palm Beach County. We'd dearly like to be part of this process. Palm Beach County is thinking about a deepwater reef in cooperation with the West Palm Beach Fish Club; and have been for a long time. This is an ideal point to interject that so everybody knows. We're going to move ahead with it regardless of what the South Atlantic Council does, but this is an opportune time for the council to be in touch with the club and our artificial reef committee on this issue.

DR. DUVAL: I couldn't agree more and we will certainly be reaching out to you, John.

DR. LANEY: Just a clarifying question; if we approve this, I heard you indicate that Regulatory Amendment 17 would go away; but does that mean that all the work that was done by the expert working group goes away? Are those sites still in the mix as far as consideration goes for possible consideration through this approach as well?

MR. WAUGH: Yes; we will come back and incorporate all the information from the scoping meetings, all that public input, all the information that was produced by the MPA Expert Workgroup. All that will be available to the council at the September meeting to start working on your list.

DR. DUVAL: It is really retirement of the number, Wilson. It is not doing away with any of the information that was gathered during that process.

MR. HARTIG: One other clarifying thing in my mind is how does the spawning in the artificial reef dovetail; they will both be designated as SMZs? If we put artificial reef material out there and don't allow fishing on it and designate them as an SMZ; are these connected; that is what I'm asking?

MR. WAUGH: Well, right now the intent would be that we encourage the placement of artificial reef material in our existing MPAs. For instance, South Carolina has started placing material in the Deepwater MPA Site. We certainly have the ability to work with groups that may want to

create a new artificial reef and have it designated as an SMZ; so that is also a potential. The idea right now would be to encourage placement of artificial reef material in our existing MPAs.

MS. SMIT-BRUNELLO; Just as a follow-up to Wilson's question, I know that this information that is currently in Regulatory Amendment 17 isn't going away; but will those potential MPA sites that are offered up in Regulatory Amendment 17; do they at all get pulled into this new Amendment 36, I guess, as potential sites?

MR. WAUGH: The scoping document that will go forward for Amendment 36 will have no sites in it. That is one of the major differences in this approach. It is truly going out with a scoping to where you're identifying the problem, identifying an approach and asking the public to comment. When the council comes back at the September meeting and looks at the scoping comments, they will have all the work of the MPA Expert Workgroup available to them as a source that they can pull on to designate sites that they want analyzed further.

DR. CRABTREE: Well, that gives me some heartburn with it; because we've spent a lot of time on this and now it seems like we're backtracking some. I also worry that we go out and scope without all that, but we've already done all that and we have all this work and people that are in the public I'm worried are going to feel like we didn't come forward with it all and we didn't put our cards on the table. I know it's controversial; but if we're going to do it, let's lay it out and hear what people have to say about it. I'm in agreement with adding this in with all the things we have already looked at and done, it just seems like we're losing ground.

DR. DUVAL: Roy, I guess I don't have the same heartburn knowing that all information is available. I think it has been made very public. It is information that we can draw on at any time. We certainly reference that body of work I think in the scoping document that it is available, that there has been this MPA Expert Workgroup. I recall you saying during a previous meeting that the existing scoping document for Regulatory Amendment 17 really wasn't a scoping document because it was so specific. I just have a little bit of confusion. Jack.

MR. COX: Roy, I would have to disagree with you on that. If you'll read the minority report that we did through the expert working group, those cards were on the table. I think everybody was well informed of what was going on there. I think that's what you're talking about.

MR. BELL: Yes; the information won't go away. The underlying information of where habitat is, where the fish are doing whatever, that will be there. What will go away, I guess, are the boxes. The boxes is what is sort of derailing everything. It is the number of boxes, the size of boxes, the fixation on these boxes.

If you take boxes off, the underlying data will still be presented; and perhaps within the data lie some of the answers to where appropriate spots might be; and then you start working in the concept of smaller focused areas. We're not losing the data and we're not losing any of the effort. It's just we're sort of losing the fixation on whatever the number was of all these boxes. I think that's what has really got the public sort of flummoxed is all these boxes.

MR. PHILLIPS: I see Roy's point and I see the utility of having a document or a reference or something where people could see where the boxes were, as lack of a better verb, so they may use that as a reference point for fine-tuning a smaller area, an opened/closed area. If they at least knew where we came from to get to where we are now; so that was at least reference somewhere. That may take care of the issue.

MR. MAHOOD: To me one of the things we're looking for in the new approach, the scoping part of it, and why we're leaving it open is one of the things we've learned from the fishermen is they have told us we've got a lot of good information of where the spawning aggregations are. I think if you go out, as somebody said earlier, with specific sites already picked out and say, well, this is the spawning aggregation sites we're looking at, what do you think – well, they think we have already determined that is it; and I don't think we'll get the participation we'd like to get.

What we want is we want people come out and say, "Look, I fish off of here. I've fished there for 20 years, and I know at a certain time of year in this one small area there is large numbers of gray snapper or red snapper or whatever and we think they're spawning there." That is the kind of information I think we want to get out of this from the new approach side, anyway, and that will let us zero in and be more site-specific of the areas that we're protecting.

DR. LANEY: One other thing to mention again is the fact that the South Atlantic Landscape Conservation Cooperative has worked with council staff and with a lot of us to develop that Marine Conservation Blueprint, Version 1, and are going to be working on a Version 2. I think this process will be very informative for the South Atlantic LCC as they work on Conservation Blueprint Version 2.

Hopefully, they will be doing some work that may help us to examine issues like connectivity of sites and larval dispersal and things like that as well. Again, as these two processes move along in parallel, I think one will inform the other and they won't be duplicative; they will be complementary. I hope that we maintain our engagement in that South Atlantic LCC process.

One of the things Roger and I have been discussing is at a future council meeting trying to provide the council with a more detailed presentation on now that conservation blueprint is being developed and how it benefits the council and then how a lot of the things that Roger has been spearheading as far as the council's fishery ecosystem system planning process go will benefit the South Atlantic LCC as well. So, again, more science, more underpinning; hopefully, we can provide all that information to the public and generate a whole lot more buy-in to the process.

MS. SMIT-BRUNELLO: So what I'm hearing from all this discussion is that you've got all this information before you that has been developed for Regulatory Amendment 17. You're going to go out and get additional information from the public at the public hearings on another kind of potential approach or additional approach, perhaps, for this draft amendment on the SMZs that Gregg just talked about. You'll have all that information before you when you meet in September and then you can make some more decisions there as to which exact route you want to go. Is that right? Michelle, you're looking like that's not what you –

DR. DUVAL: The motion that I see on the board is approve the Alternative SMZ Approach; not approve the Regulatory Amendment 17 Approach.

MS. SMIT-BRUNELLO: I understand that; so the information that has been developed for Regulatory Amendment 17 doesn't just, poof, go away. Like you've all mentioned, it is available; and so when you get the information from the fishermen, then you're again going to be faced at September as to do you want to proceed with this, do you want to go back to something else or what?

I'm just telling you that you always have the ability to not change your mind – I don't want to put it that way; but you always have the ability to direct how you want these amendments to proceed. So you have all this information before you, Regulatory Amendment 17; you'll get additional information on this new approach as Gregg has laid out; and then should you choose to perhaps deviate from that or not or continue to go on, it will just more inform your decision on how you want to deal with this particular issue.

MR. WAUGH: To me it is critical to have a clear idea of where we're headed, particularly when we get out and talk with the public. I think Mel explained it to me very clearly. The underlying data that was developed by the MPA Expert Workgroup would be available; but you all are making a decision at this council meeting to change your approach from creating more large MPAs that encompass some spawning area but lots of other area.

You're choosing a new approach that will use all the information that has been developed thus far, but hone in on the prime spawning area, use much smaller areas to protect the prime habitat that is important for spawning.

It is critical that if indeed that is your intent, that we have that clearly stated; because we don't want to be accused of going out to the public with a bait and switch, to where we're telling them, hey, we're considering this but, guess what, in September we're going to come back to those big boxes. We'll get crucified.

DR. CRABTREE: So we spent a lot of time and most of the time to me on Amendment 17. What we seemed to be talking about was reconfiguring the existing MPAs, shifting them around a little bit and reorient them so they covered more useful bottom. I've always viewed that as most likely what we might be able to get done.

If we approve this motion; then we're not going to do that, I take it, because that is not consistent with what I'm hearing from the new approach. Are we prepared, even though we've got analysis that shows by reconfiguring these a little bit we could get much more bang for the buck out of them; are we ready to say we're not going to do that? Because if we go out to scope this, Gregg is right, and then we come back in and start talking about reconfiguring the MPAs again, they're going to say bait and switch.

DR. DUVAL: The advisory panel recommended leaving our existing MPAs alone; that they were out there; that people knew where they were and what they were; and recommended

actually not shifting those and instead going with this new approach. I'm just saying what the advisory panel said. Jack.

MR. COX: In speaking on behalf of the expert workgroup, there were some really good people there. There was a lot of knowledge at the table. We wanted to come at this and get some ideas of where we thought the fish were spawning. This is more in line of what we were talking about doing. This is exactly what we wanted to do. This new approach is kind of the idea we had.

There was some talk about reconfiguring, but the big bang for the buck is going to be when we identify spawning areas of other species other than Warsaw and speckled hind. The beauty of this thing is going to come together. Not only were these expert working group fishermen drawing these boxes; but through our information and education, we're going to be able to get other fishermen to do the same thing and help us design these sites and get rid of those big boxes and all that space that we were taking out there was scaring fishermen to death. This is a new approach.

MR. CONKLIN: It seemed that the final amendment would specify proposed spawning SMZ sites; so it would just be a list of sites and then we would then try and get all of this information to find out if there is really spawning going on? Once the final amendment comes out, we have a list of sites – say we get 500 spots that the public gives us; how we make what is good and what is not out of it; what do you keep and what do you throw away; where do you prioritize.

Then do you go and find out if there is fish spawning there? I'm a little unclear on that. Some of the presentations that – you know, I've sat in on the Snapper Grouper AP. Some of the sites; they're historic spawning sites that don't have any fish on them anymore because they were fished out.

If there is no fish there and we get a suggested site and we can't prove there is spawning fish there; how are we helping the fish if there is none there, but that's where they used to be? Supposedly they should come back there, but it takes a lot of time is what Dr. Heyman was telling us. I'm just trying to get some clarification on these sites and what we're going to do with them once we get the sites in the final amendment.

Page 3 of the draft scoping document inside the box here says the final amendment would specify sites. Are we going to have enough time in between there to find out if there is really fish spawning there? It seems like it would take a lot longer than this amount of time to find out if there is fish actually in there reproducing.

DR. DUVAL: I think some of the discussions at the expert workgroup faced the same thing. You had information that documented spawning a long time ago in certain areas. I think the input that we would get from the public with regard to known spawning sites that they would bring forward, we would try to incorporate any existing information that supports those suggestions at the front end. Obviously, it is going to take some cooperative research to document additional areas at the appropriate time of year.

MR. CONKLIN: It just seems like we're kind of selling it to the public that we're going to go check these sites and not make a decision off of data that there could be spawning. That is how our sites in Amendment 17 got drawn and we're getting a lot of negative feedback on those; so now we're just going to make them a little smaller. I'm trying to figure out if we're really going to go check these; who is going to do it?

DR. DUVAL: So you just want clarification in there that between submission of sites from the public via scoping and finalizing the amendment; that there is groundtruthing of any sites that come forward?

MR. CONKLIN: That's right; I don't want the public to get the concept that they're going to come and give us all these coordinates and we're going to go find out if there is spawning there or not and then close it up. They're going to suggest a lot of sites, I take it, and then we may not go and check it. We're just going to have to look what limited data we have. There is some good data but is that – am I clear on that?

DR. DUVAL: I think if 500 sites were submitted, that would clearly be prohibitive in terms of groundtruthing; so I can't imagine that we would necessarily include any sites in the final amendment for which we have not had groundtruthing or at least recent information. Mel.

MR. BELL: I follow Chris' concerns. I think what he is saying is we'll get this input. We have the information we have now. We hope to get additional information; and based on what we get, whether it is 500 sites or not, do we have confidence in several of these, because we had talked about perhaps one or something off each of the states; but do we have enough confidence in them that we can draw a smaller box and say that's what we're going to commit to; or, is it after we do this is it still sort of fuzzy and we're not totally confident and we need to do some further work.

And then if further work is required, does that kind of fit into our timeframe, because we're trying to keep to a specific timeline right now. It is a valid question. We kind of know what we're going to get from the public. There are existing elements of data there that might give us some pretty good confidence for a couple of places right now.

I mean, I follow what he is saying; because if we require additional work to gain confidence in a few of these sites, will that kind of throw our timeline off and that sort of thing? We kind of don't know what we're going to get I guess at this point from the public. We're hoping we get enough information and we've got some pretty solid confidence in active, you know, not necessary old sites but in active sites right now.

DR. DUVAL: And I think we run the risk if we do get an overwhelming response from the public with regard to sites of people saying, hey, I gave you my information and you didn't put a box around this. That goes both ways.

MR. CONKLIN: I just wanted us to be clear what we're telling the stakeholders, that they're clear that we might not – I mean, we don't have the means to go and check every spot; and it takes time. There are so many more factors within this small window between now and

implementation that it is just not possible. I just wanted them to be clear that if they give us a spot, somebody might not go out there and do research on it.

DR. DUVAL: I think that's a great point to clarify. Jessica.

MS. McCAWLEY: I think that we've heard a lot of good points and I think this has been a great discussion; but I'm a little bit concerned. We're getting further and further behind with our agenda; and I request that you call the question.

DR. DUVAL: The question has been called; debate is closed. **The motion is approve the Alternative SMZ Approach, Amendment 36, for scoping in August 2014. All those in favor please raise your hand. I count ten. All those opposed. The motion passes with one opposition.**

MR. WAUGH: The next item is Attachment 14A. This is a draft scoping document to remove several species. This comes out of the work with the Joint Florida Group. At our last council meeting you all approved a motion directing us to prepare an amendment to remove these species. The first step is pulling some information together to go out to scoping.

The species under consideration are Nassau grouper, black snapper, dog snapper, mahogany snapper, schoolmaster from the Snapper Grouper Fishery Management Unit. The Gulf transferred and we accepted management of Nassau grouper and the Gulf Council removed these other species from their fishery management unit.

In terms of background, landings for these species is especially low in states other than Florida. There is a little bit of a discussion in Appendix C about the level of landings. As you can see from that information we present more detail for Nassau grouper because that was included in the Gulf Amendment.

Historically a good portion of those Atlantic landings are from fish that were harvested in the Bahamas and landed in Florida; so that's an issue that needs to be understood about those early data. For the other species, the landings are so low, the data are all confidential. What I did was put in a description of the landings; and you can look through that, but you see for these species we're talking extremely low levels of landings.

Of course, for Nassau grouper, that was closed by the South Atlantic Council January 1, 1992; closed by the Florida Wildlife Commission effective December 31, 1992; closed by the Gulf Council in 1996. There is a total prohibition on the harvest and/or retention. Landings are extremely low for these species; that the landings that do occur, the majority of them are in Florida.

The South Atlantic Council has removed other species. The state of Florida has indicated that they are willing to manage these species. The Gulf Council, as I indicated, removed these species from the Reef Fish Fishery Management Unit in 2011. Us removing them from our fishery management unit doesn't mean management would go away.

This is a request by representatives of the state of Florida to remove these species and Florida would continue to manage these species. We've got a draft purpose and need. The purpose of Amendment 35 is to remove five species from the Snapper Grouper Fishery Management Unit that do not need federal management.

Some of these species were originally placed in the fishery management plan for data monitoring purposes rather than because they were considered to be in need of federal management. Taking into account mandated specifications to provide ACLs and AMs for species in a fishery management plan other than annual stocks or designated ecosystem component species, the council is simplifying its system of ACLs by removing some of the less frequently landed species that are not in need of federal management.

In terms of need; the need for Amendment 35 is to simplify federal management without reduction the protection for five species rarely caught in states other than Florida. That draft wording is offered for your consideration. You'd need to modify that and/or approve it. That lists the actions that the council is considering. In terms of timing, we've got outlined there when the public hearing scoping meeting, dates and locations. The second decision would be to approve this or modify it and approve it for scoping.

MR. HAYMANS: Gregg, could you explain to me how protection of Nassau continues? I understand that Florida takes it over and the EEZ off of Florida could be managed; but how about all the rest of the states?

MR. WAUGH: Well, if indeed we were to go forward with this, the other states in the Gulf and the Atlantic, to that there are landings there, would need to take some action. The level of landings would be expected to be very low given the current condition of Nassau grouper, current stock status.

MR. CUPKA: Just a minor comment back to the purpose statement; it seems like the second sentence in there is really more background information. I don't know that we necessarily need that in there. It is not really part of the purpose.

DR. DUVAL: I would agree; we can delete that. Roy.

DR. CRABTREE: Well, I think it is a real mistake to leave Nassau grouper in this document. I just don't believe we can make the case that federal management is not needed. We currently made a 90-day affirmative decision and have gone through a status review and are reviewing a petition to list Nassau grouper. I don't think you can make a case that something is in that kind of shape such that we're talking about potentially listing doesn't require management.

I also think that if you take Nassau grouper out of this, this is a non-controversial amendment. If you leave Nassau grouper in here, don't be surprised when Mike e-mails you that he has got 10,000 comments on it; and this will become a very big controversial amendment. **I would like to make a motion to modify the document and remove Nassau grouper from consideration.**

DR. DUVAL: There is a motion by Roy to modify the document and remove Nassau grouper from consideration; second by Doug. Further discussion? Jessica.

MS. McCAWLEY: I was just going to say that when the South Florida Committee met, I don't think that they were wedded to the fact that Nassau grouper needed to be removed and the management transferred. I think that the South Florida Committee would be fine with it remaining within the FMP.

DR. DUVAL: Anybody else? **Seeing no further discussion; is there any opposition to this motion? Seeing none; that motion stands approved.** The action for the committee would be to approve the purpose and need. David has made a suggestion to remove the second sentence from the purpose statement. I think the need statement would similarly need to be modified to just state that "simplify federal management without reducing protection for four species rarely caught in states other than Florida." Monica.

MS. SMIT-BRUNELLO: As Dr. McGovern pointed out, it might be best and give the council most flexibility if you take out the number from both the purpose and need and talking about the number of species only because if you decide down the road that for some reason you didn't want to remove one of these other species, you wouldn't be wedded to a purpose and need that said to remove four species or a certain number. That just gives you more flexibility.

DR. DUVAL: Flexibility is good; how do the rest of the folks around the table feel? Is everybody okay with removing the actual number so it would just be "remove species from the Snapper Grouper Fishery Management Unit that do not need federal management," as part of that first sentence of the purpose statement and similarly for the need statement? Jessica.

MS. McCAWLEY: **I'd make a motion to approve the modified purpose and need statement.**

DR. DUVAL: **Motion by Jessica; second by Charlie. Discussion? Any objection? Seeing none; that motion stands approved.** The last motion we need is to approve document for scoping. Jessica.

MS. McCAWLEY: **I would like to make a motion to approve this document for scoping.**

DR. DUVAL: **Motion by Jessica; second by David. Any further discussion? Any objection? Seeing none; that motion stands approved.** The last item on our agenda is a quick review of the golden tilefish endorsements. We have some squirrely things going on.

MS. BROUWER: This is just an update of an issue that has been brought up; and it has to do with the golden tilefish longline endorsement. When you approved Amendment 18B, it was clear that the intent of the council was for endorsement holders to not be eligible to fish for the trip limit for the hook-and-line sector; and it was clearly stated in the amendment.

However, what we've been hearing is what folks are now doing is transferring the longline endorsement to another vessel and then fishing on that hook-and-line trip limit. That's one of the

things that they've figured out they can do. The other thing is to wait to renew the endorsement. While the endorsement is not valid, they are then eligible to fish under the 500 pound trip limit.

This was brought to our attention and we talked to NMFS; and we said this is what is going on and is there something that needs to be clarified; is there something the permits office needs to do; how can we fix this loophole? In your briefing book is an explanation of the revisions that are being proposed to prevent this from happening.

DR. DUVAL: And it is entitled "GT Longline Endorsement Revision". It doesn't have an attachment number.

MS. BROUWER: Right; I believe this was e-mailed to you after the briefing book was sent. It is a pretty easy fix. You have here a little bit of background on what the issue is and the clarification with a quote from a council member from when, like I said, Amendment 18B was approved. It is clear what the council's intent was. What NMFS is proposing to do is revising the statement in the regulations to read, "Vessels that have valid or renewable golden tilefish longline endorsements any time during the fishing year are not eligible to fish for golden tilefish using hook-and-line gear under the 500 pound trip limit."

That means that if a vessel has a golden tilefish endorsement issued to the vessel and that endorsement is in valid or renewable status at any time during the year, then that vessel – they cannot fish under the hook-and-line trip limit. Here is how the regulations would be modified in order to implement this change. We just wanted to simply bring this to the council's attention. If there are any questions; I'll try and answer them.

DR. DUVAL: Are there questions for Myra? Monica, I'm just wondering if it would require a motion from the committee – okay, because we've already expressed our intent that longline endorsement holders would not be eligible to fish on the hook-and-line portion of the quota; so this is really the regulatory fix that's needed and it doesn't necessarily require a motion from us.

MS. SMIT-BRUNELLO: Well, it requires more I think once we get into this discussion. Ben can probably speak to why these particular actions by the longline endorsement holders are negatively affecting other folks. Amendment 18B actually wasn't specific about this particular issue. There was discussion in the committee that they wouldn't want this kind of thing to go on, but that never really translated into the amendment and it didn't translate into the regulations.

I agree that I think your intent was if you got an endorsement, you couldn't fish under the hook-and-line quota and now these fishermen believe they can do it and in fact they can do it under the current regulations. The question becomes how do we give them and anybody else proper notice and the ability to comment on this kind of change; because if something like this isn't prohibited, it is allowed.

We looked at whether the current regulations are such that this could just some type of technical amendment to the regulations, which I don't think it can. I think we have to look at this. I'm not sure in what kind of vehicle; but I looked at the framework, and I'm sure that this allows – this kind of change would be allowed even under the framework to permit or endorsement.

What you're doing is restricting someone's ability to potentially transfer their endorsement or you're putting additional restrictions on it, if you will. I think this could be an action/no action kind of thing, but it would be best to put it in some kind of vehicle that's moving through the council process and then go out with a proposed rule to announce this to the public.

MS. BROUWER: Monica, you said that it was not explicit in the amendment; that it was the council's intent; there was in fact a section in the document, in Amendment 18B, that was submitted. It was reviewed by folks in the permits office because they sort of – they predicted that something like this could happen because fishermen will find a loophole.

There is a quote that I included in the overview, and I'm going to just go ahead and read it into the record. This is from Amendment 18B, "The golden tilefish longline endorsement must be associated with a valid South Atlantic Unlimited Snapper Grouper Permit in order for it to be effective. Each golden tilefish longline endorsement would be assigned a unique number and endorsements would be issued with an expiration date to coincide with the expiration date of the South Atlantic Unlimited Snapper Grouper Permit issued to the same vessel." I'm not sure if that protocol just was never implemented; but to me it is clear that the amendment stated that something needed to be done in order for this loophole to not be there.

DR. DUVAL: I would agree with Myra that it was fully our intent to – that was the whole reason behind allocating a portion of the ACL to the hook-and-line sector was to allow for those folks who had minimal landings of golden tilefish but still encountered them to be able still land that catch knowing that they were excluded from the endorsement program. Roy.

DR. CRABTREE: I'm having a hard time following, Myra, your read. I'm reading that same language; but I don't read into that where it says that they can't transfer their endorsement to another vessel. I don't read anything in there that says if they do that, that they can't fish.

MS. BROUWER: Correct. What the permits office wanted to avoid was a period during which the endorsement would not be valid; and in order to do that they wanted to make the renewal period coincide with the renewal of the unlimited permit so that there wouldn't be a lag time during which fishermen would then say, "Well, my endorsement is not valid, but my unlimited permit is; therefore, I can fish under the 500 pound hook-and-line limit." Obviously, this would not address the transfer issue.

DR. CRABTREE: And I don't even read where it would say so if I have my snapper grouper permit and I have an endorsement and they both expire on my birthday; and I have a year to renew them before I lost them; so I come in and renew my snapper grouper permit and don't renew my longline endorsement, it is not clear to me that keeps you from doing that and then go fish and then come in six months later and renew the endorsement. I'm not sure I'm reading that it says you couldn't do that. I don't read that it says you have to renew them both at the same time.

MS. BROUWER: Okay, I think that was the intent of that language; that was what the permits office was trying to accomplish. That's why they suggested having this unique identifier for the

endorsement to be attached to that permit in order for that situation to be avoided. Evidently that did not work.

DR. CRABTREE: Also, if I could, I do think there is some need for you to explain why here. I understand that we set up a separate longline quota and a separate quota for the vertical line guys. That was because the longliners were catching up the whole quota, so we set aside some for the vertical line guys.

That we have right now; and the longliners close and the vertical line guys are still fishing; and I don't know if they'll fish all year or not. Then the question is why is it that this is a bad thing if it happens; why is it if one of these guys transfers his permit off his vessel or whatever; why is that we want to do this. Maybe there are good reasons for it, but I think you need to give us some guidance on that. I tend to agree with Monica that we'd have to somehow go through a public comment period on this, it seems to me.

DR. DUVAL: I guess, Roy, just from my perspective, you have an exclusive use of the majority of the quota by longline endorsement holders; and by not addressing this issue of transferring the endorsement and then going and fishing on the hook-and-line portion of the quota, you're disadvantaging one sector. Those vertical line guys can't go and fish on the longline quota; so you're going to allow one sector to double-dip? That seems unfair to me. Jack.

MR. COX: This makes me a little nervous because I can see if we follow this protocol, if something with the sea bass pot guys – you know, I'll be eligible to hook-and-line sea bass, 300 pounds starting in January; and we're closed a majority part of the season. I still feel like if I'm a sea bass pot fisherman that I should still be able to hook and line those sea bass in January. This makes me a little concerned. Am I following this right?

MR. CONKLIN: I have some of the same concerns as Jack; but I know there a lot of golden tile guys around here, and I would hope that we would get some comments tonight on this issue. It help us make a decision; but personally I think if you have to – I mean if you have permit and you're allowed to bandit fish and you're lucky enough to get an endorsement, that it is hard enough to make a living; and if a guy has got to do it different way, it may not be as efficient, but let's let these guys go to work. I would hope that they would give us feedback tonight so we can figure out what to do.

MR. PHILLIPS: Michelle, I'm inclined to agree with you; I think they're double-dipping and this was not the intent of how we set it up. There is a lot of difference from catching a thousand pounds of black sea bass to 4,000 pound trips of golden tile. The hook-and-line sector is already probably at 75 percent and maybe higher; so it is definitely going to close probably in the next couple of months. This is apples and oranges, sea bass and golden tile.

DR. DUVAL: I would agree; and I think especially with the sea bass pots and the six-month closure that's in place right now, that sector is completely restricted. I think it's a little bit different situation. The golden tilefish longline endorsement holders have the option of fishing all year. Their quota isn't lasting all year. If they're fishing hard enough, they're burning

through the quota. I see there are two different situations; but I understand some of the points that have been made.

MR. HARTIG: I certainly concur with the equity arguments. Basically one trip in the longline fishery is more than the hook-and-line fishermen catch in the entire year. Those types of problems are – you know, if somebody is able to catch 30 or 40 or more thousand pounds of fish in that longline fishery and then allowed to be able to compete with the small allocation that the hook-and-line fishery has, that is just not fair to me, period.

The other problem we have, Roy, is that you allow these boats with longline gear on their boat to go fish with bandits, there is a possibility that some funny business could occur and landings could be caught by longlines illegally. We don't have any longline gear on our boat, but those people still have the gear on their boat because they participate in other fisheries; shark fisheries as well.

One of the other things was to nip that in the bud and to not allow that to occur. Basically in some of the areas in Florida where they fish has been fished serially hard over the last number of years because they can go in and out, back, back and back. The effect of bandit gear in those areas is not going to be effective.

You have to have a much higher standing biomass of golden tilefish in those areas for bandit gear to be effective. If there is someone going out there and catching a trip limit in a day that has the potential gear on their vessel; that would be a red flag in my mind. Even in the area where we don't allow the longline fishery to occur; now you're going to allow fishermen who participated in a longline fishery to come down and fish in an area that is close to longline gear now.

I don't know that the equity of that is fair if you have people being able to fish in the two different areas and then have already caught a significant amount of the quota for the year. I certainly agree with Charlie's apples and oranges argument about sea bass and tilefish. It is a lot higher trip limit; and I think you could come to a different reasoning in black sea bass based on the – the amount you can catch in black sea bass fishing with hook and line is similar to what the trip limit is for the hook-and-line fishery; so that to me is the deciding factor in the differences between the two fisheries.

DR. DUVAL: I don't think we're going to resolve this issue here today. We're an hour over time; and my suggestion is that we direct staff to work with Monica and folks in the regional office to present some options for a solution; and one of those options might be that longline endorsement holders are allowed to fish on that hook-and-line piece of the quota. It is not something I personally agree with, but I think we need to put the options together. Monica.

MS. SMIT-BRUNELLO: And that's what I was going to suggest. You'll have this brought back before you so that you can look at it again and talk about it.

DR. DUVAL: Okay, thank you. There is no other business to come before the Snapper Grouper Committee; and there is no other business to come before Snapper Grouper Committee; so, Mr. Chairman, we stand adjourned.

(Whereupon, the meeting was adjourned at 9:35 o'clock a.m., June 12, 2014.)

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INDEX OF MOTIONS

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Page 64: Motion to approve the recommended IPT suggested changes to the purpose statement. Motion approved Page 65.

Page 65: Motion to accept the IPT wording for the need. Motion approved Page 65.

Page 66: Motion to approve suggested edits to Alternatives 1 and 2. Motion approved Page 66.

Page 66: Motion to approve suggested edits to Alternative 3. Motion approved Page 66.

Page 67: Motion to approve the suggested edits to Alternative 4. Motion approved Page 67.

Page 67: Motion to approve suggested edits to Alternative 5. Motion approved Page 67.

Page 68: Motion to approve Alternatives 6 and 7 as presented. Motion approved Page 68.

Page 69: Motion to give staff latitude to construct a new alternative that combines Alternatives 8 and 3. Motion approved Page 71.

Page 73: Motion to direct the IPT to use the years 2004 through 2013 for the analysis. Motion approved Page 73.

Page 76: Motion to approve the recommended edits to the purpose and need statement. Motion approved Page 76.

Page 91: Motion to approve the suggested edits to the alternatives. Motion approved Page 92.

Page 92: Motion to approve the suggested edits to Alternative 1. Motion approved Page 93.

Page 93: Motion to approve the suggested edit to Alternative 1 under Action 5. Motion approved Page 93.

Page 93: Motion to also select Alternative 3, Subalternative 3B as a preferred. Motion failed Page 96.

Page 99: Motion to approve inclusion of Action 1 and select Alternative 2 as a preferred. Motion approved Page 99.

Page 99: Motion to include an action to revise accountability measures for the deepwater complex. Motion approved Page 99.

Page 101: Motion to approve the suggested edits to Action 3 and the alternatives. Motion approved Page 102.

Page 102: Motion to add an alternative to Action 3 that extends the ACL established by the emergency rule until the next stock assessment becomes available. Motion failed Page 114.

Page 114: Motion to select Alternative 3. Motion approved Page 115.

Page 115: Motion to accept the IPT edits on Action 4. Motion approved Page 115.

Page 116: Motion to accept Alternative 2 under Action 4 as our preferred. Motion approved Page 116.

Page 117: Motion to approve the suggested edits to the alternatives under Action 5. Motion approved Page 117.

Page 117: Motion to select Alternative 2, Subalternative 2C, as a preferred under Action 5. Motion approved Page 117.

Page 119: Motion to add a new alternative to Action 6 that mirrors Alternative 4 and its subalternatives in Action 1 of the Comprehensive AMs Amendment. Motion approved Page 119.

Page 119: Motion to approve inclusion of Action 6 and its alternatives in Amendment 32. Motion approved Page 119.

Page 120: Motion to select Alternative 2C as our preferred. Motion approved Page 120.

Page 120: Motion to select Alternative 4, Subalternative 4A, as an additional preferred. Motion approved Page 121.

Page 122: Motion to add an alternative for commercial trip limits of 300, 200, and 100 pounds. Motion approved Page 122.

Page 122: Motion to move Alternative 2 to the considered but rejected appendix. Motion approved Page 122.

Page 122: Motion to add an alternative for a 100 pound commercial trip limit that would step down to 50 pounds when 80 percent of the ACL is met. Motion failed Page 123.

Page 123: Motion to approve the suggested edits and add the alternatives. Motion approved Page 123.

Page 126: Motion to add alternatives that mirror what is being considered for snowy grouper in Regulatory Amendment 20 in order to be consistent in managing deepwater species. Motion approved Page 126.

Page 126: Motion to approve the suggested edits and add the new alternatives. Motion approved Page 126.

Page 126: Motion to approve Amendment 32 for public hearings in August 2014. Motion approved Page 126.

Page 127: Motion to add new Alternative 4D; apply a risk tolerance scalar of 0.7 for rock hind, tomtate, white grunt, and gray triggerfish and 0.5 for scamp. Motion approved Page 129.

Page 129: Motion to select Alternative 4D as the preferred. Motion approved Page 129.

Page 132: Motion to modify Alternative 5 to read ACL equals OY equals 0.8 times the proposed ABC for all unassessed species except the deep water complex. Motion failed Page 134.

Page 134: Motion to modify Alternative 5 to read ACL equals OY equals 80 percent proposed ABC for scamp. Motion approved Page 134.

Page 134: Motion to make the new Alternative 5 the preferred. Motion approved Page 134.

Page 134: Motion to select Alternative 2 as our preferred for the remaining species except for the deepwater complex. Motion approved Page 134.

Page 134: Motion to approve the modifications to the alternatives. Motion approved Page 134.

Page 135: Motion to select Alternative 1, no action, as our preferred alternative for the deepwater complex. Motion approved Page 135.

Page 136: Motion to accept the IPT's proposed wording for the purpose and need. Motion approved Page 136.

Page 136: Motion to accept the IPT's proposed wording and changes for Alternatives 1 through 4 under Action 1. Motion approved Page 136.

Page 137: Motion to accept the IPT's proposed wording for Alternative 1 under Action 2. Motion approved Page 137.

Page 145: Motion to apply the council's existing allocation formula as it applies to snowy grouper (average landings from 1986 through 2005); using the SEDAR landings data. The resulting allocation would change from 95 percent commercial and 5 percent recreational to 83 percent commercial and 17 percent recreational. Motion approved Page 145.

Page 146: Motion to approve Alternative 2 under Action 2 as the preferred alternative. Motion approved Page 146.

Page 148: Motion to accept the IPT wording under Alternatives 1 and 2 under the current Action 3. Motion approved Page 148.

Page 149: Motion to accept the new alternative as suggested. Motion approved Page 149.

Page 149: Motion to move Alternative 2, Action 4, to the considered but rejected. Motion withdrawn page 150.

Page 151: Motion to move Alternative 2, Action 4, under Action 3. Motion approved Page 151.

Page 152: Motion to move Action 4, Alternative 4, to the considered but rejected appendix. Motion approved Page 152.

Page 153: Motion to add revised Alternative 4 under Action 4 with the modification of changing 100 to 150 pounds. Motion approved Page 153.

Page 153: Motion to move the Revised Alternative 4 to Action 3. Motion approved Page 154.

Page 155: Motion to move Action 4 to the considered but rejected appendix. Motion approved Page 155.

Page 156: Motion to accept the IPT's proposed wording for Alternatives 1 and 3 under Action 5. Motion approved Page 156.

Page 158: Motion to select Alternative 1 as a preferred. Motion approved Page 158.

Page 158: Motion to approve Snapper Grouper Regulatory Amendment 20 for public hearings. Motion approved Page 158.

Page 160: Motion to modify the ABCs and ACLs for gag and wreckfish under the regular framework. Motion approved Page 160.

Page 162: Motion to approve the range of alternatives and select Alternative 2 as the preferred. Motion approved Page 162.

Page 165: Motion to add an action and alternative to increase the recreational bag limit to two per person per day or three per person per day. The intent is to remove gag from the aggregate; and the intent would be to separate gag and black. Black would remain at one per person per day. Motion approved Page 166.

Page 166: Motion to select Alternative 2 as our preferred alternative. Motion approved Page 166.

Page 167: Motion to select Alternative 2 as the preferred. Motion approved Page 167.

Page 184: Motion to approve the Alternative SMZ Approach, Amendment 36, for scoping in August 2014. Motion approved Page 184.

Page 186: Motion to modify the document and remove Nassau grouper from consideration. Motion approved Page 186.

Page 186: Motion to approve the modified purpose and need statement. Motion approved Page 186.

Page 187: Motion to approve this document for scoping. Motion approved Page 187.

South Atlantic Fishery Management Council

2013 - 2014 Council Membership

COUNCIL CHAIRMAN:

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

VICE-CHAIRMAN

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

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

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

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

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

Chris Conklin
P.O. Box 972
Murrells Inlet, SC 29576
843/543-3833
conklincc@gmail.com

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

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

David M. Cupka
P.O. Box 12753
Charleston, SC 29422
843/795-8591 (hm)
843/870-5495 (cell)
palmsettobooks@bellsouth.net

LT Morgan Fowler
U.S. Coast Guard
510 SW 11th Court
Fort Lauderdale FL 33315
morgan.m.fowler@uscg.mil

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

John W. Jolley
4925 Pine Tree Drive
Boynton Beach, FL 33436
561/732-4530 (ph)
jolleyjw@yahoo.com

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

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

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

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

MONICA SMET-BRUNELLO
BONNIE POWITH
SACK MCGOVERN
PHIL STEELE
NICK FARMER
LEANN BOSARGE
JENNIFER LEE
MARCEL REICHAERT
LUIZ BARBIERI
TRACY DUNN
COL. BRUCE BUCKSON
MIKE MERRIFIELD
KENNY FEX

JESSICA POWELL
KAREN RAINE
BARB ZODSMA

SNAPPER GROUPER

- ✓Michelle Duval, Chair
- ✓Jessica McCawley, Vice Chair
- ✓Anna Beckwith
- ✓Mel Bell
- ✓Zack Bowen
- ✓Chris Conklin
- ✓Jack Cox
- ✓Roy Crabtree
- ✓David Cupka
- ✓Ben Hartig
- ✓Doug Haymans
- ✓Charlie Phillips
- Mid-Atlantic Liaison, Pres Pate/Dewey
- Hemilright
- Staff contact:
- Myra Brouwer / Brian Cheuvront

SOPPs

Ben Hartig, Chair
Anna Beckwith
Chris Conklin
LT Morgan Fowler
Doug Haymans
Staff contact: Bob Mahood

SPINY LOBSTER

Jessica McCawley, Chair
Ben Hartig, Vice-Chair
Jack Cox
Roy Crabtree
John Jolley
Staff contact: Kari MacLauchlin

South Atlantic Fishery Management Council Staff

Executive Director

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

Deputy Executive Director

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

Public Information Officer

✓ Kim Iverson
kim.iverson@safmc.net

Fishery Outreach Specialist

✓ Amber Von Harten
amber.vonharten@safmc.net

Senior Fishery Biologist

✓ Roger Pugliese
roger.pugliese@safmc.net

Fishery Scientist

✓ Myra Brouwer
myra.brouwer@safmc.net

Fishery Biologist

✓ Dr. Mike Errigo
mike.errigo@safmc.net

Fisheries Social Scientist

✓ Dr. Kari MacLauchlin
kari.maclauchlin@safmc.net

Staff Economist

✓ Dr. Brian Cheuvront
brian.cheuvront@safmc.net

Science and Statistics Program Manager

✓ John Carmichael
john.carmichael@safmc.net

SEDAR Coordinators

Dr. Julie Neer - julie.neer@safmc.net
Julia Byrd - julia.byrd@safmc.net

Administrative Officer

✓ Mike Collins
mike.collins@safmc.net

Financial Secretary

Debra Buscher
deb.buscher@safmc.net

Admin. Secretary / Travel Coordinator

Cindy Chaya
cindy.chaya@safmc.net

Purchasing & Grants

✓ Julie O'Dell
julie.odell@safmc.net

FULL COUNCIL - ROLL CALL VOTE

Date: June 2014

Meeting Location: Ponte Vedra, FL

Issue: S/G Committee MOTION FOR AN ADDITIONAL
OPTION FOR PH

	YES	NO	ABSTAIN
HARTIG		X	
D DUVAL DID NOT HAVE TO VOTE			
BECKWITH	X		
BELL		X	
BOWEN		X	
CONKLIN		X	
COX		X	
D CRABTREE		X	
CUPKA		X	
HAYMANS		X	
JOLLEY NOT ON comm.		X	
MCCAWLEY		X	
PHILLIPS		X	

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 below.

South Atlantic Fishery Management Council Meeting Snapper Grouper Committee:

~~Wednesday, June 11, 2014~~
THURSDAY, JUNE 12,

NAME & SECTOR/ORGANIZATION:	AREA CODE & PHONE NUMBER:	EMAIL ADDRESS:	MAILING ADDRESS:
-----------------------------	---------------------------	----------------	------------------

Emily Henrick			
Ken Strong TO/F/RET	203-370-9520	kenstrong@oceanfish.org	WHA TX
Jac Klotsman	772-461-0499	GRKJLK@comcast.net	34999
Antonio Giambruno	321 890-6281		
Leda Dunmore		LDunmore@peanutst.org	
Susan Ferguson			

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 below.

South Atlantic Fishery Management Council Meeting

Snapper Grouper Committee:

Tuesday, June 10, 2014
Wednesday 11

NAME & SECTOR/ORGANIZATION: AREA CODE & PHONE NUMBER: EMAIL ADDRESS: MAILING ADDRESS:

Dick Branne CCA 910-599-5245 dbranne55@gmail.com

Kenney Lee AP 910-600-5547

Rusby Johnson DSE 386-239-0948 DSF2009@aol.com 32120-9351

Gretchen Martin 252 646 5641 martin1639@aol.com

Emily Helmick ehelmick@peirtrust.org

Susan Shuman 912 222 9206 SusanShuman@aol.net SSI/AA

Leda Dunmore LDunmore@peirtrust.org

Abe Klastorinman 772-461-0499 abekik@comcast.net 39948

Sherril McCoy 321-960-1663 sherril@wildoceanmarket.org

Joshua McCoy 321 960-4885

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South Atlantic Fishery Management Council Meeting Snapper Grouper Committee:

Tuesday, June 10, 2014

Wednesday 11

NAME & SECTOR/ORGANIZATION:

AREA CODE & PHONE NUMBER:

EMAIL ADDRESS:

MAILING ADDRESS:

Antonio Gambuso

321 850-6281

4850 CATHERINE L
WAY TRUSSVILLE FL

Ken Stump TEF/PC

202-390-9520

kstump@oceanfish.org

USA DC

Mike Stuhar

904-471-4228

mike0154@comcast.net 15 Versary Dr
St. Augustine FL 32080

Laurie Thompson

321-294-6866

Dave Hagan

904-262-2869

South Atlantic Fishery Management Council

4055 Faber Place Drive, Suite 201

North Charleston, SC 29405

843-571-4366 or Toll Free 866/SAFMC-10

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 below.

South Atlantic Fishery Management Council Meeting Snapper Grouper Committee: Tuesday, June 10, 2014

NAME & SECTOR/ORGANIZATION:	AREA CODE & PHONE NUMBER:	EMAIL ADDRESS:	MAILING ADDRESS:
Emily Helmick		ehelmick@pfftrust.org	
Ken Stump TO/FRET	802-390-9520	kstump@oceanfdr.org	WADL
Joe Klostermann	772-46-0499	GRJSLV@concast.net	251 Bruce St. Ft Pierce FL
J.P. BROOKER / OCEAN CONSERV.	727 286 0338		
Mike Merrifield CSC		mike.merrifield@comcast.com	
James Munkitell CSC		James.Munkitell@usda.gov	
Archchen Martin	252 646 5641	Martin1659@ec.nc.gov	
Rusty Thuma DSE ECPs	386-339-0948	1572009@aol.com	32120-9351
Ken Felt AP	910-6205847	kensfelt@gmail.com	
Lea Dunmore		LDunmore@autn.state.nc.gov	
Susan Shupman	912 222 9206	SusanShupman@att.net	5516A

Tue June 10, 2014

74	Stewart, David	dstewa11@uwyo.edu	263 min
73	colby, barrett	bcolby3@cfl.rr.com	195 min
72	denes, james	jamesd156@yahoo.com	181 min
70	Farmer, Nick	nick.farmer@noaa.gov	1 min
69	daniel, louis	louis.daniel@ncdenr.gov	24 min
66	Mehta, Nikhil	nikhil.mehta@noaa.gov	365 min
54	Harrison, Robert	tunaprowler1@embarqmail.c...	133 min
53	Lee, Jennifer	jennifer.lee@noaa.gov	496 min
53	Lamberte, Tony	tony.lamberte@noaa.gov	305 min
49	raine, karen	karen.raine@noaa.gov	271 min
49	Records, David	david.records@noaa.gov	323 min
43	Hudson, Rusty	dsf2009@aol.com	316 min
42	Bademan, Martha	martha.bademan@myfwc.com	354 min
41	holiman, stephen	stephen.holiman@noaa.gov	268 min
40	DeVictor, Rick	rick.devictor@noaa.gov	361 min
39	blough, heather	heather.blough@noaa.gov	376 min
37	Sedberry, George	george.sedberry@noaa.gov	388 min
36	McCoy, Sherri	sherrim@wildoceanmarket.c...	273 min
34	Young, Erik	eyoung77@uw.edu	90 min
31	sandorf, scott	scott.sandorf@noaa.gov	424 min
29	michie, kate	kate.michie@noaa.gov	289 min
29	Bresnen, Anthony	anthony.bresnen@myfwc.com...	368 min
29	vara, mary	mary.vara@noaa.gov	325 min
29	Neer, Julie	julie.neer@safmc.net	183 min
29	Byrd, Julia	julia.byrd@safmc.net	441 min
27	Eich, Anne	annemarie.eich@noaa.gov	208 min
27	Knowlton, Kathy	kathy.knowlton@gadnr.org	180 min
26	Baker, Scott	bakers@uncw.edu	115 min

26	Herndon, Andy	andrew.herndon@noaa.gov	274 min
26	Clemens, Anik	anik.clemens@noaa.gov	210 min
25	Gore, Karla	karla.gore@noaa.gov	228 min
20	Pugliese, Roger	roger.pugliese@safmc.net	0 min
-499750	Takade-Heumacher, ...	htakade@edf.org	-24835241 min

WGA JUNE 11, 2014

80	Lee, Jennifer	jennifer.lee@noaa.gov	23375136 min
70	steven, oliver	steven73oliver@gmail.com	177 min
70	colby, barrett	bcolby3@cfl.rr.com	315 min
70	McRae, Gil	gil.mcrae@myfwc.com	0 min
70	Stewart, David	dstewa11@uwyo.edu	24 min
55	harrison, vicki	hhsfd@gmail.com	84 min
54	thompson, mary jea...	mjthompson860@gmail.com	56 min
50	Mehta, Nikhil	nikhil.mehta@noaa.gov	524 min
43	Harrison, Robert	tunaprowler1@embarqmail.c...	104 min
40	raine, karen	karen.raine@noaa.gov	81 min
39	Lamberte, Tony	tony.lamberte@noaa.gov	663 min
39	Records, David	david.records@noaa.gov	489 min
37	Wilber, Pace	pace.wilber@noaa.gov	16 min
37	holiman, stephen	stephen.holiman@noaa.gov	438 min
36	Von Harten, Amber	amber.vonharten@safmc.net...	252 min
36	Austin, Tony	redress@ec.rr.com	242 min
34	michie, kate	kate.michie@noaa.gov	445 min
32	Bademan, Martha	martha.bademan@myfwc.com	476 min
32	Package-Ward, Chri...	christina.package@noaa.go...	78 min
32	DeVictor, Rick	rick.devictor@noaa.gov	466 min
32	sandorf, scott	scott.sandorf@noaa.gov	442 min
31	Package-Ward, Chri...	christina.package-ward@no...	17 min
31	Larkin, Michael	michael.larkin@noaa.gov	423 min
30	Sedberry, George	george.sedberry@noaa.gov	298 min
28	vara, mary	mary.vara@noaa.gov	482 min
28	Swatzel, Tom	tom@swatzel.com	89 min
27	Eich, Anne	annemarie.eich@noaa.gov	527 min
26	Gore, Karla	karla.gore@noaa.gov	367 min

26	Tishler, Michelle	<u>michelletishler@gmail.com...</u>	413 min
25	blough, heather	<u>heather.blough@noaa.gov</u>	563 min
24	Clemens, Anik	<u>anik.clemens@noaa.gov</u>	468 min
24	Crosson, Scott	<u>scott.crosson@noaa.gov</u>	119 min
23	stephen, jessica	<u>jessica.stephen@noaa.gov</u>	493 min
23	Newman, David	<u>dnewman@nrdc.org</u>	133 min
23	Knowlton, Kathy	<u>kathy.knowlton@gadnr.org</u>	358 min
23	Johnson, Alison	<u>alison.johnson@myfwc.com</u>	441 min
23	neer, julie	<u>julie.neer@safmc.net</u>	241 min
21	Herndon, Andy	<u>andrew.herndon@noaa.gov</u>	422 min
21	Baker, Scott	<u>bakers@uncw.edu</u>	308 min
21	Ballenger, Joseph	<u>ballengerj@dnr.sc.gov</u>	157 min
21	brennan, ken	<u>kenneth.brennan@noaa.gov</u>	398 min
21	Levy, Mara	<u>mara.levy@noaa.gov</u>	296 min
21	denes, james	<u>jamesd156@yahoo.com</u>	438 min
20	L, I	<u>captaindrifter@bellsouth....</u>	0 min
20	Latanich, Katie	<u>cal7@duke.edu</u>	98 min
20	Byrd, Julia	<u>julia.byrd@safmc.net</u>	541 min
20	Bresnen, Anthony	<u>anthony.bresnen@myfwc.com...</u>	520 min
20	pugliesew, roger	<u>roger.pugliese@safmc.net</u>	0 min

THUR June 12, 2014

80	Takade-Heumacher, ...	htakade@edf.org	23376794 min
70	colby, barrett	bcolby3@cfl.rr.com	275 min
69	oliver, steven	steven73oliver@gmail.com	35 min
61	denes, james	jamesd156@yahoo.com	309 min
61	Brogan, Gib	gbrogan@oceana.org	94 min
60	Neer, Julie	julie.neer@safmc.net	-24829218 min
57	potts, douglas	douglas.potts@noaa.gov	34 min
50	Mehta, Nikhil	nikhil.mehta@noaa.gov	506 min
45	Knowlton, Kathy	kathy.knowlton@gadnr.org	81 min
43	michie, kate	kate.michie@noaa.gov	515 min
41	holiman, stephen	stephen.holiman@noaa.gov	424 min
39	tishler, michelle	michelletishler@gmail.com...	79 min
38	Lamberte, Tony	tony.lamberte@noaa.gov	541 min
36	Records, David	david.records@noaa.gov	484 min
35	levy, mara	mara.levy@noaa.gov	7 min
32	gerhart, susan	susan.gerhart@noaa.gov	556 min
32	Durkee, Steve	steve.durkee@noaa.gov	340 min
30	DeVictor, Rick	rick.devictor@noaa.gov	477 min
28	Latanich, Katie	cal7@duke.edu	72 min
25	Bademan, Martha	martha.bademan@myfwc.com	519 min
25	Brennan, Ken	kenneth.brennan@noaa.gov	497 min
25	vara, mary	mary.vara@noaa.gov	518 min
24	DuBeck, Guy	guy.dubeck@noaa.gov	285 min
24	Crosson, Scott	scott.crosson@noaa.gov	155 min
24	Sedberry, George	george.sedberry@noaa.gov	486 min
24	Eich, Anne	annemarie.eich@noaa.gov	550 min
24	blough, heather	heather.blough@noaa.gov	89 min
23	Clemens, Anik	anik.clemens@noaa.gov	530 min

23	Brewster-Geisz, Ka...	<u>karyl.brewster-geisz@noaa...</u>	288 min
22	Gore, Karla	<u>karla.gore@noaa.gov</u>	526 min
22	Bresnen, Anthony	<u>anthony.bresnen@myfwc.com...</u>	509 min
21	Lee, Jennifer	<u>jennifer.lee@noaa.gov</u>	535 min
21	Byrd, Julia	<u>julia.byrd@safmc.net</u>	453 min
21	Swatzel, Tom	<u>tom@swatzel.com</u>	63 min
21	Knowlton, Kathy	<u>kathy.knowlton@gandr.org</u>	59 min
21	sandorf, scott	<u>scott.sandorf@noaa.gov</u>	447 min
20	Ballenger, Joseph	<u>ballengerj@dnr.sc.gov</u>	296 min
20	L, I	<u>captaindrifter@bellsouth....</u>	0 min
20	Pugliese, Roger	<u>roger.pugliese@safmc.net</u>	0 min