

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SNAPPER GROUPER COMMITTEE**

**Westin Jekyll Island  
Jekyll Island, GA**

**March 7-8, 2017**

### **SUMMARY MINUTES**

#### **Committee Members:**

Dr. Michelle Duval  
Anna Beckwith  
Zack Bowen  
Mark Brown  
Dr. Roy Crabtree  
Ben Hartig  
Charlie Phillips  
Dewey Hemilright

Jessica McCawley  
Mel Bell  
Chester Brewer  
Chris Conklin  
Tim Griner  
Doug Haymans  
Tony DiLernia

#### **Council Members:**

Robert Beal  
Lt. Tara Pray

Dr. Wilson Laney

#### **Staff Members:**

Gregg Waugh  
Dr. Brian Cheuvront  
Dr. Chip Collier  
Dr. Mike Errigo  
Kim Iverson  
Dr. Kari MacLauchlin  
Amber Von Harten

John Carmichael  
Myra Brouwer  
Mike Collins  
John Hadley  
Kimberly Cole  
Roger Pugliese  
Cameron Rhodes

#### **Observers/Participants:**

Dr. Jack McGovern  
Monica Smit-Brunello  
Erica Burgess  
Dr. George Sedberry  
Rick DeVictor  
Kathy Knowlton

Dr. Bonnie Ponwith  
Leann Bosarge  
Kristen Foss  
Dr. Jessica Stephen  
Mary Vara  
Robert O'Reilly

Other Observers/Participants attached.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened at the Westin Jekyll Island, Jekyll Island, Georgia, Tuesday morning, March 7, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: We are going to go ahead and call the Snapper Grouper Committee to order. We would like to also welcome our liaisons from the Mid-Atlantic, Mr. Hemilright and Mr. DiLernia, and also I don't believe that we welcomed our Gulf Council liaison, Chairwoman Leann Bosarge. Thank you very much, Leann, for being with us here this week. We very much appreciate your input.

The first item on our agenda is Approval of the Agenda. I do have one item under Other Business, just with regards to implementation of the regulations regarding Regulatory Amendment 16, which is the black sea bass pot closure modification, just some feedback from stakeholders that I've gotten, and so I just wanted to note that. I would just ask that folks allow me a little bit of latitude, if necessary, to push the agenda around a little bit. Are there any other modifications to the agenda? Seeing none, the agenda stands approved. The next item of business is Approval of our December 2016 Snapper Grouper Committee Minutes. Are there any modifications to the minutes? Seeing none, the minutes stand approved.

This is one of those instances where we're just going to tweak the agenda just a little bit. Given the fact that we have three exempted fishing permits that we are going to be discussing on Thursday during Full Council, and given that one of those exempted fishing permits involves sitting council members, we thought it might be appropriate to turn things over to Monica, just quickly, prior to the fact that we are having a public comment session tomorrow evening, and just for Monica to quickly review recusal determinations and requirements with regard to council members being able to participate in discussion and that sort of thing, and so, Monica.

MS. SMIT-BRUNELLO: Sure. Real briefly, and you know there is public comment on this tomorrow and then you all will address it, I believe, Thursday afternoon. It's on the agenda. There has been an exempted fishing permit received from the South Atlantic Commercial Fishing Collaborative, and the one that's in your briefing book has, as a member, two council members, Chris Conklin and Charlie Phillips.

When this was first raised with me, I looked through the regulations and the Magnuson Act that deals with council member voting. Under the exempted fishing permit regulations, which are at 50 CFR 600.745(b), the Regional Administrator may authorize, for limited testing, public display, data collection, exploratory fishing, compensation fishing, conservation engineering, health and safety surveys, environmental cleanup and/or hazard removal purposes, the target or incidental harvest of species managed under an FMP or fishery regulations that would otherwise be prohibited.

I think you will hear from Rick DeVictor and others a little more thoroughly on what is an EFP and what's the council's role. Just briefly, you have kind of a consultation role. The Regional Administrator, in this case, will decide whether to issue the EFP, but he consults with the council, and that's why you have this EFP before.

When I looked at the regulations, and then I consulted with Department of Commerce General Counsel, who deals with ethics and other policy issues, we have determined that, on the EFP you

have before you in the briefing book, that Chris Conklin and Charlie Phillips could not participate in the discussion or vote on the actual EFP, and that's a rule that's found at 50 CFR 600.225(b)(9)(ii), in which it says no council member may participate personally and substantially as a member through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a particular matter primarily of individual concern, and those are the key words, such as a contract, and, in this case, an EFP is similar to that, in which he or she has a financial interest, even if the interest has been disclosed in accordance with the financial disclosure regulations.

We have determined that this EFP for these two council members is a particular matter, primarily of individual concern, in which they will not be able, as a council member, to participate in the discussion or in the voting. They could, however, at the public comment period -- It's fine for them to get up and tell you how they feel on it, just as any other private citizen would be allowed to, and I'm sure you will hear from citizens.

That is the gist of it, and Chris and Charlie understand this. However, we have received a revised EFP that I'm going to let Roy talk about. On that revised EFP, Charlie Phillips is no longer a member of the Collaborative, but Chris still is, along with Jack Cox and Scott Buff. Since Charlie is no longer a member of the Collaborative, Charlie is free to participate as a council member in the discussion and in the vote, should the vote of an EFP -- Whether your consideration should come before you at this meeting.

I wanted to kind of lay that out there and give you time to think about it. If you have any questions, I will address them now, or I will address them when the EFP discussion comes up. Maybe that's a better time, to give you more time to think about it, but that's kind of -- I wanted to lay a little bit of groundwork right there for you, and for the public who is listening, as we go forward with this matter, and then I'm going to ask Roy to talk about the revised EFP.

DR. CRABTREE: Just to confirm that we did get a revised EFP, I believe over the weekend, but it could have been Friday. Was it Saturday? On that one, the South Atlantic Commercial Fishing Collaborative consists of the following members: Jack Cox, Scott Buff, and Chris Conklin. Charlie Phillips has been removed from it, and none of his vessels will be participating in it, and I believe, Jack, that we have provided this to Gregg and Mike, and so I would request that Mike or Gregg send out the revised EFP to council members, so you have it, but it appears to be essentially the same with the removal of Charlie Phillips as a participant.

MS. SMIT-BRUNELLO: And a change in the date, and so you will notice that the date is different, because it was submitted later, and then Charlie's name is off the front of it.

DR. DUVAL: Thank you, Monica and Roy. Again, when we get to discussing all three of the EFPs that we have on our agenda on Thursday, Monica and I think Jack and Rick will provide additional information or will discuss in greater detail the regulations with regard to exempted fishing permits, so that we can have a more robust discussion then. If there are questions -- Chester, I saw you had your hand up, and then I thought I had one other question.

MR. BREWER: My question is I understand that Charlie has taken his name off of the application and is no longer a member of the Collaborative and that his boats, quote, will not fish as part of

the EFP. The issue, I think, though still remains with regard to financial interest, and I will just use that as the short term.

I would like to ask a question. If Charlie has people that he deals with -- In other words, Charlie is a fish house, and there are people that fish that come and sell to him. If those boats are part of the EFP, and we don't know right now which boats are going to be fishing under this EFP, but if those boats that are selling to Charlie are part of the EFP, then Charlie would have, during the closed times, as a fish house, he would have access to and be able to sell say vermilion snapper, when other people cannot. If that scenario is correct, is the financial conflict of interest still in place, or is it erased by his taking his name off of the Collaborative?

MS. SMIT-BRUNELLO: Obviously Charlie can answer those questions, in terms of what he intends to do, but there are rules that cover council members for financial disclosure, and that is not what I am looking at. I mean, I looked at those, but they are at 50 CFR 600.235, and those kinds of recusals go to council decisions.

Council decision means not giving your advice to Roy on an EFP. Those decisions concern approval of an FMP or an FMP amendment, request for an amendment to regulations implementing an FMP, finding an emergency exists, and comments to the Secretary on FMPs or amendments developed by the Secretary. Then that doesn't include a vote by a committee of a council.

We're not talking about the financial recusal or the recusals under the financial disclosure regulations. This is a separate rules of conduct for fishery council members, and I guess I would have to think more about your question, but, right now, I don't believe the EFP proposal covers dealers. I understand what you are saying about vessels who may be able to harvest if there is a closed season, that maybe they would be able to harvest or something like that, and so I would be happy to think about that further.

My first thought is that, no, probably Charlie wouldn't be recused from voting right now on the EFP proposal, if he was a dealer that received fish. However, if he is the only dealer that's going to receive fish, maybe so. I will think about that further, and then maybe we can even discuss it during the EFP discussion period, but I understand what your question is.

MR. BREWER: Thank you.

DR. DUVAL: I am going to give Charlie the opportunity to clarify that, and then I saw Anna and Tony. Then we're going to wrap this up and move on, because, as I noted, we have time devoted to this topic on the agenda on Thursday. Charlie.

MR. PHILLIPS: Thank you, and I'm sorry that I had to walk out. I had a fisherman calling me that I hadn't heard from. No, I don't have anybody that I know of that wants to unload fish caught under the EFP. Right now, the only four boats that have snapper grouper are my corporations, and so there is nobody else there. Somebody may come down the beach or go up, but I have no plans of it, and I don't know of anybody that has said, hey, I want to go up there, but, if somebody wanted to, of course, I pack fish. That's what we do, and we grow clams.

MS. BECKWITH: Charlie, is the intent for you not to participate in the EFP for the entire duration of the EFP, if it were to be allowed, or just for the first year of it?

MR. PHILLIPS: I don't have a problem staying out for the whole two-year duration. To me, it was more important to be able to work with fishermen and help craft something that would work with them that is not a catch share, even though that's what it's accused of being. It was more important for me to help fishermen figure out a way that they could move forward and what it looks like.

You all know me. You all know, when I say something, that's what I mean, and I try to do it, and, if I can't do it, then I tell you, but a lot of people don't. I am not smart enough to lie, because I can't remember what I told people, and so I quit that. I don't know any better than to try to be the best I can.

I talked to Bob Jones, and I talked to Bill, and we discuss stuff, and we can agree to disagree on stuff, and that's fine, but then you look for where you have common areas and you try to move forward and work with fishermen and try to move forward. To me, it's more important for the fishermen and because, if you take care of fishermen, then you take care of the public resource, and I will stop.

DR. DUVAL: I was going to say that we're getting into the discussion that we would have on Thursday. Tony and that's it.

MR. DILERNIA: Thank you, Madam Chairman. Monica, I am looking at it perhaps as a different way, coming at it from the opposite direction. The fishermen could sell -- If that was the case that was being described, if fishermen could sell to any dealer but Charlie, it actually discriminates against Charlie's ability to buy, and so that should also be considered. I am just starting to wrap my ears around this issue, as I became aware of it today, but, again, it could actually work against him and discriminate against him if he's told that he can't buy. Thank you.

DR. DUVAL: Okay. We are going to jump back to our normal agenda. The next item on the agenda is the Status of Amendments Under Formal Review, and I believe Rick is going to take us through that. Mr. DeVictor.

MR. DEVICTOR: Thank you, Madam Chair. I have three amendments to report on, Amendment 36, Amendment 37, and Amendment 41. Amendment 36, as you recall, would implement spawning special management zones in the South Atlantic. The Notice of Availability published on January 4, and the comment period just ended on March 6. The proposed rule published on January 18, and the comment period ended on February 17, and so we're working on that final rule package right now.

Amendment 37, as you recall, deals with hogfish in the South Atlantic, and it contains actions to define the management boundaries for hogfish and specifies catch limits and recreational ACTs and AMs and management measures for hogfish. The amendment was approved on December 28. The proposed rule published on December 16, and the comment period ended on January 17. We are working on that final rule package now.

Of course, as you know, the Gulf Council worked on Amendment 43 that also modified the management boundary for hogfish, and so we're working in concert with that final rule package and timing those two amendments up to move along together.

Then the final amendment is Amendment 41, and that deals with mutton snapper. This updates the biological benchmarks and allowable fishing levels for mutton snapper, based on the latest stock assessment, and we just received that amendment from the council on February 28, and so we are working on that proposed rule package now. That concludes my report.

DR. DUVAL: Thanks, Rick. Any questions for Rick? Ben.

MR. HARTIG: Rick, I guess this is a question for several people, but, since these haven't gone into effect under the federal umbrella, and they have -- At least hogfish and mutton snapper, if I'm correct, have been implemented at the state level -- No? Okay. That's what I need to know.

MS. BURGESS: Our state rules for mutton snapper went effective on January 1. We promulgated our rule package before the council had made their final decision. For hogfish, our commission approved a federal consistency action, and, depending on the timing of when the final rule is published and the effective date, it will determine whether we can go effective the same day as the federal rules go effective or if we have to delay, because we do have a waiting period in our rule.

MR. HARTIG: What I am trying to get at is that, if the mutton did go into effect on January 1, and if I am fishing by state waters, I would have to abide by the eighteen-inch size limit and the other regulations? Okay. That's what I need to know and to tell my fishermen.

DR. DUVAL: Any other questions on status of amendments? Okay. The next item is Status of Commercial Catches Versus Quotas for Species Under ACLs, and I believe that Rick is going to take us through that. Then, after that, I believe Bonnie has a short presentation on tilefish and vermilion landings.

MR. DEVICTOR: Just as I did with dolphin wahoo, I will just go through some of the species. Again, this is Attachment 1a to the Snapper Grouper briefing material. Then what we have on the screen there are more up-to-date landings that are through March 7. Just going through some of the more major species, black sea bass -- Again, these are mostly January 1 start dates.

Black sea bass, we're at 18 percent right now, and then, again, to the right, you can compare where we were at the same time in 2016 and where we ended up for the 2016 ACL, in terms of the 2016 ACL. Blueline tilefish, 20 percent of the ACL has been landed through March 7, and, of course, that was a fishery that closed last year in the summer.

Moving down, golden tilefish, and I know we'll talk more about that in a moment, but the hook-and-line sector is at 16 percent. They were at 97 percent last year, and the longline is currently at 67 percent, and that closed last year on March 15. Moving down, gray triggerfish first season, and, again, that's a split season, we are at 36 percent right now, and that closed April 2 last year, but then it reopened in June.

Jacks, which closed last year in August, we are at 16 percent for that complex. Snowy grouper is at 32 percent right now. Then you also can compare how we went over the catch limits too in the

second-to-last column there. Then moving on to vermilion snapper, which we'll talk more about in a second, right now we are at 66 percent. That has a January 1 start date, but a split season, and that has a step-down trip limit. It starts at 1,000 pounds, but it goes down to 500 when 75 percent of the ACL is met. Finally, yellowtail snapper, that has an August 1 start date. You changed the fishing year for that recently, and we are at 58 percent of that, and so that concludes my landings report.

DR. DUVAL: Thank you, Rick. Before we get into Bonnie's presentation, are there questions for Rick? Chris.

MR. CONKLIN: Thanks, Rick. Is there any indication on when you guys are going to put out the trip limit step-down for vermilion snapper?

MR. DEVICTOR: I'm not sure. We're going to be working on that soon, I'm sure. I just picked up those numbers. We just got these, and so we'll be working on that pretty soon.

DR. DUVAL: Are there other questions for Rick? If not, we're going to go ahead and pull up a presentation that we requested pretty late from the Science Center, and so many thanks to Bonnie for being willing to run through this for us, but this was a presentation looking at the -- It was called "Tilefish and Vermilion ACL Forecasting" and I am going to turn things over to Dr. Ponwith.

DR. PONWITH: Thanks very much, Madam Chair, and I would just like to acknowledge the folks at the Southeast Fisheries Science Center and the Fisheries Statistics Division for pulling this together and also for the work that they've been doing to help us do a progressively better job in monitoring these commercial ACLs and their progress toward reaching those ACLs. It's been a good evolution, I think.

Without further ado, we were requested to do a couple of things, to look at how those forecasts are generated, based on the electronic dealer reports, and then also to take a look at the numbers that we use for the in-season work on this ACL monitoring and how those numbers ultimately compare against the ACCSP's final numbers from the dealer reports. That is what we're going to do. We're going to do those two things, and we're going to do them for those two species, the golden tilefish and the vermilion snapper.

The derivation of in-season landings, basically what we're doing is taking the reported landings, the raw dealer reports that are submitted to us electronically, and then we're going to use those to develop calculated landings. You are going to see a series of slides that will illustrate what I mean by that, but essentially what we take is those raw dealer reports and then we include a latent period.

Essentially, we take a rolling two-week period and generate calculated landings. As we get farther and farther into the season, the calculated landings are included as a portion of the known reported landings that accumulate beyond that two-week latent period. I will show you that in the slides in color-coded bars, so I can illustrate what we mean by that.

Essentially, only calculated landings are used for the most recent two-year periods. The Southeast Fisheries Science Center provides SERO projections of closure dates roughly two weeks in

advance, and so essentially we watch the way that this process progresses and then are in communication with our colleagues in SERO.

If we go to the next slide, what you can see here is this is a slide for golden tilefish longline fishing in 2014, and you will see the bars are in two colors. The orange, from this point forward, are calculated landings, and the blue are the actual landings. In 2014, the only calculated landings we did was for dealers who did not submit a landings report or a no-landings report, and so essentially dealers we knew that we were missing data for, and we have a series of algorithms we use to try and figure out what happened for those dealers who did not report, and we do our best effort at estimating what those landings might be, so we have as comprehensive a picture of what the landings for that time period were.

If we go to the next slide, it's the same configuration of the bar charts, and this is what the in-season monitoring of the tilefish longline fishery looked like in 2015. Here again, you see the orange is the calculated and the blue is reported. One thing that you note is the orange is pretty small compared to the blue. That is really good. That is very good. Now, let's go to 2016, and you see a lot of orange. This was a reasoned departure from the protocol that we used in those earlier years.

We generated this approach of using a latent period. If you see the first two weeks of the fishery, it's all 100 percent calculated, as opposed to anything that is the actual reported. The reason that we did this is that we found that some dealers were reporting and they were reporting only some of their information, and, if the information they are reporting was for very, very early in the reports that they owed us, then it's possible that the system that was generated would recognize that, well, we have some reports and we don't know if it's all and we might have to do some calculations.

The danger is that sometimes when the dealers would report only part of their data, if they reported the last day that was due in that reporting period, the algorithms would assume that it had all the data and would do no calculations, and that's where we would get into trouble. The data would be some level. Then, when all of the data came in late, you would find that those numbers were very jumpy. They would go up, or sometimes they would go down, and it was because it was very difficult to differentiate whether we had all the data or not.

The way to accommodate that, that we're doing right now, is by creating this rolling latent period, where we use calculated landings for the most recent two weeks and then, once you get beyond those two weeks, we consider the reported data to be stabilized and then substitute in those reported data, and so things are calculated early on. Then, the farther you get into the season, you still are calculating the last two weeks, but you see the amount of blue on those bars getting progressively higher.

That is what 2016, the in-season tilefish monitoring for the longline, looked like. I know that this change caused some consternation. Now, you might ask, how do we get those bars all blue? All blue is good. The reason is because we use the in-season landings reports to project when that fishery is going to close. The closer those numbers are to omniscient, the better the projection is, because you remember a projection is always predicting the future, and there is always uncertainty in predicting the future. The more solid the data you are using to predict that future, the better those predictions are going to be.



The way we can get rid of all of that orange, or most of that orange, is to get as close to 100 percent reporting as is possible, where every single dealer either submits all of their reports that they owe to us exactly on time, and, if they don't have landings, submit a no-landings report, so that we know and no calculations are necessary, and that would help us get rid of the orange portion of those bars.

What we're doing to help us get there is working on code that would enable us to push compliance information to our law enforcement agents, so that they have that compliance information as close to real-time as possible, so that, when there are reports that are late, they're as aware of it as we are, and it puts us in a better position to be able to do things about it. We recognize that blue is good and orange is second-best. We are trying to work at ways to minimize that orange. The industry can help us minimize that orange by really putting a high level of emphasis on complete and timely reporting.

This is the FY 2017 numbers and what they look like this year. You will see that the FY 2017 numbers follow that same pattern. There is lots of orange, or completely orange in the first two weeks, and then that latent period rolls, so that progressively a higher percentage of the catch is the actual landings, versus the projections.

If we go on to the next slide, we are going to shift now from looking at the in-season ACL monitoring approach to looking at how the numbers from our electronic reporting, the dealer reporting system, compare to ACCSP. First of all, they are designed to do different jobs. We are using those dealer reports to be able to project when a fishery has to be closed based on it getting close enough to the ACL.

The landings that we have in our CLM are unedited reports. These are raw data sent directly from the dealers. At the close of the fishery, those are a combination of reported plus calculated landings, depending upon the amount of reports that are late. When they go final, ultimately, we have all of the dealer reports received and there are no calculated landings. Basically, the dealer reports are substituted in for any of the calculated landings.

The ACCSP landings are ultimately quality-controlled by the states. For that quality control work to happen, there is a lag period. That means that the final ACCSP landings are only available months after the landings occurred, and so essentially both important datasets, but datasets that are used for different purposes.

If we go to the next slide, what you can see here is how the data that we are using to close the fishery compares to the state data in the ACCSP system, and I am going to show you this in a time series as well, and, on this slide, you will see three lines. The ACCSP is the red line. The final CLM, and those are our data that we use for monitoring the ACL, the final is the blue line, the dark line, and that light-green line is the CLM data at the close of the fishery, and so you will be able to compare those three lines and how they look over the course of the fishery, from the day that it opens until the day that it closes.

This first slide is for Calendar Year 2014. If we go to the next slide, it's that same information for 2015. You will see that blue line has disappeared. It's because the blue line is dancing right beneath the red line. Then, if you go to 2016, you can see that same time series again.

If we go to the next slide, we're going to go through the same progression. I won't have to describe what you're seeing, because you understand now what these differences are. The calculated landings are often a high percentage of the total. In 2016, about 40 percent of the reports were late, is what we're finding. The landings used for in-season monitoring, the reported plus calculated, are similar, and very similar to the ACCSP final. That is that blue line and the red line. Then the 2015 and 2016 closures were at 95 percent and 100 percent of the ACL, and so, again, the system did its job.

If we go on to the next slide, you will see that same series of bars and the same progression of years, 2014 through 2017, and this is for vermilion snapper. Again, what you see is a small amount of orange in here. Those were basically reports that were late that had to be calculated. If we go to the next slide, it's the same series for 2015, with a small amount of orange. If we go to 2016, you see the calculated estimates in the early part of the fishery, and this is where we shifted over to that rolling latent period, and the same pattern that we saw in tilefish we are seeing in vermilion snapper, where we're using that rolling latent period.

Then we move into 2017, and, again, you see that same pattern, where it's 100 percent calculated the first two weeks and then it's rolling. Then eventually the blue part of the bar, the actual landings, once they stabilize, become the majority.

Again, we're going to go through and take a look at, again, the comparisons of the CLM data against the ACCSP over that same time series. The color codes are the same as they were for tilefish, and so I won't go through that again. If we go to the next slide, you can see how those lines compare. This is for 2014. We go to 2015 in the next slide and see how those numbers compare. Then 2016 is the next slide.

For the next slide, again, it's looking at our forecasting of ACLs using these data and the calculated landings. They are often a high percent of the total early in the season, and we were looking at about 20 percent of the reports being late in 2016. The landings used for in-season monitoring, which were the reported plus the calculated, are similar, and they are very similar to the ACCSP finals. In 2015 and 2016, the closures were done at 102 percent of the ACL and 100 percent of the ACL, and so, essentially, we feel like this latent calculation is helping us do a much better job of closing that fishery on the ACL.

That is the report. If you have questions, I am able to handle them. I've got folks that can pitch in if you have more detailed questions. Farther on in the presentation, the tables supporting those graphics are available, if you want to look at the actual numbers, and so are there any questions?

DR. DUVAL: Are there questions for Bonnie? I have Dewey.

MR. HEMILRIGHT: Thank you for that report. I was wondering, what is the legal requirement for reporting for the dealers?

DR. PONWITH: The dealer reports are -- It's a weekly report.

MR. HEMILRIGHT: So, at the end of that week, they have to report. Is it the same dealers every year that are not reporting or are reporting late?

DR. PONWITH: You know, I don't have the statistics right now in front of me on whether it's one bad player that's consistently late or whether that shuffles. We have been in communication with the Office of Law Enforcement, to talk about some ways to be able to bring everybody into compliance, because what we see is there are some dealers who are very consistent in their reporting, and I mean consistently good, and that's a good thing.

What I would hate to see is dealers who are consistently diligent in submitting those reports exactly on time kind of penalized by the addition of uncertainty in our ability to close these fisheries in a timely way. We recognize that dealers, and we recognize that the actual vessel operators, are making crucial business decisions based on where we are relative to that ACL, and so that information has really big business implications. That's why we take it really seriously, and I think that's why the majority of the dealers take it very seriously.

If we could bring that compliance up to 100 percent and essentially have omniscience when we use those numbers to project into the future about how many more days or weeks that fishery is going to last, it's in everybody's best interest.

We have been in communication with the Office of Law Enforcement about the ways we can get them to help us improve our compliance, and we have also -- We are also talking a little bit about how information like this, essentially letting the council know and letting the dealers know what percentage of them are abiding by this regulation, to be able to almost help self-police to improve that compliance level. We know that things happen. A computer goes down or there is a crisis in the family. Things happen, but, in general, we would really love to see that compliance as close to 100 percent as possible.

MR. HEMILRIGHT: I noticed that nobody likes to talk about this sometimes probably, but one way is not renewing their permit. I mean, one way to fix something, and it seems like this is probably the same dealers over and over, and you're asking to tell the council and the public about it, but I know when I sent my logbooks in late, in Amendment A7, HMS said, Dewey, you don't go fishing in this area.

So, I mean, the way to clean something up, and it seems like it's just going over and over and over, and there is something that happens. It might be the reason of a computer went down, but, if you have the same dealers over and over, and you talk about working with law enforcement, when are you going to fix it? I mean, that's the part of it. How long do you got to go and how many years and do presentations?

If you take somebody's right to sell fish for a year or a month, they're going to get cleaned-up and tuned-up right quick, and it just don't seem like the want is there to fix it. You keep on talking about different avenues of fixing something, but you've got to have -- The buck should stop with the Science Center and reporting, and so that's one way to fix it, is to say, hey, we're going to take your permit for a month, until you can learn how to report timely, and I expect that next time you give the presentation to the council that it probably will get tuned-up a little bit. Thank you.

MR. BELL: Thanks, Bonnie. I am really encouraged, and I think that is important to you do reach out to OLE, because it's what Dewey is talking about. That is the solution. These data are so important to timely decisions that affect peoples' livelihoods that they've got to be as accurate as possible, and it's good that you have an algorithm that is apparently pretty accurate in terms of

estimating, but you want 100 percent compliance, if you can achieve it, and that's difficult in anything.

Dewey is right that, at some point though, the enforcement can only do so much, and there needs to be consequences for perhaps persistent failure to -- That would be something that we would need to consider later on. That's not something that law enforcement can just make happen immediately, but that's something to look at. If you can't get what you need in the system you've got with certain people, then maybe that does need to be looked at down the line, is some additional incentive to get with it.

DR. DUVAL: To that point, Bonnie?

DR. PONWITH: Yes, to that point. I absolutely agree with you. I agree with both of you. We really want those data to be complete. One of our challenges is that the dealer permits, I understand, are open access, and so that does make it a little more challenging, to say, well, you lose your permit, if it's easy to just go and get another one. I don't know whether we talk about a modification to the regulations or whether there is some other way to actually use the permit itself as a tool to stimulate compliance, but I am certainly interested in the council's views on ways we could strengthen our voice on this one.

MR. HARTIG: While there are still outstanding problems, Bonnie, I have to commend you on what you've been able to accomplish in this short timeframe. You have done a marvelous job of taking a fishery that was going over substantially several years ago and got it within 2 percent in two years. My God, that's incredible work on you guys' end to get to where you've been able to do it, and so, whatever you've been able to do in calculating that red area and how it's moved through time, it seems to be working very, very, very well, and so I commend you on what you've been able to do. Sure, there are still some outstanding problems that can be taken care of, but you've got it under control.

DR. DUVAL: Thank you, Bonnie, very much for that presentation, and I think maybe just a couple of the points that have been raised here, in terms of how do you use the permit to -- I hate to use the word "force", but to force better compliance, and it seems like that is something that we could probably solicit the assistance of the Law Enforcement Advisory Panel and the Law Enforcement Committee to discuss, and I suspect we might hear some ideas thrown about, perhaps tomorrow, when we discuss some other issues. Zack, I saw you hand your hand up. Then, unless there is any other questions, we will move on.

MR. BOWEN: Thank you, Madam Chair. To Dr. Ponwith's point about the discussing regulations on this open-access permit, that sounds awful familiar, and am I the only one at this table or in this room that sees that these commercial landings are within their ACL because there is mandatory reporting and not estimates? We have to start going that way in other sectors, in the recreational fleets, we have to.

DR. DUVAL: Anything else? If not, thank you, Bonnie, and, again, many thanks to your staff for putting together such a great presentation and sort of the detailed forensics that you described in terms of how you all have improved that process, and we very much appreciate it.

The next item on our agenda, and we might have to cut this short a little bit and pick it back up after lunch, because my understanding is that there is going to be fire alarm testing during the lunch hour, and so we certainly don't want to be sitting around here with microphones on when that occurs, but I would like to welcome Mary Vara from the Regional Office to at least start us down the discussion of guidance on reopening when projected landings are close to the ACL. You will recall that we started this conversation at the last council meeting, and so Mary.

MS. VARA: Thank you, Madam Chair, and good morning. My name is Mary, and I work in the South Atlantic Branch in SERO. If you would go to the briefing book, Attachment A1(b), this is guidance from SERO to the council to reopen fisheries. A little background information is, in December of 2016, the council discussed reviewing the current guidance on when or if commercial fisheries should reopen during instances when 100 percent of the ACL has not been harvested after a closure.

The current guidance recommended by the council is to reopen if less than 95 percent of the ACL was harvested prior to the end of the fishing year. On October 11, 2016, commercial vermilion snapper was closed, because the quota for the second six-month season was projected to be met. However, 93.61 percent of the quota was caught by the closure date. The Southeast Fisheries Science Center indicated that the commercial sector could reopen for two days to harvest the remainder of the quota.

At the December meeting, the council discussed additional factors to consider when reopening after a harvest closure. This includes at what percent of the ACL or quota should commercial harvest be reopened, should a minimum number of days be available, should stock status be considered, and how should timeliness of data reporting collection be considered?

This brings us to the question for today of should we maintain or revise the current guidance. There are a few possible options, and they can be found on page 3. These include maintaining the 95 percent policy, consider that a minimum number of days would be available to reopen or a combination of both. Another approach would be to include previously-considered factors, which requires more analysis before deciding on whether to reopen, and so I will leave that to the council for further discussion. Thank you.

DR. DUVAL: Thank you, Mary. What are your thoughts? We have the options that are displayed on page 3. I mean, we could maintain our existing 95 percent policy. Our discussion from the last council meeting looked at a number of days, that if there were less than two days that would be allowed for fishing, that it would not be prudent to open the fishery, and then a combination of those factors.

You could take this decision-tree approach that might take into account all factors. Of course, that's a little bit more species specific, whereby you could take into account the status of a species, in terms of any reopening guidance. What is your pleasure? I assume everybody read this.

MR. BELL: I have a question. If we hit the 95 percent, and then there is a determination that we're off by a few percent and we can come back, but I guess what would be interesting -- What made me think of this is what we were just talking about. At that point, how fuzzy are the data, based on reporting or actual reporting?

That might be another factor, if there is still a lot of fuzziness in there from latent or you're basing this -- Is this really a decision that's based on the projection and now we've got sort of reality and then there's the difference, but that's another factor that could be going on here to keep in mind, is where you are in terms of your total compliance with all of your reporting at the end there.

DR. DUVAL: I think one thing is 95 percent of an ACL is not the same for all species, and that was kind of the tone of the conversation that we were having last time. Looking at a number of days of allowable harvest was a little bit more palatable to folks, I think, so that you're not creating an unsafe situation, and so I would just throw that out there. I saw Anna with her hand up and then, Dr. Crabtree, if there's something you would like to contribute.

MS. BECKWITH: I like the flow chart with the idea of the ACL and a minimum number of days, and the other thing that I might throw in there to consider is if the overall ACL is in danger of being met, and so if there is a significant underage of the overall ACL, and I'm throwing recreational into that.

If the overall ACL is really far off from being met, then, even if opens up and it goes over a little bit, it's probably not as big of a deal as if you also have the recreational ACL bumping against the total, and so I don't know how you would sort of put that in there, but it certainly could be an additional consideration along with the percent ACL and the minimum number of days to reopen.

DR. DUVAL: Thanks, Anna. I suspect that -- I understand where you're going, in terms of taking the recreational ACL into account. My concern would just be that you're just going to create some user conflict there.

MR. HAYMANS: I mean, I like the flow chart idea too, at least in that it takes into account the stock status. To Anna's point, I was looking at that center box that says to have commercial landings exceed the ACL, and I was thinking, could it be have total ACLs been exceeded for X number of years, just that simple. It's not really looking at -- Well, it could be that simple, but I like adding in stock status, and I like keeping the percentage at 95 percent leaving it there.

DR. DUVAL: Roy, did you want to -- You look like you're pondering wanting to say something, but you're not quite sure if you want to jump in right now.

DR. CRABTREE: I think we need to keep this simple. I think stock status should be taken into account in setting the ACLs to begin with and not in whether we close or not, and the number of days is okay, but if the catch rates are very slow and come in very slowly, we're not likely to ever close early to begin with, because it's easy to monitor it. It's when the catch rates are high that the projections get uncertain and those kinds of things.

I don't mind if you want to say 95 percent, but don't reopen unless you can reopen for at least two days. I think that makes some sense to us, but we have an obligation, under your accountability measures, to try and stay under the ACLs, regardless of whether the stock is overfished or not overfished, and I really think some of these things are things that you need to build into the AM and the ACLs themselves and probably not into this.

DR. DUVAL: I think I had Ben and then Charlie and then Chris, and I will just note that we've got about four minutes before the beginning of fire drill central. Mel, I have you, too.

MR. HARTIG: In lieu of Roy's comments -- I was going to add something, but let's just keep it simple with what he wants to do, and I think we can accomplish it.

MR. PHILLIPS: I am inclined to think that a two-day minimum, 95 percent or a two-day minimum, and, if you really wanted to go be safer, do a three-day minimum of something that is overfished, but keep it simple.

MR. BELL: I was just going to say, about days, depending on the fishery, depending on where you are, two days is a completely different world. I mean, two days up in our region to access fisheries is way different from two days down in Key West, and so you would have some -- It means a lot more to other people, depending on where you are.

MR. CONKLIN: What about the revised National Standards, where we could just roll that quota over to the next year? Do we have to come with an amendment for like a comprehensive change? That would seem fitting, to me.

DR. CRABTREE: That, again, is something you need to build into your accountability measures and how this works. Now, I will agree with you, if fishermen knew that, if they are under by a few percent, they're going to get it the next year, it would take some of the complaining out of all of this and make them feel better, but that's a whole different issue that you would have to address separate from this.

DR. DUVAL: That was one of the things that we put on our task list specifically with regard to revisiting the ABC control rule that the SSC has done recently and evaluated, and so I know that's on their task list to look at, and so we'll just make sure that we keep that on there.

What I am hearing is keep it simple. It seems like folks still like the if it's below 95 percent or 95 percent or less of the annual catch limit has been met and there is at least two days available, that folks would be interested in that, or maybe three days, if it's overfished. Keep in mind Roy's comment that stock status should be taken into account when setting the ACLs anyway, and so you might not need to include that. Jessica.

MS. MCCAWLEY: I just wanted to also point out that, before it reopens, to go ahead and notify at some time in the future when it's going to reopen and when it's going to close. In other words, instead of just tacking it right up against the open season. The paper talked about how it would be better to determine, say two or three weeks or a month out, when it was going to reopen and close.

DR. DUVAL: So including that. I mean, we can -- If people want to chew on this over lunch, we can certainly come back to it, but it would be good, I think, to get a motion from the committee, so that there is some direction provided to the Regional Office in this regard. Anna.

MS. BECKWITH: The only reason I like having the stock status in there is, as you read through the paper, there is enough examples in there of when we reopened that it caused an actual overage of the ACL, and so, if the stock is overfished or overfishing is occurring, then do we really want to chance an overage of that ACL on a two-day season? I sort of like the stock status in there.

DR. DUVAL: Okay. What's your pleasure? Are you ready for a motion now, or would you like to come back and get a motion after lunch? Okay. Chew on it over lunch. We will go ahead and recess for lunch and be back here at 1:30. Thank you.

(Whereupon, a recess was taken.)

DR. DUVAL: We are reconvening the Snapper Grouper Committee. I would just ask folks to please, if you have any sidebar conversations, to please take them outside the room. Thank you very much. Where we left off before lunch was that we were reviewing the reopening, possible reopening, guidance from the council for our commercial fisheries if we are left with any ACL on the books.

Folks asked for the opportunity to just spend a little time thinking about this over lunch. I am just noting that it sounded to me like folks wanted to look at if maintaining the 95 percent -- In other words, if less than 95 percent of the annual catch limit had been landed, that we would want to consider reopening, but only in the event if there were two or perhaps three days left, in terms of how long the fishery could stay open.

We had a little bit of discussion about maybe taking into account stock status. In other words, if the stock was overfished or overfishing was occurring, then we would allow a reopening, if there was 95 percent or less, but it sounded like folks wanted to have a little bit more discussion about whether or not to take stock status into consideration, and that perhaps, if there was an overfished or overfishing designation, we might just want to consider not reopening, and so where have folks ended up? It sounded like there was support for, if less than 95 percent had been landed and if there it at least two days, at current burn rates, left that folks would want the fishery reopened. Chris.

MR. CONKLIN: I will go ahead and start. Where we are in the Carolinas, we need -- With the speed of our boats in commercial fishing, we would need at least two days, but three I think is where Mel and I have concluded that we need to be, is three days.

DR. DUVAL: I think one of the things that Jessica had brought up was the notification. If there was to be a reopening, to provide a notification far enough in advance that would allow the vessels to actually get out to the fishing grounds, in order to be able to take advantage of that reopening. Chris and then Roy.

MR. CONKLIN: I am aware that, in December, when we were talking about this, Rick and the rest of the Region had looked at the weather and wanted to open it kind of when the weather was going to work out for the majority of the region, and you can't really rely on weather forecasts, and so the Region did make an effort to do that. Unfortunately, the weather changed and we weren't able to take advantage of the little bit of quota we could catch, but we do appreciate your efforts.

DR. CRABTREE: Just on the notification, I think we always have given at least a week or two notice of when we're going to reopen, but, in a lot of these fisheries, we are in the second season, which means we're towards the end of the year and we have to work around holidays and this and that, but we always try to give it at least a week's notice for the fishermen, so they can have time to fuel up and get the crew together and get ready to go.



DR. DUVAL: All right. I am still hearing if less than 95 percent of the ACL has been harvested and there is at least X number of days. We have heard three days from South Carolina. Zack.

MR. BOWEN: Thank you, Madam Chair. **I would like to make that motion, if less than 95 percent of the ACL is met and a minimum of three days.**

DR. DUVAL: There is a motion by Zack. Is there a second? Second by Chris. Let's let Brian get this up on the screen. And at least three days of projected harvest remain.

MR. BOWEN: **Consecutive days.**

DR. DUVAL: I would assume that's how they would project it, consecutively. Okay. The motion reads: **If less than 95 percent of the ACL is taken and at least three consecutive days of projected harvest remain, then the Regional Administrator shall reopen the fishery.** Is there discussion? Chris.

MR. CONKLIN: On the other hand, I think we were at 94.5 percent on the vermilion in December, and it only allowed us two days. Maybe we should consider going down a percent or two. That way, we could guarantee something like that. Otherwise, we wouldn't have been able to reopen, and we would have lost those fish, and 5 percent of the fishery is valuable.

DR. CRABTREE: Yes, and so the problem is not the percentage. It's the three days, right? Because, based on that, I'm not sure that we would have reopened vermilion snapper, because what I had said is they would catch it in two days. I understand that doesn't work in your area, but, if it's -- It seems like, if you only have a couple of days, then it would be good for somebody to get out and get them.

DR. DUVAL: Is there a desire on the part of the committee to modify this motion or substitute two days for three?

MR. HARTIG: **I will do that. I will substitute two days for three.**

DR. DUVAL: **There is a substitute motion by Ben that if less than 95 percent of the ACL is taken and at least two consecutive days remain.** Is there a second to that substitute? It's seconded by Jessica. We will let Brian manipulate this on the screen for us. Is there further discussion on this? I feel like -- Mel.

MR. BELL: That makes sense. I realize each fishery is different, and I'm not sure how they calculate a burn rate or how many days you end up with, but that's a perfect example of where that would have sort of bitten us if we had stuck with three, but it's at least two. It could be three or it could be four, depending on the fishery, but that does make sense.

DR. DUVAL: Okay. Any more discussion on the substitute? **Is there any opposition to this motion? Seeing none, that motion stands approved. The substitute now becomes the main motion.** Any further discussion? **Is there any opposition? Seeing none, that motion stands approved.** Thank you, all.

The next item on our agenda is the Vision Blueprint Regulatory Amendment 26, and so this is the recreational amendment. We have a couple of attachments, and these are Attachments 2a and 2b in your briefing book, and I believe that Attachment 2b is actually the decision document. What we're going to do here is Brian is going to drive the computer, and Myra is joining us via webinar, and so we're going to let Myra walk us through this, but, first, we will let Brian get the documents up on the screen.

DR. CHEUVRONT: Myra, is this the document that you want me to have up?

MS. BROUWER: That's the decision document. The scoping comments is Attachment 2a in your briefing book, and so you can just pull up the PDF so they can follow along.

DR. CHEUVRONT: Okay. Let me pull it up from the briefing book.

MS. BROUWER: Okay. That's it. Hello, everybody, and I'm sorry that I can't be there in person. Thank you for being so accommodating, and so I will do my best. Brian and I will do our best to make this run as smoothly as possible. This is Attachment 2a in your briefing book, and I will just walk you through it quickly.

Basically, it's organized by meeting. The first thing that we did for this amendment and also for the Vision Blueprint Amendment 27, which is the next item on the agenda, is we organized the summary of comments similarly. First, we had a scoping webinar, and seventeen people attended that. Then we had a series of in-person hearings. Initially, you had given us guidance to scope these two amendments via webinar, but, because I attended the meetings in-person, because Brian was initially intending to go himself and then was not able to, we decided to scope these two amendments in-person as well.

We had a total of 233 people that attended the in-person hearings. For this amendment, seventeen people provided comments, and so I will touch on comments that are not directly related to the amendment as I walk you through the summary, because what I did was pulled out the comments that were relevant to each of the actions, and we're going to have those in front of us when we talk about the different actions in the decision document, and so there is no sense in going over this twice.

We didn't have any comments in Jacksonville. In Cocoa Beach, it was a very well-attended meeting. We had fifty-eight people. The rest of the meetings in Florida didn't have any comments on the Amendment 26. When we got to Murrells Inlet, we had a good bit of comments there directly related to each of the actions, and so we will go over those in a little bit.

The same thing for Richmond Hill. In Charleston, we didn't have any comments. In Wilmington, there were only a handful of people that attended, and one of them was a Snapper Grouper Advisory Panel member. One of the things that was brought up at that meeting that is not directly related to what we were scoping is a suggestion was for black sea bass, to keep the recreational size limit in federal waters at thirteen inches and increase the commercial size limit to match the recreational. That's a little bit different. The advisory panel had also suggested that you require the use of single-hook rigs beyond 240 feet, and that was reiterated as a recommendation at that meeting.

In Hatteras, there was a good bit of talk about regional management, a lot of support for a regional approach. The suggestion there was that Florida and Georgia should be one region and the Carolinas should be managed separately. Then, finally, in Atlantic Beach, the one thing that we heard that is a little different, for black bass again, the suggestion there was that the commercial trip limit should be the same for both pots and hook-and-line gear.

Then there is a summary of all the written comments, and I apologize for that blank page there, and these are the comments that were submitted online or via mail or email. This is using the online comment form, and so we actually got a good bit of comments there. Again, on the aggregate bag limits, there was a comment that the one-fish per vessel limit on snowy grouper is causing excessive discards and you should consider a limit of fifty pounds.

Then, of course, there were a lot of different suggestions on the aggregates and how to restructure all of that, and so we'll get to those in a little bit. There was a suggestion to remove spadefish out of the aggregate, suggestions to require descending devices for deepwater species, adjustments of seasons for deepwater species, and we had requested comment on whether the May through August existing season for blueline tilefish could be applied to the rest of the deepwater species, and folks had different ideas on how that could be structured. Then, scrolling down to black sea bass, Brian, again here is some support for retaining the recreational minimum size limit at thirteen inches and modifying the commercial minimum size limit instead to match the recreational.

Again, over here, under Other Comments, we see that there is other suggestions. There was a lot of talk about descending devices. Of course, we were also scoping the red snapper and the recreational reporting amendment, and that had some discussion on descending devices as well.

There were suggestions for daily catch limits, based on the number of fishermen, number of daily trips. Mandatory reporting was another topic that people commented on, and stricter enforcement regulating the type of equipment that is allowed to fish for deepwater species in particular. Also, just suggestions on how to make things easier for the public to follow. For example, there was a suggestion that the council address deepwater species issues and shallow-water grouper issues in separate amendments from now on, and then there were comments on the annual catch limit for banded rudderfish and allocation issues with that.

If you don't have any questions on this, what I would like to do then is just walk you through the decision document and then take up the various actions one at a time and then talk about what we got in terms of comments from the public. Brian, if you don't mind pulling up the decision document, and that's Attachment 2b.

DR. CHEUVRONT: Is this the one that you want? This is the Word version that was on the Dropbox.

MS. BROUWER: That's the one. Scrolling down, what I did here is this is very similar to the scoping document that was used for the meetings, and so we have a little bit of background, as you can see there, on what scoping is and the council process and what the vision blueprint is and how it was developed and that it's the council's approach for addressing the short-term items in these two very first vision blueprint amendments.

The first thing we did was talk about the aggregate bag limits. We presented what is currently in place and talked about the aggregate snapper limit and the grouper limit and the aggregate for species without a bag limit. Then we asked a series of questions. Here are the different options that the council could consider, and this is what we were looking for input from stakeholders on.

How many fish should be in the aggregate for deepwater species, if there was to be one established? Should there only be harvest allowed May through August, such as like it is the case currently for snowy grouper and blueline? Then we asked is there should be an aggregate for shallow-water groupers and how many fish should be included in the aggregate. We also requested input on whether the twenty-fish aggregate limit should be modified to also include the species that are in the ten-snapper aggregate. Then we noted, of course, that were some changes in the works for mutton snapper and that limit had been -- The proposed regulation is to reduce it to five per person per day.

Then you had given us direction to request input on individual bag limits for certain species, and so for gray triggerfish, and we asked about the jacks complex and we asked about Atlantic spadefish, and we also asked whether vermilion should be included in this snapper aggregate.

Scrolling down, we have what the Snapper Grouper Advisory Panel had recommended. This was when they last met in October, at the end of October, of 2016. The AP had recommended removing almaco from the jacks complex and assigning it its own bag limit. We did acknowledge that there were possible identification issues with the jacks species. They talked about perhaps the composition of the jacks complex might not be appropriate and then considering a separate bag limit for banded rudderfish. They also recommended removing the jacks complex altogether, and so kind of disaggregating that complex.

The AP was in agreement that perhaps, within both the ten and twenty-fish aggregates, there should be a specification that no more than five fish could be of any one species. They recommended removing gray triggerfish from the twenty-fish aggregate and specifying a lower bag limit, and they suggested maybe ten to fifteen fish.

They also recommended specifying a single-hook rig for the deepwater species beyond 240 feet, considering limiting retention of deepwater species to one fish per vessel, and then consider requiring descending devices for snapper grouper species, promoting education of that type of device, perhaps couple that with the issuance of the recreational permit, and that is, of course, being addressed in Snapper Grouper Amendment 43.

Here is the summary of the public comments, and, like I said earlier, they were kind of all over the place with this. There was support for not changing either of the aggregates. There were some suggestions for retaining the bag limits for the species that we specifically asked for, like gray triggerfish and vermilion, but then there were also people that thought those should be changed. In general, people thought that an individual bag limit for gray triggerfish might be a good idea, and they thought that the range there of the suggested number of fish was right in line with what the AP has recommended.

There was a suggestion to remove spadefish out of any aggregate, and the list just goes on. As far as vermilion goes, folks didn't really want to put it in the aggregate. In general, they wanted to

see an increase in the bag limit for vermilion. There were some suggestions, some support, for establishing a deepwater species aggregate, but very few people actually spoke about the season.

There was a suggestion of a ten-fish aggregate for deepwater species. Also, for that group of species, removing any size limits and manage it fishing season, bag limits, and requiring the single-hook rig. Like I said, that was a suggestion from an AP member. There were comments about targeting golden tilefish in the spring and that it's contributing to the discards of blueline and snowy and that the season should be aligned for those. Then there were various suggestions on the grouper aggregate. There were suggestions of just reducing it to two fish and that sort of thing.

You can see I'm not going to go through all of these, but, in general, like I said, there was a lot of different suggestions, and so what we need at this point, which I realize is going to be a little tricky, is to provide guidance on whether we should continue to include this action and how we should structure the range of alternatives for this particular action.

DR. DUVAL: Thanks, Myra, for that summary of comments and walking us through this. Again, it's all over the place with some of the comments that we got back, and so it's going to be a little bit difficult. I think some of the things that did seem to be repeated were looking at perhaps a ten-fish limit on triggerfish. That seemed to be one that came out sort of loud and clear.

I think there was some interest in potentially modifying the deepwater complex, although we had quite a few different comments on how to do that, and, as one of the comments that Myra just referenced, the targeting of golden tilefish in that January through April timeframe kind of results in discards of some of the other deepwater species, and so we may want to look at doing that. It sounded like there was some interest, possibly, in looking at least maintaining like a twenty-fish limit on the jacks, but possibly, I think, removing almaco jack from that complex, and so where would folks like to take this? Anna.

MS. BECKWITH: I mean, oftentimes we complain that we don't get enough public feedback of what they want. Well, we have a lot to work with here. As I sort of read through all of those, I am still personally interested in seeing the twenty-fish aggregate include that aggregate snapper bag limit and basically putting an individual species limit of no more than ten per species, except for, of course, the exceptions like mutton snapper and others.

My personal goal on this is, whatever we do, is to have the least amount of exceptions and to keep it as simple as possible. In my mind, we should have three aggregates. We should have the deepwater, the shallow-water, and then the overall aggregate that includes everything else, with the least amount of exceptions as possible. People are interested in having triggerfish not be part of that, but they still want ten. I would say put it all in there as at least one option and except for the mutton, and then I think we've got one or two other additional exceptions that would have to be -- That would be one step, for me.

MR. BOWEN: Given the fact that we have an updated assessment on sea bass coming up, I would encourage all of us not to get into the raising or lowering the minimum size limit of sea bass right now. I think that probably should be taken out, because of the assessment coming up. Let's just see where that assessment ends up.

DR. DUVAL: I guess we could have more discussion when we get to that action. It's actually further down in the document, and so I guess if you have any thoughts about just the aggregate trip limits and how maybe how those -- If there were any changes to those that you might want to consider. Tim.

MR. GRINER: I don't think you can have an individual bag limit on almaco jacks. I think it's too hard for the average person to identify the fish, in the first place, and so I don't see how -- Most people can't distinguish an almaco from a greater amberjack, and so they need to stay in an aggregate.

DR. DUVAL: All right. Mel.

MR. BELL: The twenty-fish aggregate, that's been in place for a long time, and that goes back, I guess, before the days of ACLs and everything, that far back, I believe. I am just kind of questioning the rationale, from the recreational fishery standpoint, of an aggregate of twenty. I mean, realizing that there's a lot of size differences between these fish and we're all over the board with them or whatever, but I could see -- I know somebody mentioned it in here, but there was a suggestion a ten-fish for spadefish. That's always been one of the issues with spadefish being in that aggregate, was twenty spadefish is just a lot of spadefish. That probably explains how we ended up blowing the ACL once or twice.

I am just kind of questioning the whole retention of just twenty. If we start playing around with this, do we need to make an overall aggregate that's a little smaller or something and then maybe that satisfies some of the need to adjust other -- Would coming down to ten or something be more reasonable? That's all I'm saying, because that does go way back in time, where that came from. I am not trying to overregulate or something, but it might help with -- I can't tell you how -- We don't tend to blow recreational ACLs a lot, but it just might be something to think about. Why twenty? Why are we still kind of stuck with twenty?

DR. DUVAL: Jessica, and then I'm going to make a suggestion about how to have this conversation.

MS. MCCAWLEY: A couple of points that I wanted to bring up. I am definitely in favor of the ten fish on the triggerfish. Then, also, I was the one that was asking to get comments on including vermilion snapper in the aggregate. After reading through the comments, I would say no-go. I don't necessarily think it needs to be included in the aggregate.

DR. DUVAL: Not include vermilion in the aggregate, and what was the first thing you said?

MS. MCCAWLEY: Ten triggerfish.

DR. DUVAL: Okay. My suggestion here, given the broad range of comments that we have, and I think probably most of the discussion is going to be about -- Mel alluded to what to do with the twenty-fish aggregate, if anything, and so maybe we can tackle these in the order that they are presented in the decision document, and so the first item is the deepwater species. Do we want to take a deepwater species aggregate out to -- Or continue development of an alternative that would consider a deepwater species aggregate?

We did get some comments back about discards of other deepwater species, because there is an offset between golden tilefish versus snowy grouper and blueline. We do have several other deepwater species that are included in the deepwater aggregate that we use for tracking of ACLs, and so why don't we try to tackle the deepwater thing first and see if folks have any thoughts on that and then move forward from there.

MS. BECKWITH: I do want to see us move forward with a deepwater aggregate. I know we're going to be talking about seasonality issues here shortly with red snapper and including an overall deepwater -- Yes, I want to see this continue.

DR. DUVAL: Do you have any other thoughts, Anna, on just a May through August season, and would you want to include options that would incorporate the rest of those deepwater species in that May through August season or leave them out or only include a few of the other species in that deepwater season? These are questions for anybody and not just Anna.

MS. BECKWITH: Right, and I would suggest moving with the May through August. I would like to include as many of the deepwater species within that season as we can. I would be interested in the single hook option going out as well as the descending device.

MR. HAYMANS: Anna just said it about a moment ago, about the seasonality. We're going to tackle that bigger issue shortly, and I would suggest perhaps that we don't have the conversation on seasonality here. If we have an area seasonal closure for red snapper, or at least we start talking about that, that would include all of these species, and so the aggregate would be one discussion and seasonality may be another discussion.

DR. DUVAL: I just bring it up because it was one of the questions that we went out to the public with, was we have this May through August season for a couple of those species and would we want to consider it for the others, and so you're saying that you would like to bump that conversation to Amendment 43?

MR. HAYMANS: I'm saying we can have that discussion now, and I think the May through August was fine with everybody, but, if we come back in 43 and say, well, no, we're going to have a closed season through the height of the spawning season in areas greater than a hundred feet, that makes that moot, and so I just --

DR. DUVAL: I understand, but I'm just asking when you want to have that conversation, that's all.

MR. HAYMANS: 43, yes, ma'am. Thank you.

DR. DUVAL: Okay. Are there other interests around the table in terms of inclusion of species or forming a deepwater aggregate and what species that would include? Mark.

MR. BROWN: I don't really understand why we need to separate it out. Why can't they all just be in the twenty-fish aggregate?

DR. DUVAL: Whatever you guys want to do. We don't have to. This was one of the things that had come forward out of visioning, were the comments about, if you are fishing for deepwater

species, you're not encountering all of these other things, so that you should have an aggregate bag limit that would just address those species.

MR. BROWN: The only reason I bring that up is that, where we fish a lot of times offshore, we're catching a mixture of snowy and blueline tilefish and vermilion and red porgies and everything. They're in the same little area, in that complex, in that deepwater complex. We're still catching all those multiple species together. Not golden tile though. Golden tilefish are a lot further out.

DR. DUVAL: Okay, and so you could just have one big aggregate with everything thrown in there.

MR. BROWN: Well, I mean, the twenty-fish aggregate for everything, but yet everything has got its own size limit, their own catch limit and size limits, but twenty fish for all the different species.

DR. DUVAL: So you would want to let people catch twenty snowy groupers?

MR. BROWN: That's not what I'm saying.

DR. DUVAL: That's what it sounds like you're saying, and so I'm just trying to get to what you mean.

MR. BROWN: What I'm saying is it sounds to me like what you're talking about is trying to have a different aggregate for different depths of water and everything, but, since they're all together and everything is already broken out, as far as size limits and everything -- I mean, vermilion have their own aggregate. I just don't understand why we're trying to separate too much out when we've got the twenty-fish aggregate for a lot of stuff now. Why don't we just have it twenty fish for all of it?

DR. DUVAL: I guess that was my question. If you just want to have a twenty-fish aggregate, do you want to do away with the three-grouper aggregate or do you want to do away with considering just a deepwater species aggregate? These are addressing some of the comments that we got through the visioning process about potentially looking at reexamining our aggregate limits.

We have the grouper aggregate, we've got the twenty-fish aggregate, we've got the ten-snapper aggregate, and so it sounds like you're saying have a twenty-fish aggregate, but throw everything into it? I am just trying to understand what you're saying. I know that there are size limits for some of our species, but, for some of the deepwater ones, we don't have size limits, just due to the depths from which they come up.

MR. BROWN: That's what I was thinking.

DR. DUVAL: So would you structure that to have some individual limits within that twenty-fish aggregate? If you have a twenty-fish aggregate, it sounds like you're saying that you could catch twenty b-liners or twenty snowy groupers or twenty of anything that we manage. That's what I am trying to figure out, is if you were looking for some individual limits within that. Tony.

MR. DILERNIA: Don't you have, currently, a possession limit on gags?



DR. DUVAL: Yes.

MR. DILERNIA: That is how many?

DR. DUVAL: It's one.

MR. DILERNIA: One. Okay. B-liners are how many?

DR. DUVAL: Five.

MR. DILERNIA: I think what Mark is trying to say is one gag, five b-liners, whatever it adds up to. Once you hit twenty, then you're done. In other words, you stay within each species, individual species, whatever the maximum possession limit for that species is you're allowed, but, once all those critters add up to twenty, then you're done. Is that what you're trying to say, Mark?

DR. DUVAL: That's a little different. Mel.

MR. BELL: I think the way it's set up now is there's a number of species that have their own individual limits, and so those are in place. Then it's sort of like everything else kind of lumps into this twenty, all the others, but you're saying just have a twenty and -- Just add it up as you go, one gag and five b-liners and -- Is that what you are --

MR. BREWER: I like the recommendation of the AP, quite frankly. Leave it alone and explore mandatory use of descending devices. That is something that would be pretty profitable, I think.

DR. DUVAL: So you're referring to the motion from the AP, as opposed to all of the other bulleted items that they discussed?

MR. BREWER: Well, there was a final motion that they made that was approved by them, which was to leave the limits as they are and explore the -- I don't have it right in front of me, but it was essentially to explore the mandatory use of descending devices.

DR. DUVAL: I just wanted to make sure that's what you were talking about, in terms of the AP recommendation. Mark.

MR. BROWN: Yes, I agree with Chester. I think I got a little bit too confused when I was trying to figure out how to word it, but I do agree with what Chester is saying, too.

MS. BECKWITH: I mean, all of our constituents are sort of accustomed to the grouper bag limit being different than the snapper and the overall aggregate, and so I think there is an understanding and an expectation that grouper limits are going to be smaller than our snapper limits and our porgy limits and whatever.

When I sort of visualize this, I recognize that we are moving into a different management regime, and, because of the barotrauma and because of the depth issues and because of all the red snapper discard concerns and all of those things that we're going to talk about, we are going to eventually have to treat those deepwater species differently, and differently may be a season or it may be dealing with descending devices or it may be different hook requirements.

It may be lots of different options, but acknowledging that we have these sort of deepwater species, these deepwater grouper, that we are trying to offer additional protections to that are typically not caught -- A lot of our guys are near-shore fishing and they're going out for gags or whatever, and so they're not always catching those deepwater species.

To me, logically, it makes sense to differentiate that deepwater grouper aggregate from the shallow-water grouper aggregate, understanding that most of our people are already accustomed to the grouper aggregate. Where I wanted to simplify the rest of the regulations, under an overall aggregate, as much as we could, was to say, okay, we've got the twenty-fish non-grouper aggregate and basically everything falls into there and you don't have to think about -- If you're out and you don't have your regulations in your hand, you can sort of say, okay, we've got twenty and most of the species are going to be a max of ten, where we can make it a max of ten per individual species, but an aggregate of twenty.

You sort of keep it simple that way, and you attempt to make the least amount of exceptions to that rule. Mutton, whatever, where we have to make exceptions, but, in that overall aggregate, you try and keep it as simple as possible. I know black sea bass may be something that people don't necessarily want to put into the aggregate. I mean, there are sort of exceptions, but the idea behind this originally was to simplify these regulations so the off-the-cuff recreational fisherman that is just out there and doesn't have all the regulations is finding these less confusing and less difficult to sort of follow along with.

MR. HARTIG: I have always kind of -- Once we did an assessment on something, I wanted to see it separate, but that's not the way it has worked out, and so I'm fine with that, but proceeding through this conversation that's been had and thinking about what people have said to me about how they actually fish -- For like blueline tilefish, I've had people say, you know, I went through fifteen fish to catch that big twelve-pounder that I had.

If you had an aggregate, it seems to me, and you had X number of those fish, once you caught those numbers, you would be done, and you wouldn't be able to go and do that extra fishing to try and catch one bigger of one thing. Well, I guess you could, but it seems to me that you might not be as apt to do that if you had X number of these fish. You could stop fishing and get the heck out of there.

I think that's the critical thing that we need to keep in mind about that deepwater complex. We don't want people in there trying to catch the biggest fish, trying to catch a trophy fish. We want them to get in there and catch something for dinner and get out, because the discards of those animals, barring what we know and don't know yet about descending devices in that deeper water, that's a real problem that we face. So how many fish? I mean, how many fish do we need in this aggregate? That's the critical thing, and so you start with blueline, which is how many? How many blueline can you have?

DR. DUVAL: Three.

MR. HARTIG: Three. Okay. That's three. For your other fish that actually have a bag limit within that, snowy is one per vessel.

DR. DUVAL: Yes.

MR. HARTIG: So that's four. Those are the only two species that I see -- If we're going to remove golden tilefish -- Are we going to leave golden tilefish in or --

DR. DUVAL: Golden tilefish doesn't -- I mean, it's not part of that May through August season right now, but it's one per person.

MR. HARTIG: One per person, and so that gives us five. For these other ancillary species, like yellowedge and misty and queen and blackfin and silk, and, of course, sand tilefish is in there, and it probably should not be in there, because it's not a member of the deepwater complex. It's a shallower-water animal, but, for the rest of those, how many do you think we should have of the rest of those? Is it one or two or three or one more additional one of those species?

The other thing I think about is that -- What hasn't been lost to me in the past is people have said why didn't you take the action earlier so these fish didn't become in trouble? One of the things we might be able to do here is be a little conservative on this complex, so we can try and fish in perpetuity, a sustainable fishery, for these deepwater complex fish within our seasonal thing that we've already set up. The next decision, in my mind, is what's the next number for including those other four species or so? Is it one of each?

DR. DUVAL: Good questions. It could be one of each. I don't know that we actually have a whole lot of information on the rest of those. I mean, the deepwater complex ACL doesn't include blueline, and that was a huge chunk of the aggregate complex, and it's not very big.

MR. HARTIG: So some of these species are pretty rare. Misty is rare and yellowedge is not rare, but it's not common either. Queen snapper, in certain areas, is relatively accessible and blackfin snapper is relatively. Maybe we come up with just two more fish in that aggregate out of the rest of them, so that people aren't trying to catch every one of them in that, and that gives us seven fish in that aggregate. Are you comfortable with that?

DR. DUVAL: I mean, that could certainly be an option. I just want to make sure -- You're saying maintain those individual fish limits within that aggregate, so that you could have a seven-fish deepwater aggregate retention limit, but, within that, no more than three blueline tilefish, no more than one snowy per vessel, and no more than one golden tilefish per person, and whatever, no more than one per person of any of the other species, and is that what you're saying?

MR. HARTIG: Yes, and I think, in order to maintain your conservation on your other species that we have rebuilding plans for, that you would need to do it that way.

MR. GRINER: Putting a number of fish limit on snowy is a bad idea. It's just going to create a situation where you're grading fish. Some of these fish are forty pounds, and, if you go out one day and you catch a forty-pound grouper, snowy grouper, and then your next trip you're going to go snowy grouper fishing and the first fish you catch is five pounds, you're not going to keep that one until you're satisfied that you're not leaving there until you have tried to catch that forty-pound fish. I think, with snowy in particular, you really need to be talking about weights, but not a number of fish, because it will absolutely encourage grading of the fish.

MS. BECKWITH: Right, and, to me, along those same lines, instead of having the individual limits, it would make more sense, and I know that we can't do this, because we have the individual ACLs or whatever, but it would make more sense to say, okay, it's three per person of any of these species, or two per person of any of these species, and then you get out and you're done, because you're going to keep fishing.

If you think you can catch one more of this one and one more of this one and one more of this one, then I think we're encouraging discards in the area where we have the highest mortality, due to release. If it's possible to say, okay, whatever it is, it's three fish, and you can catch any three that come up and the first three that hit the boat, that's what you're supposed to take and then you're done and you go shallow.

DR. DUVAL: Anna's comments get to something -- Someone sent, I think, Roy and I a comment one time about the deepwater species and said why don't you guys use the brains God gave you and just set an aggregate bag limit and just the first three deepwater fish you catch you keep. That is one approach. We could keep it at three, or we could bump it up and include more species, adopting the logic that Ben kind of laid out, which would maintain those individual fish limits. What is your pleasure?

My recommendation might be set an aggregate deepwater limit and look at a range of alternatives that includes a set of numbers, two or three or four, maybe, and figure out what species you want to be included in there. Maybe you have a couple of sets of sub-alternatives and one deals with the retention limit of two, three, four, or two, three, four, five, and then the second alternative deals with the species that would be included in there. Mel and then Tony.

MR. BELL: That was regardless of size, but just the first three that you catch? Regardless of the size, you keep them and that's it and you're done? There is a certain logic to that, I guess, if you're worried about discard mortality.

MR. DILERNIA: I am just learning, and so excuse me if I ask some questions that seem simple, but there are for-hire vessels that participate in this deepwater fishery, and their current possession limits are appropriately how much?

DR. DUVAL: It's what you see right there, and so it's three per person for blueline tilefish, it's one per person for golden tilefish, and it's one per vessel for snowy grouper.

MR. DILERNIA: So Ben's estimation of approximately seven or eight fish is a reasonable expectation for someone going aboard a for-hire vessel, following the math that Ben followed? If that's the case, then what's the justification of going from seven or eight fish down to three if many in the species in that complex -- My assumption is many of those species are not overfished. If they're not overfished and you are reducing the possession limit, what's the justification for that?

DR. DUVAL: What Ben was suggesting would actually increase the limits, because, right now, those species are included within our three-grouper aggregate. We have a three-grouper aggregate that includes all those deepwater species plus the shallow-water groupers. Within that aggregate, there are a number of exceptions, the one snowy per vessel, the one golden tile per person, no more than one gag or black per person.

MR. DILERNIA: So where did the twenty-fish proposal come from then? I am trying to understand that.

DR. DUVAL: We also have a twenty-fish aggregate for all other species that don't have a separate possession limit specifically for those species.

MR. DILERNIA: Are any of those species overfished?

DR. DUVAL: Any of the ones that are in the twenty-fish aggregate?

MR. DILERNIA: Yes.

DR. DUVAL: I don't think so. Most of those species have annual catch limits, well ABCs, that have been set based on a landings-only type of approach. They haven't been assessed.

MR. DILERNIA: Thank you.

DR. DUVAL: Okay. There is a couple of different ways we could go here. We could maintain this or we could look at an aggregate that -- I am envisioning two different ways to do this. We could have an aggregate limit, where there is some sub-alternatives that include the number of fish, like I started earlier of two or three or four, and then another alternative that would select what species are included within that deepwater aggregate. Then you could also look at what Ben has said and set your aggregate based on the addition of those individual species limits and maintain those current individual limits that we have. Ben and then Anna.

MR. HARTIG: Based on what you have laid out, I think I'm going more towards how you have laid it out and abandoning my rambling. I had neglected to think about how we had managed the grouper bag limit in the past, and that definitely plays into the number of fish that you can have and what people are actually used to keeping. The only one I may have a problem with keeping out, possibly, is golden tilefish, because it's in such different habitats through most of the jurisdiction. Now, in places in South Carolina and the Keys, they do intermingle, but, for most of it, no.

DR. DUVAL: There is parts of southern North Carolina where you are going to find golden tilefish in with snowy grouper as well. Then there was the Mark Brown approach, which was allow no more than twenty fish per person of all your individual limits, as they stand right now, I think if I am understanding what Mark was suggesting correctly. Chris.

MR. CONKLIN: Thanks, Madam Chair. Something I was thinking of, since the porgy complex has been shutting down more recently, is we may want to put something in this about a bag limit on the porgies and incorporate that and get it away from the twenty fish. I know I've heard a lot of feedback from charter fishermen, recs and the headboats, that that is hurting them.

DR. DUVAL: Yes, and I think we've had two years. I think that closed in 2014 and again in 2016. Okay. How would folks like to proceed? Do you want to continue to consider a deepwater aggregate or do you not want to consider a deepwater aggregate? Anna.

MS. BECKWITH: I want to consider a deepwater aggregate. Again, my intention is, ideally, getting to a place where we have a limit of two or three fish. Whatever is in that complex, in that aggregate, comes up to the boat and no size limits, because we're dealing with the barotrauma issues, and that is we get to treat those just a little bit differently. Because we're reducing, hopefully, the effort -- If we eventually have to get to a recreational deepwater season, we can deal with those species and that aggregate for a season, and so that's sort of the method behind my madness.

DR. DUVAL: Mel and then Dewey, and then I would like us to move forward.

MR. BELL: I like the idea of exploring that, this concept that you explained. Pick a number, whatever it is, of these species, the first three, and, boom, you're done, or whatever the number is. I would like if we could explore that as an option.

DR. DUVAL: Okay. Dewey.

MR. HEMILRIGHT: Thank you. I was just wondering about what happens in areas where the species of the aggregate bag limit are not available to the fishers. With a three-fish aggregate bag limit, how does that work within staying in your ACL for blueline tilefish, given that, this past year, the recreational were over. They caught 173,000 pounds, and their ACL was 87,000 pounds. It's not overfished, but overfishing is occurring. How is this discussion going to help in the future for the recs to stay within their ACL and areas where you don't have other species in this bag limit available to the fishers? I guess that's a two-part question.

DR. DUVAL: In terms of species in the aggregate not being available in certain areas, I think we face that right now. I mean, I don't see that as being a different situation. In some parts of the range, blueline are more accessible to people than golden tilefish and are more accessible to -- Sometimes snowy grouper is more accessible to folks, and so I guess I don't see that being different.

In terms of tracking annual catch limits, my understanding, from talking to some of the folks, the charter captains, in the northern part of North Carolina about blueline tilefish, was that there was probably increased targeting this past year, just due to the fact that they weren't seeing the weedlines for the dolphin. That was part of their day-saver, so to speak, and so I'm not sure that - I guess I would hope that the first three you caught or the first two you caught or the first however many you caught, and I certainly wouldn't want to see it be a large number, and that, as Anna explained, that you would stop fishing. Doug.

MR. HAYMANS: Madam Chair, do you want some sort of motion for this?

DR. DUVAL: I think like some direction to staff, at least, to develop these alternatives, so that we can move on, because we've got a lot more to do today before we finish up.

MR. HAYMANS: I guess I would look at asking staff to look at the deepwater species, the deepwater complex, looking at two, three, four, or five-fish bag limits, but I would like to hear, at least in the report back -- Right now, snowy is the most restrictive, at one per vessel, and so I would want to be careful that, if somebody were in a hot spot and happened to catch multiple

snowy, what that is going to do to it and its ACL, but I think I would look at that range of bag limits.

DR. DUVAL: I think you could also look at do you maintain those individual limits, and so one per vessel for snowy, or do you allow one per person?

MR. HAYMANS: So my intention there was kind of like Anna and a couple others that said to try to make it easy. This is one per person, which is why I asked the question about snowy, because, right now, it's the most restrictive, at one per vessel, and so you could potentially quintuple its catch or more, depending on the number of anglers, but this is per person.

DR. DUVAL: So bag limits of two, three, four, or five fish per person all together of that mix of species, but you just said no more than one per person of any of them?

MR. HAYMANS: No, I said that I would like to hear the ramifications of snowy being in this, because, right now, snowy is the most restrictive, at one per vessel, and so what would happen if snowy were included in this and one person caught four snowy.

MR. HARTIG: To that point, I would harken back to that we've already put it into a season, and so you've already got the recreational fishery constricted by season, which we didn't even look at as far as snowy was concerned, when we were ratcheting down on snowy, I don't believe, when we made the one-fish per vessel bag limit for snowy. With that relatively short season, you may be able to get away with a one per person on snowy with that short season.

MS. BECKWITH: To that point, I guess I would be more interested in seeing a smaller per-person bag limit if it did away with the individual fish limits, and so if it was two or three, but you didn't have to worry about one of this and one of this and one per boat of this and one of this. It's just, of all these, whatever comes up, let's do it.

To me, that simplifies, and it manages effort, which, for the recreational fishery, managing -- We have established that managing by quotas and managing by ACLs doesn't make a lot of sense, and we don't always do a good job of doing it, and so, to me, this is a step in the direction of managing effort, fishing effort. You go out there and you've got X amount of fish that you can catch from this complex and you simplify the regulations and you manage effort.

DR. DUVAL: Okay. We have that direction to staff. Is there any input on the species? You see the deepwater complex species listed there. Ben mentioned that sand tilefish really doesn't belong there. Would you want to provide any input to the IPT with regard to the species to be included? Do you want to throw them all in there right now and just -- Okay. So to apply to that whole deepwater complex, Brian, that's listed.

MS. BROUWER: Can I ask a question, real quick?

DR. DUVAL: Of course.

MS. BROUWER: The deepwater complex, the way it's defined, it includes yellowedge, silk, misty, queen, sand tile, black snapper, and blackfin snapper. Are we talking about those species in addition to snowy grouper, golden tilefish, and blueline tilefish?

DR. DUVAL: Yes, we are.

MS. BROUWER: Okay. Thank you.

DR. DUVAL: I really hope this next one isn't going to be quite as painful, but the next option was looking at the aggregate bag limit for shallow-water groupers, and so gag, black, scamp, yellowfin, yellowmouth, red, the hinds, and graysby and coney. Anna.

MS. BECKWITH: I would go the same route, except for it's shallow water and we can have size limits, but I would still be interested in seeing an overall aggregate for a group of species and having a bag limit that would sort of kick out the need to have these individual species limits and just say you get two. It could be two gags or two scamps or two blacks or whatever, but just get to the point where we have an aggregate limit and we're not dealing with the individual species limits, because that simplifies the regulations for recreational fishermen.

DR. DUVAL: One of the suggestions that we've gotten from public comment was in terms of the grouper aggregate to remain at three fish, but just have one per person per species, just to throw that in there. Zack.

MR. BOWEN: Thank you, Madam Chair, and you might have just clarified that with that statement you just made, but, to Anna's point, what I don't want to see is someone that makes his living on catching grouper that, if we do that, and one of them reaches or exceeds the ACL, that it closes the rest of them down. That was a concern right then. Like if we raised the aggregate or went to an aggregate of whatever that number might be, and our gag ACL was exceeded, I wouldn't want it to shut the scamps down, even though there aren't many scamps left, but I guess everybody gets my point with that.

DR. DUVAL: Right. Even though we have a grouper aggregate right now, those species are still tracked by individual ACLs, and so that would continue to remain in place. Would folks want to consider a range of alternatives of one, two, and three for the shallow-water grouper aggregate? Okay. I am seeing heads nodding around the table. Zack.

MR. BOWEN: I know this will come at a later date, when the actions and alternatives get listed, but I think we went through this discussion not so long ago about whether or not to raise the gag from one or two or three per person, and I am not advocating that we touch that species bag limit. I think one gag per person is plenty.

DR. DUVAL: Brian has got the direction to staff on the board to develop alternatives for the shallow-water complex with individual bag limits of one, two, or three fish. I guess you could include some sub-alternatives in there as to whether or not it could only be one of each species, and so there's like eight species in that shallow-water grouper complex, and whether you could only have one of each per person. Anna.

MS. BECKWITH: I guess the bag limit of one is probably not feasible, and so I would probably not explore that one. A bag limit of -- To me, it sounds like what I am hearing is probably the bag limit of two or three and including no more than one of each species or the option of -- I've got to organize my thoughts on this one.



DR. DUVAL: I think what Brian has written up here would address that, to include sub-alternatives that include no more than one of each species. You could have no more than one of each species or it could just be two of Species A and one of Species B or something like that. Okay.

Now back to the twenty-fish aggregate. Is there any desire to change that at all? We did have some interest in looking at some individual species limits, I think particularly for trigger, of ten per person. Chris made the suggestion of looking at potentially an individual limit on the porgies. Any thoughts on the twenty-fish limit? Anna and then Zack.

MS. BECKWITH: Again, I would like to explore the twenty-fish aggregate for basically non-grouper species and put as much in there as possible and have a ten-fish limit on the individual species, except for the very minimum exceptions. To me, that could include triggerfish and the porgies and the jacks, although Doug I know has mentioned to me that he would like to see the jacks as a completely separate limit. I will let Zack take it.

MR. BOWEN: Thank you, Madam Chair, and thank you, Anna. I am inclined not to mess with it, I mean, really. I mean, it's pretty simple, really, if you fish day-in and day-out and if you keep up with it. It's easier for the deckhands and the captains of the vessels to count the species like they are now. I will stop there.

MR. BROWN: I just hate fooling with it too much, because people are just now starting to get used to it.

DR. DUVAL: Getting used to what?

MR. BROWN: The twenty-fish aggregate.

DR. DUVAL: That has been in place for like twenty-five years.

MR. BROWN: I know.

DR. DUVAL: Sorry. I just had to point that out. Anna.

MS. BECKWITH: I agree with Zack that, for the charter captains and the mates, it's easy as it is now, but we're doing that stuff all the time, and so, again, when I look at the intent of modifying these aggregate limits, it was not to facilitate the charter/for-hire industry. It's to facilitate the on-the-ground recreational fisherman that is not out there on a regular basis, and so how do we facilitate that for those guys?

To me, having the ten-snapper plus the twenty-fish aggregate for all things that don't currently have blah, blah, blah, that's complicated, and I hate to say it, but there's a lot of people out there that probably don't do a great job of identifying what -- They can identify a grouper, but are you identifying everything else properly? As long as you have an overall limit and you're setting a no more than ten of each species or whatever, but I just think it facilitates that for the tourism that comes down here or the folks that are not fishing on a regular basis, and it's just easy.

DR. DUVAL: Here is one possible way forward. Again, we'll see this in June, and I think the timeline right now is to approve it for public hearings once we see it at our June meeting. We could ask staff to develop some alternatives for the twenty-fish aggregate that would look at simply establishing a ten-fish individual limit for gray triggerfish, and we could have an alternative that would look at just a no more than ten fish of any one of the species in the twenty-fish aggregate, and the third alternative is status quo.

DR. CHEUVRONT: Madam Chair, could you repeat those?

DR. DUVAL: Establish a ten-fish per person limit on triggerfish within the twenty-fish aggregate and establish a ten-fish per person of any of the species within the twenty-fish aggregate.

MS. BECKWITH: To that point, Madam Chair, you would be combining the ten-fish snapper aggregate into that twenty-fish aggregate, and so we would be condensing those two?

DR. DUVAL: That's a question for the committee.

MS. BECKWITH: That would be my intent.

MR. BELL: I missed what she said, but also I saw it mentioned several times, and, if we're going to explore a ten-fish triggerfish, what about spadefish as well? Ultimately, I would like to get the spadefish out, personally, but this is a quicker way to maybe kind of help that fishery from blowing through ACLs and things, as it has, and it's come up several times.

Almost, if you think about this from a simplicity standpoint, if you had some things that naturally fit within that, and ten fish is fine for these, but it's for people to, I think, keep track, and I am imaging a regulatory book saying these things are ten and these things are twenty and these things are individually whatever they are, and so that's not real hard to keep track of, and so maybe we could include spadefish for ten.

DR. DUVAL: So you would also add an alternative in there to look at a ten-fish per person individual limit on spadefish? I think that's easy enough to include.

MS. BECKWITH: How is that different than having the other option in there that no more than ten of each of any individual species?

DR. DUVAL: I think Mel is just saying that, if you're looking at sub-alternatives for modifying the twenty-fish aggregate, one of those sub-alternatives would simply be to establish a ten-fish per person limit on triggerfish and another sub-alternative would be to establish a ten-fish per person limit on spadefish and another sub-alternative would be ten fish per person for any of the species in the complex, and so you could choose any one of those sub-alternatives as multiples of those as preferred, and so you might just decide that you want to do triggerfish and spadefish and that's it and leave everything else the way it is.

MR. BROWN: So you're talking about ten fish of fish that don't have a bag limit already and just ten fish for the species to be mixed in with the aggregate that don't already have a bag limit?

DR. DUVAL: The twenty-fish aggregate is all of those species that don't have a limit, and so, yes, within that twenty-fish aggregate that we have now, no more than ten of any of those species.

MR. BROWN: Okay. Can we put another option in there for five? The reason I say that is because you can keep five vermilion and five sea bass. I am just trying to keep some uniformity in there.

DR. DUVAL: Sure, yes. Absolutely.

MS. BROUWER: It's kind of hard to follow, and so, just for my own clarification, we're talking about an alternative that would look at a twenty-fish aggregate for non-grouper species that would include the species in the current ten-snapper aggregate. Within that, we would have bag limits of ten fish or five fish for each species and then, in addition to that, individual limits for gray triggerfish and spadefish of ten fish each. Did I capture that?

DR. DUVAL: Yes, and so each of those four things would be sub-alternatives.

MS. BROUWER: Yes. Okay. Thank you.

DR. DUVAL: I think the way that it's written right now, in terms of the development of alternatives, it does not include the ten-snapper aggregate. The ten-snapper aggregate stays as is. This was a point that Anna was bringing up. Would you want to subsume the ten-snapper aggregate within the twenty-fish? I just want to clarify that that's what the committee wants to do, to include that. Okay. That was what Myra had stated, and I just wanted to make sure that everybody was listening. Okay. Are we done with this?

The other things that I am hoping will move along a little bit more quickly are the shallow-water grouper closure, removal of size limits for deepwater species, and then we have a couple of modification of minimum size limits for gray triggerfish and black sea bass that I am hoping will be a little bit quicker. I am inclined to give you guys a nine-minute break right now, because I feel like you've stretched your brains enough, and so be back here at three o'clock.

(Whereupon, a recess was taken.)

DR. DUVAL: All right, everybody. We are going to pick up again with the shallow-water grouper closure. We had quite a bit of AP discussion about whether or not the shallow-water grouper closure should be changed, and so we're going to go ahead and turn things over to Myra to sort of walk us through the different things that we asked folks to weigh in on for this action.

MS. BROUWER: Thanks, Michelle. You have there, on PDF page 8, I believe, like Michelle said, the input from the AP from a while back. Then you have the series of questions that were posed to the public of do we retain the closure but exclude some species? Do we look at this idea of rolling closures by area? Then we also included, in the scoping document, the Alternatives 3 through 9, I believe, that were provided by FWC. These were included in a series of workshops or meetings that were done when the councils were looking at specific management for south Florida.

Again, the Snapper Grouper Advisory Panel had lengthy discussions. In the end, they recommended that the council take no action on modifying the closure. Then we had several -- Again, it was all over the place for the scoping comments, but there was no support for retaining the shallow-water grouper closure as is, and I should point out that we explained to the public that whatever the council chose to do as far as modifying that closure for the recreational sector, probably the same thing would be done for the commercial sector as well.

There was some support for the area idea, and then, of course, we focused our questions also in particular on red grouper and scamp, as you had directed us to do, because those are species of concern. Again, here we would need guidance from you on whether to retain this action in the amendment and on that range of alternatives to analyze.

DR. DUVAL: All right. This is a big one. What do folks think? Zack.

MR. BOWEN: Thank you, Madam Chair. I mean, I've heard all the testimony about the red grouper off of North Carolina, and I've got to speak for Georgia. We don't catch a lot of them, nor have we ever, really, but I am inclined to keep status quo for the shallow-water grouper, unless you all want to add something to exclude the red grouper, but our grouper closure, the way it is right now, is working, and so status quo for shallow-water grouper, in my opinion.

DR. DUVAL: I think I might want to do kind of a little bit of a round-robin around the table here, like I have done before, and so, Doug, what are your thoughts about the shallow-water grouper closure and potential modifications?

MR. HAYMANS: I would echo Zack, in that we're okay with the way it is at the moment.

MS. BECKWITH: I am currently inclined to keep it.

MR. GRINER: I agree to just keep it like it is.

MS. MCCAWLEY: I would like to see some modifications.

MR. HARTIG: I appreciate what the other people are coming back with, but south Florida has been cut out of this fishery for quite some time, and we would like to see at least some access in April.

MR. BREWER: Abstain.

DR. DUVAL: I'm not sure we're going to let you do that the whole time, but Charlie.

MR. BREWER: That's the first time I've done it the entire meeting.

DR. DUVAL: It's not a vote.

MR. PHILLIPS: I am inclined to look at some modifications.

DR. DUVAL: Our friends from the Mid-Atlantic, do you guys have any thoughts on this before I go around the corner?

MR. HEMILRIGHT: No comment.

MR. BROWN: I saw in the public comments that there was a lot of public comment about south Florida and those guys are upset because they don't get to fish on the groupers at a certain time of year, and so I guess I will have to go with some adjustment.

MR. CONKLIN: I agree with Mark.

MR. BELL: I think, for us, it mostly works all right, but I do see, particularly like with red grouper, we have an issue there, and I agree with the folks. I can see where that's an issue in south Florida, and so maybe we should look at some of those things on the edges a little bit as an option.

DR. DUVAL: I am going to turn back to the Florida folks to what potential modifications you all would like to see.

MR. HARTIG: Basically, from the central/south Florida perspective, trying to get some kind of access to gag, and I've thought about this quite a bit, whether it be January or April. To me, I think, from a biological perspective, going into January, a lot of the sex ratios are already set and everything. By the end of the season, it doesn't matter near as much, and so you won't be removing any males in January if you harvest them in April, and they will have already spawned, and some access in April. We're amenable to a smaller trip limit and things of that nature, if that's what it takes, for both the recreational and the commercial.

DR. DUVAL: I am just clarifying that whatever heartache we go through right here, we're just going to carry that into the commercial visioning amendment, because we're not having separate -- We're not going to have separate shallow-water grouper spawning closures for commercial and recreational. Mark.

MR. BROWN: This question is for Ben. Would there be a different four months that they could have a closure down there that would be the same type of impact that we're looking at what we're trying to do in the Carolinas?

MR. HARTIG: You're asking if we -- To add another month or -- What are you asking?

MR. BROWN: I am talking about an adjustment for the timeframe, where the guys could harvest them in your area, in south Florida, but have a different time of the year where it's closed.

MR. HARTIG: Well, we could just have the three months being closed and then opening in April. That's what I was trying to get at, but I don't quite understand what you're asking me.

DR. DUVAL: I think Mark is asking about -- It's a four-month closure right now, and if you would shift that four months one way or another, so that you would capture the prime spawning time off of Florida.

MR. HARTIG: They do start spawning in January, but they're done in March, and so you don't really gain anything by closing December, except closing off a time when those animals are

aggregated, which would help some. I mean, I would be willing to give up December to get some time in April.

MR. BROWN: I don't think our whole four months is a period of time that they're spawning through that whole timeframe either. I think part of that is their aggregation, too.

MR. HARTIG: The biggest fish do start spawning in January, and then the biggest fish will spawn multiple times, a lot like a number of other fish, throughout the season, but then the small run fish that run down the coast in numbers, they will mostly spawn in March. We have watched this year after year, and we do have gags again. That's the other thing. I have heard a lot of concern about gags, but we've got a considerable number of gag aggregations again in south Florida, which is a great thing.

MS. MCCAWLEY: I am torn as to which particular options -- I am looking at the options that came out of the South Florida Amendment about can we exclude some or can we just choose a subset of these and move them forward, and that's kind of what my thinking is. It's to choose some portion of the ones from the South Florida Amendment, which is, I believe 3 through 9, I believe, and so some portion of that.

DR. DUVAL: Why don't you ponder that, and I will go to Anna, who had her hand up.

MS. BECKWITH: I have got two concerns with taking a month off of the closure in particularly April. It's not so much for the recreational, which we know we're not quite getting to our current ACL, although the MRIP re-estimates might get us closer, but the commercial quota overages have occurred in quite a few of the last ten years, and so we would be having additional access to commercial harvest on gag and an ACL that is currently experiencing overages and doing it in a month that would advantage Florida, but potentially disadvantage North Carolina. I know that at least our people in North Carolina may take some issue with that. The weather is better in April, but certainly we're going to be adding additional effort and the commercial quota is being met.

DR. DUVAL: Anna, I just want to make sure that I'm understanding what you're saying, because I think what these guys were thinking about and the conversation between Mark and Ben was that, off of Florida, or some portion of Florida, you would shift those four months maybe back to December and being December through March, as opposed to January through April, and so it wouldn't affect the Carolinas. Am I not understanding what you were saying?

MS. BECKWITH: I had heard Ben originally say that his intent originally was to have just a three-month closure. Then we went over to potentially shifting around.

DR. DUVAL: Gotcha. So you're referring to just the shortened three-month option. Okay. Jessica.

MS. MCCAWLEY: Some options that I would like to see in there is I would like to see Number 2. I'm on page 9 of this document, I believe. So it's Number 2, Number 4, and Number 5. Then if we want to modify the options underneath those. Basically, you're adding options to change the season for all of the east coast of Florida. There is some options to change the season for south of a line that is off of Palm Bay, and then there is an option to exclude black grouper and choose a particular closure that is separate for black grouper.

DR. DUVAL: Do folks have any problems including those for further analysis? Zack.

MR. BOWEN: Thank you, Madam Chair. I think, whatever we do with gag, we should probably do with black, because of the identity problem that recreational anglers have in figuring out the difference.

DR. DUVAL: Jessica, I think Zack is referring to that Option 5 of just applying a different period of spawning closure on black grouper only.

MS. MCCAWLEY: Are you asking me a question?

DR. DUVAL: I am asking if you would want to include gag in that. Zack has expressed concerns about anglers' ability to tell the two species apart.

MS. MCCAWLEY: I would like to see the black-only option for analysis, I can tell you that, because this is something that we have discussed extensively, and this is something that the South Florida Committee discussed extensively, and so I feel pretty strongly about seeing black grouper analyzed by itself.

DR. DUVAL: Thanks. Option 2, that Jessica pointed out, includes all the shallow-water species, but it just adjusts the closure by area. Are there any other thoughts on this? I think Option 2 could be expanded, like you said, to include different sub-alternatives off of different parts of the coast. That might be something where, at least off of North Carolina, it would address some of the concerns we've heard about red grouper and scamp. Is there any desire on the part of the committee to include an option that would just specifically address red grouper by extending the spawning closure by a month or shifting the months for red grouper from February through May? Mel and then Zack.

MR. BELL: I was looking at 8 or 9. One way or the other, I think we need to do that. We either need to shift it to capture red grouper better or take it out separately and establish it. One way or the other, I think we really need to try to capture better that spawning period for red grouper, and so 8 or 9 or -- I don't know if those would work, exactly.

DR. DUVAL: 8 or 9 wouldn't work, because it's just talking about -- Those were south Florida options, but I understand what you're saying.

MR. BELL: Yes, and so something like that, but up there just to make sure that we catch red grouper.

MR. BOWEN: Along the same lines as Mel, I just -- We have heard testimony from the fishermen in North Carolina that they feel like the April ending of the spawning closure is not capturing the red grouper spawn, and so, again, I don't fish up there, and I would leave that up to you or Anna or the North Carolina representation, because you all deal with the constituents and you've heard what they've had to say about that not capturing the red grouper spawning time.

MR. HAYMANS: I think I understand, Mel, but, specifically, I wouldn't include latitude 31. If there's a split, it's wherever a state line split is and not in the middle of a state, if possible.

MR. BELL: Right.

MR. GRINER: I think, from North Carolina's perspective, we definitely need to look at red grouper, because I don't think we're capturing it. I think certainly we need to look at that.

DR. DUVAL: Would you want to see just an alternative in there that would consider like a January through May closure for red grouper or a February through May? February through May would be four months. January through May just takes an extra month onto the end of it. I am just thinking about some options to give to staff for analysis.

MR. GRINER: I think you want to keep the four months, but we're just going to shift it by a month, and so you would be February through May.

MS. BROUWER: I have a question on this end. For Number 2, Alternative 2, that Jessica suggested for analysis, that one currently only has options for two-month closures, rolling closures, and so it says, for east Florida, the closure applies January through February or some other time period. Are you interested in the IPT coming up with up to a four-month closure by area?

MS. MCCAWLEY: A couple of things. Let's first talk about the one that Myra is asking about. I would have options so that, under east Florida, that you could leave the two-month option, but I would have, at the very least, a three-month option in there as well, and you could do that for all three areas that are listed here. In addition to that, on what is listed as Number 4 now, to capture what both Ben and Mark were saying, I think there needs to be an alternative that is December through March.

MS. BROUWER: Okay. Thank you for that.

MR. BROWN: Also, just to be clear, I am not aware of any aggregations of red grouper in South Carolina that are spawning. I hear multiple accounts of it in North Carolina, but I don't know of them here, and so I tend to believe that a lot of the spawning of the red grouper is taking place in North Carolina.

DR. DUVAL: Perhaps, Myra, in terms of an alternative and sub-alternatives that would be added for red grouper, have that apply specifically off of North Carolina.

MS. BROUWER: Okay.

MS. BECKWITH: Again, I'm not a commercial fisherman from North Carolina, but what keeps sort of dawning on me is that the commercial ACL starts on January 1. Even if Florida has their closure from December through March, if there is going to be a closure, they won't feel it, because the closure would happen in December. Then, if North Carolina's spawning season closure is January to May, or April, then Florida gets that bite of the apple by itself, that first full month, without North Carolina having access to it, due to the rolling closure. I need us to sort of be sensitive to the ACL and fishing year beginning and sort of how that's going to interact with these potential rolling closures.



DR. DUVAL: I think, with that suggestion of a shift in the month, if there was a shift off of Florida to a December through March closure, and so you would see -- I understand what you're saying about the ACL and the fishing year, and I guess the reverse also holds true. It would be open off the Carolinas in December as well, and so, if that quota has extended to the end of the year, it would be fishermen in the northern part of the range who would have access to that, and so, concerns duly noted, but I think the pendulum swings both ways, but, yes. Mark.

MR. BROWN: Like I said, I read a lot of the public comments and talked to people in the past about the south Florida fishery, and they said that the fish move in there and that, a lot of the year, they're just not there, and so I guess I need to ask Ben or Jessica -- Are the fish moving in there to spawn, because I am understanding also that they see a lot of fish, but they're a lot of small fish.

MR. HARTIG: I mean, there is a spawning run that we have had for since I've been fishing. It's well documented in the literature. I have caught gags that were tagged in South Carolina in Jupiter. Florida used to dominate the landings of gag grouper. That is how it used to be. With the two-month closure, we still had a shot at a few groupers, but, with the four-month, we're out of it. Most of the time -- I think I have had two May's in the last ten years where I actually caught any groupers at all, and that was precipitated by cold water.

They come down there and they are spawning. Their eggs and larvae are carried back north, and they have a much better chance of going to numerous estuaries and spawning in south Florida, because they can have access from north Florida all the way through Georgia and into South Carolina and even North Carolina. I mean, just in the interest of fairness to the fishermen in Florida to have just some access to that fish for one month, and that's all we're asking.

Right now, we're saving the fish for you all. We're saving the fish for the fishermen to the north. We have given up fishing on that stock so you all can catch fish all summer. We're asking for one month of access to the stock. That's all I'm asking for. I am not asking for any more, but just in the interest of fairness to the fishery for the recreational and commercial fishermen. There's been a lot of fishermen that have contacted me about this particular -- They would like to have access for one month.

Now, you will probably hear some argument about what one month that may be, but I think, based on the biology, that you will probably get a bigger bank for your buck harvesting them on the end of the spawning season than you would at the beginning, when you have the harem nature. You have relatively fewer males and a lot of females, and so you have one male per -- I have seen it for thirty females, at times, in different areas, but it's just a fairness and equity for us.

DR. DUVAL: Okay. Tim gets the last word, and then we're moving on. We've had plenty of discussion on this, and I think we have sufficient alternatives to direct staff to analyze.

MR. GRINER: Can we look at gag, scamp, and red by state and by month, the landings, in a chart?

DR. DUVAL: We can certainly request that staff put together landings of gag, scamp, and red by state and by month that we could see in June. We're moving on, Zack.

MR. BOWEN: Just for clarification on Tim's last point, would that be for recreational and commercial landings or just commercial?

DR. DUVAL: Was your intent just commercial or both?

MR. GRINER: Just commercial was my intent.

DR. DUVAL: Did you want to see both?

MR. BOWEN: I would. Yes, ma'am.

MR. GRINER: Yes, I think so. Separate.

DR. DUVAL: Okay. All right. We've got that, and now we're moving on to the next item that we considered, which was removal of size limits for deepwater species. Myra.

MS. BROUWER: This one was pretty unanimous. Everybody was in support. They want to minimize discards, and most of the comments were in support of removing the size limits for those three species.

DR. DUVAL: I think our range of alternatives is pretty much laid out there. You've got three different species that are in the deepwater that have size limits, and so I am hoping there is not a lot of discussion that we need to have on this one. Myra, do you have what you need? Do you need anything else from us, in terms of alternatives? We support the ones that are sitting there.

MS. BROUWER: Correct. We will just bring this back with analysis to you in June.

DR. DUVAL: Great. Thank you. Then the next two items deal with minimum size limits for black sea bass and then triggerfish.

MS. BROUWER: For black sea bass, we have already talked about -- There were several different suggestions. A lot of folks did agree to reducing the recreational size limit for sea bass. There was also, as I mentioned earlier, interest in seeing the commercial size limit go up to thirteen inches. Unless you want to include that as an option, the thirteen inches, on Amendment 27, when we get to that, but I don't know that there is any other alternatives, and so we would just bring this back to you in June.

DR. DUVAL: I know Zack has expressed his concerns that we not consider this action until after we get the sea bass standard assessment back. That is underway right now, and the SSC will see that in October, I believe. I think it would be good to at least see the analysis of this, in terms of lowering that recreational minimum size limit. Mark.

MR. BROWN: I have talks with different people. Terrill came up to me and told me that he would like to see it at eleven inches, and I know I've talked to some of the headboat captains in Florida, and they said the same thing, to put it more in line with the commercial size limit, and so I would like to see that looked at.

DR. CRABTREE: I think I agree with Zack, and I would rather leave this alone until after the assessment. Everything I've seen -- If you think back to the trends report we saw and the fishery-independent trap survey, black sea bass was heading down. They aren't catching their quotas, and

it's not because the size limit is too high or the bag limit is too low. Everything we have indicates the population is going down, and so I would prefer to leave this alone and come back to it after we have an assessment.

DR. DUVAL: I think the analysis that we have indicates that there is significant recreational discards. I mean, that's one of the reasons that the recreational sector has not had significant landings, is because they're having to discard so many fish, and so that was the one thing -- That was the analysis that came to us after we had already walked down the road of increasing the bag limit, because that was what people felt they wanted. Mark.

MR. BROWN: That's exactly why I said that, because of the discards, and so trying to bring everything a little bit more inline, but I do agree with Zack that it would be nice to see what comes out of the assessment.

MR. BOWEN: More anecdotal evidence for Dr. Ponwith, but I can tell you that last year, in 2016, it wasn't because of the discards that we didn't catch the sea bass off of Georgia. They ain't here, period. They are not here. Mark just told me at break a while ago, sitting right here, that he -- I mean, he knew the limit was seven, but he hasn't caught seven per person since it went there. It's not because of the smaller fish being discarded. It's because they fish are not there. Thank you.

DR. CRABTREE: I think the release mortality rate of sea bass is relatively good, and, when I look at the trap survey index, it backs up what Zack is saying. The fish aren't there. That's why the catches are down, and I just think for us to come in and be more liberal on the regulations, at a time when we appear to have a declining stock, doesn't make sense.

DR. DUVAL: I am just looking at the three-and-a-half million fish that were discarded in 2013 and five-and-a-half in -- Is that fish or pounds, Myra?

MS. BROUWER: I don't know.

DR. DUVAL: It seems like it might actually be pounds, and so that is a lot of discards. Mike Errigo had done that analysis. I mean, I'm concerned that we put ourselves into another discard situation. I will just note that, Zack, you were one of the people who advocated very strongly for that seven-fish increase.

MR. BOWEN: To that point, Madam Chair, and thank you. In 2013, the fish were here.

DR. DUVAL: This was an action that just took place. It occurred last year, and we finished it in September of 2015.

MR. BOWEN: I understand that, and I did advocate for it, for raising the limit. I actually wanted ten, but I am telling you that the fish are not here now. There is something going on with them. It's not because they're small. They're not here.

MR. BROWN: Zack, you've got to agree with me that it goes in cycles too, you know, and I've seen a lot of these species that go in cycles. Some years are better than others, but this big thing with the discards, if we don't get a handle on that, it's going to keep impacting us over and over again, and so that is why I was trying to make the suggestion of a way that we could reduce some

of that, so that doesn't bite us, especially when we're having years when there is not as big of an abundance of them. I tend to believe that one of the reasons that -- I agree that I haven't seen them this last year, but the year before was good, and so it does go in cycles. Sometimes you just see more than others. It may have shifted to a different area.

MR. BOWEN: To that point, Mark, I agree. I am not sitting here saying that we don't need to reduce the bag limit. I am just sitting here asking for us to wait until the next assessment comes out. Keep in mind that we based the status of sea bass not being overfished on one strong year class, and so all I'm asking for is to just to hold off on this. I am not saying let's not do it, but let's be a little patient about it. I think, and I'm guilty of it as well, that we overacted when we raised the limit. Again, I was advocating for me than what we ended up with, but I think we acted a little hastily on that too, and I'm just asking for just a little patience here when it comes to the sea bass.

MR. DILERNIA: Black sea bass has been a topic of significant attention in the Mid-Atlantic. We have documented that the black sea bass stocks have shifted significantly to the north and to the east of the Mid-Atlantic region. They are really populating the southern New England Region. They are going up as far as Maine at this point. Folks in Maine never saw them before, but they are way up there.

At the same time, southern states of the Mid-Atlantic Region, Maryland and Virginia, and I'm not sure about North Carolina, but also Delaware, are seeing a significant decline of black sea bass in their local waters, along with southern New Jersey. We have clearly seen a significant shift of the stock to the northeast of the Mid-Atlantic Region, and that may also coincide with what Zack is seeing in more southern waters, but clearly we are seeing a movement of the change of that location of that stock.

MR. HEMILRIGHT: Also, to add to that, on the recreational side of that, I think the numbers are in the line of north of 80 percent of the catch is discarded because it's under the minimum size, and it's somewhere in the recreational fishery of probably a million pounds of dead discards, and the same with the commercial, and so the discarding, when you look at it for both sides in the Mid-Atlantic, it's kind of about the same, but north of 80 percent of the recreational is discarded because of its size.

MR. CONKLIN: I would just be interested to know what numbers these discards came from, like the estuarine areas. I know a lot of people that fish around jetties and in the inlets that pull their boats out and might get hit with a TIP intercept, and they discard a lot of those small, small fish. Then, also, headboats and charter boats as well, and see how those numbers look, because there has been a lot of discards of black sea bass just specifically where I am in the past year or couple of years in the inlets and state waters.

DR. DUVAL: Tony and then we're wrapping this up. We're going to make a decision here. I do think that you can potentially parse that out by state waters versus federal waters.

MR. DILERNIA: Let me add to the discard issue that Dewey just brought up. We are looking at reducing the commercial quota of black sea bass by a million pounds, because of the high discard mortality in the small mesh fisheries. It appears that -- Well, black sea bass eat squid. The more black sea bass there are, the more they mix in with the squid, and it seems like the squid fishermen

are catching a number of smaller juvenile black sea bass, which is increasing the discard issue, which is then coming off the top of the TAC, which is reducing the allowable catch.

Besides seeing a shift in the stock, we've seen some recruitment events that have very high numbers of juveniles, which have complicated our discard mortality issue, and black sea bass is clearly an evolving issue that we're trying to wrap our brain around, but it seems like they're swimming around faster than we can catch up to them. Thank you.

DR. DUVAL: Okay. What is the committee's pleasure, in terms of maintaining this action and getting some analysis back? Chris has suggested it would be nice to see this discard analysis parsed out by state versus federal waters. Jessica.

MS. MCCAWLEY: I just want to make sure that the triggerfish size limit is in there.

DR. DUVAL: That's the next thing, if we can get through this. Zack.

MR. BOWEN: Given that the discard mortality is only 7 percent and sea bass live to be eight years old, I say we just hold off. If that needs to be in the form of a motion, I will be glad to do that, or, if you're just looking for consensus, I think we had that a few minutes ago.

DR. DUVAL: I think we're all aware of how you feel. I want to understand where the rest of the committee is coming from as well. Mark.

MR. BROWN: We're just asking staff just to do an analysis, right? What about just do one on the reduction from thirteen to eleven inches, on the size limit, for recreational?

DR. DUVAL: What I'm asking is -- I mean, if we're going to ask staff to do an analysis of a size limit reduction, then I would think you would want to do it for twelve inches as well as eleven. If we're going to do it, just do it.

MR. BROWN: Okay.

DR. DUVAL: That's what I want to know. Who is in favor of keeping this in here? Mel.

MR. BELL: I was just going to say, related to some of the concerns, the next step is we would see this in June, right?

DR. DUVAL: Yes.

MR. BELL: So some of the questions would be kind of fleshed out a little bit, but then we'll also maybe have a little bit more idea of maybe what's going on with sea bass, if MARMAP gives us some data and all related to that, and we could decide at that point to keep it or don't keep it, or do you want to make that commitment now one way or the other?

DR. DUVAL: We could certainly have the analysis. That's all I'm asking for the committee to weigh in on. Do you want the analysis of a size limit reduction included and you can make a decision in June as to whether or not you want to jettison this? We have heard that Chris would

like to see looking at an analysis of where those discards are mostly occurring, if it's in estuarine waters versus offshore. Ben.

MR. HARTIG: I had the same concerns as you did. I mean, we've been in this situation before, when we've taken species and not brought them forward and gotten in trouble about it. It's lost time, as far as managing a specific species. I am sensitive to the stock assessment, for sure, but I think, for now, we should move ahead with the analysis.

MR. BREWER: I think you should move ahead with the analysis for both eleven and twelve.

MS. MCCAWLEY: Move ahead with an analysis.

DR. DUVAL: Okay. Let's provide direction to staff to move ahead with an analysis of a decrease in the sea bass minimum size limit. It looks like folks would like to see what that looks like at eleven and twelve inches, and can we also look at where those discards are occurring? Chester.

MR. BREWER: This question is coming from somebody who never heard of a black sea bass before being on this council, but do we have any idea what the discard mortality is for the thirteen-inch fish, and, comparably, what it might be for smaller fish?

DR. DUVAL: The discard mortality rate that's been applied in the assessment is like 7 to 10 percent for hook-and-line-caught fish. I see Chip nodding his head back there. He's been pretty intimately involved in that assessment.

MR. BREWER: That was my question, because, right now, it looks like you're releasing over 90 percent of the fish. If you've got a high discard mortality, you've got a real problem, but I just wanted to quantify it. Thank you.

DR. COLLIER: In the previous stock assessment for black sea bass, it was 7 to 10 percent, I believe, was the discard mortality for black sea bass, and that was based on a study by Rudershausen et al., and it was on a completion report. Since then, they had finished and published that paper in more of a final form, and the discard mortality has gone up, and I believe it's up to around 15 percent, or maybe higher, for black sea bass, and so it's higher than what was in the assessment. Next time you guys see the discard mortality for black sea bass coming from an assessment, it is going to be higher, in all likelihood.

DR. DUVAL: That is for hook-and-line-caught fish?

DR. COLLIER: That is for hook-and-line-caught fish.

MR. DILERNIA: On that discard mortality, do you know if there was a relationship between depth of water that they came from and the dead discard mortality?

DR. COLLIER: With black sea bass, as you guys all know, they have an ontogenetic change. The smaller ones are in closer to shore and will migrate offshore as they get larger. The larger fish, in deeper water, they do have a higher discard mortality rate than in shallow water, and that's also influenced by water temperature and several other factors.

DR. DUVAL: Okay. We have asked staff to provide the analysis. Is there anything else that we need to discuss on this? The concerns about the stock are duly noted, and that we're going to be getting a standard assessment back in the fall. At the next meeting, we can make a final decision whether or not this would stay in the amendment. Okay. We're moving on to triggerfish.

MS. BROUWER: For triggerfish, this was an action that was added just prior to scoping, and the idea here is to bring it back inline off of Florida, and so the question was do we need to decrease the recreational minimum size limit back down to twelve inches?

Recall that I believe it was Amendment 29 that brought it up to fourteen inches, and that was to make it compatible with the minimum size limit that was in place in the Gulf. Overall, there was support for reducing the size limit to twelve inches. Of course, there were other suggestions as well, to make it fourteen for all the states, and also some support for not changing anything. Again, just guidance on whether we keep it and if we should analyze anything other than twelve inches fork length.

DR. DUVAL: I would say we keep it, and I would say twelve inches fork length, to be consistent with the rest of the coast, would probably be all we would need. Jessica.

MS. MCCAWLEY: Agreed. Let's keep it.

DR. DUVAL: Okay. That finishes us for this particular amendment. Again, we will see this document again in June, and we would review the analyses and approve this for public hearings that would occur in August. We will let Brian finish this and pull up the next set of documents, which is the Vision Blueprint Regulatory Amendment 27, and so this is the commercial amendment. There are two attachments in your briefing book, and 3a is the scoping comments package and 3b is the decision document. Myra, let us know how you would like to proceed.

MS. BROUWER: I will walk you through, again, the scoping comments. They were structured similarly to what I showed you for Amendment 26. It's the same sort of thing. There was a good bit of input on the commercial side of things, a little bit more than on the recreational side.

On the split seasons, there was a lot of support for lining up the seasons for red porgy with what's currently in place for vermilion and gray triggerfish. For amberjack, it was sort of split. Some people thought it was a good idea and some people thought it shouldn't change. There were also some suggestions for a commercial split season for shallow-water groupers, in order to allow access to fishermen in Florida.

There was a suggestion to consider allocation shifts to allow dual-permitted vessels to harvest uncaught recreational ACL. Again, I am showing you highlights of things that aren't exactly related to the actions, the questions that we posed, because we'll go over those as we go through the actions.

There was also suggestions for trip limits for all species with a daily limit of 3,000 to 4,000 pounds. There was a suggestion, and this is under the Wilmington public hearing, for having a trip limit step-down when 75 percent of the ACL is met for all species. Then there were some suggestions that the council spend some time evaluating the efficacy of existing regulations instead of coming

up with new ones and a suggestion to consider allowing fishermen to vote on management approaches.

Then, on the traditional bandit boat management, there was a good bit of support for some of the approaches that were suggested pertaining to permit stacking or multiday trip endorsements, and so we did get a lot of comments on that. Then there was some interest, I should say, on having a weekly-type of trip limit, like a set number of trips per week, for the commercial sector. Then maybe suggesting replacing the shallow-water grouper closure with a certain poundage of bycatch allowance that would shift north over a three-month period that would work best for each state.

Then, for golden tilefish, there's a split on whether to change the fishing year. There was some support for it. Some people in Florida didn't like the idea, because it would create more discards of other deepwater species that they are targeting at the same time. There is interest by at least one person to revisit the catch history issue and allow that catch history to remain with the longline endorsement.

Then, under other comments, we had a comment that the commercial greater amberjack size limit should be removed or be the same as the recreational limit. For red porgy, the size limit should be removed or reduced, to open up more markets. That's it for the comments, and so what I would like to do now is the same approach as for the recreational.

Again, the same type of questions were posed to the public, beginning with the commercial split seasons, and this is Attachment 3b in your briefing book, and I'm on PDF page 3. Here, we talked about should there be a commercial split season for the deepwater species, and, if so, how could that be structured. I am going to move to PDF page 5. All the other stuff was more background.

Here is where we got into the various approaches that the council could take of allocating the commercial ACLs evenly for the deepwater species or a different type of an allocation and which species, all of them or only some of them, and then the same thing for only red porgy, but this one, of course, there would need to be a removal of the annual January 1 through April 30 spawning season closure. Then, of course, most of the folks supported making that exactly the same as what we have for vermilion and triggerfish.

For amberjack, this one has a different calendar year, and so the commercial split season would have to be structured differently, and so we asked whether we would have to have either a six-month closure, starting in March, or make the second season opening coincide with the May 1 opening for grouper or make it coincide with the July 1 opening for vermilion and triggerfish, and so that's what we put in front of folks to comment on.

The Snapper Grouper Advisory Panel had some recommendations when they last met in the fall. They did not think that the golden tilefish should be included in the consideration for a commercial split season. They mentioned that yellowedge grouper has not yet been assessed, and so keep that in mind. Also, consideration, or reconsideration, I guess I should say, of a split season for snowy, along with the reduction in the trip limit of a hundred pounds, and then consider including sub-alternatives for each species to allow flexibility in the harvest. I think I have already mentioned what the majority of the public comment on this potential action was.



Another idea that was brought up was to use a commercial ACT to implement trip limit step-downs. I believe that probably needs to go in the next action, and so, again, do we keep this action here and do we consider deepwater species, red porgy, and amberjack, or only some of those?

DR. DUVAL: Thanks, Myra, for walking us through that. Let's start with the -- Maybe go back to PDF page 5, where the different potential actions are, and so deepwater species, red porgy, and greater amberjack. Keep them all in or keep a couple of them in? How about the deepwater species? I can't hear you guys when you all speak at once. It's a little difficult.

I will say that split seasons for the deepwater species is something that is important to fishermen in North Carolina, at least the northern portion. They are the same issues that we are discussing with the shallow-water grouper closure and access in the southern part of Florida, and so it's the same type of issue. Dewey.

MR. HEMILRIGHT: Given the split season, they do that right now for the sharks, the large coastal, because they had openings in some years where the quota would get caught before the northern region would get access, because of different things. It was similar to what Ben was talking about, about how Florida doesn't get a chance for the shallow-water grouper, because of closures and stuff, and so what would happen here, I think, would be a good thing.

If you look at it right now, just for instance blueline tilefish, I think 20 percent of the quota is caught and not the first pound has come from like North Carolina and the northern range, because of our access to the fish in the season, and so I think it would be a good thing to split the quotas, just like it said here, particularly the blueline tilefish, where 50 percent is the first part of the year and 50 percent is the next part.

What you would do is you would probably have a closure at forty-some percent, or 40 percent, so you wouldn't overharvest that first period, and give access the second period, when it's in the northern range, where the fishermen are fishing.

Also, I think, looking at this, I kind of like -- I mean, do we know exactly where, for instance with blueline tilefish, where our 20 percent of the harvest of the quota is coming from right now, as we've looked at a shift in the last few years for that particular fishery, because the majority of landings, in years past, has all been dominated predominantly by north of Cape Hatteras, and there is a shift now, given the 300-pound trip limit, that I don't think it's being dominated like that, nor should it be, but splitting the season would give access to fishermen in the south and fishermen in the north as we work through this stuff.

DR. DUVAL: I think we could certainly make the same type of request for landings by state over a certain time period, just to see how those landings have shifted over time. The questions are how would you split things, and Dewey has alluded to 50/50, and then what species to include. Now, we had considered a split season for snowy grouper in the past, when we did Regulatory Amendment 20, that did not go through, and so I would be looking for some input from the committee on seasons and options for splitting. Chris.

MR. CONKLIN: Just for the public out there, does this include the golden tile longline endorsement holders as well, that they would be split too?

DR. DUVAL: Chris's question is would this include the golden tilefish longline endorsement holders, and I don't know what we were actually thinking of that when this action was put together. I think it could, if folks wanted it to, and it wouldn't have to if they didn't. I don't know if you've had any discussion with those folks and if that's something that they might want to see.

MS. BROUWER: My recollection, Michelle, is that we had talked about leaving that portion of the fishery out of consideration for commercial split seasons, because it's such a short kind of a pulse fishery, and I don't recall that there was any interest from the longliners to have a split season.

DR. DUVAL: Thanks, Myra. Mark.

MR. BROWN: I talked to some of them, and I didn't hear any interest in it either.

DR. CHEUVRONT: Michelle, can we make sure that I've got the direction to staff correct?

DR. DUVAL: Let's see. On the screen, we have provide landings by state over time, month and year, for the deepwater species, and I'm assuming we would want to look at blueline, snowy grouper, and is there another species in there? Would you want to look at the hook-and-line portion of the golden tilefish? I am seeing some nods around the table. Could we add that too, Brian? Tim.

MR. GRINER: I think we want to look at the porgies and the amberjack and all of it.

DR. DUVAL: Sorry. I wasn't understanding it. Okay. I think for any of the species under consideration we would want to see that. Thank you. Are the only deepwater species you all would want to consider snowy, blueline, and the hook-and-line portion of golden tilefish? Myra, do you recall if there was any input on that?

MS. BROUWER: I don't recall any, but you know there is only a handful or not that many longliners, and so I could look into that and inquire or talk to some AP members.

DR. DUVAL: No, I'm saying hook-and-line and not longline.

MS. BROUWER: I don't recall there being any input from the hook-and-liners either.

DR. DUVAL: Are there any other deepwater species, like yellowedge, that you all might want to look at that? Ben.

MR. HARTIG: I was just wondering about the mechanics of the work. I would probably like to see them all included in this deepwater complex, but then what happens when you reach the snowy allocation? What happens in that?

DR. DUVAL: I think the way you could structure this is looking at split seasons for -- You could have sub-alternatives for the different species, so that you're not lumping them all in there, because they do have different ACLs at this point, and you could also have -- The way this is structured right now, these different alternatives look at different time periods. Do you want to just do 50/50 and have sub-alternatives for species or would you want to look at different splits, like January

through X, and then, I don't know, January through April and May through December, and different proportional allocations? That was one of the things that we looked at in snowy grouper.

MR. HARTIG: I mean, I didn't have that much problem with whatever dates you really want to pick, but, if you want to move it by a month or so or two, I don't have a problem with that. I don't see the real utility of it. We're so used to opening it up on January 1, and January 1 is a good time for the deepwater complex, because those are the only groupers that are on the market then, and so that's pretty critical for them that it should open on January 1, and so your first six months, January 1 to June 30.

DR. DUVAL: I think that was the question, for all of these potential things for our consideration. We would open January 1, but then you would want to split the season on a different time period of April, May, or June? Chris.

MR. CONKLIN: It seems like when we raised the trip limit for the snowy grouper, the intent was to let 100 percent of those fish be caught in the first -- You open it January 1 and catch it until it runs out, because of the market conditions, but there has been some interest in splitting seasons on everything, and, if that's what is going to shake out of this -- I can tell you that, if we catch -- I'm not sure where we are on the snowy, even though we were briefed on it earlier, but the market does need those fish, and the fishermen need them as well, especially once we step down to the 500 pounds of vermilion towards the end of the month. If we only had half of the snowy to catch, we would definitely be tied to the dock.

DR. DUVAL: I will just say that markets are different up and down the coast, depending on where you are and when those fish are needed, and I think that's what the split season would try to address. My sense is that we're looking at just blueline tilefish and snowy grouper for deepwater split seasons here and that folks are fine with simply looking at a 50/50 split, January through June and July through December. Are there any other options that you would want to consider? Obviously status quo is one of those. Tim.

MR. GRINER: I think looking at the landings by month are going to -- We can look more at whether it needs to be a 50/50 split, but I am like Chris, especially with the snowy grouper. We need them continuously at the beginning and not necessarily once the rest of our grouper are opened up. For us here in North Carolina, we don't want to stop fishing for snowy grouper right now, when we just got started.

MR. HEMILRIGHT: Given the understanding of trying to give access to fishermen all up and down the coast, historically, if you've looked at it in the past, the landings of snowy grouper, the majority of them come from North Carolina, before Amendment 13C or something like that -- It was one of them.

By splitting out the quota, our fisheries north -- You don't have access to the fish in the middle of January or February for weather and different conditions, and so it's trying to give access all up and down the coast, given that it's a limited resource, to fishermen the whole time period and not trying to take or segue into one certain area.

Everybody needs the fish, but it's just trying to give access and not to close out one group or the other, up and down the coast, and so that's the only reason why for asking about looking at landings

by state, because it has shifted. I mean, right now, and the shift of it is with the trip limit on both blueline and both with snowy grouper, and you are seeing the shift, to where people in the north are not getting access to this resource, for one reason or another.

Maybe in the future, when you're giving these limits, it might also be time to bring up the question that this council already spoke upon, and that was vessel monitoring systems, to leveling the playing field of different things that are going on out there and see how that shakes out in the future.

MR. GRINER: Dewey, I like splitting the seasons. I don't have a problem with that, but I just want to make sure that we're splitting them not necessarily arbitrarily at 50 percent and that we look at these by month and try to make sense of when to split it, so that, as you move up into the upper parts, that they still have some quota left.

MR. CONKLIN: If we were going to split snowy grouper, I would like to see not a 50/50 split. I would like to see a larger portion of the ACL be allocated to the first six months of the season and then the second split the rest.

DR. DUVAL: I think maybe, just so that we have something to react to when we come back, perhaps that January through June and July through December is one alternative, or maybe January through April and May through whatever and looking at different proportions, but I think Tim is right. It's going to be informed by what that month-by-month type of landings are. Chris.

MR. CONKLIN: Just some arbitrary information is whole, frozen black grouper from Mexico costs me \$6.85 a pound right now, plus freight, to get to my dock. I am paying my ex-vessel value to snowy grouper at \$7.00 a pound. That's me, as a dealer, just me, but it's expensive, and it's not worth as much money in June or July 1 or whenever the rest of the shallow-water grouper open. The prices drop to half that, in my market.

DR. DUVAL: Okay. Brian has got some more verbiage up here to provide landings by state over time, month and year, for deepwater species of blueline, snowy, hook-and-line golden tilefish, red porgy, and greater amberjack, with different ACL proportion splits over different month scenarios. Myra, is that enough for the IPT or Brian?

MS. BROUWER: For clarification, you want all these options for all those species? I guess my understanding was that you wanted to analyze the split seasons, mainly for snowy and blueline, and then have these landings by state provided for all the species that Brian has on the screen.

DR. DUVAL: I think we should move on to red porgy. I feel like the conversation has been focused on deepwater species, and so it's two parts. We would like to see the landings by month and state for any of the species under consideration for this action, but then look at different ACL proportion splits over different months for blueline and snowy.

MS. BROUWER: Got it. Thank you.

MS. BOSARGE: If you will indulge me for a minute, because I wanted to read you something from your climate change document. I don't know really a damn thing about a lot of these species that you're talking about, but there is some stuff in here, and I know we can't always read all of

our documents, and so, if you will give me just a second, could I read you just a couple of sentences, just because I think maybe like, as you all move forward, maybe if you had this in the back of your minds, the people out on the water might could inform us better of some things they're starting to see, and do you have just a half-a-second?

DR. DUVAL: Sure, and I bet I know exactly which part of that document you are going to read. I can predict it. Go ahead.

MS. BOSARGE: You probably do. The part I am going to read says, while there has been many studies on climate change in different areas of the Atlantic, it's not clear exactly what's going to happen, but it's expected that distributions are going to shift poleward. Well, we've all heard, that but it says -- The strange part, to me, is that, in our southeastern Atlantic area, they are not seeing changes of the temperature on the bottom, only sea surface, whereas, in the Gulf, it's expected that the bottom is going to get colder and the surface is going to get warmer. It's not that way in the South Atlantic.

They say they don't really see any changes, and so that's going to kind of stay constant, whereas in the Mid-Atlantic though, it says that there is evidence of warming of the Mid-Atlantic shelf edge waters. Then it says this supports a predicted northward range expansion of Atlantic croaker and gray snapper, due to warming temperatures and related decreases in young of the year winter mortality, and that just kind of peaked my interest, just because of what some of these guys, your liaisons, were saying about seeing a lot of small fish. All right. So then maybe we've got some decreases in winter mortality as that Mid-Atlantic shelf is warming some on the bottom.

Then this part you all know, surely. Fisheries landings of blueline tilefish, which are found at depths of thirty to 300 meters throughout the Southeast, have increased considerably in the Mid-Atlantic region in recent years. Commercial landings of blueline tilefish from Virginia north averaged about 11,000 pounds from 2005 to 2013. However, commercial landings in 2014 jumped up to over 217,000 pounds.

Anecdotal reports also suggest that landings of snowy grouper, in similar depths as blueline tilefish may be increasing in the Mid-Atlantic. A lot of that, you know, but just thanks for indulging me. I thought I would throw it out there for big picture in the future and what we're thinking about in movements and such.

DR. DUVAL: You owe me a drink, because I did predict the right section. Just one of the things, and, Leann, particularly blueline tilefish, that increase was driven by a regulatory change here. We had an emergency rule that whacked our ACL by 60 percent, and so there was a shift in effort, and so fishermen went and fished up in the Mid-Atlantic as well. Okay. We have talked about the deepwater split seasons. Can we move on to talk about red porgy a little bit? Okay.

Similar types of alternatives here, or options for red porgy, except that all of these, of course, remove the annual January 1 through April 30 spawning season closure for red porgy, but it, again, looks at different proportional splits and different months over which you might want to have those proportions, and so the standard January through June and July through December, as we currently have vermilion snapper and triggerfish, and then looking at different proportions in different months, and I certainly think, looking at the landings by state and by month over the years, as Tim has suggested, will help inform some of those additional alternatives. I guess the thing that

concerns me is the removal of the spawning season closure, and so I'm just curious why we want to consider that. Chris and then Tim and then Ben.

MR. CONKLIN: Chris was pointing at Ben, because Ben has been the guru on the spawning season closure.

MR. HARTIG: I think what convinced me that it wasn't as important -- I mean, we look at these spawning season closures, or at least I do, in terms of aggregations. When you have an aggregation, it's much more important to try and get a handle on that and deal with that spawning season closure, but red porgy, from the MARMAP information that I saw, spawned everywhere they were caught, and so it doesn't seem like they form these really large aggregations and that the chance of catching a spawning one throughout the entire Atlantic during the time they're spawning seems pretty obvious, from at least where MARMAP samples, and so I didn't have a big problem in going into the spawning season and actually having some harvest then.

I think it's more important with red porgy. I think you may get more bang for your buck in being able to reduce the discard mortalities in that time when you are targeting vermilion and gray trigger. To put them all together seems to make a lot of sense to me, and that season doesn't last the entire season anyway, and so red porgy would still have some protection during the spawning, because that season isn't open for the entire timeframe.

We haven't caught the ACL on porgies, that I am aware of. We haven't had a closure on red porgies in the recent past, that I am aware of, and so I think, all of these things put together, I think we can get away with some fishing in the spawning season.

MR. GRINER: I agree. I think it's really important that the red porgies open up with the vermilion and the trigger. I agree that I don't think that we're fishing on any spawning aggregations, and we don't meet the quota on the red porgies. I think maybe last year that we might have gotten to 70 percent, and so I think, if you open them up with the vermilion and the trigger on January 1, and then, after looking at these month-by-month landings, even if you just opened up 30 percent of the quota for this part, and we'll see where that falls out, but I do think it's very important to align these species together right now while we're out there and reduce some of the discards of the red porgies.

DR. DUVAL: Are red porgy overfished? They are overfished? My recollection, from the last assessment update, was that vermilion kind of stalled out, right? I'm just saying. Would you all want to, for these alternatives, also do something similar to what we have asked the IPT to do, in terms of looking at several alternatives for splitting out seasons for red porgy based on those month-by-month landings? I guess I would always phrase the, quote, unquote, default being the 50/50 January through June and July through December that we would include in there, but that there could be other options, based on how those landings fall out. Chris.

MR. CONKLIN: Thank you. All of the fishermen that I have talked to want the small hooks. When you drop a small hook, you catch a small fish. They want to reduce their discards, and they want a 120-fish limit and a split season. That's what they want to see.

DR. DUVAL: Was there any input on exactly how the season should be split?

MR. CONKLIN: 50/50.

DR. DUVAL: But January through June and July through December?

MR. CONKLIN: Yes, ma'am. That's right. Open with the vermilion and triggers as well.

DR. DUVAL: Okay. Any other input on this? Myra, do you feel like you have what you need?

MS. BROUWER: Yes, I do.

DR. DUVAL: Awesome. All right. Greater amberjack. Again, this one is a little bit different, just because of the start of the fishing year, which is March 1, and so what would you like to look at there? Ben and then Zack.

MR. HARTIG: I would like to see it split in two six-month periods starting on March 1. That makes sense to me, and I have no problem with a split season for amberjacks, to move that allocation throughout the area.

MR. BOWEN: Again, I'm not a commercial fisherman, nor a commercial permit holder, but I had one commercial fisherman in actually North Carolina that came to me and he had reservations about the March 1, and I don't know that he was accurate in what he told me, but he had concern that, since the start year for the commercial guys went to March 1, that he was blaming that for the closure this past year, and so, again, I am not sure if what he was telling me was accurate, but I am just conveying what he expressed to me about maybe looking at a different start date, so that North Carolina fishermen -- He said that the jacks really didn't show up there until October or November, and he felt like they got cut out a little bit this past year, and so, again, I am just expressing what he conveyed to me.

DR. DUVAL: I know that that was something that we debated in I think Regulatory Amendment 14, and so that change to the fishing year, I believe, just became effective last year, actually, wasn't it? It started on March 1 in 2016, and so that's the first year of the shift in the date.

MR. BOWEN: To that point, that's one reason that I think he blamed the -- He thought that that was the reason that they closed early, is because we changed the fishing year on them.

DR. DUVAL: It had previously been May 1, and we went back and forth, because I think fishermen from Florida wanted a January 1 start date. Having fish during the Lenten season was very important, and the fall fishery was important to folks in North Carolina, and so that's why we ended up on a March 1 start date. Ben.

MR. HARTIG: Like we've done for some of the other species, let's look at the landings by month for the different areas and see how it all shakes out. Then we can make an informed decision.

DR. DUVAL: That is already included in what Brian has on the screen. For all of these species, we will go ahead and do that. Then, again, Ben, as you suggested, having two six-month seasons, starting with March 1, and see what that 50/50 looks like. I think how far back do you go, in terms of years? I think we would want to go back at least ten to fifteen years, just so you could see the

shift in the fishery, in terms of those landings. I am seeing some nods. Okay. I am sorry, Myra. I think I cut you off.

MS. BROUWER: No, that's fine. I was just going to ask whether Option 9, which is on PDF page 6, is at all reasonable for us to analyze, but I guess I answered my own question, because we will have to look at that distribution of landings first and then go from there.

DR. DUVAL: Yes, that sounds good. Chris.

MR. CONKLIN: I know that all of the council members were sent a chart in between the meetings of state-by-state landings last year on who caught most of the amberjack, and I know that our eleven-month fishery was a six-month fishery and that 81 percent of the greater amberjack landings came out of the southernmost state in our region.

MR. HARTIG: They were out of where?

MR. CONKLIN: Florida.

DR. DUVAL: I mean, I am certainly not surprised. Amberjack has been an important fishery for Florida, and so that doesn't surprise me, that's all. Chris.

MR. CONKLIN: Amberjack is an important fishery for all of our states.

DR. DUVAL: I am not trying to deny that. I am just saying that it doesn't surprise me, and so let's wait and get the information. How about it? Anything else on this first action? Okay. The next chunk of this was commercial trip limits and trip limit step-downs, and so this was looking to see if our trip limits and step-downs should potentially be modified in looking at specific approaches that could address the needs of traditional bandit boats, and so, Myra, we will turn it over to you.

MS. BROUWER: Thank you, Michelle. Here, we had some recommendations that the AP had put forth for a trip limit of 750 pounds for vermilion for the second season, and so we put that out there and asked if the trip limit should be lowered or should there be a set number of trips per week?

We also looked at evaluating management approaches that would be tailored to these traditional bandit boats. We asked the question of should the council embark on that approach, and we did note to the public that that would take a little bit longer time to develop. Those types of actions would need to be put into a full-blown plan amendment, and so there would be that issue to consider.

We also asked whether the council should consider specifying a trip frequency for vessels with longline endorsements for golden tile, and there really wasn't a lot of support for that. Trip limits for the jacks complex, we asked whether should be a trip limit specifically for almaco jack, and I know that we talked about this at the committee level, when you all were considering I believe it was Regulatory Amendment 23, which eventually went defunct, but we did talk about trip limits for almaco, and we had some preliminary analyses that the IPT at that time had put together, and



also looking at commercial trip limits for the entire jacks complex and also trip limits for the jacks complex in addition to greater amberjack.

Then, finally, we asked whether the council should consider using commercial annual catch targets. We explained that the council uses ACTs for the recreational sector, but they could potentially be specified for the commercial sector as well and use them as a trigger for trip limit step-downs, and, again, I believe that is an action that would need a plan amendment. It couldn't be done in a regulatory amendment, because it just couldn't be done in a regulatory amendment.

Here again, on PDF page 9, we have the Snapper Grouper AP recommendations on management for the traditional bandit boats. As I said, they would want to explore that second lower trip limit for vermilion, on the second season, and they suggested, for the jacks complex, looking at trip limits of maybe 300 to 500 pounds, and they also did have some discussion on banded rudderfish and some interest in just focusing management on that species.

Then we had the summary of public comments that we received on this action. As I mentioned earlier, there was some support for that trip limit for vermilion, that trip limit step-down. Some people said it was fine, and they also talked about -- There was some support for the trip limits for almaco, and, again, 300 to 500 pounds is what people liked.

There was also some opposition to any trip limits for almaco jack and some opposition to specifying the number of trips per week, in particular for fishermen in North Carolina. Then there was some fairly detailed comment that was submitted for suggestions for how to approach permit stacking, multiday trip endorsements, weekly limits, and that's included in your scoping comments package, and there was some support for that approach as well. Also, some folks thought that there was no need to tailor that management approach specifically to those vessels. Then I believe that's pretty much it, and so, again, it's a little bit of kind of everywhere sort of comments on this.

DR. DUVAL: I think if we maybe scroll back up to PDF page 9, which sort of has the different questions that we asked folks about the b-liner second season trip limit, approaches for bandit boats, trip frequency limits for the jacks complex, and we can focus our conversation around that, just noting that some of these things would have to go into a plan amendment and this, right now, I think is being structured as a regulatory amendment. All right. What are folks' thoughts about the b-liner trip limit for the second season? Is there a desire to modify that and lower it or look at number of trips per week or month? Chris.

MR. CONKLIN: I certainly can support constraining catch a little bit more during the second season, but, constraining trips, I cannot support that. I do recommend that we explore options for a lower trip limit in Season 2 for vermilion snapper, and, if we need to put numbers up for that, we can, which it looks like you need, and so 500 and 750. If we need more than that, maybe our attorney can tell us.

DR. DUVAL: 1,000 pounds would be status quo and 500 and 750?

MR. CONKLIN: Or 500, 600, 700, but just for the second season.

DR. DUVAL: I think Brian is just asking if you would prefer to see 700, 600, 500 or 750 and 500?

MR. CONKLIN: I am just thinking in how we count the fish now and with the baskets rounded over and stuff, and we're on a 1,000-pound trip limit now, and so the guys -- I mean, if you go and start cutting it in half, half a basket would probably throw them for a loop, and so, yes, 500, 600, 700. Thank you.

MS. BROUWER: This would be understanding that the trip-limit step-down, when 75 percent of the ACL is met, would stay in place, correct?

MR. CONKLIN: That is correct.

DR. DUVAL: Would you want to see those options modified to maybe 800, 700, 600?

MR. CONKLIN: Sure.

DR. DUVAL: I am just thinking that, if the intent would be to maintain the 500-pound step-down, or is there a different step-down that you would want to consider?

MR. CONKLIN: No, the traditional boats couldn't afford to operate on less than 500, but we could sometimes -- I would like to see when these fisheries would project to be closed under these different alternatives, but, if for some reason our shallow-water grouper were closed, then I would also like to see a trigger go back up to 1,000 pounds, if we haven't met our other stuff, but that's a whole other rabbit to run, Charlie.

MR. GRINER: I like the lower trip limit in the second half as well, and I couldn't ever support any of the number of trips per week or per month at all, but certainly looking at a little bit different scenario in the second season.

DR. DUVAL: Brian, what you have on the screen is to explore options for reduced trip limit for vermilion in the second season of 500, 600, 700, and 1,000 pounds, which is status quo, when 75 percent of the commercial ACL is met. I think what Chris was saying was actually to look at different trip limits that would be lower than status quo, but still maintain the 500-pound step-down once 75 percent of the ACL is met, and so that reads a little bit differently. Chris.

MR. CONKLIN: Charlie, I don't want to put you on the spot, but haven't you heard from some Florida guys that that would end kind of sort of the turn-and-burn derby during that time?

MR. PHILLIPS: I think they're going to turn-and-burn, period, even at 500 pounds, because I don't think -- Even if you go to 500 pounds, my gut feeling is it's going to stretch your season out two weeks. I don't think it's going to matter much.

MR. CONKLIN: Once we get the analysis back, it might not even be worth considering, but, if it is going to supposedly get us to Christmas, then it would be, but, if it's not going to do anything for us, then we might as well keep it status quo. At that point, we would be able to decide, but we certainly don't want to change the makeup of the fishery and make our equipment obsolete, as far as the traditional guys, and that's what this amendment strives to do, or is not striving to do.

DR. DUVAL: So are you happy with the exploration of 500, 600, and 700 pounds or is there anything else that you would want staff to stick in there? Do you want 800?

MR. CONKLIN: Why don't we do 700, 800, and 900? Is that going to be a little more like it? Is it going to extend our season out? We know that trip limits and step-downs just don't work, but I'm not going to go into that conversation.

DR. DUVAL: All I'm asking you for is the numbers and if that satisfies you.

MR. CONKLIN: Let's take out 500 and let's take out 600. Let's do 700, 800, and 900 and 1,000. How is that?

MR. PHILLIPS: Chris, just for -- I would leave the 500 in, because then that's going to tell you how much longer your season would last with your step-down. I would leave the 500 in. I expect quite a bit of public comment on it, and this is just going out for that. I don't know if it's going to matter, but 700, 800, or 900, but I wouldn't make so many numbers that it's a lot of work for staff, but I would go down to the 500, just to look.

MR. GRINER: I think you're absolutely right. I think you do need to leave that 500 in there so that you can look at it.

DR. DUVAL: Okay.

MS. BROUWER: For clarification then, if we -- That option for 500 pounds, then there wouldn't be a step-down. That would essentially just remove the whole step-down thing, just for that alternative.

DR. DUVAL: Just to make sure you guys understand that.

MS. BROUWER: Is that correct?

DR. DUVAL: Yes.

MS. BROUWER: Okay.

DR. DUVAL: No consideration for number of trips. It seems like we're all done with this one. The next couple of things deal with tailoring management approaches to address the needs of traditional bandit boats, and so, as Myra noted, things like permit stacking and multiday limits would need to be developed through a plan amendment. Is there interest in exploring any of those things through a plan amendment? Ben.

MR. HARTIG: Just somewhere down the line -- I mean, I am not so sure -- I don't know that there is a competitive advantage between either one of these groups, because I see traditional bandit boats with five crew and five reels, and I see two-man day-boats, and so, in the scheme of things, is there a competitive advantage that we need to address, I mean, basically, and I would like to know that before I go down the path of trying to deal with that.

MR. CONKLIN: I'm not sure if anybody read the ideas I had on how to define a traditional bandit boat. There is several, and I have heard several, and, if you go down to the landings endorsement of X number of --

DR. DUVAL: What are you referring to?

MR. CONKLIN: I am referring to an email that I sent to Mike that Mike forwarded to all council members at 2:00 P.M.

DR. DUVAL: That's why I haven't seen it.

MR. CONKLIN: Okay. It's because you've been conducting business, and doing a good job.

DR. DUVAL: The right thing to say.

MR. CONKLIN: But, to Ben's point, it would be one idea was a landings endorsement of X number of pounds per year of any kind of fish and not just snapper grouper, and so, in your case, you would be a traditional bandit boat if you didn't have to just land -- If you report fully as a fisherman, that you make a full-time living off the water. Did anybody read the email? Does anybody have any ideas of what --

DR. DUVAL: Okay. There are a number of folks that -- I just want to make sure that I get everybody around the table. I have Dewey, Zack, Anna.

MR. HEMILRIGHT: I kind of raised my hand that I read the email, but I will add a little bit to it. It's kind of like, when you look at different things, and I will just use myself for instance, but, up in the northern range, I have one species to fish for. I am an owner/operator. I bought a corporation in 2009, and I lease my vessel to my own corporation. If a traditional bandit boat is a description of a boat, or is it a traditional bandit boat fishery or fisherman that has a permit?

To me, I can give you a description of a traditional bandit boat, in my mind, but it might be different from the fishermen that's on the vessels, and so I don't know -- I think, in this, you're trying to protect the traditional fishermen and not the guy that went and leased the permit to just go fishing to subsidize his income and fishery, and I think, out of the 512 permits, there should be some way that you could ask for an analysis of a breakdown to parse a traditional fisherman out, whether he's on a bandit boat or a part of his portfolio he is a commercial fisherman.

There should be ways of doing that, like how many permits are leased, and so what's the landings of the permits that are leased, what species, and so it might be a white paper, but I think there is some way to do analysis, because there's enough information out there to get at that, because, if you're trying to protect the traditional commercial fishermen or that traditional bandit boat, you would have to do a full analysis of asking that question, because, to me, everybody has got different vessels. I don't consider myself to be a traditional bandit boat. I've got a multispecies boat that I do different things with, and it happens to be bottom fishing, and so I think you've got to kind of look at the traditional fishermen versus a traditional bandit boat that he might fish on.

DR. CRABTREE: I am looking at your email, Chris, and I guess I'm a little confused by it, and the only thing I would caution you is the world changes, and the economy changes, and things

change, and we need to be careful that trying to preserve some view of what is traditional that we don't instill inefficiencies into the fishery that keep fishermen from adapting and changing and being able to survive in the regulatory world we have right now. I am not sure what a traditional bandit boat is, but we need to be careful about is that really something that we want to try to maintain or should we let these fishermen adapt to the world we have now.

MR. BOWEN: I was raising my hand, like Dewey, just to let everybody know that I had read the email, but, to Roy's point, I think what Chris is trying to preserve here just -- Yes, the career commercial fishermen, but I think what he's really trying to do, more than that, is make sure that the guys in these center consoles that have a permit that are off from their regular job on Saturday and Sunday that go out there and catch up a portion of the allocation --

I have heard the word "fair" a time or two in the last couple of days, and I don't think it's really fair to the guys that are full-time, traditional, bandit boat operators. I don't think it's fair for them for the center-console guys that have a regular job that work five days a week with a 401K and paid vacation to have a permit, whether they lease it or own it, to be able to take the regular guys' quota. That's what I think that Chris is trying to protect.

DR. DUVAL: To that point, Roy?

DR. CRABTREE: I would characterize it then as trying to professionalize the fishery and keep it that way, so that it's not about what kind of boat they have. It's about trying to have full-time professional fishermen, and that's very different.

MR. BOWEN: I agree with that. Thank you.

DR. DUVAL: I just want to let folks know that, at the Snapper Grouper AP meeting on Halloween last year, Dr. MacLauchlin and John Hadley presented some preliminary results of the portfolio analysis that they've been doing on the snapper grouper fishery, and so I think that's designed to answer these very kinds of questions about who holds these permits and are these people who -- Are the permit holders folks who are participating in multiple fisheries and this is what they do full-time, versus folks who might be weekenders, and so I had Anna and then Tim and then Chris.

MS. BECKWITH: I started with one comment, and I'm up to about five, and so I'm sorry. All right. A couple of things. To Zack's point about the center-console guy, remember that most of our fleet, our charter fleet, right now is a center-console fleet, and so the same guy who might be commercial fishing on Friday probably ran charters Tuesday, Wednesday, and Thursday, and so I am very sensitive to, when we start talking about full-time and professional, and what actually means.

For the charter and the for-hire, that can mean a lot of different things. It could mean part-time commercial fishing or it could be that you are a captain on a private boat. It could mean that you are a hunting guide and that you are guiding in foreign countries during parts of the season. Being a professional, full-time fisherman can have a lot of definitions, and so that's just one thing that I want us to be a tad bit more sensitive about.

Second, to Chris's original point, there is often times that this council has chased its tail around trip limits and step-downs because we tend to want to accommodate those bigger, slower, diesel-

style boats. Because we have so many center consoles in this fishery, what we tend to call day-boat fisheries, those day-boat fisheries would be capable of fishing smaller trip limits with more significant step-downs, but we continuously get to this point, when we start talking about the benefits of step-downs as a true bycatch limit, that we cannot achieve that, because it is not economically feasible for those slower, traditional, quote, unquote, diesel boats.

Then we keep getting around to, well, we can't get to a significant step-down, which would be a conservation benefit, and so, to me, I understand where Chris is taking this conversation, but my original idea for thinking about how do you define or endorse what some of these traditional, diesel, slower boats would be would be in order to accommodate various trips limits for the different style boats and actually get to a point where we can have a significant step-down that would be for true conservation bycatch reduction of discards. That's good for the resource, and it still allows for the folks that need to have a minimum level of trip limit to make the trip work. That is where I am at with this, and so I think there is varying ideas on how to get there.

MR. GRINER: I agree. It's not about the boat types, and I really don't think we need to get into trying to distinguish one type of boat from another. As Roy said, we have got to be able to adapt to the changes that we're seeing, everything from weather changes to trip limits. I happen to have one of the traditional bandit boats, and it's slow, but, for me, for what I do, to me, that is the most efficient way for me to go right now, but I don't want to lose the option of having some other rules to live by if I want to go and switch to one of my other boats, which happens to be an outboard boat.

There could very well come a time where I think that my fishing style is more efficient in one of those boats. For me personally, I am more efficient in that slower boat, but I don't want to see us making distinctions of what particular vessel gets to catch what based on what boat they're in. I think, as we move through this, the economics of catching these fish will shake all that out on its own.

DR. DUVAL: Okay. Chris and then Charlie.

MR. CONKLIN: Okay. The traditional bandit boat was just the language I used, because it's in the document. Maybe we should pull it out and request some sort of white paper. What I was meaning is, by traditional, or what I took it as, it's someone who makes a full-time living off the water, like Anna and Ben and I think we all can agree on. There is ways to prove it.

It can be done, and, like Zack said, there is a loophole in the system that allows recreational or whoever can afford -- I am not trying to start a war here, but our vermilion quota is eight-hundred-and-something-thousand pounds, and we have a large portion of these permits that are being leased. If you have someone who is a weekend warrior who leases it from an armchair fisherman, which is going on, and, if you don't believe it, take a look at the permits, for \$7,000 or \$10,000 a year. They make ten trips a year and catch a hundred pounds of vermilion, and then that's 250,000 pounds off of our most economically-important fishery.

There is a problem with that, and there is a way to determine whether you're a full-time fisherman, and I'm talking, if you are a charter fisherman and you commercial fish on the weekends, that is cool. If you want to fish off of your jet-ski, that's fine with me. I don't care, but the real problem is, and I would like to see some analysis on how much of the full-time fishermen's quota is being

caught by people who are leasing permits out to vessels that do not rely on the industry, in any way, shape, or form, as their primary source of income. That is what I am getting at.

DR. DUVAL: I am just going to remind folks that it's about ten minutes to five. Our scheduled adjournment tonight is at five o'clock, but I am inclined to take it past this, because this is a big action, and we're having an important discussion, and I think some of these other things are going to move along a little bit more quickly.

With the shallow-water grouper closure, we're going to take our discussion from the recreational amendment and move that along. Back to my list of folks. I have Charlie and then Mark and then Tony, and I think I think we're wrapping up this discussion of -- We have to find a different phrase than "traditional bandit boat", but I think we all understand what we are referring to. Charlie.

MR. PHILLIPS: Thank you, Madam Chair. There's a lot to this, but, first of all, there is a little over 500 people that have the right to catch and sell snapper grouper in our region. It's a privatized fishery, and the guy in the center console that fishes on the weekend, if he's got the money to buy his permit, he has got just as much right to fish as me or anybody else. He bought in, and it's privatized. That's all there is to it.

Now, if you want to try to do something and protect the infrastructure, so you can keep your infrastructure in place, that's something else, but I spent a lot of time -- I spent some time a month ago talking to a center console day-boat. He's got a good day job, and he doesn't -- As we agreed, if you want to spend your money and go do it, you have the right to go do that, and you should be able to go do that, and, if you want to expand your fishery and you can, great, but it's just the nature of the beast, and it's where we're at in this world, and I understand trying to protect our infrastructure and our older boats, if we can, and change at a pace that works. A fisherman, even if he's got a job at Duke Power or whatever, to me, he is still a fisherman, and he's a waterman. He may be not as good as some of the rest, but he is still there.

MR. BROWN: Charlie Lott fishes out of Wanchese, and he fishes mostly with HMS permits for migratory species, but there is a certain time of year when he has to supplement his income with blueline tilefish, deepwater fish, and so he leases a permit, but he's been commercial fishing for twenty-five years, but it's just not worth it for him to buy a permit, because it's just a supplemental to his income. The leasing of the permit benefits him, and he is full-time commercial.

A lot of the commercial fishermen in Florida and certain areas have transitioned over the years and gone to smaller boats, just for the economics of it, and also being able to shoot out there and catch the fish before the weather got bad, and so there has been a transition in the types of boats that people use to commercial fish.

Another one of the comments that I saw too said that a lot of people, over the years, just because of the type of limits that we have and everything, they have had to do other jobs. They were full-time commercial fishing, but, now that things are shutting down, they just can't make it full-time and they have to do something to supplement their income, and so they still commercial fish, but yet they have another source of income, in order to be able to stay doing that.

DR. DUVAL: Thanks, Mark. Tony.

MR. DILERNIA: Thank you, Madam Chairman. This issue is also one that we've been confronting recently in the Mid-Atlantic, more specifically with the highly migratory and with the tuna. We are discovering that a number of, quote, unquote, commercial fishermen are not complying with the Coast Guard regulations regarding having their vessel safety permit inspections, and so perhaps you may want to -- As you examine this issue, you may want to require that they also, when they apply for their permits, provide their vessel safety inspection number, which proves that they have been inspected by the Coast Guard and they are complying with commercial fishing vessel safety requirements. That may separate some of the wheat from the chaff. Thank you.

DR. DUVAL: Thank you, Tony. Chris, did you have one final word on this? Then we're going to sort of wrap this discussion up.

MR. CONKLIN: I am ready to eat some oysters.

DR. DUVAL: Well, I am not going to let you go yet. I have found that you guys are more efficient when I hold a meal over your heads. I think that this portfolio analysis that Kari and John have been trying to do is going to answer a lot of the questions about the character of the fishery and the folks that are participating in the fishery, and so the analysis is going on.

It's not simple. I know that, and I think we can ask them what their timeframe is, in terms of completing that analysis. I think I do want to circle back to are there alternatives that you all would want to see in this document or provide some direction to staff to analyze that might suit the needs of some of those boats before we move on through some of these other things, such as trip limits for the jacks complex? Chip.

DR. COLLIER: In regards to the portfolio analysis, it would be nice if you give direction to staff on when you would like to see that. Right now, it hasn't been --

DR. DUVAL: Yesterday.

DR. COLLIER: All right. Then you get to see the old one, the preliminary one, but it would nice to see like what kind of timeline you would like to see for it. It is going to be a complicated analysis, and it is going to take up significant staff time in order to complete that document, and it would be nice to know what kind of answers or questions you would like to see in that portfolio analysis.

Is it economics, and so number of trips that the individual does? Is it number of pounds that the fishermen is catching? What are the different things that you would like to see through this portfolio analysis, as opposed to just a vague document that they could put together that might not suit your needs, and so if you could define it a little bit better.

DR. DUVAL: So here is my suggestion. Instead of getting into that right now, I am going to ask folks to think about that, and we will come back to that under Other Business. Is that okay? Then we can provide some input to staff on that that we could include in timing and tasks. Okay. Chris.



MR. CONKLIN: Just on that idea, I mean, I would like to encompass like crab and mullet and everything else you can get in there to do that. Then also, do we need to move Number 2 on PDF page whatever, this bandit boat traditional thing? Do we need to move it out of this document?

DR. DUVAL: These were just the questions that we asked folks, and so I think Myra has indicated that looking at things like permit stacking would require a full plan amendment. I think that that's something that we would like to investigate, as Ben said, down the road, but it might not be appropriate for this document. We just don't want to lose it, and so we're going to put it in a parking lot for right now.

MR. CONKLIN: You mean the marina.

DR. DUVAL: Yes, the marina. Sorry. Silly me. Yes, the trip frequency for vessels with golden tilefish longline endorsements, there was no interest in investigating that. I think we could just -- We could put that in the marina as well, or we could tie a cinder block to it and sink it, if there is no desire to look at that.

MR. HARTIG: I think you ought to put in the marina with what's coming.

DR. DUVAL: Okay. We will put it in the marina. Then let's move on to the jacks complex and trip limits. Myra, I know that you guys had ginned up something back in the old Regulatory Amendment 23 and 24 days, and is there some analysis of that that you all could pull into this?

MS. BROUWER: I think there is. I mean, it would have to be updated with recent landings, but I know that the Regional Office staff had already put together some analysis. It would be easy enough to just update it and pull it in here.

DR. DUVAL: I think some of that was referring to an aggregate trip limit for the jacks complex, and so it wouldn't matter what of those species within the complex you were catching. If it was all almaco, and there was a 500-pound trip limit, you could have all almaco or you could have half almaco and half rudderfish. I mean, it wouldn't matter, and I think that might have been one of the things that we got wrapped around the axle on before, because the landings of all of those species are going to count towards that aggregate ACL. In order to separate them, that also requires a plan amendment. Chris.

MR. CONKLIN: I thought Monica told us that it wouldn't require a plan amendment and that we could separate the almaco jacks out at the end of the last meeting. Sorry to put you on the spot.

MS. SMIT-BRUNELLO: Would you ask me that question again?

MR. CONKLIN: Can we separate the almaco jacks out of the jacks complex just for a trip limit, like you can have 400 pounds of jacks complex, just jacks, but only 200 of them can be almaco jacks without separating them out of the complex? We can do that without a plan amendment, correct?

MS. SMIT-BRUNELLO: I think we can do that. I will look at it. I think it could be done via a framework, but I will look at that again.

DR. DUVAL: So you're talking about specifying a trip limit for just one of the species within that complex or specifying that only a certain portion of the trip could be X number of pounds -- If you had a 500-pound aggregate trip limit, and you wanted to specify that only a certain amount could be almaco, I don't think we need a plan amendment to do anything like that.

All I was saying is that you would need a plan amendment -- If you wanted to actually disaggregate the complex, you need a plan amendment, and so I apologize if I misled folks. Okay. I think some of the analysis that was done previously I think speaks to having a trip limit for just one of those species versus an aggregate as well. Myra, do you think we need numbers from the committee, in terms of 500, 400, 300 or something like that?

MS. BROUWER: If it's okay with you all, we could go with a range including what we previously analyzed and maybe just some of the suggestions from the public comment and bring you a range in June.

DR. DUVAL: How does that sound to everybody, to look at some of the input from public comment and bring back a range in June? I am seeing some heads nod. Chris, you look like you're thinking really hard over there.

MR. CONKLIN: I was just reminiscing on what I should have said as my comparison to the people leasing permits to cover expenses, but you don't want to hear it.

DR. DUVAL: No, you're right. I don't. Then the last item that we were asking people about was the use of an annual catch target below the trip limit to trigger step-downs, and the conversation revolving around this was that perhaps you could really truly have just an incidental catch limit, say once you get to -- If your annual catch target was set at 95 percent of the ACL, then, once you reached that annual catch target, that would trigger just a hundred-pound limit on whatever species, but, because it requires a plan amendment to establish annual catch targets, I think that's something that we will still put in the marina. I know that this was borne out of fishermen being concerned about the retention of a recreational limit on a commercial vessel when the commercial ACL has been met, and so that's where that is. Okay. We are going to move on.

MR. HARTIG: Michelle, just on Number 4, the last bullet, should greater amberjack be included in an aggregate trip limit, no.

DR. DUVAL: Sorry about that.

MR. HARTIG: No problem.

DR. DUVAL: No greater amberjack in any aggregate trip limit.

MR. HARTIG: Keep them separate.

DR. DUVAL: Okay. I know you guys hate it when I do this, but tough. Shallow-water grouper closure is the next item, and we're just going to take all the input that we had on Regulatory Amendment 26 and import that into here, and so we can move on from there.

The next item under consideration was modification to the fishing year for the commercial golden tilefish hook-and-line component. We had some conflicting comments on that that I think you will find at the top of PDF page 17. Myra, the thoughts on this were to, yes, modify it or, no, don't modify it, because of concerns about impacts on other species in the deepwater complex, or at least maintaining consistency with those opening dates.

MS. BROUWER: Correct.

MR. HARTIG: I think I am convinced, from the public hearing comments, about the conflicting dates. I hadn't thought so much about that, but I do fish for snowy and golden tile on a trip, and it makes economic sense to be able to target both of them, since you're in that -- You can target the snowy on your way to go golden tile fishing, or you can fish wrecks in the same area of golden tile and catch your snowy, and so, economically -- I know Chris is shaking his head, but, economically, it seems to me to make sense to keep them together, to keep the seasons together and not split golden tilefish out.

MR. CONKLIN: Just to build on that, a lot of guys are switching over to this buoy gear, and they're fishing like that up our way, and they're getting their golden tile and their snowy and their gray tile and all of that, and so it's economically important for them to have golden tile open with the snowy and the gray tile. Thank you.

DR. DUVAL: Does that mean -- Am I sensing from the committee that you do not want to keep, in this document, any action that would just separately modify the start date of the hook-and-line component of the golden tilefish fishery? That's what I'm sensing, but I just want to make sure that I have captured that. Okay. Then we will not maintain this in the document.

The next item for consideration was removal of size limits for deepwater species. My recommendation is that we do exactly the same thing here as we did in the recreational amendment. I am seeing heads nod around the table. Excellent.

That means we can move on to modification of the commercial minimum size limit for gray triggerfish, and my assumption here is that we would want to do exactly the same thing as what we have done in the recreational amendment. We want to modify that to be twelve inches. I am not seeing any disagreement on that. Great. Look at how much we caught up there. That is wonderful.

Okay. Is there anything else that we would want to consider with regard to this particular amendment right now? So everybody's homework is to think about what types of things you would want included in the portfolio analysis and when folks might like it. We will come back to that under Other Business, so we can provide some direction to staff there. I am sure there will be no end to the ideas. If there is nothing else right now, I am going to let us recess for the evening, and we will pick back up at 8:30 tomorrow morning.

(Whereupon, the meeting recessed on March 7, 2017.)

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MARCH 8, 2017

## WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Westin Jekyll Island, Jekyll Island, Georgia, Wednesday morning, March 8, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: We are going to convene the Snapper Grouper Committee. We are going to pick back up today with Snapper Grouper Amendment 43, which deals with red snapper and recreational reporting, and we have a number of items to discuss under here. The attachments in your briefing book are Attachments 4a through 4f, or 4g. Excuse me. There is a document that was added late.

I think the first thing that we're going to discuss is, at our previous meeting, we had made a request for discards-only projections, and so we have received a letter from the Science Center that is Attachment 4a in your briefing book discussing the Science Center's response to that request, and so, Dr. Ponwith, are you going to walk us through that?

DR. PONWITH: Yes, and thank you, Madam Chair. I appreciate the chance to talk with you about this. Yes, indeed the council requested some projections, based on the last stock assessment, to be able to guide their decisions, with respect to managing red snapper, going into the future. This is a very common request, and so the request itself was not surprising or out of the ordinary.

The challenge that we had with that, as we looked at running the projections, is this. Some basic truisms about projections are, when you run a projection, you are basically taking a stock assessment and you are taking what you learned about the status of that stock at the time of the terminal year of that fishery and you're taking those results into consideration of management measures that are going to go into effect in the future and then you're taking the status of the stock relative to that backdrop and projecting out what the trajectory of that stock will be going into the future, given those new management measures, and how long it will take to -- The management measures are intended to end overfishing, and it would be, under those circumstances, what are the projections saying about when the stock would no longer be overfished.

You need that to be in compliance, with the Act, essentially. When you do that, you take the new fishing regulations and that modifies what your fishing mortality rates are, but a lot of other parameters that go into a stock assessment, you don't know how they're going to change into the future, and so the most common thing to do is to hold those all the same. The one thing we know about nature is that it rarely stays the same, but it's the assumption that we use for that, and that is how projections are done.

Because of that, essentially what we say is that a stock assessment projection is at its best the year after the terminal year of the fishery. The farther you get out from that terminal year, the more uncertainty you have, because of the possibilities that things you're holding constant have actually changed, and those are things like future recruitment into the future or environmental parameters that influence recruitment and those kinds of things.

The challenge that we ran into when we looked at running these projections is this. Right now, the discard mortality -- The discard estimates from MRIP are a very important component of this fishery, and it's because, if the fishery is closed, that's where your fishing mortality essentially is coming from.

We have other things we're measuring. We have the fantastic collaboration with our state partners in the fishery-independent surveys. The MARMAP survey has been going on forever, and the SEFIS Survey began in 2010, with the intent of sort of creating this mosaic of fishery-independent data, and so the strength of our fishery-independent data is better than ever in history and is getting better with each year that time series continues, but it still puts a very heavy emphasis on those discard estimates from MRIP, and those discard estimates, in some cases, have fairly large PSEs.

Now, add to that the fact that the discard estimates require effort estimates and the effort estimation procedures are undergoing calibration evaluations right now. We are collecting side-by-side data for the effort estimation process as we shift from a phone-based to a mail-based system. Those calibrations are underway.

Our concern is that, if you take the results of the assessment and take something that you know, within a matter of a few months, is going to change, and then, after we get that third year of data, and the calibration protocols are -- They will be peer-reviewed after the first two years and they will be finalized after the third year, and that's a lot of change.

Now, the stock assessment for red snapper was approved, and, essentially, what your SSC advised you was that they approved the stock assessment and the understanding, based on that assessment, is that we are undergoing overfishing, but the degree to which we are undergoing overfishing is highly uncertain, to the point where your SSC essentially said that we don't totally understand the degree to which overfishing is happening.

That, again, creates some uncertainty in the platform we are launching from in those projections. For that reason -- In my letter, I outlined those reasons and advised the council that we believe that generating those projections and using them to make decisions for red snapper is not advisable at this time.

DR. DUVAL: Thanks for that, Bonnie. Are there questions for Bonnie? Ben.

MR. HARTIG: I just had one, Bonnie. I am looking at what bullet it is. It's the second bullet in the last sentence. You are referring to the sensitivity of the 2014 data and the retrospective analysis, but the last sentence says "This uncertainty in the stock assessment inhibits the ability to set an ABC that can be effectively monitored." I don't understand the "effectively monitored" terminology. I don't know what that is referring to. Is it referring to that we can't measure the ABC, if one was set? I don't understand that.

DR. PONWITH: Help me with where that bullet is.

MR. HARTIG: It's in the second bullet, the last sentence.

DR. PONWITH: We can set an ABC and set ACLs on it, but, in this interim period, when there isn't -- If a fishery does not reopen, then what we have is fishing mortality continues to be the

discard estimates, and those discard estimates are going to change, because of the change in the calibration. The whole idea is the calibration is intended to take something that exists, that is being measured, one way and you make a decision to measure it another way. The whole purpose of the calibration is to be able to knit that time series together, so that what you see is essentially what is happening, as opposed to a flux in the way you're measuring it, and that's why you do those calibrations.

We are in that process of creating the calibration methodologies. They are going to be reviewing those. Until that is done, or during that change, it creates a period where it is more difficult to really enumerate those discards. In a fishery where all of the fishing mortality is occurring in the form of discard mortality, it does add uncertainty into understanding what that total fishing mortality is.

That is where we're at, and if I might add -- I think the other shoe on this is what are we going to do about that, and we spoke yesterday about the need for a workshop. We, at the Science Center, have been in very close communication with our colleagues at the Regional Office. We have been in very close communication with our colleagues in MRIP, and we've been in communication among the three organizations.

The thinking right now is that, if we could hold a workshop that looks at the process that they're going through right now, which is finalizing the APAIS calibrations and all of those adjustments and going through and finalizing the methodologies for the effort calibration and making those calibration adjustments, hindcasting the time series, so we have a smooth time series that is corrected for all of those calibrations, we still have challenges with the MRIP on rare-event species, in cases where rare-event or other reasons cause the PSEs to be high in those estimates, and we have agreed that this is something that we can talk about.

MRIP has offered to the council that they are willing to sit down and tackle this as an issue, and, again, the notion is to create data standards of, based on what we know about the modeling methodology for running these estimates, what PSE level is sort of a good guideline to say, if you're within here, you should feel comfortable making management decisions. If you're outside of this, then you should be doing so with a higher level of scrutiny, and, beyond this level, you may not wish to use that number, and, in those circumstances, what do you do?

At the same time, working with MRIP to say what can we do to make these numbers better at the onset? Are there ways that we can re-stratify the way our samples are collected that may give us a coarser granularity of the data, but much more rigor, in terms of it being statistically robust for use?

We believe that that workshop would be enormously beneficial for the kinds of issues that we're facing right now with red snapper, and I had some conversations with our colleagues within the Center. I haven't discussed timing with the MRIP folks, but I would propose the notion of holding that workshop using some of the time we would regain from not conducting those MRIP adjustments to the catch series in 2017 and rather waiting to do that when the whole process is completed sometime in 2018.

That is one of the things that that paragraph -- That is a lot of background, according to that bullet in the paragraph, and the other thing is how do we monitor our progress toward rebuilding, in light

of all of this, and, for that, the Science Center would propose to the council that the council request their SSC collaborate with our analysts and look at the data streams that are available and their relative reliability as an input to stock assessment and sort of revisit how the next red snapper stock assessment would be done, given the situation that we're in with the fishery closures and our concerns about the red snapper discard numbers, and I will stop there.

DR. DUVAL: Thank you, Dr. Ponwith. Zack, you had your hand up?

MR. BOWEN: Yes, and thank you, Madam Chair. Good morning, everybody. Dr. Ponwith, you answered one of my questions as I was writing them down, and that was how do we fix it, but the second part of that question that I wanted to know is when should we expect that problem to be corrected? What kind of time are we looking at here? That was one question. Then the second part, or the third part, of this is it seems to me that, yes, the discards -- We can't measure those, because we can't measure effort, but wouldn't that also go as far as say into the other species, such as cobia, because we can't really measure effort?

DR. PONWITH: The first question is the fix, and so I have not had a chance to discuss with MRIP the timing of holding a rare species or sort of a PSE evaluation discussion with them. My hope is that can happen sometime in the fall of this year, and I would picture that to be a really -- We would have to create a terms of reference, so the questions don't kind of get beyond us. We want to be really, really focused.

I will be really honest with you that MRIP is -- The math behind it is complex and the process they go through for peer reviewing that math is very complex and very robust, because of how important those data are to the fishery management councils and to the science bodies who are using those as inputs for stock assessments.

My sense is that, if in this evaluation, some recommendations are made about either changes to the existing protocols or, what I think is more likely, augmentations to those protocols for cases where there are rare events, like the events we've run into with hogfish or tilefish in the Gulf of Mexico or those kind of problems, that those will be stood up, but they will have to be stood up by a team of probably a combination of internal and external analysts.

It will have to be tested and it will have to be peer reviewed. I can say that that process won't be fast, but, in this case, considering how important it is, that is probably a good thing, and so I think, in short, the workshop can happen soon, but the results of that workshop, the implementation, depending upon what those decisions are, could be a long process.

Your second question is does the implications for red snapper carry over into other species, and so we are able to measure effort. We have a system for measuring effort right now. We are in the process of improving that, shifting from, again, from the phone survey to the mail survey in MRIP. That's a carefully-crafted process, and, again, the calibration that they're going through right now is going to be used to be able to knit those time series together to give us one even time series going back into history, knowing that what we caught today is not the only thing that's important. What we caught ten years ago is very important in the way we manage this fishery and in the way we run our stock assessment models.

The red snapper situation is a very special case right now, because of the timing of the completion of the stock assessment with the calibration and where the calibration is right now, and so it's a combination of the timing and it's a combination of it coinciding with a situation where the fishery is closed, and I think this is a really big focus area.

Changes that we make to MRIP, either actual changes or augmentations to MRIP, my intent would be to hold that workshop so it isn't a red snapper workshop. Red snapper will be a good case study for that workshop, but I would like it to be generic enough that everything that we learn from that workshop can be applied across the board to all the species that we use MRIP to monitor.

MR. BOWEN: Thank you for the response. If I may, Madam Chair, and I think everybody knows, but I am going to say it again. The recreational anglers are mad as hell, and the for-hire guys are starving to death, and so we have to come up with something in a timely manner. I am sitting here, as a professional in my line of work, and I don't know how much longer I can hang on with these closures. It's not good, and we need it corrected as fast as we possibly can. Thank you.

MR. HARTIG: Bonnie, I am supportive of the extra years you're going to use to look at the recalculations of MRIP. I didn't really like the way that APAIS was using one year and going forward with those recalibrations, and so I am supportive of that. I am also supportive of you bringing the SSC and the Center together in collaboration, to see how we can better do the assessment, but that leaves us in the interim period now, and what do we do now? That is the real question. What do we do from 2017 until the next assessment is done?

I mean, if your answer is to keep the fishery closed, that will be unacceptable to this council, and so how do we do something with an ABC now? How do we move forward with probably getting to the SSC and finding a way to move forward with an ABC on red snapper now that will be acceptable to moving forward?

DR. CRABTREE: I think that's sort of getting into the next letter, which is the one that I sent to you all yesterday, and so what I tried to lay out in that is kind of where we are at the moment. We had an overfishing determination that was based on the years 2012, 2013, and 2014, average F for those years. The highest mortality rate was in 2014.

Those are the three years that the fishery was open with the mini-seasons, and, if you look at the breakdown of the fractions of fishing mortality attributed to all the sources, a substantial amount of the fishing mortality during those three years was landed catch. The SSC told us that they thought we were overfishing, but they couldn't quantify by how much or what we needed to do, and so an action occurred in 2015 that closed the fishery that eliminated a substantial fraction of the fishing mortality in those years, and, in our judgment, that should have been sufficient to end overfishing, and so I believe that the action of closing the fishery has probably ended overfishing.

Now the question becomes how do we get to opening the fishery, and I don't believe, at the moment, that you have a useful ABC for this fishery, for all the reasons that Bonnie outlined, and so I think what we need to do now is go back to our SSC and look at what other types of techniques and methodologies are there available to us in order to try and come up with an ABC in this fishery.

We have problems knowing what the removals are now, but we do have a strong fishery-independent index, which is showing a positive trend in recovery of the fishery, and so there are a



host of data-poor techniques and other methods available that can look at that, and we need to find some way to get to an ABC. Then I think, as move into the next amendment, anything we can come up with that would bring the discards down would certainly be a positive step towards getting to open this fishery, but we have the amendment still in place that set up the process we were using when we had the mini-seasons, but that methodology requires you to have an ABC to make it work.

That, it seems to me, is the first step. We need to come up with an ABC, and I understand your point that waiting many years until we resolve all of these issues probably isn't the way the council is going to want to go, and so we are going to need to try and come up with some interim methodology of finding an ABC. Then I think what we are able to do at that point is going to largely depend on what that ABC is and then how the discards behave.

If this spike in discards that we saw the last few years was caused by a very large year class hitting the fishery, you would guess that would probably come down some as that year class works through, but we don't know for sure what that was that caused that, and so I think that's where we are right now, and so I think the next step is back to the SSC, and then I think we keep looking at things that we think are doable that would bring the discards down.

DR. DUVAL: Thanks, Roy. We have a number of folks around the table. I am going to go to Chester first and then Tony and then Charlie.

MR. BREWER: This is a question, I guess, for both Roy and for Bonnie. Roy, following up with what you just said about, in the interim, trying to figure out what we can do to get the discards down, because obviously it's discard mortality that -- Not obviously, but it seems that it is discard mortality that is keeping the fishery closed, because supposedly more fish are being discarded than we are allowed to keep.

With that scenario, you are going to be closed for the foreseeable future. As the stock goes up, you're going to have more and more discards, and you're going to have more and more mortality. I would love some advice on things that we can be doing in the interim to determine the effectiveness of descending devices and what effect circle hooks have, and I know we did have an overview of the information, but what effect the use of circle hooks has.

I know that, in the recreational community, both charter and private, there is a great deal of interest in trying to get involved in doing something to help with those datasets and that information. Even if people can't keep it right now, can't keep a red snapper, they would be interested in doing something to help and to try to work through this situation and this almost conundrum that we find ourselves in. I will get back to my real question. What kind of things can be done in the near future to try to help with those datasets and the data on dead discards?

DR. CRABTREE: We know in this fishery there are a lot of discards. It doesn't necessarily track that because discards go up that the mortality rate caused by the discards goes up. If discards go up because the stock is growing, it may be the mortality rate is constant. The trouble we have is recruitment is episodic, and we have big year classes and small year classes, and we don't know when they're coming. We only know about them after the fact, when we look back in time.

A lot of time, if these assessments are done right as a big year class is hitting the fishery, the assessment is unable to tell if the spike in discards is because mortality has gone up or if it's because there is a huge year class hitting that, and sometimes it will split the difference, and that's part of our dilemma now. We saw, in the terminal year of this assessment, a big spike in the mortality, but we don't really know what is happening, and the terminal year is always the most uncertain year in any assessment, and there was a retrospective pattern here.

I think we've got to keep monitoring the discards. Now, that's been complicated by the MRIP transition, because the continuity of our historical time series of recreational catches has been disrupted. There will be a calibration workshop, which will attempt to address that. How successful it will be though remains to be seen, but I think, for all of our stocks, we have to deal with the fact that there is a break in the continuity of our data series, and that creates problems for us. On the good side, we are removing a bias from the recreational catch estimates, and we're going to get better catch estimates.

I don't necessarily accept that we're going to be closed for years. I think it all depends on how we can come out with an ABC and then how that ABC relates to what we see in the fishery in the coming years.

Now, there is a paper that I got that has been accepted in a journal and is expected to publish in April this year. There are some folks at the Science Center on it, Will Patterson, and it's based on the Gulf of Mexico, but, in it, it looks at the circle hook regulation, and the abstract says that circle hook regulations may reduce traumatic hooking mortality by up to 50 percent. It also has a statement in there that they saw strong dome-shaped selectivity estimated for all the selectivity curves, and so I think there are some things in here that are directly relevant to what we're doing, but there certainly is a very recent paper focusing on red snapper that gives you some numbers to look at in terms of the effectiveness of circle hooks.

We are going to have to pull together what we can, based on what we think descending devices may do, and we will have to do the best we can at figuring out how that might apply, but I don't want us to get overly pessimistic that we're going to be closed for years, because I don't think that's necessarily true.

I think we need to keep, in the forefront of this whole discussion, the rebuilding plan is working. That's what we've heard from our SSC members who have testified, and that's what you see when you look at that fishery-independent index. It's one of the strongest ones we've had, as Bonnie said, and so we've got some problems now that we've got to deal with, and we've got some data issues that we've got to deal with, but I think we keep the focus on working with the SSC and get that ABC right now, because we're not going to get anywhere until we come up with something there.

Then we pull together all the latest information that we have on discard mortality rate and circle hooks and all of those things and find a way that we can get to some level of a fishery and still keep the recovery moving in the right direction, and so there's a lot of "ifs" there, but I just don't want us all to get -- We don't want to give up on this. I think we can get to where we need to be, and I think it's important that we don't lose sight that the stock is recovering. It's in the best shape it's been in in forty years, based on all the information we have, and now we just need to figure out a way to reopen the fishery.

DR. DUVAL: We had a couple more folks, Tony and then Charlie, and then I would like to bring us back to our agenda items, because we could probably talk about this part of this all day, and, as much as I would love to do that, there are many other things that we need to address as well, and the next piece of this is for Chip to go over the discard mortality literature review that he put together that was one of the requests from the last meeting. Tony and then Charlie.

MR. DILERNIA: Thank you, Madam Chairwoman. I would like to build a little bit on what Dr. Crabtree was just speaking about. This situation with red snapper is not unlike the situation that we had and have in the Mid-Atlantic with black sea bass. We, for years, could not get an assessment that our SSC would accept, and so, as a result, we had very low quotas and extremely low ABCs, despite the fact that there appeared to be quite a large number of black sea bass in the Mid-Atlantic waters.

Recently, and I don't pretend to be a pop-dy person, and so my explanation will go only so far, but, recently, we tried a different approach on the assessment. We hired a contractor, and we did some work as an alternate method of developing an assessment, which our SSC accepted. As a result, we were able to get an ABC, and it turns out that, with this new process that we followed, it turns out that we have determined that the black sea bass stock is probably about two-and-a-half times the target level.

We went from extremely restrictive regulations to regulations that perhaps will give us a more liberal fishery in the future. It's further complicated by the fact that, as a result of the stock being so high, discard levels are increasing, and we have to take that off the top also, but we did -- I would just refer you to our staff, Dr. Moore, but we did try an alternate approach to the assessment, which gave us an ABC that was much more acceptable. Thank you.

DR. DUVAL: Thanks, Tony. We might be looking into that. Charlie, and then we're going to move on.

MR. PHILLIPS: Okay. Roy, we were talking about trying to set an ABC with a lot of uncertainty, and I'm curious, because if we could possibly set an ACT that wouldn't have all of the accountability measures involved that an ABC would have, because we've got so much uncertainty anyway, and that might give us a little more wiggle room on the way we fish or how we run the rabbit. Maybe we can't set an ACT without an ABC, but having that flexibility, if it's possible, might help.

DR. CRABTREE: Remember that we have Amendment 28 still in place, which allowed us to get to the mini-seasons and the openings that we had. What we're missing to apply that now is an ABC. Now, it depends on what the ABC is as to whether it gets you to a fishery or not, but, if you had an ABC, you could go in there and plug the number in and potentially get back to the kind of mini-seasons and framework that we had. Now, I don't know if that's where we want to go or not, but that is still on the books.

DR. DUVAL: To me, it seems like this is going to require some careful tasking of and communication with the SSC in terms of looking at some alternative approaches and I think utilizing the existing data streams that we have. I am thinking that that might almost require just

a separate SSC meeting, just given what you all might have on your plates, but I just put that out there.

That's something that we need to think about, and I think we would like to get a little bit of resolution before we leave this meeting, so that people have a sense of timing, in terms of when we would begin to tackle this, but I will just throw that out there, that it might require an additional meeting via webinar or whatever. I am not fully aware of what is actually on the SSC agenda for this year. Marcel, I don't know if you want to come to the table and address that at all. I don't want to put you on the spot, but I will.

DR. REICHERT: We can certainly discuss that. We have a pretty full agenda in the upcoming SSC meeting. I also want to make sure that we're careful that what the task is of the SSC, in terms of advising and formulating recommendations, rather than coming up with a stock assessment. I think that would require some careful considerations and talking with Bonnie and the Science Center and see how we can collectively come up with something. We can certainly talk about that.

DR. PONWITH: To that point, I think the division of labor is an important thing, and we can discuss the nuances of that. We have to be careful not to involve the full SSC in deliberations on an assessment, because essentially we need people who are stock assessment competent held out to be part of the peer review panel.

There would obviously be good communication between the two groups, but part of that discussion might be what is the appropriate division of labor. The Science Center is certainly willing to take a lead role in looking at what resources we have available for looking at the status of that stock in the circumstances that we're in and then collaborate closely with the SSC on terms of reference development and their participation on the panel, like we traditionally do for those assessments.

DR. DUVAL: I said what I said not because I am expecting us to come up with a magically-crystallized plan of attack or anything, but I just want to make sure that we capture this in our timing and tasks motion, in terms of how we're going to start walking down that road and that's all, and so I think, between now and Full Council, I would encourage a little bit of dialogue to figure out how we start that ball rolling, that's all.

I would like to move on, Dr. Collier, if you're ready. One of the things that we discussed at our last meeting was a discard mortality literature review. We had a presentation from a graduate state at NC State University who reviewed a study that they had conducted looking at the utility of descending devices and how well they worked with some of the deepwater species, and so that led to a request to kind of collate information or studies that had already been conducted on this. Chip has done that, and I'm going to turn things over to him.

DR. COLLIER: Thank you. What I put together in this paper, and it's Attachment 4b, and it's called "Literature Review for Red Snapper Discard Mortality", is it includes looking at a couple of recent papers that were published. When I say recent, I mean since 2011. Then it includes a section describing those studies in further detail.

Then it has a section on the synopsis of red snapper that was included in SEDAR 41. That included a literature review, once again, in that. It included about twenty different papers in that literature

review, and so I didn't want to go through that again, and I just provided that as some background information.

A third part in that was looking into how the Pacific Fishery Management Council used descending devices to decrease their discard mortality and prevent area closures for the rockfish fishery, and so there is some links to the actions that were taken, some of the SSC deliberations, towards the end of this paper, and then, finally, there is an appendix that was put together by me as well as the main searchers for this was Pew. It was Melanie Sciochetti, who works in the library for Pew, by request by Dr. Lora Clarke.

They provided me that literature on descending devices, and then I put the conclusions of the paper to the right of that, and so it's a very, very short synopsis, but it gives you an idea of a bunch of different barotrauma studies that have been done throughout the world and not just on red snapper. The beginning of the paper just focuses on red snapper research.

Going into the research that we had there, it starts off looking at do circle hooks reduce discard mortality, and there were four papers that really get into this. Two papers say no and two papers say yes, and this is going to be a consistent pattern when you look into discard mortality research. It's usually pretty low sample sizes, and their ranges are all over the place.

An example for this is the range of discard mortality in published literature for red snapper ranges from zero to 100 percent, and so it runs the gamut, and it can be very difficult to try to tease out all the factors. Some factors that are important for estimating discard mortality is going to be season. It's going to be type of hook, and it's going to be type of fishery that you're in. It's going to be how long the fish was out of the water, depth that you're fishing in, whether or not there's a thermocline in the area, and so it's a variety of factors that can influence discard mortality.

Going back into that, the Burns and Froeschke paper, that was based on a tag return rate. It included fish from the Gulf of Mexico and South Atlantic, and they found no difference in survivorship when comparing j-hooks and circle-hook-caught fish.

Then Campbell et al. did a meta-analysis in 2012, and what that meta-analysis did was it focused on just red snapper discard mortality in the Gulf of Mexico, and it looked through a variety of papers and included data points for each of those, based on the depth that it was being fished, the season, the type of hooks, the fishery that it was in, and it made some conclusions, based on that meta-analysis, using a regression-type analysis. What they found with that is they did not find a significant impact of circle hooks or a significant benefit of circle hooks. However, they did mention, at the end of that paper, that they believe circle hooks were a benefit and should be recommended for management.

Then there were two papers by Sauls and Alaya and then Sauls et al. using some hooking location and whether or not a fish was hooked in the mouth or if it was hooked in the gut impacts discard mortality, and they used some of these condition factors. Using that method, they did find a significant impact or a significant benefit of using circle hooks. Chester, I saw you had a question?

MR. BREWER: I did. Going back to the prior study, where they found that -- Even though they found at the end that there was a potential benefit for using circle hooks, but that they found no discernable difference in mortality, did they specify what kind of circle hooks they were using? In

other words, were they straight circle hooks or were they offset circle hooks, because there is -- You do have more chance of a gut hookup with an offset circle hook.

DR. COLLIER: That is one thing that they mentioned should be investigated in some of these studies, was whether or not it's an offset circle compared to just a normal circle hook. Some of the papers did not mention whether or not it was offset. Therefore, they weren't able to tease that out into their analysis. Some of the stuff by Sauls is able to tease that out. They actually record that in their dataset, and so it's something that could be looked into.

MR. BREWER: Anecdotally, there is a difference, my anecdotal experiences with sailfish, but we don't allow offset circle hooks to be used in our tournaments and whatnot. It has to be a straight circle hook.

DR. COLLIER: That is the same with the Gulf of Mexico with their reef fish fishery. They don't allow offset circle hooks. However, our regulations just specify that you are required to use circle hooks. Going into the next section, does venting or descending devices reduce discard mortality for red snapper, unfortunately, there is very few studies in the South Atlantic that look into descending devices. There is some increased interest in doing it, but we have very limited data that has been collated together in order to look at this.

A lot of stuff that's been looked into, at least for the South Atlantic, and then there is some more recent stuff from Drumhiller and Curtis, is looking at descending devices and whether or not they will be beneficial. Both Drumhiller and Curtis found that descending devices, or rapid recompression, would be beneficial for red snapper, and there is some different estimates that came out of those.

There was another study by Diamond et al. in 2011 that indicated that recompression was not going to be beneficial. They did mention that there were some issues with their study. They did an acoustic study, and so they were having some difficult times with recapture. When I mean recapture of some of the fish, that is detection of the fish within their range. There was potentially some signal interference and distance and also thermocline interference with their signals. Overall, their overall recapture rate was pretty low.

Based on that, rapid recompression does seem like it does have some benefits, and venting does seem like it has some benefits as well. I have been working with Bev Sauls and Russ Brody and Justin Solomon with FWC in order to incorporate the -- There is an old tagging dataset from Burns that she had tagging data from 1996, I believe, all the way to 2006. Then the Sauls and FWC, they have more recent data on red snapper, and we're trying to incorporate those two different datasets together to get a better idea of changes in discard mortality over time and looking at factors such as venting and circle hooks.

DR. DUVAL: Any questions? Anna.

MS. BECKWITH: Chip, when you were reading through these, was there any specific information on depth? I know we've had some discussions about a hundred foot, but, in talking to some of my fishing guides, they feel like 110 or 120 feet is when they really start to see sort of barotrauma issues in red snapper, and so was there anything that you sort of came across that specified depth ranges?

DR. COLLIER: Some of the studies have discreet depths in them, and some studies have continuous depths. If it's a fishery study, it's more likely to have a continuous depth. If it's a scientific study, it's more or less they're going to fish at certain areas, maybe thirty or sixty meters, in order to just bin these certain things and increase their sample size.

Is there a magic depth? I am not positive on that. What I have projected up there is a depth relationship for discard mortality looking at four different studies, or three different studies. The Campbell et al. has two different lines to it. The two lines represent commercial and recreational fisheries, and so it does increase with depth. The rate of increase, I am not certain.

A lot of that stuff was based on the Gulf of Mexico. Because the Gulf of Mexico does have a different thermocline than the South Atlantic, their change in discard mortality is likely going to be different. Looking at the recreational discard mortality and depth relationship that we are beginning to develop for the South Atlantic, it does appear that the discard mortality is slightly higher in the South Atlantic than in the Gulf of Mexico.

MR. HARTIG: When I came back on the council seven years ago or so, we were right square in the middle of the red snapper discussion. I was coming in late, but the first thing I did was to go back and look at all the information on circle hooks and how that might help in the discard mortality debate at that time.

You really need to separate it out, initially, in hooking mortality versus mortality after you release the fish, and so there is the mortality that occurs initially with hooking mortality. There are fish that are dead on arrival, almost, from hooking mortality with j-hooks and there are fish that, with j-hooks, an organ is nicked over time, and, in the submerged studies, cage studies, they used, the fish ended up dying, because of those injuries from j-hooks.

In Karen's work, and I had talked to her at that time, God rest her soul, but, in Karen's work, she had her initial paper -- While she didn't come up with a certain percentage that improved over j-hooks versus circle hooks, in her work, you could see that there was a benefit of using circle hooks over j-hooks.

Long story short, I did bring this all up to the council, and we did move forward with the circle hooks, and now we have got at least some credit for circle hook use. Now, the tagging -- When you start tagging these animals, there is a whole lot of things that happen with tagging. Animals leave, and there is a whole lot of other things that happen, and so the tagging studies, while they may not show circle hook benefit, and Chip has mentioned sample sizes, which that definitely plays into that debate, but I was convinced, after reading everything, that we would get a benefit from circle hooks, and it looks like we have. Then the paper that Roy mentioned, Patterson et al., it looks like they have narrowed it down even more.

I believe we have done a great job with the circle hooks, and we have gotten some benefit from it, but, to move forward with the descending devices, I mean, that is very, very much more beneficial, from what I have seen so far. Now, there is not a lot of information specifically to red snapper, but, in the depths that red snapper are primarily prosecuted, we are looking at between eighty-something and 100 percent survival for red snapper in the depths where most of them are caught.

If we can get descending devices for red snapper routinely used through this fishery, we will significantly reduce discard mortality, and so I will stop.

MR. BELL: Related to descending devices and depths and things, this really isn't rocket science. This is really basic -- This is the real Boyles Law, and maybe Charles Law, related to gas expansion, and so, at thirty-three feet, you've got two atmospheres now, in terms of compressing things. If you go down to sixty-six feet, there is another one. Standard recompression tables that we use for humans, we're treating at sixty feet, and so the barotrauma thing -- There can be injuries associated with the animal from the expansion of the gas and whatever that does, and it may be species-by-species.

The simple fact of if you can just get that animal down to beyond thirty-three feet, or down to sixty feet, you're going to get -- The air bladder is going to go down, and part of the thing is not necessarily what might be going on physiologically in that animal, but it's just getting that gas bladder down to a level where the animal can now swim away and take care of itself. Then, depending on the species and how fast they come up, there can be injuries associated with that, but I think everybody realizes, if you could just get those things down, there is benefit in that.

Apparently, I believe, on the west coast, they have -- I think they require the use of descending devices, I believe, or I had heard. Maybe that's something you came across, Chip, but to just move forward on that -- The public understands that, and they're using them. They are watching these things with their GoPro cameras, and I think the quicker we just move in that direction, the better, and it's not -- It honestly isn't rocket science.

This is pretty simple, and so I think that would be beneficial. Of course, you can also degas by venting, with a venting tool, but I would rather see the air bladder compressed using physics than jabbing needles. Then you have injuries associated with sticking an eighteen-gauge needle in an animal, and maybe you hit the right place or maybe you don't.

I just think this isn't that difficult, and it's just driving me a little crazy that -- I understand the need for our species and our waters, but the basic just being able to use physics that applies in any waters -- If you get the air bladder down and get the animal down, there is going to be benefit in that, and, to the rockfish thing, do you know about that, Chip? Are they really required on the west coast in some fisheries?

DR. COLLIER: I don't believe they are required on the west coast. What they do is they have a survey, and, in the survey, they estimate how often descending devices are being used. From that, they were able to take a discount of the overall discard mortality, the number of dead fishery in the fishery, and were able to prevent large area closures for some species, like I believe it was canary and cowcod.

DR. DUVAL: To that point, Bonnie?

DR. PONWITH: Yes, and I apologize if the timing of this isn't right and if it's duplicating, because I was running through my notes, to try and make sure that we provide the information, as we have it, germane to conversation, at that point. We were talking about circle hooks and j-hooks. Dr. Will Patterson did a CRP study, Cooperative Research Program study, that began in FY2012. That study has been completed, and it looked specifically at examining hook selectivity. This is



hook selectivity, which is different, but related, in the northern Gulf of Mexico recreational reef fish fishery.

That study is done, and the CRP final report is available. It's publicly available. I just sent it to Chip via email, and he can get that out to you. Again, it's not specifically hooking mortality, but it talks about selectivity and it may discuss mortality in there, and so that's one piece of information that's available.

Another CRP study for which we expect to receive the Cooperative Research Program final report on the 30<sup>th</sup> of April is a study by Dr. Jeffery Buckel that began in FY2014 estimating discard mortality of shallow and deepwater reef fishes using conventional telemetry tags. That final report, again, is due the end of this month.

We had another study that began in FY2015, and this one you will like, because it's directly applicable. It's also by Dr. Will Patterson, and it is testing descender devices in the recreational Gulf of Mexico red snapper fishery and implications for slot limits and season lengths, and so that study is underway. We have simply preliminary reports that are due every six months, and we've got like one or two reports. The next report on that is due the end of April. Then that project was refunded for FY2016. Again, it's the same subject or topic name, and so it was funded two years in a row to complete that study. I think that the results of that will be particularly germane to the discussion and the deliberations.

DR. DUVAL: Thank you, Bonnie. Chester.

MR. BREWER: I couldn't agree more with Mel. This ain't rocket science. There is plenty of video out there, and I could direct you to it, that people have gone out with their GoPro or whatever, their underwater cameras, and they film these fish going down, using different descending devices. The fish, when they're released, they just swim away.

It seems like at least maybe I have had my head too tightly wrapped around red snapper and the release mortality for red snapper. The truth of the matter is that these devices work, and they don't just work on red snapper. They work on all species. As maybe an interim -- I don't even want to call it an interim, but maybe we should focus on the mandatory use of descending devices by anybody who is bottom fishing in the South Atlantic area. They are required to have them onboard.

ASA has been doing some work, and I think they're going to present to us next time, on how you go about getting the anglers enthusiastic about using them and their buy-in, and so I'm wondering if we ought to maybe go down the trail of, at the very least, requiring that descending devices be onboard vessels that are bottom fishing in the South Atlantic.

DR. DUVAL: I think we will get into that discussion when we start talking about Amendment 43. What I would like to do is let Chip run through the remaining relevant information here, and we also have a report from the Southeast Barotrauma Workshops, and then we will get into the scoping documents and the options paper for Amendment 43, and that's where I think we can talk more about requiring the use of descending devices.

DR. COLLIER: Another section of this is Monica was asked to look into how the Pacific Fishery Management Council utilized descending devices to account for reduction in discard mortality,

and so I went through some of their minutes from their past meetings, when they were beginning to develop recommendations on using different discard mortality rates and the benefits that they could get from that or a potential reduction in management measures that could result from that.

The way it basically worked was they asked their SSC to look into discard mortality rates for different species of rockfish. There was a lot of science at that time indicating that the discard mortality rate definitely decreased for rockfish.

If you guys don't know what species of rockfish I am talking about, it's a large aggregate complex, similar to our snapper grouper species. However, these are a little bit smaller than what we have. They are deepwater fish, and they tend to be in greater than a hundred feet, and they can go out to over a thousand feet, and some of the fisheries will be prosecuted in some of those deeper areas.

It's a multispecies fishery, bottom fishery, similar to what we have, and they were dealing with issues of discard mortality for some of these species, and they were being termed "choke species", and the reason the term "choke species" was coming about was because it was limiting what they could fish for and areas they could fish, and it was very contentious out in California and on the overall west coast.

Their council decided to look into these descending devices. There was scientific literature indicating that they were definitely beneficial for some species of rockfish, and so they sent it to their SSC and their Groundfish Management Team. I believe the Groundfish Management Team was the one that came up with the estimates. The SSC reviewed those estimates and provided the estimates back to the council as used for best scientific information.

In the last recommendation, the last link I had there, it indicates exactly what the motion was, and it also indicated that they were going to go back to the states and have them report their overall usage of descending devices. That's a very important part about this, is the compliance, how often are these devices used, in order to balance your estimate of how effective they are, and so that's the second part, is you can require it all, but you also have to make sure that they're using it, and so that was the part that they focused on, was making sure that they were using it, and that was incorporated into their recreational surveys. If there is any questions on that --

DR. DUVAL: Any questions for Chip on that? I found that conversation interesting, because I think it was sort of a back-and-forth between a couple of the members about -- I forget if it was the range of mortality estimates or if it was -- I think someone was pushing for like a 100 percent assumption that these things work, and I think a couple of other folks wanted to take a slightly more conservative approach in the estimate, that they didn't necessarily work all the time. I read it two weeks ago, and so I can't quite remember that.

DR. COLLIER: What you're referring to is there was discussion at the council level on recommendations that came from the Groundfish Management Team that was approved by the SSC on whether or not one of the values -- They used different depth-related values about where it was being fished, and, in some of the deeper values, was that accurate?

There were some different feelings amongst the council members of what that value should be. The council ended up deciding on a value that was slightly different that was recommended by the

Groundfish Management Team and the SSC as one of the deeper values for, I believe, just a couple of species.

DR. DUVAL: Thank you. Okay. Any other questions for Chip on this literature review? We really appreciate that, and thanks to the folks at Pew who were willing to donate some of their time to doing that literature request, and I think this is going to be a very useful document for us to refer back to. The next item is Review of the Southeast Barotrauma Workshop, and I believe that is Attachment 4c in your briefing book.

DR. PONWITH: Thank you, Madam Chair. I have in my notes the date, but not the year. It was 2012, April 11 through 13 of 2012, in St. Petersburg, Florida. A workshop was held, and the workshop objectives were to identify best practices and equipment to employ by anglers and regulatory agencies to increase the survival of angler-caught saltwater fishes, with an emphasis on reef fishes under a variety of conditions and fisheries, and to develop an outline for messages directed to anglers to employ best practices and then to provide guidance to management bodies to reduce the interaction and lethality of these interactions. Then, finally, it was to identify gaps in the current state of knowledge.

It's a good read, and I hope you had an opportunity to study this. Of interest to the Science Center, of course, and to the council as well, is the list of research needs that came out as a result of this, and the research needs included determining the effectiveness of venting or rapid recompression using descending devices as they are actually conducted by anglers, quantifying the true extent of release mortality of red snapper and grouper fisheries, the need to determine the degree of predation on reduced fish by marine mammals and predatory fishes, and the development of better data on survival rates, based on species size, age of the fish being released, stressing the importance of large fish in the spawning population.

Those results are available. They do have information on messaging, and they do have sort of some advice on best practices, and then those research gaps, I think, are important and were probably the cause of the influx of cooperative research proposals that came into the Center and Region for work on hooking mortality rates and barotrauma evaluations. I do have the list of those cooperative research projects that I read off to you, and I will send that list to you, Chip, so that you've got that and can cross-reference it against the ones that you've got in your list and make sure that it's rounded out.

DR. DUVAL: Are there any questions for Bonnie on the barotrauma workshop report? Leann.

MS. BOSARGE: Bonnie, I just wanted to formally ask if you would send that to our staff as well, because we're going to have a presentation very similar to this, and a conversation very similar to this, at our next meeting. Thanks.

DR. COLLIER: One of the results from this meeting was actually a video on preparing for a trip before you go fishing, because that can be just as important as venting the fish or doing recompression, is be prepared and use certain techniques. If you're going to be catching a fish -- If you don't want to catch a fish, plan not to catch that fish. Don't go to an area where it might be, if you think it's going to be impacted by barotrauma. That's the first one.

The other one is having the proper gear. From this meeting, they were indicating that circle hooks were definitely the gear to be using, and it was non-offset circle hooks is what they were recommending. If you were going to be using a landing net, use a landing net that is a knotless landing net, so it reduces the impact for the fish. Don't take the fish out of the water. If you want to take a picture of it, take a picture of it beside the boat in the water.

All of those combined help to reduce discard mortality, and then they went into venting and recompression and several other things that are focused, and they also produced a video, and Gil will say this everyone, but it's a little corny when you're watching it, in the beginning, but it does get the point across. It's an effective video, and it goes through all the points of ways to reduce discard mortality for recreational fishermen.

DR. DUVAL: Thanks, Chip. Anything else right now on barotrauma? I definitely appreciate everyone's efforts in collating this information and putting it together. I think this is a great compilation, and it will certainly help inform our conversations as we move forward, seeing what other regions have done, and I think, with some of these new papers that are coming out, helping to inform how we can I guess provide some credit for the use of these devices down the road.

If there is nothing else on that, then I think we're going to go ahead and jump into a review of the public scoping comments. We had quite a few public scoping workshops and in-person hearings in January and February, and we'll let Chip take us through that.

DR. COLLIER: If you don't mind, I was going to start with the actual scoping document first, just to give a brief reminder of what was asked of the public. That way, it kind of frames some of the answers that were given by the public at the meeting. You guys had requested that we pare down the amendment, in order to go out to scoping. You didn't want a bunch of the ABCs and OFLs and ACLs in there, and so it was definitely a pared-down document.

Essentially, it came down to asking the public four different questions, and those four questions were: What is the best way to reduce discards of red snapper to stop overfishing? What management measures could improve the survival of discarded red snapper? If red snapper removals, and, once again, for red snapper, we're talking landings plus dead discards, if that is reduced significantly, limited harvest may be possible, and what management measures would you like to see used to manage red snapper if a limited red snapper season is allowed? Then, finally, how could estimates of catch, discards, and effort in the private recreational fishery be improved?

Those were the four questions we went out to the public and asked them, and they responded. We had ten meetings, and I think they were very well attended meetings, and I think we got some really good comments from the public on what you guys wanted.

We started off down in Florida, in Jacksonville. Well, let me give you the overall theme. They did not believe the numbers coming out of the stock assessment. They didn't really believe the discard estimates. They felt both of those were way too high or way off, and that was the general theme from the Keys all the way up to Cape Hatteras. It was a pretty consistent message that the fishermen responded to us.

Starting off with the meeting in Jacksonville, we had around sixty fishermen that attended, and we had twenty comments. Those are listed. I went through the big themes, but there was some

concerning things that I heard at the meeting. Some fishermen were believing in a conspiracy, and that's never a good thing when you're trying to manage fishery. You don't want the ideas of conspiracies being out there. I know that's not the case, but it's very concerning to hear that, and there was some indication that there was more violations that were occurring for red snapper as well.

Fishermen were concerned with this might create new protected areas. They did not want any new protected areas. Some fishermen wanted state management. They wanted Florida to take over the management of red snapper. Some suggested improving education on safe releases, whether it's de-hooking or venting or descending devices. Some fishermen, if there was a season, they wanted it after the spawning season or before the spawning season. Some fishermen indicated that it would be best to close around the full moon. That's when the fish were spawning.

Some fishermen suggested a slot limit, similar to red drum, and some fishermen definitely recommended reporting for private recreational fishermen. At the Jacksonville meeting, one of the fishermen actually got up and gave an impromptu poll, asking everyone there whether or not they would like to have private recreational fishermen report through an electronic app. The majority of people in the room agreed. There were a few dissenting voices, and they were pretty adamant that they did not want any reporting requirements for themselves.

We can go through all of them, but I would say that Jacksonville covered pretty much the comments for everyone. It was pretty consistent messaging. Some people were for electronic reporting and some were against. The estimates were wrong, the discard and total estimates of catch, and so it's a lot.

DR. DUVAL: Yes, it was a lot, for folks who were able to get through the transcripts of the public comments. I know, even with the limited in comparison to Florida attendance at public hearings that we had in North Carolina, there was considerable concern and questions about the discard estimates, about the science, about everything that Chip just outlined, and so are there any questions about any of the public comments or hearings or anything that anyone else would like to offer in that regard? Ben.

MR. HARTIG: Just one observation. I mean, we've heard the commercial fishermen come up to us and say that we've adjusted without red snapper and don't close any more areas and that's the most critical thing, but I think the interesting part was -- I guess it was ASA's letter, and they said exactly the same thing, looking at that, that what are we going to have to give up to get a small red snapper season? That wasn't lost to me, that both recreational and commercial are coming in and saying don't close any more areas just to give us some red snapper.

DR. DUVAL: Agreed. All right. If there's nothing else on the public scoping and public hearings, I think we should jump into the options paper for the amendment. That is Attachment 4e?

DR. COLLIER: 4f. Once again, starting off with the purpose and need, this might need to be revised a little bit, given the discussion that we've had earlier. The purpose of the Snapper Grouper Amendment 43 is to revise annual catch limits, management reference points, and management measures for red snapper and revise reporting requirements for snapper grouper species for the recreational sector.

DR. DUVAL: I am thinking that, at this point, let's maybe not tinker too much with the purpose and need. I mean, we can always come back to that, based on the conversations that we had earlier about working with the SSC and the Science Center analysts to develop some alternative means of an ABC. We need one eventually, but I am sort of reluctant to spend a lot of time wordsmithing this. At some point, we're going to have to put one in, and it's going to require an amendment to do so.

DR. COLLIER: Given those discussions, do we want to skip the MSA requirements, such as the OFL and the ABC and ACLs, because we're not going to know those numbers until that ABC number is revised, and so we could potentially skip all of those.

DR. DUVAL: That seems to make sense to me. I mean, I think we need to get into sort of the meat of some of these actions that we asked the public about.

DR. COLLIER: With that, I would go to Action 6, which is PDF page 22. That's the first one that is not essentially an ACL landings estimate, and that action is Establish Closed Areas to Reduce Red Snapper Bycatch and Mortality. Is there any discussion on this one?

Currently, we have several alternatives. We have Alternative 1, which is no action, to keep our current MPAs the Oculina Experimental Closed Area, and the proposed special management zones in place. Alternative 2 would be prohibit commercial and recreational fishing for, harvest, and possession of all snapper grouper species year-round, based on depth. The third alternative is similar to Alternative 2, except it would be based on catches or CPUEs. The fourth one is areas with a high number of discards, and then Number 5 is a combination of area and seasons.

DR. DUVAL: What are your thoughts? Ben.

MR. HARTIG: Given the discussion that Roy laid out, that we're no longer overfishing red snapper, I don't believe Action 6 is even -- I think we should tell the public loud and clear that we're not going to move forward with any more closed areas for red snapper. This is scaring the stew out of them. I mean, I have had fishermen call me time after time about additional closed areas for red snapper, and I think we ought to put this one to rest right now.

MR. BROWN: Do you want to just go ahead and make a motion for no action or what?

DR. DUVAL: I would probably recommend just -- If your action is no action, I would recommend just removing it from the document all together, because, if it's the council's intent to not pursue any additional type of closed areas, you're better off just getting it out of the document. Jessica and then Anna.

MS. MCCAWLEY: **I move that we remove Action 6 from the document.** I don't know if we're far enough along in the process where it needs to be moved to Considered but Rejected or we're just removing it entirely, but I'm up for either one.

DR. DUVAL: I mean, it's an options paper still at this point. Certainly a motion to remove it from the options paper I think is at least warranted.

MS. MCCAWLEY: **Remove Action 6 from the options paper.**

DR. DUVAL: Okay. Is there a second? It's seconded by Chris. Anna and then Doug.

MS. BECKWITH: While I have no interest in seeing a year-round closure, I am not exactly ready to dump out Alternative 4 and 5, because certainly there is areas that have higher levels of discards. North Carolina, at the moment, is not one of those that have the highest level of discards, and so I think I would like to keep at least Alternative 5 as part of the discussion for a bit.

I would like to see how sort of everything shakes out, because, depending on the impacts to areas that don't have the highest level of discards, it may be a reasonable route to take to put some restrictions on the areas that have the highest discards and sort of leave some of the other areas not quite as restricted. We haven't had the discussions yet, and so I'm not quite ready to at least bounce Alternative 5 yet.

MR. HAYMANS: This sort of goes to the discussions we've had in the past about how we review these amendments. Although this is not my preferred action, I think we should have a discussion on some of the other actions before we move to remove this one. In other words, are there better options that are coming up that the council is all in favor of before we remove closed areas?

MR. HARTIG: I would disagree with Anna. I think, if you look at how this fishery has expanded since its recovery, and that's the other thing. I mean, the expansion of the fishery is very much an important part of knowing how the stock is recovering, and it has expanded back into North Carolina and all up and down our management area.

It hasn't gone much farther south than where it has in the past, and so that's one thing that we haven't seen, and we probably wouldn't expect that to happen, since they didn't occur there in that latitude before, but I have been impressed with that, and that should be taken into account, to me at least, when you're looking at the stock assessment, but to -- You would have to go back and look at how it has expanded.

Now, what are the catch rates in the different areas for red snapper and were they comparable to what we were going to do before, when we were going to do before, when we were going to close central Florida, and I just think you're getting into a mess when you start looking at this part of it, and so I would be just not in favor of that.

MR. PHILLIPS: I am looking at where it says prohibit all commercial and prohibit all commercial, and the commercial guys have told us, loud and clear, that we're living here and just leave us alone and we can't take any more closed areas, and so, yes, I am ready to just go ahead and move this down the road.

MS. MCCAWLEY: I don't know what the correct procedural term is to keep this motion on the table until after we discuss other actions, but I am willing to do either one. I am willing to just postpone this until we discuss a little bit more of the document, but my opinion stands, even after what I heard.

DR. DUVAL: Procedurally, we could postpone this motion until we have finished discussion of the entire document, and so that postpones it until a time certain, and so we would be coming back to it. I am getting some hand-waving over on one end of the table, like let's just vote on it and

figure it out, and so I'm fine either way, whatever you guys want to do. Tim, do you have one more point of discussion?

MR. GRINER: Yes, and I was just going to say that I support removing it, Action 6, from the paper.

DR. DUVAL: Let's go ahead and just take a vote. **Can I please see a show of hands of those in favor of the motion, which is to remove Action 6 from the options paper, eleven. The motion passes with eleven in favor. Those opposed, like sign; abstentions, one abstention. Nobody opposed and one abstention.** Thank you.

DR. COLLIER: Now, if you remember, back in December when we were talking about this, and even prior to that, there was a discussion on an adaptive management approach for red snapper. Council staff has worked with Ben in order to kind of visualize what we mean by an adaptive management approach for red snapper in the snapper grouper fishery.

With that, we came up with this infographic that I think Gregg has taken around and tried to show everyone and discuss it a little bit, and I will try to lead you through it as well. With this infographic, what we are trying to do is really try to look at this adaptive management approach as a whole, recognizing that there is some very important components of it that would make it work and it's not just a single action within the overall amendment.

What I have displayed up here is the adaptive management approach. It has different options for the commercial fishermen and different considerations for private recreational fishermen and then potentially different considerations for for-hire fishermen. Right now, we're starting off with a depth of 100 feet as a potential starting point. That's just a starting point.

We would likely have to have a range of alternatives for that, but that's just something that we had put out there. It's a nice round number. Discard mortality generally is beginning to increase at around ninety feet, but is it better to move out to 120 feet, like Anna had mentioned earlier, or is it better to go to a shallower depth? We're going to need to analyze data and figure out where we need to get with that, but that's just a starting point, and so don't get hung up too much on that hundred-foot number. It's just an idea that we had.

The next part is we can go into the short red snapper season options. Right now, we have it listed as a month with a low bag or trip limit. An example of a bag limit would be one per person, and an example of a trip limit could be two to three per vessel. Possible size limits and also a possible requirement of descending devices in depths greater than a hundred feet.

In addition to that, to the left of that, we have the private recreational fishermen, and so we have options for fishing in less than a hundred feet. With that, the private recreational fishermen would be allowed to fish year-round shoreward of a hundred feet. They would fish within the annual catch limits and size and bag limits.

There would be no red snapper retention except during the short open season, and catch and release allowed after any ACL -- It would only be catch and release after the ACL closure. It is noted on here that it would be a requirement for electronic permits and electronic logbook reporting, because we do need better estimates of catch data, length, and length of discards and depth of released fish.



If you go to the right, we can continue on with the private recreational fishermen. For depths greater than 100 feet, and, once again, this is just the starting point of 100 feet. We're just using that as a spitball. If we're fishing greater than 100 feet, fishing within the annual catch limit, you can retain red snapper and other species within the bag limit during that short open season, and this open season would be defined based on catch rates and different things for red snapper as well as potentially other species. You would be required to report electronically, and you would have an electronic permit. In these deeper waters, you would be required to use a descending device.

If you move down to commercial fishermen, which is in the center, all the way at the bottom, commercial fishermen would be allowed to fish for snapper grouper species in all depths with conditions. They would fish within the ACL, size and trip limits, no red snapper retention except during a short open season, and they would be required to use descending devices in greater than 100 feet.

The last part of this is looking into the for-hire fishery. If it is an open-access fishery, which means there is no limit on the number of headboats and charter boats, and water is greater than 100 feet, it would be similar to the private recreational fishermen. It would be you could fish within the ACL with size and bag limits. There would be no retention of red snapper except during the short open season, and catch and release would be allowed after an ACL closure.

If you continue all the way to the right for the for-hire fishermen, once again, it's open access, and so there is no limit on the number of headboats and no limit on the number of charter boats. This would only be allowed -- There would be a short season allowed greater than 100 feet, where fishing would be allowed to occur. You would be required to stay within the annual catch, size, and bag limits. They would be able to retain red snapper during a short season, and they would be required to use descending devices.

The big one in the middle is a limited access for for-hire fishermen. There would be a cap on the number of headboats and charter boats, and, for this, the for-hire fishermen would be allowed to fish for snapper grouper species in all depths, with a slightly longer fishing season, with conditions. They would have to fish within the annual catch limit, size, and bag limits and no retention of red snapper, except during a short season. They would have a longer fishing season in deeper water, because there would be a cap on effort, and then we would require descending devices in depths greater than a hundred feet.

DR. DUVAL: Before we get into discussion of this, can this infographic be posted to the website, please, and sent around to folks, so that people can see it? That would be my first request. If you have questions or comments, hold your hands high, so I can get them down. We are just going to start at this end of the table with Zack.

MR. BOWEN: Thank you, Madam Chair. Chip, just for -- That was a great presentation, by the way, but, just for clarification, what you have outlined here -- If the for-hire fleet was limited access, according to this presentation, the for-hire fleet could fish anywhere they wanted to fish. If they were open-access, they would be constrained to whatever depth line we come up with, and is that correct?

DR. COLLIER: The for-hire fleet, based on this, would have a slightly longer or would have a longer season than the private recreational fishermen, but it would not be open the entire year. It would be based on the number of discards, and so I would have to look into those numbers a little bit more, and we're going to have to work on these numbers in order to get estimates for anything, but I don't believe it would be a year-round access.

MR. BOWEN: A year-round access to the ocean in general, no matter what depth?

DR. COLLIER: To greater than the depth. Right now, we're using 100 feet as the example. They would have a season that they could fish greater than 100 feet, but they would be able to fish less than 100 feet year-round.

MS. BECKWITH: In terms of the season, broad strokes, I think this council is moving towards a deepwater recreational season from May to August, and I think that is something that the recreational community can at least understand and understand the reasons for it and have access to sort of multiple species, the discussions that we had yesterday on the offshore aggregate grouper bag limit.

As we sort of move forward with this, the way that this is laid out, and I know this is sort of to open up discussion, but this would negate the work that we're doing to create that offshore recreational season and potentially negate the efforts that we're doing on offshore aggregate bag limits for groupers, in order to concentrate effort and reduce discards and all that sort of stuff, and so I would like to see options that would include the four-month season of May to August, that four-month recreational offshore season, and to include the red snapper bag limits, or more likely a vessel limit. If we're allowing an aggregate bag limit of groupers, as discussed yesterday, of maybe two or three, then maybe we suggest a one per vessel or two per vessel limit on red snapper within that aggregate bag limit for that condensed season.

I certainly wouldn't encourage a size limit for any of our deepwater species, and I'm okay with using the descending devices in greater than 100 or 110 or 120 feet, as we sort of analyze this, but we have an opportunity here.

I understand that we need to reduce discards for red snapper, and I think this begins to move it in the right direction, but I would really hate to lose the effort that we're establishing with the recreational community and with that concept of a deepwater season. Recreational guys sort of understand. They understand effort, and they understand seasons, and, if the goal is to reduce discards, then I would make sure that we're analyzing reducing discards, but within that overall season. If we're not going to be exactly bookended by as restrictive of an ABC, potentially, as we otherwise may have been, then this is an awesome opportunity to establish a recreational season that makes sense, that people can get onboard with and be supportive of. That's my initial thoughts on that.

To the limited access versus non, the open access for the charter guys, I think we're going to get into discussions later of what purpose, you know what is our main goal, for moving to limited entry for the charter guys, and I think, while this is part of the puzzle, I would hate for this to be the leading reason for moving to limited entry on the charter fleet. Access to one fishery or something like that is not a reason to move to it. When we get into discussion on compliance with logbooks, that is a different scenario, and so I will stop there.

MR. BROWN: I would like to see the descending devices in all different depths, and the reason I say that is because we troll for mackerel a lot, and we catch red snapper trolling on a pretty regular basis, and, when you snatch them up pretty quick, they are bloated out, and you do get some in the shallower depths that do have issues with the barotrauma and stuff, and so I wouldn't take it out in the shallower depths. Plus, it gets people familiar with using them, and there is other species too that you could use them with.

MR. DILERNIA: One of the great thing about being a liaison is I get to come here and learn certain things. I would like to know how you would determine who would be in a limited-access for-hire fishery. What would be the criteria that would be used to determine which for-hire vessels are in and which for-hire vessels are out of that limited-access fishery?

DR. DUVAL: I will handle that one. We're going to have a whole discussion about that this afternoon, and I will just say, just because I don't think that you were at our December meeting, Tony, but the council is interested in having a discussion about limited entry in the for-hire fishery that was along the lines of how we conducted our discussions for the vision blueprint. No motions, but we're just trying to let everybody talk about the idea and what the goals would be for the use of limited entry as a tool and ways that that could be considered, et cetera, and so we'll get into that this afternoon, and so I don't really want to go down that rabbit hole right now. Next on the list, I had Chris and then Mel and then Chester and then Doug.

MR. CONKLIN: My concerns were the same as Anna's with the deepwater season for the recreational fishermen, and then Mark and I share the same views of just requiring the descending devices to be used or onboard at all depths.

MR. BELL: A couple of things, real quick. Number one, wherever we draw a line, I would just ask, on behalf of law enforcement, to make that line as straight and long as possible, so rather than maybe trying to follow exactly a depth contour or something, but we smooth that thing, to where it's straight. You can remember, from the black sea bass pot amendment, that complicated lines are difficult to enforce sometimes.

Descending devices, I agree that I would like to see them used shallower. Again, in terms of working the physics, between 120 feet and ninety-nine feet and sixty-six feet, there is not much -- You're going to get not much difference in gas expansion between 120 and all the way up to sixty-six, and we do -- MARMAP can tell you, in terms of what they see with fish coming up from shallower than a hundred, that you can get some expansion of gas bladders and have issues, and so shallower is probably better for that as well.

This is, I guess, a question maybe that you can help clarify, but require an electronic permit and electronic logbook reporting, and that's something that we know is a mechanism to improve data collection from the private angler sector, but I guess it might be good, at some point, to explain what we had in mind with electronic permit. What is that? Then obviously, the electronic logbook, there is different technologies out there that could be applied, but this would be every single person fishing out there would have to be able to utilize that, I guess, and that was the concept?

DR. DUVAL: I think the electronic permit is the grant that we discussed at our December meeting that staff have put in for that was awarded as part of the electronic monitoring and electronic

reporting pot of money that the Fisheries Service had, and so that's working with the Snook and Gamefish Foundation to modify their app to suit our purposes, and so that would be what that is. Then I had Chester and then Doug and then Dewey.

MR. BREWER: I was a lot disappointed when I looked at this document, and I'm almost sorry that you asked that it be shown to the public.

DR. DUVAL: It's being publicly broadcast right now, and I think the public has the right to see it.

MR. BREWER: Don't take that the wrong way. As a recreational fisherman, and I think all of us would like to have fishermen have the ability to keep a few red snapper during the year. It's been closed down for quite a while, and it's a bad problem, but, as a recreational fisherman, if I see some document that says to me, well, you can keep one red snapper for one month out of the year, but this is what the tradeoff is going to be and, number one, you're not going to be able to fish in over 100 feet of water for eleven months out of the year and you can only fish in over whatever the depth is for one month out of the year and keep one red snapper. By the way, sector separation is going to be a part of this program.

I would say to keep the damn red snapper, because the tradeoff and the price that is being charged for it is just way too high. When we first started talking about this, I thought that what we were talking about was something very simple. It didn't have any depth in it and it didn't have sector separation and it didn't have limited entry.

It was, very simply, that there was going to be, for charter boats and private recs, a very short period of time that they would be allowed to keep a red snapper, and it was going to be a low bag limit and that we were going to either require that the descending devices be onboard, at the very least, or maybe even go to mandatory use. I don't know how you enforce that. It would be tough.

I think we've got some elements that have been thrown into this thing. I guess the bottom line is there's some elements that have been thrown into this that are going to be really, really unpopular in the private-boat sector and probably in the charter boat, and we don't even know what we're talking about right now from the standpoint of commercial.

DR. DUVAL: I think it's pretty unpopular right now that the fishery is closed, period, and so we're trying to find a way through that. Doug and then Dewey.

MR. HAYMANS: Thank you, Madam Chair. I guess I'm just trying to understand how we could consider the adaptive management approach, as it's been presented here, when we just voted to take Action 6 out. When I look at Alternative 5 of Action 6, to me, that's exactly what this adaptive management is, and so I'm a bit confused how the majority of the council voted to take it completely out, but yet here we are spending time talking about it, and I don't understand.

I mean, I think I will put my opinion on there, Chester, and we've heard many members of the recreational public say before that we need to look at this more like land-based applications and more like hunting, more like duck hunting or deer hunting, and their seasonality. I think that's kind of what the adaptive approach is getting towards, but it seems to me that we just removed that by removing Action 6, and so I want to hear how that works out.

MR. HEMILRIGHT: When I look at this map here, it lends me to quite a few questions. One of them is how do you enforce the 100 feet? Is it similar to the rockfish three miles in the EEZ? Do you have the Coast Guard spending millions of dollars of airplane flyover going up and down that? You are drawing lines in the ocean. 100 feet, and the other side of it, could probably be within fifty feet of each, that you're on one side of the line or the other. There is no way to enforce that, none whatsoever.

When you look at the cap on headboats and charter boats, if they were to say a cap right now, today, you've still got plenty of boats to be fishing, and so you're not doing nothing with trying to control what you have in here, and not that I'm advocating for the limited access part of it, but your line is not even enforceable, and it's just like with logbooks.

You have the charter and the for-hire that don't have to report right now, and you've got a mechanism coming in place to hopefully -- The electronic logbooks is what we're being told, but there is still no mechanism that you have to do your electronic logbook, and so, when I look at this -- Also, I asked about exemptions, and we don't have, that I know of -- There may be one red snapper that's been caught north of Cape Hatteras. Does areas of the ocean that don't have red snapper have to comply with this 100-foot area and all the other things? I mean, this is just not enforceable, your 100-foot mark. To me, it doesn't achieve your different seasons.

Damn, you're going to have to be a lawyer pretty soon to figure out where you can go and what you can and can't do, but I understand it, because I know, on the commercial side, especially in the pelagic longline industry, we've got all these accountability measures already there, with our cameras and with our vessel monitoring systems and with call-in and call-out and all this other stuff, and so I just hate to see it coming for everybody else, but it might be a part of the accountability of using the ocean, just like the commercial guy does.

DR. DUVAL: Thanks, Dewey. I mean, we've had similar lines that have been drawn in the water before. The council walked down the road of the 240-fathom closure. That was in place for the better part of a year, and I understand that, and the enforceability of that, I think, is another concern.

We worked beyond that, and I hear Chester's concerns about the possibility for sector separation under this approach, but I think I view sector separation as being you are establishing completely separate allocations for those two sectors, for for-hire and private recreational, and I think the intent of this is to try to get to greater certainty of what are the true private recreational boat discards and what are the charter vessel discards and how can we actually lower discard mortality.

The intent is not to create sector separation. It's to try to find a way to lower discards, so that we could potentially have an open season for the fishery, and so I hear and understand these concerns. Doug and Anna and several folks have brought up the point about concerns about impacts to what we just discussed yesterday with establishing a deepwater season. Then Doug has voiced a concern about taking out those chunks of Action 6 that appear to be similar to what this infographic displays.

I know people have raised their hands again, and we also have to get through Snapper Grouper Amendment 44, which is yellowtail, and we don't have all day today for committee discussion.

We end at 3:30 today, and we have a lot more to do, and so I'm going to let Zack, Mark, and Chris go, but please be brief in your comments, and then we will take a break. Thank you.

MR. BOWEN: Thank you, Madam Chair. I appreciate the opportunity to speak. Just a couple of things. As a for-hire fleet, I don't know anybody that can make it, and forgive me for using this term, but if we're lumped in with the recreational sector, I don't know of a for-hire fleet in the South Atlantic that can make it on a May through August opening for a season.

To Dewey's point, this council has just moved through with Amendment 36 and approved it with lines in the ocean, and so that argument, to me, doesn't hold water. To Chester's point, a limited-access program, for us, would not be about ownership. It would be about access. Thank you.

MR. BROWN: I did want to address Chester's point, too. I don't have to have red snapper. I can fish for multiple species, but the problem is we have to do something. I have asked this question over and over again, and the discards are just so high that we wouldn't be able to access anything else, and so we've got to do something.

MR. CONKLIN: If this is our way forward and we decide to adopt this, then the problem I see, with having an open charter/for-hire fishery permit application, is that anyone who wants to fish outside of the 100 feet, or whatever line it may be, can just apply for the open-access permit and get it and go fish out there, and so it would just make every recreational person who wants to fish legally outside of the line to get a charter permit to be legal to do it. We would have a huge influx of those, but, really, it's about information and access, and we're trying to figure out a way forward, but that could potentially be a problem, but, if they did report, then that would be great, and so maybe it would be a good thing.

DR. DUVAL: Anna, last word, and then we'll take a break.

MS. BECKWITH: I agree with Zack that a four-month season is difficult for the for-hire charter industry if you're not diversified, if you're only bottom fishing. That is true, but I don't think that that -- Unfortunately, our currently reality is the majority of our charter industry, most of our charter industry, is diversified into multiple fisheries, but I do hear that concern.

DR. DUVAL: Okay. I have 10:26 on my clock. Let's take a quick break.

(Whereupon, a recess was taken.)

DR. DUVAL: I would like to go ahead and pick things back up. I feel like our conversation that we just had with regard to the infographic that Chip ran through -- The intent of that was to try to visualize sort of this adaptive management framework that Ben has been discussing, so that people could get a sense of what combinations of measures could look like.

There has been some questions raised about timeframe, given that we had some new information from both the Science Center and the Regional Office, and the direction that we're getting is that we need to be very focused in our future tasking of the SSC and working with the analysts at the Science Center to explore alternative approaches to development of an ABC, because, if we don't have an ABC, all of this discussion is moot.

Folks are asking, well, what are we trying to do here if we're still continuing to discuss Amendment 43, but we have this other task that we have to do, and so I think that we do need to still consider discussion of this amendment, because we have to come to some resolution of what type of management approach would be acceptable overall, and recognizing that we might have to push back approval of this amendment in order to achieve some of these other tasks that we've outlined, in terms of getting an ABC.

In terms of a timeline, I don't want folks to get too hung up on that. We can still continue to plug away at working on this and discussing some of these actions while we have an alternate track whereby an ABC or some method to determine an ABC is being discussed, but I want to make sure that we're focused on the goals here in this amendment, which is to reduce discards and reduce discard mortality and try to allow for some conversion of dead discards into landed catch and what is the best way we can go about doing that while having as minimal an impact on the rest of the snapper grouper fishery as we possibly can.

That is going to, unfortunately, involve some tradeoffs, and so, with that said, I don't want folks to get hung up, like I said, on these other technical tasks that we have accomplish on the side while we continue working on these measures. Jessica and then Ben, but first Chip, really quick.

DR. COLLIER: That infographic that was presented, that is under Tab 7 in the Presentations Folder, if they want to see that, if the public would like to see it.

MS. MCCAWLEY: Part of my confusion -- You clarified some of what I was confused about, but part of my confusion is we're looking at this infographic, and, of course, there is no alternative that completely matches this infographic, and there is pieces and parts of this in the document right now.

It seems like maybe what we're trying to do is look at the infographic and decide which pieces and parts need to become either actions or alternatives in the document, which also gets to what Doug is saying. We removed Action 6, and this looks like an actual season closure and maybe not a closed area, but maybe we're talking closed season, and there is not an action. There is only alternatives in actions right now in the document to address that, and so it seems like what the committee is chewing on is what pieces and parts of this we want to see or make sure are included in the document as we move forward, and is that what we're doing?

DR. DUVAL: I would say yes, and so does this infographic -- Are there pieces of this infographic that you like, that you feel are incorporated in some of the actions and alternatives that we have right now? Yes, in terms of seasonal approaches, some of those are subsumed within some of the actions.

There is no single action that addresses a season. I think, under Action 8, which is for the recreational sector, there are options that would allow for harvest year-round or limited, and so it might be useful to go through the remainder of these actions, so that we can see what pieces and parts of the infographic that we just discussed maybe are in this document and see where those things are and if we need to adjust.

I think, if you recall some of the early versions of this document, it, I think, did have an action for a season that was more discreet, I guess. I am trying to recall. I was looking at some of the

previous options papers from like our December meeting and prior to that. Does that help a little bit or --

MS. MCCAWLEY: You were suggesting going the opposite way. You were suggesting going through the document and determining which things we wanted to keep and edit, going through that document, and I was suggesting that we were doing this, by looking at this infographic and picking out what we liked and then making sure that those few things were covered in there.

DR. DUVAL: We could go either way. I mean, that was sort of the conversation we had at the beginning that Doug brought up, was do we want to run through all of the actions that we have, or do we want to just go through this piece-by-piece, and so it's up to you all. Ben.

MR. HARTIG: Thank you, Madam Chairman. I appreciate you all's comments. This was brought together by a number of fishermen and council members and other things, but then, when you actually put pen to paper and try and come up with what you really need to do, the rubber hits the road, and basically there are some things that some of you all have said that are unacceptable, and so how do we move forward?

I think you have laid out, with Jessica chiming in, about looking at the remaining options we have, the options paper below, which, if I'm not wrong, incorporates most of these. Maybe not all of them. Maybe not the for-hire part of it, but incorporate most of what we see on this infographic, and so we can go through those and chime in what you like about them and what you don't like.

Remember that a number of these things could be changed. I had the question about the deepwater complex. I believe that should have been left in, and, in some way, you had a depth contour in between whatever foot, 100 or 120 or 125 feet, that you actually use and then the deepwater complex, which occurs normally in 240 out, and so you could still accomplish that, but let's see. Let's go through this and let's see what happens.

MR. PHILLIPS: I guess I am still a little confused on what our final goal is, because, if we don't really know what our ABC is, how do you know which of these actions you are going to work towards to get towards the goal? I guess I'm a little bit confused, and I know we intuitively know that we would want to do some stuff, but I still don't know what the goal is that we need to shoot for or a range of goals that we need to shoot for.

DR. DUVAL: I think one thing is clear, that we need to look at means to reduce our discards. I mean, that is the overriding problem, and our goal is to be able to open the fishery again. I mean, I'm sorry that we don't have numbers in front of us to work with, but that is an unfortunate reality that we're going to be stuck with for at least the next six months, and so I'm not really -- I don't know how to address your question or confusion. We're simply not going to have numbers right now, and so what is your pleasure? Would you like to work from the infographic and identify the pieces of that that you like and go to the document and make sure that those are in there, or would you all prefer to run through the remainder of the document and return to the infographic?

MR. BROWN: I would just say let's just go through the rest of the document and then come back.



DR. DUVAL: Are folks okay with that? Okay. Chip, why don't you -- We can keep this in the back of our minds, and, Chip, you can walk us through the rest of the document and we can see where these pieces of the infographic are in there.

DR. COLLIER: For Action 7, it focuses on commercial management measures. It starts off with Alternative 2 and trying to define a commercial prohibited season for red snapper with a range of alternatives, including a year-round closure. There is also the potential for trip limits and noting a minimum and maximum size with Alternative 4 and 5. Those could be selected as additive measures. Then Alternative 6, which was recommended, was prohibit commercial possession and harvest of red snapper using spearfishing gear. Those are the six alternatives for the commercial fishery.

DR. DUVAL: Are there questions? Zack.

MR. BOWEN: Thank you, Madam Chair. As Chip goes through these, are you asking us or are we being asked to give our opinions or what we prefer on these alternatives or are we just going to go through these and not say anything?

DR. DUVAL: I think what I would like to do is, as we walk through these, if folks feel like the action covers the range of items that you would like to see in there, let's go ahead and give a thumbs-up on that and move on to the next one. I just want us to have all the pieces of information in our head before we start debating and picking apart what should or shouldn't be there. We can discuss how we might want to modify some of these actions. Go ahead, Zack.

MR. BOWEN: Thank you. To that point, I think that these alternatives cover the array for the commercial guys. We've heard testimony from not only council members, but our commercial fishermen, that they don't even need red snapper, nor want them, if it has something to do with bottom closures, and that's covered in this alternative, and so that covers it, to me.

MR. PHILLIPS: Yes, I think this covers it and we can go to the next one.

MR. HARTIG: I am concerned about the prohibition on dive harvest. I mean, if we're going to have an ABC and we have a commercial limit, I don't know that we should exclude divers from it.

DR. DUVAL: We'll keep that in mind. If the committee would like to remove that alternative, then that's something that we can do, certainly. Let's move on.

DR. COLLIER: I am trying to figure out if we need additional guidance. Right now, an example is months. Do we want two, four, or six months? Would that be a good range to look at, in addition to the year-round, or one month or two months or three months? It would be nice to begin to narrow these down and limit the number of analyses that need to be conducted.

DR. DUVAL: I don't think it's going to be a huge range, but, Jessica, did you have your hand up?

MS. MCCAWLEY: I think it needs to be limited, first off, but, second off, when we say one month, two months, three months, do we not need the specific months we're talking about, because that makes a difference, to me, you know the summertime versus the wintertime, when we're

thinking about discard mortality and we're thinking about spawning seasons. It seems like we need some specific months and not just one or two.

DR. DUVAL: Right. Do you guys want to provide some input? Would you not want to see harvest occurring during spawning months? Okay. So the alternatives, I think, would at least be structured to allow harvest outside of spawning months.

DR. COLLIER: With spawning months, that is likely July through September or maybe June to August.

MR. BOWEN: Correct me if I'm wrong, but I think it's documented in the last assessment that snapper are spawning April through October.

DR. COLLIER: Yes, it is a protracted spawning season, and we can look at April through October as well.

MS. MCCAWLEY: Or we could choose peak months, like we've done with other fisheries, and so, to me, we were honing in on the peak months, knowing that red snapper do have a protracted spawning season.

DR. DUVAL: Okay. So let the record reflect that we are looking at no harvest during peak months for any alternatives. Anna.

MS. BECKWITH: Is that for commercial, or have we flipped over to recreational, because the peak months are, unfortunately, for red snapper, within our current deepwater season for recreational that we've been discussing of May through August. I mean, at some point, something has got to give.

DR. DUVAL: Yes, we are just talking about commercial right now, but the next action is recreational, and so you can consider that as we move on.

DR. COLLIER: So size limits, range of size limits, we have heard sixteen and twenty and anything larger than that? I am seeing nods for sixteen to twenty.

DR. DUVAL: So we'll look at sixteen to twenty. Tim.

MR. GRINER: Maybe I am confused here, but if we're trying to reduce discards, why are we even talking about size limits?

DR. DUVAL: So how about sixteen to twenty and no size limit? Okay.

DR. COLLIER: Any thoughts for a maximum size limit?

MR. BOWEN: In the commercial sector, given the depths fished and the discard mortality being substantially higher than the recreational guys, I don't think putting a maximum size limit is the way to go. If you put a maximum size limit on a snapper that's caught in 160 or 180 feet, and we all know, the bigger they are, the less chance they have to survive, and so I am not inclined to put a maximum size limit on red snapper for a commercial guy. That's just my opinion.

MR. PHILLIPS: I think my guys used to tell me that the bigger ones seemed to float off worse, and so, no, I wouldn't put a maximum.

DR. DUVAL: Okay. No maximum. The next action deals with the recreational sector, and I think in here is where is buried seasonal and depth and area type of considerations that folks were referencing earlier.

DR. COLLIER: Yes, and, to your point, Alternative 6 would establish the open area and then so that would be kind of the area component of it. Then Alternative 7 would establish the allowable fishing area outside, and so that establishes the season outside of that open area. That is the combination of the two.

DR. DUVAL: That seems to be what the infographic was getting at, is where you would be allowed to fish for red snapper during a time of year and inside or outside of a certain depth range. Chester.

MR. BREWER: I think it's fishing for all snapper grouper is what's up there and it's not just red snapper.

DR. DUVAL: Chester just said that the alternative refers to fishing for all snapper grouper species, based on red snapper.

MR. BREWER: In essence, it's all bottom fishing.

DR. DUVAL: Chester, when you speak, just make sure the microphone is closer to you. He was just clarifying that the alternative refers to not allowing any bottom fishing. Alternative 6 establishes an allowable snapper grouper fishing area, and so this is what Ben's infographic was getting to, except it was looking at it by depth. Inside of a depth, you would be allowed fishing. Then, outside of a particular depth, there would be restrictions on that fishing. Anna.

MS. BECKWITH: Certainly for Alternative 6, the depths, I would like to see 110 and 120 feet added to that. I suspect that ninety and seventy-five feet are not reasonable alternatives for us to consider.

MR. BOWEN: I hate to bring this back up again, but it really depends, in my opinion, on whether or not we move forward with a limited access for the for-hire guys. I think it is of my opinion that the for-hire guys generally know how to handle the fish better than just the guys that go out on the weekend, because they do it more often and repetitive. If we are not wanting to move forward with a limited access, or whether we are, it really depends on that depth line, in my opinion.

DR. DUVAL: Okay. We will have to keep that in the back of our minds. Chip.

DR. COLLIER: That is one thing that you don't see in this options paper compared to the infographic, was the separation of the recreational components and having different seasons for the for-hire. When we took this out to public hearing, we heard several charter boat captains saying that they couldn't live with a one-month season. You remember that we were going out with pretty dramatic impacts on the overall fishery. Hearing that the charter boat captains were saying we

couldn't make it with a one-month season, we came up with a different idea of how to make it more flexible for some of the charter boat and for-hire fisheries. That is why that additional part is in the infographic.

MS. MCCAWLEY: I am just seeking clarification. The first sentence of Alternative 6 is to establish an allowable snapper grouper fishing area for recreational fisheries that would remain year-round, and does that mean open or closed? It seems like it's missing a word.

DR. DUVAL: It says "allowable fishing area". Would you prefer that it say "open"? Okay. That's an easy change. I feel like this alternative really -- I mean, the infographic really is trying to illustrate this alternative, pieces of it. Tim.

MR. GRINER: I think we're right back, with this alternative, to drawing lines in the ocean, and, as Dewey said, especially for the recreational sector, this is going to be completely unenforceable. I don't care whether you do a contour or whether you do two waypoints straight down the coast. It's just not going to be enforceable, and the recreational community is not going to buy into closing all bottom fishing in an area of the ocean, and we just need to get away from this alternative all together.

DR. DUVAL: Okay. Alternative 7 deals with a season. It's a season for areas outside the open snapper grouper fishing area, but I think, if you guys wanted to modify this to just be consider a fishing season for red snapper -- I mean, is that that much more palatable, recognizing that you're right back to some of the concerns that have been established that one month doesn't work for people, and so is it a one-month red snapper season or is it a one-month everything season?

MS. MCCAWLEY: I would like to see that added to -- Whether it's Alternative 7 or an additional alternative, because, right now, it says a snapper grouper fishing season, and I would like to have months in there specific for red snapper.

DR. DUVAL: So, Chip, could we restructure this alternative to just simply deal with a fishing season for red snapper? Jessica, is that what you're asking for?

MS. MCCAWLEY: Yes, and I don't know if other folks are also wanting options that are for a snapper grouper season, but I will just go ahead and put my FWC cards on the table here. I cannot get onboard with a giant closed area beyond a certain depth that's closed to all snapper grouper fishing. I can't get onboard with it.

MS. BECKWITH: A red snapper season, how is that different than what we currently have on the books? I mean, technically, we have whatever amendment it was that we opened a mini-season, but, given the discards -- To me, a red snapper season, how is it different?

MS. MCCAWLEY: So, as you are thinking about this, I am thinking that we would be choosing multiple options from multiple actions. Let's say we're going to open a month, but we're going to put in place single-hook rigs and descending devices and all these other things, and so, to me, you're going to have possibly an open red snapper season in combination with other things that we're going to pick. That's how I see it.

MS. BECKWITH: So you're thinking that we wouldn't impact any of the other snapper grouper species and they would stay open, based on their current allowable seasons?

MS. MCCAWLEY: To me, that's part of what we're trying to make sure is in the document, and so I would like to see something where maybe we're requiring descending devices or single-hook rigs for all bottom fishing and also consider having an open month or whatever it is for red snapper. That's what I'm talking about, and so that's what I mean by you're picking pieces from various alternatives in combination.

MS. BECKWITH: Okay. I support you on that. I like the descending devices and single-hook and options for either snapper grouper season, or all snapper grouper, outside of a certain depth, but, yes, I see where you're going.

DR. DUVAL: This is why I wanted us to walk through all of the remaining actions, because, like I said, the infographic encompasses all these different pieces and parts, and we wanted to make sure that, when you guys are looking at the infographic, which is trying to draw together a number of the different actions and alternatives in this amendment, we want to walk through these, to make sure that the things that folks want to keep are in these different actions, because you just can't create one gigantic action that does what the infographic does. You have to choose different components, and so that's why we're walking through this, and I have no illusions that we're going to get through this today.

Okay. Chip has put up on the screen there an Alternative 10 to establish a red snapper season. Are there -- I guess I would look to folks to see if there are specific alternatives for a season that you would want to look at that are a length of time. Zack and then Anna and then Chester.

MR. BOWEN: Thank you, Madam Chair. We can decide this as we move along, but I would just caution us to be very careful. I just don't want a repeat of what happened with the mini-seasons, when we basically had an assault on red snapper up and down the coast from people in seventeen-foot boats to forty-foot boats. Because the season was open at that time, everybody and their brother and family decided to go harvest a snapper, or try to.

DR. DUVAL: Let's just keep this very broad for right now. We will just note that we would like different alternatives for what the length of the season will be. Jessica and then Chester.

MS. MCCAWLEY: I would like to see some in there, like we talked about on commercial, that are avoiding the spawning months, the main spawning months. I would like to see those options in there for the season, to avoid that.

DR. DUVAL: For recreational, yes. Chester.

MR. BREWER: I want to echo what Jessica just said, and I will make a suggestion that 10a be red snapper fishing season is one month and 10b be red snapper fishing season is two months. I also want to echo what Jessica said, is that, if you want to close big swaths of the ocean to essentially bottom fishing for eleven months out of the year, that is going to be an almost impossible sell.

I think at least some of us originally envisioned this, and it was going to be really simple, that you weren't going to change what was happening with regard to the other snapper grouper, but you were going to have a short red snapper season in which you had a very limited bag limit and you were going to require that descending devices be onboard or be required that they be used. I think that that idea is something that will fly. If you start talking about closing off anything past 120 feet or whatever for eleven months out of the year, people are going to rebel.

DR. DUVAL: I think we've pretty much clearly established that that's not what folks want, and so I would like us to move on from there, hopefully. Anna.

MS. BECKWITH: I would still like consideration of the deepwater season as one of the options, a May, June, July, August, even though it unfortunately overlaps with part of their --

DR. DUVAL: You're talking about a red snapper season of June, July, and August?

MS. BECKWITH: Yes, just making sure that we've got all that effort -- As Jessica said, she wanted some options avoiding the spawning season, and I'm saying, if we've got effort out there anyway, then I think it's worth considering having all effort at one time out there, and so I would like the May, June, July, August option considered.

DR. DUVAL: Okay.

MS. MCCAWLEY: I just want to say the same thing that I said when we were talking about commercial. We have up there one months and two months, and I'm fine with considering one month and two months, but I am hoping that staff can suggest some actual months and put those months in the document instead of just one months and two months. I think we need to have the months spelled out.

DR. DUVAL: Yes, and we have, I think, direction that you want to avoid the peak of the spawning season. June and July and August I think was what we outlined. Zack, and then we're going to move on.

MR. BOWEN: Thank you, Madam Chair. To be blunt, what works for Jessica in Florida doesn't work for the rest of the South Atlantic. In June and July and August, we're right in the middle of our seasons, whether it's charter or recreational. I don't know, but it just seems strange to me when that works for them, but yet they want to keep their state waters open. I don't know, but we have to have June, July, and August to fish up the coast.

MS. MCCAWLEY: I am fine if those options are in the document. I am also suggesting options that responded to the public input to avoid the spawning season, and so I'm just asking for a range of options here.

DR. DUVAL: I think that's clear that we're looking at things that would avoid the peak of the spawn, we're looking at things that would encompass the May through August season we've set up already and we're looking at other options that try to address the seasonality of the fishery in other areas. Mark, and then we really are moving on.

MR. BROWN: You're just talking about the retention time for being able to retain red snapper right there and that's not impacting bottom fishing for the rest of the year, right?

DR. DUVAL: Right, that's what this alternative is, just red snapper. I think the next action is Action 9, which gets into some of these other measures that we've been talking about about a private recreational permit or a tag-based program or something along those lines. My sense is, and also based on public comment, that people are pretty much onboard with having a private recreational permit for snapper grouper species. Is that right? Okay.

Is there any further discussion we need on this? There is an alternative in here to require a harvest tag. It is a suggestion that has been brought up. There are folks that I know that don't like the idea of a tag-based harvest approach, but, if you do have a limited number of fish that you're allowed to catch, this is how we manage game terrestrially, and it makes sense. Zack.

MR. BOWEN: Well, as far as relating it to game, in most cases -- Maybe not, but I was going to say that anybody in the State of Georgia that wants to go kill a deer can get a tag. That's not really what would be happening in terms of red snapper, because of our limited number of the amount of fish to harvest.

DR. DUVAL: Deer are different than some of the other species for which there are tag-based harvest programs, where it is a lottery. Mel and then Chris.

MR. BELL: To that, we've talked about this and talked about it and suggested it, and we get pushback, or we've heard from the federal side that they're either not interested or can't sort of manage that. The states certainly can, and, to Zack's point, things like -- We do bear and alligator and things. We do this at the state level, and I'm sure the other states do as well all the time.

It's very simple, and, years ago, we actually asked our people if we could do this, and it was like, yes, no problem, and so, mechanically, the states can do this. They do it all the time. It's a matter of having the authority and that sort of thing, but I think, every time we bring this up, we're kind of told that they can't really manage it from the federal side, and so I don't know if bringing it up again is -- Unless we can take it to the states somehow.

DR. DUVAL: One thing I will throw out there is there are a number of questions from the IPT in terms of development of a permit, things like data collection and would it be to fish for or to possess, similar to a charter/headboat requirement, or would it be for just red snapper or all snapper grouper species, who would be responsible for the logistics, et cetera, et cetera.

There is like a dozen different questions there and some issues to consider in terms of resources at the Regional Office and a question that could this information be collected through the state license without creating a new permit. We don't have time to actually get into all of that today. I think suffice it to say that this is an action that we want to maintain in here for a recreational permit and how to develop that, I suspect that we'll have further discussion of that. Bonnie.

DR. PONWITH: Yes, I agree that you're pinched for time, and I agree that there lots of questions on this, and I think the best gift you can give to your IPT team is to signal what the intent of that measure is, what objective you are trying to achieve by that, because that certainly helps the IPT be more specific in their drafting.

MR. BREWER: To Bonnie's thought, this was originally suggested and pushed actually by the recreational sector as a way to identify the universe of people that were out there fishing in the deep water for snapper grouper, so that universe could be identified for management purposes. This goes a lot further than that simple idea, and I think we probably would like to get back to that simple idea.

DR. CRABTREE: The thing to bear in mind is identifying that group of people is fine. If you say for management purposes, then that implies we're going to put regulations in place that only allow that group of people. Then you are identifying them for science purposes, which is for catch estimation, and that's a different thing.

If you identify that universe of people, you could then target an effort survey focused to that group of people to get a catch estimate out of them, and so then you have to work out, with MRIP and all, as to how much it would cost to do that. Then you're going to have compliance issues, because you would need the states to require this too and all these kinds of things. Then we just need to work out with them how much it would cost to do it and then identify where the money comes from to do it, because remember, if it's a permit or something like that that we're issuing, we don't get to keep the money that it raises, and so we couldn't use that to fund it.

There are just a lot of details with that, but, to me, that's the difference here. If you say management purposes, I am thinking then that means we're going to have regulations that apply. If it's data collection purposes, then that means we're going to use it for catch estimation and things to base management on, and those are kind of different.

MR. BREWER: Roy, I probably misspoke. What I meant, when I said for management purposes and identifying the universe, it was for purposes of effort and more accurately estimating the effort, and I think that was the purpose. If I misspoke, I'm sorry.

DR. DUVAL: Yes, this is something that's been brought ad nauseum by the advisory panel. They have advocated for this for a number of years, and so I think we will need to find additional time, probably at our next meeting, to discuss the specifics of this. There may be ways that the states could collect information on their state licenses that might assist in this regard. I think those are questions that we will have to discuss at a different time, but the intent would be, as Chester said, that you want to get a better handle on your universe of people who are actually going out and targeting these fish. Chris.

MR. CONKLIN: Can we just come out of this conversation and maybe write a letter or something to the states that they get together and have those conversations and bring them back to us at a later meeting with something already in place, so that we don't have to talk about it and they already have ideas and they use their own staff time and everybody can get together and come up with some way to identify who is going to pay and how the money is going to work, how the system is going to work, and what data is going to be collected and all of that? That way, we don't have to worry about it.

DR. DUVAL: I think the states can certainly get together and have a conversation, the recreational statistics staffs, as to what each state has the ability to do and bring that back, but I don't think we can flesh out a program between now and June. Doug and then we're moving on.



MR. HAYMANS: I was reminded earlier by Kathy Knowlton that if we want changes to APAIS and looking at where people fish, in other words a finer gradient than what we have now, we might need to start now to get some of those changes. Perhaps we can have a note at the next meeting about what would be required to get a finer gradient within APAIS of where people are fishing, at least in the question or survey phase.

DR. DUVAL: Let me see if I understand your question about getting -- I mean, it's basically a different sampling strata, really. In other words, what would the resources be from MRIP or --

MR. HAYMANS: Yes, from MRIP, because it's -- Kathy had indicated to me that it may take up to two years to institute a change, in order to get a better gradient, and so maybe Bonnie can speak to that.

DR. PONWITH: I am a big fan of talking through and thinking through what you want and then getting it on paper and making sure that it's exactly what you're after, because there is many, many nuanced ways. If what you're after, for example -- I am just trying to interpret what you're saying.

If what you're after is you want an annual estimate of landings in a sub-area smaller than X, then that's a question you could put forward and actually do some power analyses to understand how much additional sampling would have to be done to give you something. If it is wave-level landings estimates for an area smaller than you get right now, that's a completely different question, and the answer would be different than that the annual estimate, and is that what you're getting at?

MR. HAYMANS: I think what we're getting at is trying to estimate effort in depth ranges finer than what we have now. Right now, if you're in state waters, you're in the ocean, and trying to get at those people who are fishing 100 feet or fishing beyond that, and you can't tease that out right now.

DR. DUVAL: Basically, I mean, most of the sampling effort is focused on folks who are fishing more inshore, and so the proportion of trips that are going offshore, into the waters where our managed species are, is much smaller, and so how do you -- Those estimates from that offshore component tend to get kind of overwhelmed by all of the sample that is occurring inshore, and so how do we increase that granularity, that sample, in order to have better, more reliable, more accurate, more believable estimates in that offshore component?

MR. HAYMANS: Could I get Kathy to kind of better explain what I can't? Would that be okay?

DR. DUVAL: Kathy Knowlton, please.

MS. KNOWLTON: Good morning. Thank you, Madam Chair. Specifically, what I was talking about is I sit on the ACCSP's Recreational Technical Committee. For about two years, we have discussed ways that we would make recommendations for possibly considering changing the questions that are asked on the APAIS form, knowing the complexities that such a request brings into the situation.

Through that state partnership with National Marine Fisheries Service and the councils and the commission, we see that, as is usually the case, people want a lot of different things out of one survey that's put in the field to determine catch and effort at a regional and then hopefully sub-level state. We have taken the conversation from pushing to request more granular level of delineations for area fished to realizing that what we need for these offshore species is more simply depth.

Everybody on the technical committee would not agree with what I just said. I am giving you my recollections and what the majority of the partners from the South Atlantic have requested. When you're out in the field and you're asking the questions, it would be an additional potential question just for people who fish three miles or greater, and you could also break it down to gradations to ranges of depth based on barometric pressure to get at what we really need.

The discussions that we've had have indicated that, because that is a form that goes through testing and goes through OMB, it's a long time to actually make that change, and that was my recollection, was that it was about two years from start to finish. Then, of course, you've got to train the staff, and so that was the question, is could depth fished, for those fishing three miles or greater, be added to that form and just starting that question again. Thank you very much for your time.

DR. DUVAL: Thanks, Kathy. I appreciate that. Have we exhausted this topic? A permit, a recreational permit, would be one mechanism to narrow our universe of folks that would allow us to get better estimates of effort and trips offshore. Can we move on to the next action?

I think this one is reporting requirements. Again, this is another component of what you saw in the infographic. It would be requiring electronic reporting. The first alternative deals with a subset of folks reporting, whereas the second alternative would be that anyone with a permit report. Recall that we have gotten some funding to work with the Snook and Game Foundation to modify the app that they have been working with some of the Gulf states with to do that, and so that's one -- That would be one mechanism for collecting this information. Are folks okay with the way this is laid out and what's in here right now? Ben.

MR. HARTIG: Yes.

MR. BREWER: Could I suggest one more sub-alternative that it be voluntary? I think, Leann, you can correct me if I'm wrong, but isn't iSnapper voluntary? I think it is.

DR. COLLIER: In Texas, yes, it is. There is other states that it is --

MR. BREWER: Okay. Just as an alternative that we have a voluntary reporting.

DR. DUVAL: I think isn't that how the grant is set up right now, that it would be voluntary reporting?

DR. COLLIER: The grant is set up so that it would be a voluntary process that the people opt into. Hopefully they would be using it as much as possible, but it would be used to design a program, potentially an electronic permitting system, as well as an electronic logbook that fishermen could use. What we're hoping to do is get about 200 people involved in it throughout the South Atlantic coast, so it's a consistent reporting mechanism that could be used throughout the four states.

MR. BELL: The voluntary thing makes sense at that level. Keep in mind that the public, over and over again -- Not all of them, but I think we've heard it consistently about every time this comes up, but they have wanted to figure out a way to provide data, and so there is a desire amongst a lot of the private boat folks to try to do something like this, so you get some level of voluntary compliance with that or participation, and so the matter then is at what level do those data become useful in terms of doing something with them in a voluntary system, but, to get it up and running perhaps, that's the first approach to take, I guess.

DR. DUVAL: Duly noted, and we will include something that allows for voluntary reporting certainly. Okay.

DR. COLLIER: So we have the timing, ranging from a month to weekly to before you get off the vessel or before you pull it out of the water.

DR. DUVAL: Those are not all unreasonable. I think I don't see any necessary changes.

DR. COLLIER: Alternative 4 is just providing the option to do paper logbooks, which paper logbooks would be extremely costly to the agency, as opposed to electronic.

DR. DUVAL: Personally, I would not favor keeping this in, but I don't know what the committee's thoughts are. Tim.

MR. GRINER: I am like you, and I would just remove it. We are really trying to get away from paper. The easiest, simplest thing is for people to get onboard with some type of electronic, but the paper is just going to be cumbersome, and then you're not going to have volunteers, that's for sure.

DR. DUVAL: Yes, I would tend to agree.

DR. COLLIER: Then Alternative 5 and 6 were different mechanisms in order to do reporting. Alternative 6 is a hail-out. People would let you know when they hail out, and they could report their catch on the way in. Then Alternative 5 was a fisherman would report on the form the location of where they caught and, if they are bringing a red snapper back in, they would be required to do that, and also let the officer know approximate time of returning to port.

MS. BECKWITH: Sorry, but back to Alternative 3. You have a private recreational fisherman who takes four of his buddies out fun-fishing, and is one person responsible for putting in the information for that vessel, or is each individual going to have to put in their individual information, and I think having that sort of a little bit more fleshed out and with the idea that the most realistic way that this would work would be that one -- It would be per trip and not a recreational individual. You are not going to have four people and everyone pull out their smartphone and type in your individual catch, but you might get it for one person that does the total for the trip and then just states how many people they went fishing with on their boat that day.

DR. DUVAL: That sounds like a for-hire captain. Chip.

DR. COLLIER: That also is a question that was asked under Alternative 9 by the agency. Is it a permit for the vessel or a permit for the individual? That is where it starts to begin to change. That is consideration for you guys, and it would be helpful to begin to narrow these things down, maybe at the next meeting, but definitely come with some better ideas so that we can focus the idea of permits and electronic reporting.

DR. DUVAL: I feel like it's an individual angler permit. That was the idea behind it, and there certainly are anglers out there that individuals, all on the same trip, don't have a problem taking a picture of their catch and posting it on Instagram or something, and so I don't understand, if we have something that's easy enough that allows them to report, why individuals wouldn't, but that's just me. Tony.

MR. DILERNIA: I would recommend a vessel permit and having all the individuals onboard that vessel report under that one permit. You will still capture the catch, and I think it will facilitate the reporting and make it much easier to report, and it will make the vessel operator a little bit more responsible, and so that's what I would recommend.

MR. HARTIG: We don't have to reinvent the wheel here. You've got a number of things being done in the Gulf. Let's look at those and see how they've done it and bring that back to us and we can make a decision.

DR. DUVAL: Sounds good. We will let the Gulf solve our problems for us, our red snapper reporting problems. How about that? All right. Let's see. Revising accountability measures, is this something we really need to tackle today?

DR. COLLIER: I don't think so.

DR. DUVAL: Okay. That's kind of what I was hoping you would say. Then that takes us to the last action, which is sort of where we started this conversation, which is best fishing practices, and so looking at use of descending devices, venting tools, for both commercial and recreational vessels. That is what Alternative 2 deals with. Then Alternative 3 is the single-hook rigs. Alternative 4 is modification of the circle hook requirement. Right now, we don't have any specifics on whether they have to be offset or non-offset hooks, do we? Jessica.

MS. MCCAWLEY: Could we possibly add an alternative, or actually it's a sub-alternative, under Alternative 2 that would require their use if a fish say appears to need a descending device or need venting, because, right now, it just says "must have onboard".

DR. DUVAL: I think we've had this conversation before about -- I mean, you can't enforce forcing or requiring people to actually use it, and so --

MS. MCCAWLEY: We've had this conversation a lot at the state level. We talk about this all the time and what does require its use, or we talk about have it at the ready or it's a dedicated rod or what that means, because we just don't feel like only having it onboard is enough, and so we have talked about what that language might look like. We're not necessarily at a better place. I mean, we're still discussing it. We have these discussions with law enforcement and others, but I would like to see that explored, whether it gets in the document this round or the next round, or wait until after we talk about it more at FWC or what.

DR. DUVAL: I guess, Chip, maybe a note that, as you look at Alternative 2 and the language of these alternatives, if there could be some additional language under those sub-alternatives that would -- If we can't use the word "require", but at least have some strong encouragement for the use. Mel.

MR. BELL: That is just from an enforcement standpoint. It's very easy. Either you have it or you don't, regardless of what the device is. The application of a device, the use of a device, is a whole other matter. I mean, you could certainly word it that way, but then enforceability would be much more difficult, but that's why.

MS. BOSARGE: I just thought I would throw this out there. We had some end-of-the-year grant funds here a while back, and we did a -- There was some research that was done on this, and it's not enforceable, really, to make sure that they're using it, but what they found was, from a social perspective, was, if it's in the regulation that you're supposed to use it and not just have it onboard but actually utilize it, the enforcement didn't come actually from officers on the water as much as it did from the social norm and the peer pressure. You've got your kids on the boat and you're supposed to use that, and it was more of that.

It was more like a peer pressure social norm, and so I think maybe even having that language -- We are going to look at this too, and I am talking about for us for the Gulf. I am going to try and push to have something in there that says you're supposed to use it, just for the social pressure that it will cause, and hopefully we'll get better compliance that way.

DR. DUVAL: Great idea. Okay. Very briefly, Wilson, and then Chris, because we need to move on to yellowtail.

DR. LANEY: It is very brief, Madam Chairman, and thank you. I'm not on your committee, but the one science question I had, I guess, when talking to Gregg about the infographic, was whether or not we have sufficient information to recommend a specific type or types of a descending device, and I know that Chester alluded to the fact that I think we're going to get a presentation, maybe from ASA, maybe at the June meeting, on that, but, if we do have information that certain devices are more effective than others, I would think we would probably want to include that in whatever measure ultimately is adopted.

DR. DUVAL: I think we could certainly do that, and I would fully expect that that information would be included, I think even in the amendment document. Chris.

MR. CONKLIN: I will pass.

DR. DUVAL: He's done. Go ahead, Chip.

DR. COLLIER: When I bring this document back to you guys in June, my idea is to have Actions 1 through 5, which deal with setting the MSY and the MSST and the ABC and the ACL and OY and then this Action 11 as well, the accountability measures -- I will just take those out, to make it more readable, and then, once we get an ABC, we can put those back in. Does that sound good, so we don't focus on those sections?

DR. DUVAL: Is everybody onboard with that? Okay. I am seeing heads nod. Is there anything else, beyond what we've just discussed here, in terms of additional language on requiring the use of these other tools? It seems like Alternative 4 is pretty well laid out with the modifications to our circle hook requirements. Ben.

MR. HARTIG: The only question I have is with the wording between Alternatives 2 and 4 and 3. You're talking about the snapper grouper unit for circle hooks and the snapper grouper unit for descending devices, but you're just talking about red snapper with the single-hook rig. Are we ready to go to the single-hook rig for the entire snapper grouper complex yet, or are we just going to require it for red snapper?

MS. MCCAWLEY: I would like to see an option. He brought up a good point, and I would like to see an option for single-hook rigs for both the options, red snapper only and all the snapper grouper species. That is what I'm trying to say.

DR. DUVAL: Okay. So single-hook rig for both. All right. If there is nothing else on this document, we're going to go ahead and move into Amendment 44, which is yellowtail, and I think I will work with Chip before the next meeting so that we can hopefully have a less bumpy discussion in June about this, but I definitely appreciate all the work that went into it from Ben and Chip and other folks who worked on this infographic to try to provide a visualization of how you would look at the different pieces and parts of the management measures for how to see how this could be put together.

I don't think we're under any illusions that that infographic is the solution. I mean, clearly we're going to need to get some ABC advice back before we can move forward, and we'll be working with the SSC to try to figure out how to do that, but I just wanted to thank everybody for that.

The next item on our agenda is Amendment 44. This is yellowtail snapper, and this is Attachments 5a through 5d in your briefing book. John Hadley is going to take us through that. If you recall, in December, what we did was we split out the yellowtail action from the gigantic joint Dolphin Wahoo and Snapper Grouper Committee, because we felt like perhaps those actions related to yellowtail were more ready for going out for public comment, and so that's what we did, and we had a few extra listening sessions in the Keys. I think 5a is the scoping package and then the decision document is 5d. John, were you going to run through the public comments first?

MR. HADLEY: Yes. Thank you. Just really quickly, I will read the two actions that were sent out for public hearings. There is Action 1, which is to specify a single acceptable biological catch and annual catch limit for yellowtail snapper in the South Atlantic and Gulf of Mexico. The second action was to revise sector allocations and accountability measures for South Atlantic yellowtail snapper.

These were taken out. As Michelle mentioned, there were two listening stations, one in Key West and one in Marathon, Florida. Additionally, there were four in-person public hearings: one in Jacksonville, Florida; Cocoa Beach; Stuart; and Key Largo. During these meetings, the amendment was presented and comments were accepted. Additionally, comments were accepted at the other scoping meetings that took place in Georgia, South Carolina, and North Carolina, but the presentation was not given.

Overall, there were forty-eight comments received specific to Snapper Grouper 44 by the February 10 deadline. Nineteen were submitted verbally and twenty-nine were in writing, and I will go through some the general summary of comments. On Action 1, many of the commenters did support Alternative 1, no action. There was some limited support for Alternative 3, which is to manage the ABC and the ACL for yellowtail snapper in the Gulf and South Atlantic, to merge the ABC and ACL, but manage under the Gulf accountability measure with no sector allocations.

Overall, there was concern over the precedent that would be set to combine the ABCs and the ACLs for other species in the Gulf of Mexico and South Atlantic. It was expressed that many of these fisheries operate differently in the two regions and should be managed respectively by the councils for that specific region. Also, it was suggested to hold off on any change in the fishery until the next stock assessment.

Moving on to Action 2, overall, many commenters directly supported Alternative 1, which was no action. There was some support for Alternative 2, which would close the yellowtail snapper fishery when the total ACL was met. It was pointed out that there is the potential in some options that would trigger a closure in the recreational fishery and to consider the variability in recreational landings. There is an increased reliance on yellowtail snapper in the Florida Keys area, due to a relatively slow dolphin season. Some folks would like to see uncaught ACL put towards conservation, and, wait on changes in the fishery until the next stock assessment.

There was a suggestion that transfer of allocation may not be the best method to reduce closures and also to consider a commercial trip limit with a step-down, especially during the spawning season, and maintain separate sector allocations. There were some other general comments that suggested increasing the size limit and also potentially implementing additional measures during the spawning season.

With that, I will jump into the document. Overall, as I mentioned, there are two actions that were taken out for public hearings, and, before I get into that discussion, I just wanted to mention again, similar to dolphin wahoo, as we discussed yesterday, that we are expecting updated MRIP recreational numbers from the MRIP revision, and these are expected to be increased recreational landings, and so that likely -- You may want to consider that in how the actions are discussed.

Overall, to take a step back, to just to mention that the action to combine the Gulf of Mexico and South Atlantic ACL for yellowtail snapper was added at the December 2016 meeting, to obtain public input. The Gulf of Mexico Fishery Management Council briefly discussed this action at their January/February meeting, and, during this discussion, the Gulf Council passed a motion to direct staff to develop an amendment that would specify a single ABC and ACL for yellowtail snapper in the Gulf of Mexico and the South Atlantic.

The specific guidance was not to move forward in a joint amendment, but rather through amendments for both of the councils. The Gulf would amend the Reef Fish FMP and the South Atlantic the Snapper Grouper FMP. Ultimately, for this action to go forward, both councils would have to amend their respective fishery management plans to include the same or at least similar wording on the specifics of how this action would work and move forward under a similar timeline.

Finally, before we get into the actions, I wanted to go over -- I wanted to just emphasize the importance of, with the addition of the Gulf of Mexico yellowtail snapper fishery, there is an

important sequence of decisions that affect how the subsequent actions will be analyzed and what impact those would have to the fishery. Overall, what the IPT, to take a step back, suggested, and, unfortunately, the IPT was not able to meet until after the documents were prepared to be sent out for public hearings, but one of the major things that the IPT suggested was splitting Action 1 into two actions. In this case, it would be Action A and Action B, looking at the ABCs and ACLs separately, and then also split Action 2 to take the accountability measures and put them into a different action, and so, in total, and we will go over this, the IPT suggestion is to look at four actions instead of two, and they are labeled Action A, Action B, Action C, and Action D.

To get back to the general discussion on the decisions that need to be made and their impacts on subsequent actions, overall, I would say Action A, the initial action, looks at -- It is, essentially, does the committee and council want to remove the jurisdictional ABC between the two councils? If so, how is that ACL to be structured?

Action C, either way, looks how to manage the allocation of the ACL between sectors and whether or not the South Atlantic Council wants to allow adaptive management. Finally, Action D, depending on the decisions made previously, is what is going to be the new accountability measure?

To jump into the landings, if you remember last time, there was a discrepancy in landings that occurred due to a coding error, where commercial yellowtail snapper landings were being assigned to the Gulf of Mexico that should have been assigned to the South Atlantic. Since then, we have received updated landings from the Science Center.

As you can see, Table 1 here shows those landings. The most notable change in reported landings was an increase in commercial landings in the South Atlantic for 2014 and, to a lesser extent, in 2015. If you look, these two cells right here show substantially increased landings from what was earlier reported.

Here again, to look at how the fishery has been functioning, you can see that, since approximately 2011, you have seen an increase in harvest in the South Atlantic, and so this figure shows yellowtail snapper harvest in the South Atlantic region, with the recreational sector on the bottom. You see a general increase there. The blue is the commercial sector. There again, an increase. Then the solid black line here is the total harvest. As you can see, it is increasing as well and moving towards the current total ACL.

This is a quick look at the Gulf of Mexico. Yellowtail snapper landings are largely dominated by the commercial sector. Overall, there's not really a discernable trend, like there is in the South Atlantic. It kind of has been bumping along without a clear trend. With that, I will briefly go over the -- If it's okay with the committee, I will briefly go over the actions that were taken out to public hearings, but then really get into the details of Action A and Action B, which are the IPT-suggested edits that, again, split those two out. I should mention the content is all there from Action 1, but it's a little bit, I guess, just cleaner way to handle it, looking at the ABC and then the ACL.

As mentioned, in response to the motion that was passed at the December meeting to look at specifying a single ACL for yellowtail snapper, the IPT, those that could discuss it, suggested specifying a single ABC and ACL for yellowtail snapper in the South Atlantic and Gulf of Mexico.



We will go over the specifics of the no action. Again, it's parsed out later, but the ABC, in general, is split 75 percent to the South Atlantic Region and 25 percent to the Gulf of Mexico Region.

Then there are two other alternatives. Alternative 2 was to manage the yellowtail snapper as a single unit with an overall combined acceptable biological catch and combined total ACL, but manage the ACL under the South Atlantic sector allocations and accountability measures, and so, in this case, you would have -- You are merging the fishery, if you will, but it would be managed under the South Atlantic's allocations and accountability measures.

Alternative 3 is sort of the inverse of that, where you're still merging the jurisdictional allocations, but the fishery would be managed -- The total ACL would be managed under the Gulf of Mexico accountability measure, and so you're looking at a stock ACL with no sector allocations. With that, I will jump into greater detail of the IPT-proposed action to specify the ABC, and so this is, in this case, Action A.

This would modify the jurisdictional allocation of the acceptable biological catch for yellowtail snapper. As I mentioned, the ABC is split between the Gulf of Mexico and the South Atlantic Region, with 75 percent of the total ABC going to the South Atlantic and 25 percent going to the Gulf of Mexico.

In the South Atlantic, the current ABC is just over three-million pounds. In the Gulf of Mexico, it's just over one-million pounds. This jurisdictional allocation is based along the Florida Keys jurisdictional boundary, and it was established using a 50 percent weighting towards average landings from 1993 through 2008 plus a 50 percent weighting towards average landings from 2006 through 2008.

MR. HARTIG: I have a question on the weighting. Is that the old Bow Tie Rule that we used to use? I thought that's how we did it. Don't we not use that any longer? I mean, generally, we don't use that form of allocation scenario or not?

DR. DUVAL: We have used it for everything. I mean, that's how all of our sector allocations have been set up. Anything that didn't already have a sector allocation between commercial and recreational was set up using that. Now, the years are slightly different. In some cases, it's like 1986 to 2008 and then 2006 to 2008, but, yes, we used that for this particular species. When we did the jurisdictional split for cobia, we used I think it was ten years or fifteen years. It was just the average proportion of harvest, and so that one was a little bit different, but we've done this for a lot.

MR. HADLEY: Moving into Alternative 2. In this case, it would remove the jurisdictional allocation of the total ABC for yellowtail snapper and manage the fishery in both the South Atlantic and Gulf of Mexico as a single unit.

In this case, you remove this jurisdictional allocation, and the three sub-alternatives here specify how that new ABC will be managed, and so what is the management authority there. Sub-Alternative 2a is being managed jointly and Sub-Alternative 2b is the South Atlantic manages the fishery and the Gulf of Mexico delegates authority. In Sub-Alternative 2c, the Gulf of Mexico manages the fishery and the South Atlantic delegates authority.

Then, finally, Alternative 3 would maintain the current jurisdictional allocations, but potentially look at different base years on what that allocation -- Look at the different years on which that allocation is based. Moving down to Table 2, you can see how the different alternatives would play out, specifically the three sub-alternatives, 3a, 3b, and 3c. These two columns would show what would be the revised South Atlantic ABC and Gulf of Mexico revised ABC. Then, over here on the far right, that shows the change in ABC for the South Atlantic. Again, this is just using different base years for the analysis.

DR. DUVAL: John, I see, in terms of what you need from the committee, is approval of the wording of this action. One question I have is I assume that, the way this has been split up and the IPT's advice, that there is communication with the Gulf Council on this, and so, in other words, the way this is being set up is being communicated to the Gulf Council as well?

MR. HADLEY: No, it has not. Not yet. The first time it was brought up was in essentially early February. It was brought up in Other Business at the Gulf Council meeting, and they directed staff to begin working on the amendment.

DR. DUVAL: So there is no Gulf representation on the IPT right now?

MR. HADLEY: Not yet. There's no Gulf staff.

DR. DUVAL: Okay. I just want to make sure that there's some clear communication going on. Madam Chair.

MS. BOSARGE: We did bring it up at the very, very end of our last meeting, and we're not going to see it in April. It's not on our agenda yet for April, and so I'm assuming that it would be June that we would see something, but, yes, we do need to make sure that our staffs are talking. We don't need to have completely opposite documents.

They're going to have to work in tandem, but I will throw out one thing that we talked about very briefly when we were talking about this at the end of the meeting, and that was maybe having some sort of action item in there that looked at sharing, very similar to the sharing that we were looking at for king mackerel, and so we'll see if that ends up in the document or not. In other words where the Gulf would share part of its allocation with the South Atlantic conditionally or some sort of thing like, and so we'll see how it fleshes out, but we'll be sure and stay in contact.

MR. HADLEY: If I could just add to that. We will certainly -- With the directive from the Gulf Council for their staff to start working on such an amendment, we will certainly be working in tandem in the future, but there will be two separate amendments. It will be the Gulf Reef FMP and then the South Atlantic Snapper Grouper FMP.

DR. DUVAL: **I would just be looking for a motion from the committee to approve the wording of Action A, I guess.** Is somebody willing to make that? Jessica.

MS. MCCAWLEY: **So moved.**

DR. DUVAL: Motion by Jessica and seconded by Chris. Is there any discussion on this motion? Jack.

DR. MCGOVERN: I have, I guess, a couple of questions. With regard to Action 1, there is really only one ABC. There is not a South Atlantic ABC and a Gulf ABC. It's allocated. The one ABC is allocated to both areas, and so I guess that doesn't really matter, but I have a question about Alternative 2. If the jurisdictional allocation was removed and there was one ABC, one option would be just to have that one ABC and then the Gulf Council would manage it with their management measures and the South Atlantic would just manage with their management measures, right? Maybe Monica can clarify this, but I don't know that there's any need for delegating or authority and that sort of thing.

MS. SMIT-BRUNELLO: Jack is probably right that delegating authority -- Delegating authority, from Sub-Alternative 2b and 2c, probably isn't accurate, but, Jack, maybe you could explain again what exactly you're asking.

DR. MCGOVERN: I think what I am asking is, if there's just one ABC, the management measures for yellowtail snapper from the Gulf still apply to the yellowtail snapper over there, and the management measures for yellowtail snapper in the South Atlantic still apply over there. I think they're pretty similar. I don't think they're very different, but, if there was a different size limit or something like that with one ABC, wouldn't those management measures apply separately in the two regions?

MS. SMIT-BRUNELLO: Yes, I would think they would. I don't know that -- There is one ABC, but there is going to be an ACL that the Gulf has for their Reef Fish FMP and an ACL the South Atlantic has. How is that any different than what happens right now, because there is just one ABC in each council? You're thinking that if they had each FMP had identical management measures than this, allowing one council to manage in another council's area of authority, isn't necessary.

DR. MCGOVERN: Right, and I'm thinking there could be one ACL too, but you could have other management measures that are different in the two areas.

MS. MCCAWLEY: I am agreeing with what Jack is saying. I think that there is a sub-alternative missing here, because I don't think that 2b or 2c are really the only options. I think that you can do exactly what Jack is saying, and so I think there needs to be another sub-alternative here as well. I can also tell you, during the workshops, that this discussion about one council taking the lead over another was a big sticking point at the workshops, and so I think that we need another sub-alternative here.

MS. BECKWITH: Just for my own clarification, the South Atlantic, we have recreational and commercial allocations, and the Gulf does not, and so I don't know quite how you guys are setting this up, but I would want an alternative that retained the recreational and the commercial allocation.

DR. DUVAL: That's the next action. I think, if we could add another sub-alternative to Alternative 2 that simply allows for -- Even if the jurisdictional allocation was removed, just the management measures within each region would stay the same, some sub-alternative that does that.

MR. HADLEY: I will add it for now. In the future, they could potentially change, but, right now, they are aligned, as far as the commercial and -- Just specifically the fishery management measures, and so if you're looking at the size limit and that sort of thing, those are aligned.

DR. DUVAL: Okay. We did have a motion on the floor to approve the wording in Action A. **Would the motioner and the seconder be okay with as modified, since we've -- Can we add "as modified" to the end of that? Great.** Is there any further discussion on this action, this motion? **Is there any opposition to this motion? Seeing none, that motion stands approved.**

Let's talk about time. It's 12:04. We could go through Action B, which is the specification of an annual catch limit options, and then go to lunch, or we could recess for lunch right now and come back and pick this up. We're going to have to be kind of efficient in how we work, because we are moving into Mackerel at 3:30. What's your pleasure? Would you rather recess for lunch right now or do you want to -- I am hearing recess, and so let's come back at 1:30.

(Whereupon, a recess was taken.)

DR. DUVAL: We are going to pick back up with Snapper Grouper Amendment 44, yellowtail, and I believe we were on -- We had gone through Action A, which dealt with the ABC and jurisdictional allocations, and so we're going to pick back up with Action B, which deals with specification of an annual catch limit, and so I'm going to turn things over to John to walk us through this.

MR. HADLEY: Thank you. To just I guess provide a little background on this action, this action would be necessary, at least specifying the ACL, to accompany Action A, should the jurisdictional allocation of the ABC be removed, and so, in this case, what we're looking at is what would you like the ACL to be or look like.

Action B would specify a single annual catch limit for yellowtail snapper in the South Atlantic and Gulf of Mexico. Currently, in the South Atlantic, the ACL is equal to the jurisdictional ABC, and so the total ACL is just over three-million pounds. In the Gulf of Mexico, the total ACL is set at 89 percent of the jurisdictional ABC, and so, in this case, there's a big of a step-down there for the Gulf of Mexico from the ABC to the ACL. The current total ACL is a little over 900,000 pounds.

Alternative 2 would manage the yellowtail snapper fishery in both the South Atlantic and Gulf of Mexico under a single ACL that is equal to the sum of the total ACL in the South Atlantic and the total ACL in the Gulf of Mexico, and so, essentially, these two numbers combined. Alternative 3 would manage the yellowtail snapper fishery in both the South Atlantic and Gulf of Mexico under a single ACL that is equal to the sum of the ACL in the South Atlantic and the jurisdictional ABC of the Gulf of Mexico. In this case, instead of using that step-down, as I mentioned, of 89 percent of the ABC, it would be 100 percent of the ABC for the Gulf of Mexico.

Table 3 here shows what the total, the ACLs, would be under each of the alternatives. Here again, in Alternative 1, you have the separate South Atlantic and Gulf of Mexico ACLs. For Alternative 2, you would have the two ACLs combined. In Alternative 3, you would essentially have the South Atlantic ACL and the Gulf ABC.

DR. DUVAL: **I think, if everyone is clear on that, then all we are looking for is just a motion to approve the wording.**

MS. MCCAWLEY: **So moved.**

DR. DUVAL: There is a motion by Jessica. Is there a second? **There's a second by Ben to approve the wording of Action B.** Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

MR. HADLEY: Moving on, those two actions essentially take into account Action 1 that was sent out for public hearings. As you will remember, Action 2, which you have seen before, multiple times, would revise the sector allocations and accountability measures for the South Atlantic yellowtail snapper.

In this case, rather than go through this, if it's okay with the committee, I would like to jump to the IPT-suggested actions. Again, this was split, with one looking at revising the sector allocations and potentially allowing some quota sharing options. Then the other is kind of splitting out the accountability measures. If that's okay with the group, I will --

DR. DUVAL: That would be great.

MR. HADLEY: Okay. Again, you will see all of this, but just in two separate actions. In this case, Action C would allow adaptive management of annual catch limits and revise or establish sector allocations for yellowtail snapper. One more thing that I should mention is, with the potential addition of the Gulf of Mexico yellowtail snapper fishery, that would go beyond the South Atlantic, potentially, should that occur, and so these would apply beyond the South Atlantic, should the actions be taken in Action A and Action B, and so that's why that "South Atlantic" was removed.

Looking at Alternative 1, in the South Atlantic, there is the current commercial sector allocation for yellowtail snapper is 52.56 percent of the total ACL, and the recreational sector allocation for yellowtail snapper is 47.44 percent of the total ACL. This was determined by using the following equation, which has essentially a 50 percent weighting towards the catch history and a 50 percent weighting towards the current trend, where the catch history is equal to the average landings from 1986 through 2008 and the current trend is equal to average landings from 2006 through 2008. In the Gulf of Mexico, there are no sector-specific allocations in the total ACL for yellowtail snapper, and so it's essentially treated as one stock ACL.

Moving down, just a quick reference on -- Before we jump into the other alternatives, just a quick look on how the landings have performed, and this is for the South Atlantic, in comparison to the current commercial and recreational ACLs. This is a retrospective analysis.

You can see, in recent years, essentially since 2012, the commercial sector has been at least bumping up near, or even, in 2015, slightly above its ACL. The recreational sector, and, again, this is for the South Atlantic, and it typically has underharvested its ACL. However, if you will notice, in the recent years, the recreational harvest has generally increased. The recreational sector is also at least getting closer to harvesting its allocation. We can most likely expect these numbers to increase when we do have revised MRIP data.

Then this is a similar table for the Gulf of Mexico. As you can see, there are no sector allocations, and so this is just a look at how the total harvest compares to the current total ACL. As I mentioned earlier, there's not really an apparent trend there.

Moving on to Alternative 2, which would maintain sector ACLs, but would revise the accountability measure to not close until either sector in the total ACL is met. In this case, this was removed and moved on to the next action, and we will see this again, but, since this primarily focuses on an accountability measure, this was removed from the action.

Moving on to Alternative 3, this would remove sector allocations in the South Atlantic. The current recreational and commercial sector ACLs will be combined into one stock ACL. In this case, what the IPT was trying to include was Alternative 3 of Action 1 that was sent out for public hearings that would manage the total ACL under the Gulf of Mexico accountability measures with no sector allocations. Should the Gulf of Mexico choose to manage the ACL under the South Atlantic sector allocations, which was Alternative 2 of Action 1 that was taken out for public hearings, they would do so in their Reef Fish FMP. Is there any questions on that? Then I will move on.

Looking at Alternative 4, and this is an alternative that the IPT does need some guidance on, as far as potential -- Do you want to keep it this way or change it, potentially the base years, but this would modify sector allocations for yellowtail snapper.

As mentioned, there was updated landings data for the South Atlantic. In general, the commercial landings were increased for the South Atlantic, especially in recent years, and so, subsequently, you see a change in percentages, since there is a stated baseline that was used to create these sub-alternatives. You can see that, in general, the movement has been an increase in what would be the commercial sector allocation and a decrease in the recreational sector allocation. Again, it's just using the baseline years, as specified in the different sub-alternatives.

Additionally, there was one more sub-alternative added that would look at changing the baseline years used to set this allocation, and so, again, in this case, it would account for recent landings, essentially since 2008. As it's worded now, it would modify sector allocations of the ACL for yellowtail snapper to the catch history, being equal to the average landings from 1986 through 2015, and the current trend, being equal to average landings from 2013 through 2015.

What we have put together was a table, and, again, this only examines South Atlantic yellowtail snapper landings. There will have to be additional analyses, which will be provided at a later date, but this looks at the South Atlantic. In this case, of note is Sub-Alternative 4c and 4d.

Should this occur, the recreational sector ACL would be approximately 775,000 pounds. The fishery did exceed that in both 2014 and 2015, and so, in this case, if this were to go into place, under the current accountability measures, you would see an in-season closure, and so I wanted to point that out. In general, if we could get guidance on if and how you would like to see this changed and possibly look at different baseline years.

MS. BECKWITH: I would like to see some modifications to Alternative 4, because it feels like this is being cherry-picked to benefit the commercial industry, which I understand what we're

trying to do, but certainly Sub-Alternative 4b, 4c, and 4d is not acceptable, to choose just one year and base the landings histories on just one year.

I would even venture to say that switching it to an average of those three years is probably not fair, in the face of potential MRIP alterations to recreational numbers, where, again, we keep hearing that our catch rates and the number of fish, recreational fish, that we've actually caught is probably much higher than what we're assuming now.

Sub-Alternative 4a is okay. I don't know what general ranges we typically do when we consider reallocations, but certainly an average of five or ten or fifteen years is more typical, it seems to me, than certainly one year or a very recent catch history. We look at historical and recent catch history, and so that's just -- I am going to nitpick on this, because this sets precedent, I feel like, for some of the other recreational species that we might be talking about, and I am not -- I am just simply not comfortable with this.

DR. DUVAL: Okay. Anna has made some suggestions to look at a wider range of years for Sub-Alternatives 4b, 4c, and 4d. Other folks around the table? Zack.

MR. BOWEN: I know this is hard to believe, but I am inclined to go with Anna on that deal.

DR. DUVAL: John, perhaps, since Sub-Alternative 4a looks at a range of ten years, perhaps one -- Like Sub-Alternative 4b could be five years and 4c could be fifteen years, and then maybe even just the last three years. I don't know if you guys feel like five, ten, and fifteen is enough. Okay.

So five, ten, and fifteen would -- If that's all you guys are interested in looking at, then it would simply remove one of the sub-alternatives under here and you would also -- Your last sub-alternative would end up being numbered as 4d instead of 4e, if you look at modifying the range of years that are used to capture the historical harvest plus the recent catch, and so folks are okay with that? Okay. I am seeing nods around the table, and so are you good with that, John? Do you need additional -- Do you need a motion?

MR. HADLEY: No, I think that's pretty solid guidance to staff. Thank you. All right. Moving on to Alternative 5, this is the common pool allocation. In this case, the IPT cleaned up some of the language, taking the pound values out. The content is the same. I will scroll down to a table, again, to go over the mechanics of this. It's very similar to what was described for dolphin wahoo.

For yellowtail snapper fishery, under the common pool ACL, you have Sub-Alternatives 5a through 5d. In this case, there would be a common pool ACL from which either sector could pull from. Depending on the sub-alternative, it ranges from 1 to 10 percent of the total ACL. Once this common pool ACL is pulled out, the remaining total ACL would be allocated between the commercial and the recreational sectors, according to the current percentages of allocation.

Then, over here on the far right, we have the potential upper limits of the commercial ACL and the recreational ACL, assuming only one sector uses the common ACL, and so this is kind of an upper bound estimate. Again, this is just for the South Atlantic. It does not include the Gulf of Mexico, I should specify, in the table.

DR. DUVAL: Any questions on that? Charlie.

MR. PHILLIPS: Thank you, Madam Chair. Is 1 percent enough to bother with? Is that enough to help anybody?

DR. DUVAL: Excellent question. This is just for the South Atlantic, and I guess we would have to scroll up and see one of the tables -- Possibly. Probably not. What is your pleasure? Are you guys okay with keeping 1 percent in or do you want to take it out? Zack.

MR. BOWEN: If I am reading it right, it's 30,000 pounds of fish, but I just wanted to make that on the record. It seems like a lot to me, but --

DR. DUVAL: I am not seeing a huge desire on the part of the committee to take it out, and so we will see this again in June, and so we can go ahead and leave it in. Good point, Charlie.

MR. HADLEY: Moving on, this is the final alternative in this action, and this is the conditional transfer of ACL. Here again, it's very similar, and the IPT took a crack at kind of cleaning up the language a little bit and making it a little bit more simple, if you will. For this alternative, it would conditionally transfer, for the next fishing year, a certain percentage of the ACL from a sector that is not landing its ACL to the other sector that is landing at least 90 percent of its ACL if the landings of the donating sector are below the minimum landings threshold, which is set in Sub-Alternative 6e through 6g.

The highest landings from the donating sector, based on available finalized data from the five years prior, will be used as criteria to determine if landings are below the minimum landings threshold for conditional transfer. In this case, you would have demonstrated need from one sector. It's landing at least 90 percent of its ACL. You would have consistent underutilization from the other sector for five years straight before the transfer would occur, and this is Alternative 6e through 6g, and so 50 to 75 percent. Should these all take place, then a conditional transfer of ACL would occur.

DR. DUVAL: Are there any questions on this? This tracks exactly with what we have in the dolphin wahoo amendment, along with the IPT concerns about the ability to implement this. I guess we would just be looking for a motion to -- This is Action C that we're on, and we would be looking for a motion to approve the wording, I think as modified, since we added some stuff, but, John, I am wondering if -- Leann had spoken to looking at an allocation-sharing option that would actually be between like the Gulf and South Atlantic jurisdictional allocations, and it seems like this would be the action under which that would fit. Before we get a motion from the committee, I guess I just want to throw that out there for consideration. Obviously any of these, as John indicated, are highly dependent on what you do in the first couple of actions. Jack.

DR. MCGOVERN: I just had a question. These last couple of alternatives, they wouldn't apply if we went to a total ACL for the Gulf and South Atlantic, right? These are just South Atlantic-specific, right?

MR. HADLEY: For now, I mean, I think a lot of this depends on what actions or what is the choice in Action A and Action B, and so looking at what is going to be done, if anything, with the jurisdictional split of the ABC. Then, subsequently, if the jurisdictional allocation were to be done



away with, what would be the -- How would the ACL be structured? There again, it's getting back to Action B. Should that take place, this would apply to that as well.

DR. DUVAL: Jack, in other words, if the jurisdictional split was removed, but then there was still a maintenance of commercial and recreational sector allocations, then some of these could still apply it seems like. Anna.

MS. BECKWITH: On a slightly separate issue, in the dolphin decision document, the IPT had made an additional suggestion of that accountability measure that wouldn't close the recreational or the commercial sector unless the entire ACL was projected to be met but that the accountability measures were actually tied to the individual sector for that following year, and I don't see that option in yellowtail, but I feel like that might -- While it wasn't appropriate for dolphin, it actually might be quite appropriate for yellowtail.

DR. DUVAL: I think that's the next action. You're just way ahead of us today, Anna. Ben.

MR. HARTIG: Madam Chairman, did you ask if we wanted another alternative added that would share between the Gulf and the --

DR. DUVAL: I did ask that, yes, because Madam Chair Bosarge brought that up as something that, if the jurisdictional allocation were to remain, that allocation sharing, I think, between the Gulf and the South Atlantic was something that they had discussed on their side and that's all. That's the reason I was bringing it up, but I am not seeing a desire on the part of the committee to add something like that, and so I think, if the Gulf Council works on that, then that would be something that we could consider, perhaps, once they hammer it out. **Now I would be looking for a motion from the committee to approve the wording of Action C, as modified.** Jessica.

MS. MCCAWLEY: **So moved.**

DR. DUVAL: Motion by Jessica and second by Charlie. Is there any further discussion on this? **Is there any opposition to this motion? Seeing none, that motion stands approved.** Now we get into the accountability measures.

MR. HADLEY: Let me pull it up here. This would be the final action in the amendment, and so this is Action D, and this is revise accountability measures for yellowtail snapper. In the South Atlantic, the accountability measure for both the -- There is an in-season closure for both the commercial and recreational sector if the respective sector ACL is met or projected to be met.

For the commercial sector, the commercial ACL will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total ACL is exceeded. For the recreational sector, a shortening of the recreational season may be triggered if the recreational ACL is exceeded, but only after recreational landings have been monitored for persistence in increased landings, the length of the recreational season is not reduced if the RA determines the best available science shows it is not necessary. If a reduction is necessary, the recreational season may only be shortened and the recreational ACL reduced in the following fishing year by the amount of the recreational overage only if the species is overfished and the total ACL is exceeded.

In the Gulf of Mexico, if the sum of the commercial and recreational landings, as estimated by the Science & Research Director, exceeds the stock ACL, then, during the following fishing year, if the sum of the commercial and recreational landings reaches or is projected to reach the stock ACL, the AA will file a notification of the Office of the Federal Register to close the commercial and recreational sectors for the remainder of that fishing year. Those are the two current accountability measures for either region, respectively.

Going to Alternative 2, it would implement the Gulf of Mexico AM in the South Atlantic. This was added to encompass Alternative 3 of Action 1, which states to manage the total ACL under the Gulf of Mexico accountability measure. Again, should the Gulf Council choose to manage the ACL under the South Atlantic sector allocations and accountability measures, which was Alternative 2 in Action 1, they would do so in their Reef Fish FMP. Is everyone okay with Alternative 2? All right.

Moving on to Alternative 3, neither sector will face an in-season closure until the total ACL is met. Both sectors will close when the total ACL is met, and so, here again, this was in the previous action. It was moved here, since it largely focuses on the accountability measure. Any comments on Alternative 3? All right.

Moving on to Alternative 4, and this was the alternative that Anna just referenced, and this is based on the Caribbean Council's accountability measure for reef fish. For Alternative 4, neither the commercial or recreational sector will face an in-season closure unless the total ACL is met or projected to be met. Both sectors will close when the total ACL is met or projected to be met. However, if the landings of one or both sectors are estimated by the SRD to have exceeded the sector ACL, then there are four sub-alternatives here.

If appropriate, for the commercial -- Essentially, in this case, if the commercial sector had exceeded its sector ACL, the length of the fishing season for the commercial sector would be reduced by the amount estimated to prevent that sector's ACL from being exceeded again. Alternative 4b would be a similar measure for the recreational sector. In this case, if the recreational sector exceeded its sector ACL, there would be a reduction in the length of the fishing season for the recreational sector for the following year by the amount estimated to prevent that sector's ACL from being exceeded.

Alternative 4c would implement a trip limit for the commercial sector for the following year, if applicable, by the amount estimated to prevent that sector's ACL from being exceeded. Alternative 4d would implement a bag limit reduction for the recreational sector for the following fishing year, if applicable, by the amount estimated to prevent that sector's ACL from being exceeded.

In this case, as Anna mentioned, this is essentially tying the accountability measure to the sector ACL rather than the total ACL. In this case, one sector could go above its sector ACL in one year. However, in the following year, an accountability measure would be triggered, with the intention of keeping that sector within its allocation.

DR. DUVAL: Any questions? We've been through this before. Ben.

MR. HARTIG: I've just got a general question for Roy. Say there was a coding error and something happened and the fishery went over for no fault of its own and, through the codified regulations, would you still have to carry through and do this? Would you still have to shorten the season for the commercial fishery if it was an overage based on the accounting of the catch versus their actually going over?

DR. CRABTREE: If the overage would have actually occurred --

MR. HARTIG: The overage still occurred, but it was through no fault of -- It was through a coding error or something of that nature.

DR. CRABTREE: Yes, I would think we would have to adjust the regulations to avoid going over again the next year.

DR. DUVAL: Anything else? If not, I think there's one more alternative.

MR. HADLEY: Moving on to Alternative 5, this alternative is essentially the South Atlantic's accountability measure, with the addition of to accommodate the common pool ACL. In the previous action, Action C, should the committee and council decide to go with a common pool ACL, this accountability measure would accommodate that.

DR. DUVAL: I think in dolphin wahoo also -- Wasn't there an additional accountability measure to deal with the allocation sharing as well?

MR. HADLEY: I believe the additional accountability measure was looking at the rollover, accommodating the rollover, of unused ACL, and that was taken out of this amendment.

DR. DUVAL: Right. Okay. Thanks. How do folks feel about the accountability measure alternatives in here? Are you okay with all of these? If there is no modifications or deletions, then I would need a motion from the committee to approve the wording of this action. Jessica.

MS. MCCAWLEY: **I move that we approve the wording in Action D.**

DR. DUVAL: Motion by Jessica and seconded by Mel. Is there further discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion stands approved.**

MR. HADLEY: With that, I will point out that the purpose and need was changed to update it and accommodate the split from dolphin wahoo. I'll leave it up to the committee if you would like to go into detail on the purpose and need or wait for a later date, but, in general, the wording was changed, the suggested wording by the IPT, to better reflect what is now in the amendment and, as I mentioned, also the split from dolphin wahoo.

DR. DUVAL: I guess my recommendation would be just to leave this as is. It seems like the purpose and need tends to get word-smithed a little bit in between each meeting, but, if folks want to approve that, I'm fine with that. If it helps you guys out, John, we can certainly do that.

MR. HADLEY: I don't know if we need a motion, per se, but, if everyone is okay with how it is now, but, again, we can always come back to it at a later date.

DR. DUVAL: Any strong thoughts or feelings? I am not seeing any, and so why don't we go ahead and just leave it and we can approve it when we see it again in June, which would be the next motion, to approve the amendment for further development and review at the June 2016 council meeting. Jessica.

MS. MCCAWLEY: Before we get to that, I have something else that I want to bring up that came up at the public hearing, and it also came up, I think, at the Gulf Council. There was discussion about trip limits and considering trip limits for the commercial sector. Since there aren't currently trip limits in this fishery, and part of what we're trying to do is prevent this overage, I am wondering if we add an action that would look at trip limits. I think that we might have to modify this a little bit, but it could slow down meeting or exceeding the ACL, which I think was the reason why we started this in the first place.

DR. DUVAL: So that would be an action to consider commercial trip limits, and I would assume there would be alternatives in there that -- I mean, I guess it would apply -- You could have it apply either way, whether there is a merged jurisdictional ACL versus just a single ACL.

MS. MCCAWLEY: Yes.

DR. DUVAL: Do you have some sense of what trip limits you would want to see?

MS. MCCAWLEY: I think Ben and I could throw something out there, and then we could get some comments on it and then look at it again at the June meeting.

DR. COLLIER: Just a reminder that this amendment has already gone out to public hearing, and so adding an action like that would likely mean that it would have to go back out to public hearing.

MS. MCCAWLEY: Whoever spoke after Chip, I didn't hear what they said.

DR. COLLIER: The proposed timing is June of this year for final approval.

MS. MCCAWLEY: I am fine with it slowing down a little bit, just because I feel like the trip limit might be part of the answer, and if the trip limit is helping us to prevent this problem, and that's what we were trying to solve with the amendment in the first place, I would like to consider the trip limit, but I will let Ben or someone else that was at the public hearings chime in here.

MR. HARTIG: I mean, there is a number of things to think about, but the trip limit would accomplish what Jessica is trying to accomplish, what the council is trying to accomplish, and it is relatively new to me, the trip limit discussions, that I'm hearing at this meeting, but do I think that we could come up with some trip limits before the end of this meeting? Yes. Does the council want to slow down this amendment? That is up to the committee, if there's a problem with that. Questions upon questions.

DR. DUVAL: My sense of reading the public comments and listening to the listening stations was that there were quite a few stakeholders who were not in support of actually combining things, and so I don't know if adding this action would address those concerns, where you could simply apply a commercial trip limit if the jurisdictional allocations were to remain separate, if that's just another

alternative that you all are thinking of, but Chip brings up the point that we would have to probably take this back out. If folks are okay with that, it's up to the committee. Tim.

MR. GRINER: Will the Gulf's input be done by June?

DR. DUVAL: No, and Leann has already indicated that this is not on their April agenda, and so I'm assuming that you would see a document in June.

MS. MCCAWLEY: For the first time.

DR. DUVAL: Right. For the first time. Roy and then Chris.

DR. CRABTREE: I think this is going to get hung up in the whole MRIP transition. For example, a single ACL may sound great unless you find out the recreational are catching more than their ACL and then all of a sudden people may change their views of it, and so I don't know how that's going to affect the timing, but it's likely to have an effect on what we might choose for preferreds.

MR. CONKLIN: We could run the trip limit like the dolphin fishermen wanted to do, like not to have until 75 percent of the quota or something came up and then constrain the catch then.

MS. MCCAWLEY: I think that could certainly be one of the options. If you want to, Ben and I could try to get some input and then maybe craft something that we could talk about at Full Council to be added to this, but I also agree with Roy that I am concerned about the MRIP numbers and how that's going to affect yellowtail. There is also a yellowtail stock assessment on the horizon.

To me, I felt like we pushed this amendment forward because we didn't know what was going to happen, even after we changed the fishing year on yellowtail. We didn't know if they were still going to be over. There were the data issues that looked like maybe the South Atlantic should have gotten a little more in the Comprehensive ACL Amendment than the Gulf, which could be contributing to the reason that the South Atlantic guys are going over.

I mean, I think there's a number of issues here, but I am certainly willing to look at a trip limit or some other type of -- No trip limit and then, once a certain percentage is reached, some combination of that. I also think that the Gulf will see this for the first time in June, and so I think that they're on a much slower time scale than what we were thinking, and so I'm fine if this slows down a little bit while some of these things get worked out.

DR. DUVAL: Okay. I think that's what we needed to hear. I guess let's hold off on a motion to approve. I do think, if you guys want to add an action to consider a trip limit, I would recommend making that motion here and then we can come back at Full Council and try to provide some clarity on the alternatives. Jessica.

MS. MCCAWLEY: **I move that we add a commercial trip limit to Amendment 44.**

DR. DUVAL: Motion by Jessica and is there a second? Second by Ben. Is there further discussion? **Is there any opposition? Seeing none, that motion stands approved.**

We will come back to this at Full Council and get a few options for analysis to send back to the IPT. Then we could get a motion to approve the modifications that we've made and see it again in June. Okay. Thank you very much, John, for leading us through that. The next item on our agenda is Amendment 45, and so this would be golden tilefish and ABC control rule revisions, and I believe John Carmichael is actually going to take us through this. I believe the projections came in the late -- Those were part of the late materials. It should be Attachments 6a and 6b.

MR. CARMICHAEL: We have the projections, and we will call them up, and I think Bonnie may want to just give you a few introductory remarks on the projections. You requested these at the last meeting to look at alternative  $P^*$  values for tilefish.

These haven't been through the SSC yet. The intention is to provide them to the SSC for review at their April meeting, so that they could also see what's going on with this amendment at that time. They weren't given to the SSC for advance review, because they're basically applying just different criteria to the same methodology that was used for the existing projections that the SSC used to establish its ABC recommendations. The ABC recommendation was based on 30 percent  $P^*$ , and you asked for a range of higher  $P^*$  to be evaluated in these projections. With that, Bonnie.

DR. PONWITH: Very good. Thank you. Yes, those projections are I guess coming up. Our colleagues at the Beaufort Lab prepared these. They were late getting into the briefing book, and I will claim responsibility for that. We had a transition in our council liaison staff and this didn't get to the analysts early enough for them to finish this for the briefing book.

First of all, in this introduction, this is essentially the assignment that we were given, and it was asking for some additional projections with  $P^*$  values of 40 and 45 percent. Then Number 2 was projections of stock conditions to 2024 on  $P^*$  values of 35 and 50 percent. If you scroll down, you will see a series of tables, and this is the first table, and these are the projection results with fishing mortality rates fixed to provide  $P^*$  of 35 starting in 2019, and it lists all the assumptions.

Essentially, this report is a series of tables that look like this that include the landings in thousands of fish and the landings in thousands of pounds and then the probability that the spawning stock biomass will exceed the MSST using that 75 percent definition of MSST. That is the format that this comes in.

There are also some -- Towards the end of the tables, there are some graphic depictions of these projections as well, and so, at this point, I know the council has asked for these. I know that they will be referred to your SSC to take a look at them. The one thing that I would just raise is that your ABC control rule, under the level of uncertainty in the assessment, calls for a  $P^*$  of 30 percent, and I believe that's what your SSC has communicated to you as well, and I will stop there.

DR. DUVAL: All right. The next step is really having the SSC take a look at these and then we don't actually -- We don't actually have anything in front of us in terms of looking at ABC control rule revisions. The SSC, I think, is -- This is on their agenda for April, and is that correct?

MR. CARMICHAEL: Yes, they're going to look at it in April, because the component of the control rule here that was of interest is separating out how they account for the risk of overfishing adjustment and the assessment uncertainty adjustment. As it is now, the Tier 1, which is the assessed stocks, has four different metrics, and a couple of them relate to your risk tolerance for

overfishing and a couple of them directly relate to the level of uncertainty in the assessment. That is one of the things that SSC has talked about in the past.

At the last meeting, there seemed to be some support for separating those two out and allowing the council to take a more active role and direct role for each individual stock in saying what you think your risk tolerance is for overfishing, and that's what we'll talk about at the April meeting, in terms of the control rule changes, and we're also going to talk about the changes that might be necessarily related to the National Standard 1 and some of the stuff with dolphin, and we'll talk about it with each individual stock.

That's essentially where this amendment stands, is having got these projections, and we'll look at the control rule changes, because it's difficult to make progress on the other parts of this amendment until we know what set of projections we're using and where we're going on the control rule.

DR. DUVAL: Are there questions for Bonnie about the projections at all? It doesn't seem like there's a whole lot of difference, necessarily, with these updated projections, in terms of what the allowable harvest would be, starting in 2019. That's my sense, from looking at them.

MR. CARMICHAEL: It seems to change about 10 percent with each change in the  $P^*$  level that's been looked at, and one of the other important features, perhaps, to notice is that it assumes that the full harvest level is captured in 2017 and 2018, and, since that's above the MSY that you have now, and considerably above what was recommended for the ABC, that tends to drive the stock biomass perhaps a little bit lower by 2019, which then results in even slightly lower landings in 2019.

That's sort of one of those situations where, if that's your trajectory, sometimes waiting to work this out can be more difficult, and it can have more costs, in terms of the long-term foregone yield, because the stock continues to erode each year, which is why we got into the discussions, and I think I've talked with you some about this, Michelle, of perhaps considering an interim step that the council might want to take while we work out a number of these details and consider getting an updated assessment on this, which we discussed at the SEDAR Committee on Monday.

DR. DUVAL: Right, and so one of the things that I guess we would need to ask the SSC about is looking at perhaps an interim approach of yield at 75 percent of FMSY, just to try to make sure that we're not shooting ourselves in the foot in terms of having to deal with the catch rates and the overfishing designation.

MR. CARMICHAEL: Yes, and so if you want to -- I will go over what we had talked about at the staff level with this, and it was looking at considering an interim ABC based on 75 percent of FMSY that you have used for a number of stocks in the past and then asking the SSC to compare and contrast the risks of uncertainty of that with the ABC, based on the  $P^*$  approach.

This is considered interim until the new tilefish assessment is prepared that addresses some of the uncertainties that the SSC has talked about over certainly its last two meetings, and may talk about some more at this next meeting, one of those being the selectivity periods, because it was noted that the more recent data indicates a shift of selectivity to the older fish, and that is actually consistent with a lot of the testimony we've heard from fishermen in tilefish over the years, that

that's not just a reflection of the more robust data, the more abundant data, but it's actually a change that has happened in the fishery and that it would be worthwhile to incorporate that in the model.

The other issue is the new red grouper assessment update that the SSC will be looking after. Soon after the SSC had its October meeting and talked about the importance of the fitting method that was used in tilefish and how influential that was between the outcomes of the previous SEDAR 25 assessment and this update assessment, a new method emerged that was considered best science by the red grouper group.

The SSC wasn't really aware of that at the time that they were talking about the fitting methods and how it affected tilefish when they met in October. It was a few weeks later that this new method emerged, and so I think there is some value in considering that, simply because, in tilefish, it's become such a critical point of this assessment.

Then the last part is, as we noticed in the projections, the terminal year of this assessment was 2014, and we're looking at management changes in 2019, and that is a pretty long window, and, as we discussed for red snapper, that really gets you into a highly uncertain period in your projections. It's exacerbated, as we've noted before, in tilefish because of the high age of selectivity of these fish and that the actual recruitment values that are informed by the catches and able to respond in accordance to what the perceived year class strength is actually reach seven years back past the terminal year.

That was discussed a lot with regard to that recruitment value that was so high in the SEDAR 25 assessment and then how it went away in this assessment, and so there's a big lag in there between knowing what the real recruitment strength is and what is actually what the fishermen are encountering as they're out there catching these fish.

For those three reasons, we really felt there was a lot of value in looking at this assessment, to do a standard assessment and bring some of these changes in and advance the terminal year, and that's why the SEDAR Committee made that request to be taken to the Steering Committee at the May meeting.

DR. DUVAL: Again, in terms of moving forward and being able to do anything different and take into consideration these revised projections that we have received from the Science Center and the potential for taking an interim approach right now, while we're working on the control rule, we need to be pretty detailed in our tasking of the SSC. I appreciate John working up this draft motion. Do you want me to go ahead and read that and then we can get someone to make that motion?

MR. CARMICHAEL: Yes. If the committee is interested in someone making that, I think that would be great.

DR. DUVAL: Do folks have questions of John and the explanation that he has given? I think, if folks go back to the October 2016 SSC Report, a lot of these things are laid out in there, in regards to their recommendations regarding looking at shifts in selectivity and the impacts on that terminal year year class in SEDAR 25 and how some of that uncertainty was perpetuated through the assessment. I think there were also some recommendations on the technique that was used to estimate fishing mortality. There is different ways of doing that as well. Roy.



DR. CRABTREE: I have a few questions. John, do you know approximately what 75 percent of FMSY, what that yield level would be? Has that been calculated?

MR. CARMICHAEL: As I recall, I think it was pushing 75,000 pounds more than what the current ABC was.

DR. ERRIGO: I figured someone would ask. I looked it up. It's 551,000 pounds, according to the update.

MR. CARMICHAEL: That is the equilibrium estimate or that's the like 2019 estimate?

DR. ERRIGO: That's the equilibrium estimate at the yield of 75 percent FMSY at equilibrium.

MR. CARMICHAEL: But I think the intent is you would need to be doing this based on the projected yield, given the current stock biomass, and so it is slightly higher than where the current ABC is at the 30 percent SPR, but it's certainly a good bit less than that.

DR. CRABTREE: I guess we seem to be talking about no management changes before 2019, but why wouldn't we be trying to get something done before the 2018 season?

MR. CARMICHAEL: I think the 2019 came because of the two years to end overfishing and the council looking at taking that motion, and that's why I pointed out the further erosion that you see in the stock biomass as we allow that delay to continue. I think, if you took an interim step to go to the 75 percent MSY level sooner, it would certainly pay off in added yield down the road. It will put you into the reduction sooner, but it's going to give you more fish, say in 2019, than what these current projections you have give you.

DR. CRABTREE: That's a concern to me, and so I think probably we ought to have some discussion about whether we wouldn't be better off to move something by 2018. Then the selectivities, you said there had been a recent shift in selectivity towards older fish?

MR. CARMICHAEL: The model reported a shift in selectivity toward the older fish, and it was noted that the data seemed to be more robust and supported it, but, as we've heard from the fishermen, they mentioned they shifted the selectivity in more recent years, but the model is just using the single selectivity period over the entire time series. It was an update, and that's what was used before. Under a standard, they could go in and consider alternative selectivity periods over time and perhaps better reflect for an actual shift in the fishermen's selection.

DR. CRABTREE: It's a flat-top selectivity?

MR. CARMICHAEL: Yes, I believe for the longline fishery, which is the predominant one, it's a flat-top selectivity.

DR. CRABTREE: My understanding is, in the Mid-Atlantic, which is a longline fishery, that they use very sharply dome-shaped selectivities. Have you looked into that at all?

MR. CARMICHAEL: Not closely, but I think the shape of the selectivity should be something they might want to consider.

DR. CRABTREE: That would be something the SSC could comment on, perhaps, because I'm sure we'll be asked about that. Then I have one last question, and I apologize if -- I think you may have talked about this a little bit on Monday, but we know, with blueline tilefish, that there are ageing discrepancies, and now they are proceeding with a non-age-structured model.

I have some concerns that -- I would like some assurance that we don't believe that we have a similar problem with ageing golden tilefish and that we don't find ourselves in a position of doing some very painful changes only to find out that there is a major issue with the ages of it. I think we had talked about trying to learn something about that prior to the SEDAR Steering Committee.

MR. CARMICHAEL: Yes, that's correct. We talked about that at the SEDAR meeting on Monday morning, and we would like to be able to have some insight into that for the SEDAR Steering Committee, and Bonnie had planned to have some insight into their ability to get this assessment done, in particularly to get ages up to date, and what the timing could be to get an update or a standard done for the tilefish.

DR. PONWITH: To the issue on the golden tilefish ageing, I will have to look into where we are in terms of inter-lab calibration, but we do have some validation work that's been done in the Gulf of Mexico that puts us farther ahead on golden than we were on blueline.

DR. CRABTREE: Yes, and I appreciate that. I just want to make sure that we aren't going to find a problem after we've already gone through a really painful issue with it.

DR. DUVAL: Okay. Are there other questions? I think we would want the SSC's advice that we would get back in June before looking to take additional interim action, and I believe, if the SSC were -- I am just trying to project ahead like the next step. If the SSC were to approve something like yield at 75 percent FMSY as an interim approach, then we could use our abbreviated framework to simply change the annual catch limit? Is that correct? That might be a Monica type of question.

We were just talking about next steps, and so, in terms of having the SSC review these projections and provide us their advice on the use of an interim approach using the yield at 75 percent of FMSY as an interim approach, we could use our abbreviated framework to set a new ACL, based on that science advice that we would receive from the SSC in June, and is that correct? In other words, what we have discussed in the past about if we're not modifying any other measures and being able to use that abbreviated approach to change our ACLs and that does not involve the use of a regulatory amendment.

MS. SMIT-BRUNELLO: It's just a kind of regulatory amendment. It's just a very abbreviated kind of --

DR. DUVAL: Right. It's just a closed -- I forget which is open and which is closed.

MS. SMIT-BRUNELLO: I would be glad to look at that. I think that's true. I think there is that process that you can use.

DR. DUVAL: Okay. Thank you. Are there any other questions about this? Roy has raised some additional issues to consider. Ben.

MR. HARTIG: Just so the fishermen are clear that, if we can get the SSC to bite on the 75 percent of FMSY, the council's intent would be to implement that by the abbreviated framework without the three-year --

DR. DUVAL: Without the three-year --

MR. HARTIG: Without the three years to put the ACL into effect.

DR. DUVAL: Two years.

MR. HARTIG: We had been talking before about phasing in the ACL over three years. We had talked about that in the past. Now I am just trying to be clear, so the fishermen understand. It seems to me that this is in lieu of the three-year phase-in and going directly to the 75 percent of FMSY. Am I wrong?

DR. DUVAL: I think that is an option. I wanted to clarify if that is an option that we do have that in the framework, and it's the open versus closed procedure, and I always get mixed up as to which is which. The phased-in approach, I think we still want to move forward with that under the new National Standard 1 Guidelines, but you still have to get below the OFL, and so that's the quandary that we're in. I am just laying out what the options might be. Monica.

MS. SMIT-BRUNELLO: Right, and I think you also have an interim rule to reduce overfishing at your disposal, too. You could think about that as well. It's like the time period for its existence is like an emergency rule, and so it exists for six months and then you can renew it for another six months. It's an interim rule to reduce overfishing, and we could look at that, too.

DR. CRABTREE: I think that would be worth looking at if we got in a time crunch. When you talk about getting the SSC to look at 75 percent FMSY yield, you're not talking about the equilibrium yield there and you would be talking about --

DR. DUVAL: Yes, not the equilibrium yield.

DR. CRABTREE: I think that's something reasonable to look at.

MR. CARMICHAEL: Because, in the assessment, the yield at FMSY in 2018 is like 469,000 pounds, and so that's below the equilibrium FMSY yield, and so that would certainly create a challenge with the best information, as we have it now, but I think, in terms of the phasing in, if you liked that, you could use the interim, as Monica mentioned, to go to that level and then go to the next level while you're working on the amendment ABC control rule changes that are necessary to do the phase-in, as it's stated in the National Standards right now.

DR. CRABTREE: Right.

MR. CARMICHAEL: Because that's the kicker there. I think the SSC supported the phase-in. The phase-in requires that you end overfishing and go to something below your OFL, but you need that in your control rule to be able to do it, and so this would give you a way, I think, to achieve that while we get the necessary ABC control rule language done.

DR. DUVAL: Okay. Is everyone clear? **John has a draft motion up here, which is to request the SSC to consider establishing an interim ABC for tilefish based on the projected yield at 75 percent FMSY and compare and contrast the risks and uncertainty with establishing the ABC for tilefish at the 75 percent FMSY yield versus that provided by the P\* approach. The interim ABC would be in effect until a new tilefish assessment is prepared to address multiple selectivity periods to account for a selectivity shift in the longline fishery toward larger, presumably older, fish over time, as supported by both the testimony of tilefish fishermen and the selectivity pattern used in the 2016 update assessment; the latest best scientific information model fitting algorithms, as applied in the red grouper stock assessment update; an advance of the tilefish terminal year, given that 1) the most recent projections incorporate a five-year lag between the assessment terminal year and changes in management, 2) the SEFSC memo regarding red snapper projections indicated that projection uncertainty is generally high after three to five years, and 3) the uncertainty in tilefish is exacerbated by the seven-year lag of estimated recruitment deviations in the tilefish assessment, due to the high age of selectivity for tilefish and the lack of any abundance information for ages below the age of fishery selectivity that results in 2006 being the last year class informed by data in the assessment. The council intends to request a SEDAR standard assessment of tilefish for late 2017, provided to SSC for consideration in April of 2018, with a 2016 terminal year.**

MR. HARTIG: **So moved.**

DR. DUVAL: Motion by Ben. Is there a second? Second by Chris. Is there further discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion stands approved.** John, is there anything else that you need from us in regards to this agenda item?

MR. CARMICHAEL: No, I think not, and I think when we take this to the SSC, just to be clear, we will also ask them to comment on the implementing this, as we mentioned, through the interim rule to reduce overfishing, by first going to the FMSY level and then going to the 75 percent FMSY level, and hopefully that is only in place for maybe a year or two before we get the updated assessment with being able to then move back into the P\* approach for this.

DR. DUVAL: Okay. Great. Thank you. Bonnie.

DR. PONWITH: Before we work under the presumption that we will beginning a golden tilefish assessment in 2017, we really need to groundtruth our ability to do that, both from a logistics standpoint for the ageing, but also the fitting one more assessment in as well, and so I just want to caution the council that that's a TBD at this point.

DR. DUVAL: I think we all recognize, based on the conversation that we had at the SEDAR Committee on Monday, that that's a request, and those requests get thrown into the hat, and they have to be debated and finalized at the SEDAR Steering Committee. Okay. Then I think we're done. Thanks, John. Are folks okay moving ahead into the next agenda item, or do you guys want a five-minute break? How about a five-minute break, and then we will come back. Thanks.

(Whereupon, a recess was taken.)

DR. DUVAL: All right, everybody. We're going to go ahead and reconvene the Snapper Grouper Committee. We don't have a whole lot of time left. We are on our last agenda item, and so this is a discussion of limited entry in the snapper grouper for-hire fishery. If you will recall, at our last meeting in December, we had a pretty robust discussion with regard to continuing to have a conversation about limited entry in this particular fishery.

We had originally considered limited entry for all three of the charter/headboat permits, and we elected to not pursue limited entry in the coastal migratory pelagics or the dolphin wahoo fisheries, based both on biology and participation and cross-jurisdictional issues, since those fisheries are managed across multiple jurisdictions.

Council members indicated that they wanted to be able to have a discussion about the topic of limited entry and how this tool might be used and were there other tools that could possibly be used to achieve the same means. Folks wanted to have a conversation that was more in keeping with the way that we had approached our visioning workshops, where we weren't making motions and we were simply having discussions and really trying to, I think, operate by consensus.

I think we all agreed at the December meeting that this is a conversation that was likely to occur over a couple of council meetings, in order to make sure that folks had fully had the opportunity to discuss everything that was on their mind and try to do some brainstorming and come up with approaches that they wanted to float around to other council members.

Given that we are supposed to finish our business at 3:30, so that we can convene the Mackerel Cobia Committee for an hour prior to the beginning of public comment, I will just put folks on notice that this is certainly the beginning of the conversation, but it's certainly not the end of the conversation, and so I am going to be inclined to let us go on for about thirty minutes. Then there's, I think, a couple of items under Other Business that I just want to make sure we get to before we move into Mackerel Cobia for the rest of the day.

I am going to go ahead and turn things over to Kari, who is going to walk us through a presentation of the white paper, which is Attachment 7a in the Snapper Grouper Briefing Book, and so, Kari, take us away.

DR. MACLAUHLIN: Okay. Since we don't have as much time as originally thought, I am going to focus on just covering the headings, basically, from the white paper, because I know you all have read it, and so I'm not going to go into detail about it, and then also a little summary of the public comments that have come in, just so you have those. That way, you will be able to focus more on your discussion than this paper.

The white paper is separated into four sections, and I do want to thank everyone from our staff and then Jessica Stephen, who also gave me some good pointers, and it was really a team effort, and I appreciate everyone's help on it. A little intro and then some of the specific issues that have come up, or you guys have brought up in your past discussions about how limited entry could address some problems or issues in the for-hire snapper grouper fishery, a summary of public input, and then the design options for a limited-entry program. That's just some of them.

They are open-access permits, and we have the breakdown. There are usually about 1,500, and the number stays around 1,500 for the past few years. This is the breakdown by home port, as of January 9 of this year. I did get a little information to be able to break it down by headboats right after I had finished this presentation, and it was from the Headboat Survey, and so it's an estimated 60 to 70 percent of those vessels with the for-hire permits are headboats, and they are reporting to the Headboat Survey.

Then the hotspots were Calabash and Little River, and even those were just like seven to ten headboats there, and then we had the other locations, and then also I have the charter boat hotspots, but these are our usual areas, where we know there is a lot of recreational activity and then also tourism.

Some of the issues that you have brought up, and then also that we put together here, that limited entry could be used to address, one is the data quality and reporting compliance with the pending new requirements and updated requirements coming through with the for-hire reporting amendment. There has been concern that the open-access permit would just allow anyone who is non-compliant to just get a new permit.

Then also that we would have more information about the vessels participating. In that, we would know a little bit more about what they're catching, what they're targeting, their level of participation, how often they are going. Next is limiting the number of vessels interacting with red snapper that you talked about this morning, and I have the graphic that you guys went over. I am not going to get into it again, but that section where you talked about how it would work for the for-hire sector, but it would need to be a limited-entry program.

Next is overcapacity or excess capacity, basically more boats than you need to either catch your ACL or more boats than you need to meet the demand. This has come up, and it may or may not be an issue. It may be very localized, with increases in certain areas, but not overall. Limited entry could be used to cap or even reduce the number of vessels participating.

Limited entry could be used to professionalize the for-hire fleet, and we've heard some comments about unlicensed operators or folks that don't have the federal for-hire permit and the effect on the full-time operators and the federal permit holders. Limited entry would just result in a more professionalized fishery, because it would need more investment, and that could be used to cap or reduce the number of potential vessels offering for-hire services.

The public input, we have a section on input from the Snapper Grouper Advisory Panel, and the AP has discussed this several times. In the most recent years, they have approved motions to recommend limited entry for snapper grouper for-hire permits. They were not always all in favor, and I have those specific motions in the white paper, if you want to see those, and the vote count.

Then, at their most recent meeting, in October of last year, they had another discussion, and you've seen some of the points that came up during their discussion about limited entry leading to sector separation, even though there was some support for that, and folks concerned about data collection management and red snapper management and reporting compliance, but then also that, if you had to buy a permit to get in, it could be very expensive to enter the fishery, but the AP did approve a

motion, with thirteen in favor and three opposed, to support limited entry for the snapper grouper for-hire permit.

Also, during snapper grouper visioning, during the port meetings and visioning public input sessions, people specifically talked about limited entry and making the permits two-for-one, so there would be a reduction over time, a control date, a moratorium, and then folks having to show some kind of participation level or income requirement and then also maybe requiring an education or training and then having a maximum limit of the permits and then they would go back into a pool and be available for new folks.

Then most of the comments that we have received over the past year or so have been in opposition to limited entry, with the reasons of no sharp increase in the number of permits, there is alternatives to improving reporting compliance, and the concern that this would lead to sector separation or IFQs. Then you have also -- I have some of the comments coming in on the online comment form.

Through Comment Number 685, which was the ones all the way through maybe around lunchtime today, 102 were opposed, and so most of them had some language that was very similar or exactly the same, about that they are opposed to limited entry. Then there were a couple of others in there that were just afraid -- They were opposed to it, and they didn't feel like it should go to one person. A lot of those were kind of mixed in with comments on other things that you guys are talking about.

We did have some support from a commenter representing Key West Charter Boat Association that we would support a moratorium as long as it was done in a fair way, protecting stakeholders now and in the future, with a good, hard look at the consequences of this action. We have also had some comments in support to cap growth in the fishery, improve compliance, reduce the loopholes of vessels without a federal permit being exempt from federal requirements, and then you also received some comments that Mike Collins forwarded to you an hour or so ago that were also in support of limited entry.

There are lots of different features and provisions, if you were going to consider a limited-entry permit, and I am not going to get into the details as much as I can, but we really wanted to emphasize that clear and specific goals for this limited entry, what you would want it to achieve. That way, any features that you wanted could be best -- We would pick the best suited to reach those outcomes, and they can also be used to mitigate any potential negative impacts.

We have a section on moratoriums, and so just no new permits. This would just put a cap on it, with the number of permits that are currently in place. If you've had it in place for a designated time period, where you were going to come back and review it, you would know a little more about the fleet and collect some information and king mackerel commercial permits in the Gulf, CMP and reef fish for-hire, there was a moratorium first and then the council would come back and review it and then they set up a permanent limited entry.

You would have to consider permit types, just one for both charter and headboat, or you could do one for headboat and one for charter, or separate permits associated with a specific area or species, kind of like an endorsement, and then you could do a limited entry with conditions, kind of like the 225 snapper grouper, if for some reason you wanted to have more than one.

Eligibility is the criteria for who would get a permit and/or who could maintain that permit, and this is going to affect the number of permits that you start with and that you want to maintain a certain number, and so they have to be directly tied to your management goals. Some examples could just be whoever had a permit at the date of the moratorium, at the control date, or another suggestion was a double control date, in which you have one control date and then another one in the future, and someone would have to have had the permit at both of those control dates. That would help prevent the rush on permits.

Then you could also have some kind of eligibility requirement for initial eligibility, a number of years with a permit, some kind of landings or effort threshold, reporting compliance, and that would have to come after the reporting requirements are put into place, or maybe some other requirements, like training or certification.

Transferability, you could have no transfers, and that would keep it from having an exchange value and people making money off of it. However, it could result in a reduced number of permits over time, but that may be a goal of yours, and so, if you don't allow transfers, when a permit is not renewed or somebody exists the fishery, it can be permanently retired or it could go into a pool and then that could be made available to anybody who wants to get a permit. That can be done through lots of different ways, like a waiting list or a lottery.

You could set up family transfers if you didn't want transfers between anyone, but you did want folks to be able to transfer them to a family member. You could delay allowing any transfers for the first couple of years of the program. You could have completely open transfers or only transfers to U.S. citizens or a two-for-one requirement, like we have for snapper grouper unlimited, and so that can be very expensive, but it will reduce the number of permits, if that's something you want to do.

Then another is you could attach some provision for passenger capacity, if you wanted to cap the passenger capacity of the fleet, where you can't transfer it to a -- The Gulf reef fish and CMP for-hire permits have something similar, where you have to fish at the passenger capacity that is lower between your permit or your vessel capacity.

Then you guys could put in any other design features that you needed to meet your management goals or mitigate your negative effects. Renewal requirements, if you wanted specific people, owner/operators, to be the ones that have the permits, and also some kind of trigger to make additional permits available or life a moratorium. For example, a specific biological stock status, if that changed and improved and reached some kind of goal, then the moratorium would be lifted, if you felt like that would be a good indicator that you could open up effort. That is the white paper, and I can answer questions.

DR. DUVAL: I think, if there are specific questions for Kari, we can do that. What I don't want this to -- What I don't want to happen is that we just kind of go off in all sorts of scattered directions. I would sort of like to approach this in an orderly fashion, with regard to starting with are there things that this tool could address in the for-hire component of the snapper grouper fishery, and so, Chester, you had a question.

MR. BREWER: Yes. Kari, there is talk in here about overcapacity and reduction of effort and that sort of thing. Are you aware of any studies that have been done to take a look at what the



capacity is for headboats and charter boats in the South Atlantic and whether they are at capacity or where they should be or anything like that? The reason I ask the question is you said it's localized, and I know that, if you call down to Bud and Mary's Marina today and try to book a boat within the next two months, you're not going to be able to, and so I question whether in fact the fleet is at overcapacity.

DR. MACLAUHLIN: We were including different issues that have been brought up by the council at past meetings, and there, to my knowledge, there hasn't been a capacity study. That would be something great for the Science Center to look at, to look at a capacity study.

MR. BREWER: Thank you.

DR. DUVAL: I think that was -- Overcapacity was a concern for the Gulf, I think, when they limited entry in their fisheries like ten or fifteen years ago, that they had multiple species that were overfished or overfishing was occurring. The number of for-hire permits had gone up, and so I think overcapacity -- There is probably two components to that. There is a perception of overcapacity, and then I think there is probably a biological component of overcapacity as well.

Do you guys have questions or do you guys have -- I just want you to understand that this is not -  
- Kari has just gone through the presentation to outline how the council can approach this conversation. This is not about, hey, Kari, why did you not put something in this presentation or this is not the staff advocating for anything, and so I just want to make sure that these are questions and not comment, because we can get into that. Questions? Okay. Zack and then Doug and then Tim and then Tony and then Mel.

MR. BOWEN: Thank you, Madam Chair. First of all, I would like to say that I think this is a great paper. I have read the paper several times, and whether the council decides to move forward with this or not, there is a lot of information in there that we can choose from, but, in terms of overcapacity, the question I have is, is there enough fish to go around? When I think about overcapacity, that's kind of my thinking, and so that's my question. Is there enough fish to go around for everybody?

DR. DUVAL: I think that's kind of a rhetorical question at this point. That's not something that Kari is going to be able to answer for you.

MR. BOWEN: I just wanted everybody to think about that question and not necessarily to have it answered, but I think it's a great question that everybody should think about.

MR. HAYMANS: Kari, I have a question about the data quality and reporting compliance section on page 2, where you're talking about headboats. This isn't in the presentation, but it's in the white paper. It talks about 21,000-plus weekly reports in 2015. Where are those 21,000 weekly reports coming from?

DR. DUVAL: The way I'm reading this, this is from headboats.

MR. HAYMANS: Seventy-six headboats?

DR. DUVAL: I think that is a total sum of reports.

MR. HAYMANS: Right. They're weekly reports, and that's 276 weeks per boat in the year 2015, and it looks to me like it's a national headboat number, and, because it's used as a justification, I am just -- Mike E. is coming.

DR. ERRIGO: I think a report is per trip, and so each headboat goes out let's say five or six or seven days. That is seven reports per headboat, and so I think that's why the number looks so large. It's not one week and one headboat and one report. The raw data, I think that's what it looks like. Each trip has its own report. If you're doing half-day trips, if there's two trips in a day, that's two reports.

MR. GRINER: Kari, would it be possible to do an overlay of federal permits by zip code with an overlay of tourist population?

DR. MACLAUHLIN: That could be something that we could work on for a future council meeting, yes.

MR. GRINER: Thank you.

MR. DILERNIA: I would like to ask the question that Zack asked, but a little bit differently. Let me approach it from a different angle. The species that are covered by this permit, the snapper grouper permit, it's my understanding, having sat through today's deliberations, that many of the species in this complex are overfished. Dewey is shaking his head no, and I am wondering, is that the case? Are there many species in this complex that are close to being overfished or are overfished? Another way to ask this is how many of those species are underfished and could allow additional effort upon them? Can someone answer that question for me?

DR. DUVAL: Of our overfished species, red porgy is overfished. Red snapper is overfished, and we have several for which overfishing is occurring. I think snowy grouper is overfished, but overfishing is no longer occurring. Red grouper was -- That was a question, I thought. It's in a rebuilding plan, but was it overfished? That was a question asked previously, and so, Tony, I think we have maybe like four or five species that are overfished.

MR. DILERNIA: Are there many other critters in that complex that are not overfished that can absorb additional effort? Is it possible to answer that question? I know it's a big complex, and so that may not be an easy question to answer, but that's how I am trying to wrap my brain around whether or not there should be support for a limited-access fishery or not, and let me just -- Before I give up the mic, let me tell you that right now I am speaking as an individual committee member and not as a representative -- This is not a Mid-Atlantic Council position, but it's rather a question that I am asking as an individual committee member. Thank you.

DR. DUVAL: I guess I would recommend looking at the recreational landings information. We get this only twice a year, but we can shoot you the recreational landings page that the Regional Office maintains, so that you can see what the 2016 final catches versus status of ACLs is, and that would help you out. I don't know if someone on staff could please email that to Tony in the interim, so that he would have that. That would be great. Next, I have Mel.

MR. BELL: This is just an observation, I guess, related to public comment. I get that most of the public comments we've received have been in opposition and some have been in favor, but do we have any idea of the 1,500 permits that are out there, if we have received comments from -- What percentage of that 1,500 have ever commented on this, since they are directly involved in this?

That would be something that would be nice to know, what the 1,500 that are currently involved think about it. I realize we are limited on our ability to do simple surveys or things, but that would certainly, I think, help inform a decision as to public perception, this public perception that is directly tied to the specific permits right now, but I don't know that we know that. I would suspect -- I couldn't tell you, related to South Carolina charter boat guys -- Some like it and some don't, but I've not heard from a whole bunch, and I couldn't tell you. It's just literally a handful, and so that's just a thought. If we had the ability to do that, that would be really cool, but maybe we have some legal constraints with doing surveys or something.

DR. DUVAL: I think, if it's something that is directly related to management, and we've had this conversation with Monica before, that we could potentially send out a survey, and so I think that's something that Kari has written down and will take under advisement. I agree that it would be great to know, of the existing for-hire permit holders, how many of those would support versus not support. Zack.

MR. BOWEN: Thank you, Madam Chair, for recognizing me. Mel, to your point, to your question, the last meeting, I remember you saying -- It stuck with me. You said, and I'm going to paraphrase, because it's been a couple of months ago, but you said something to the effect that you didn't know of anybody that had publicly supported limited entry. At the time you said that, something around that, I immediately thought about the AP that had voted in favor of it.

You brought something to my attention, and so I took it upon myself -- With the boats being down this winter and family stuff going on, I've been real busy, but what I've done is I went to ten federally-permitted, not including myself, in Savannah, my hometown, where I have a boat. I went to ten federally-for-hire-permitted vessel owner/operators. Of those ten, I had seven, and at least one of those seven got their permit after the control date was set, but I had seven of those ten that I went to in favor of limited entry.

I had one that was not in favor of limited entry, and that person's response was he didn't want any more regulation. The other one that did not support limited entry didn't even understand what it was. The tenth one that I went to said that he would support it, but he wanted to find out more about it and he would contact me later, and I never heard back from him. 70 percent of the people that I went to in my town support limited entry for the for-hire sector. Thank you.

DR. DUVAL: Okay. I feel like we're getting into discussion now, and I just don't want to bleed --

MR. BOWEN: (The comment is not audible on the recording.)

DR. DUVAL: I understand that, Zack, but we would like to have an organized discussion here, and so are there any other questions for Kari about the information contained in the white paper? Okay. Seeing none, the way I would like to approach this is, if folks have the white paper in front

of them, we're just going to start at the top, how limited entry could address issues in the for-hire component of the snapper grouper fishery.

I think one of the big things is data quality and reporting compliance. The council, I think, initially was considering limited entry because of concerns about reporting compliance in the charter boat sector with the implementation of the electronic reporting requirements, and so I would like to hear some discussion from folks around the table with regard to would limited entry address this? Are there some alternative things that folks would want to see considered? I have Anna and then Dewey.

MS. BECKWITH: Thank you. In terms of limited entry or a cap or a moratorium, certainly improving data quality and compliance for the logbook is a valid and, to me, really the only valid reason that we would be moving forward with this, but that also sort of brings me to one of my biggest concerns and one of the things that I sort of want the council to think about.

One of my biggest fears, moving forward with this, based under data quality and reporting compliance, is, if we create a situation where the charter vessel -- Again, let me backtrack a second. Give me a couple of minutes.

A lot of the charter industry, as I've mentioned before, is diversified to smaller boat charter. They are inshore and near-shore and offshore. They do a little bit of everything. They've got multiple permits, state permits, the federal permits. They are often fishing based on availability and abundance from year to year, whatever is sort of around, and so, with that in mind, if we create a situation where the private angler, on a private boat, has more access to the fishery than a charter vessel, and I am thinking primarily state-issued charter vessels at the moment, that may or may not be able to get one of these permits, and so let's go down the road that we go to limited entry and we cap it and there is a bunch of charter guys, in say North Carolina, that don't have these permits.

If the private angler in the dock beside them can have a recreational license and that recreational angler has more access to the fishery than that charter vessel does, then the reality is that those state-permitted vessels are going to continue chartering. They're just going to make sure that everybody on those vessels have a recreational fishing license.

One of my concerns, as we move forward, is -- I think what happened in the Gulf was a little bit different. All the charter guys had greater access to the fishery than the recreational guys did, and that was always a point of contention, but what I am seeing is I am seeing a potential that we would actually have the private recreational angler have more access to the fishery than potentially a state-issued charter boat that wants to go fish in federal waters, but this federal permit has somehow been capped, but the private angler can go get a deepwater license and then go off and fish in the waters that the charter guy is not allowed.

I want to be really careful, as we have this discussion, that we don't create this vacuum where these charter guys are just going to make sure that everybody has a private license for their anglers and they're going to go out and run it like it's a private trip, even though it's a charter, and we're going to have the potential to lose that data and we're not really reducing the effort on the fish.

That is one concern, and so to me, in a nutshell, I think data compliance and reporting compliance is super important, and I want to move forward with achieving that in a reasonable way, but I am not 100 percent convinced, at the moment, that having limited entry achieves that, because it creates a loophole that I am not sure that we can close, and so I will stop there for now.

MR. HEMILRIGHT: I've brought up several times, over the last three or four meetings, about reporting of the for-hire industry and the lack thereof. Given that this council is going through with the electronic monitoring amendment, there is still no checks and balance that, even though they're telling you that you have report electronically, that you cannot report and you will still be able to go and renew your permit at the end of the time, when it comes for permit renewal.

I would like for somebody, if possible, to tell what mechanism is going to be in place for the accountability that you are reporting the fish, because you can implement as many regulations as you want. Somebody asked about how do you do a survey if there is -- How many fish did they catch or the capacity, and we don't even know what they are catching right now. Even with the implementation of this electronic monitoring, I don't see how there is any accountability that they have to send their reports in to begin with, and so I would love to hear that, because I haven't heard it in the last six months, or at the three meetings that I've been at when I've asked that.

DR. DUVAL: Okay. Bonnie and then Mel and then Tony, and then we're going to wrap this up.

DR. PONWITH: Thank you, Madam Chair. Moving to the electronic reporting for for-hire is an important move. In this day and age, it's the right way to go, if, and only if, we do it right, and we do have some statistics from the headboat fishery. It is an order of magnitude smaller, and we spend, if I remember the statistics correctly, somewhere between 25 to 30 percent of our time chasing down late reports.

We spent a little bit of time yesterday talking about what it costs the commercial industry when the mandatory electronic reports for the dealers do not come in on time, and this just seems like we're compiling raw materials that help us to realize that we really shouldn't go that direction for the charter/for-hire. If this council can think of ways that are toothy and are timely to ensure that we have really good, timely reporting, I am eager, eager to hear it, because that's what we're all after. If we're going to do this, do it correctly.

If there are alternative methods, I am absolutely for it. The thing that I can't afford is to grab 25 percent of the very rare time we have to go out and analyze these data for you, so you have good, high-quality information for making decisions, and pour that down the can of chasing after reports that are late. That, to me, just seems like it's an intolerable inefficiency.

MR. BELL: Related to reporting and compliance, the system is not in place yet. It's not up and running, and we don't know how it's going to operate. From South Carolina's experience, since we've been doing this for twenty-three years, we have a system in place that, if we don't get reports, then we involve law enforcement and we can make things happen that way, if necessary.

Now, for us, uniquely, because we have this requirement, if our guys fail to meet their federal reporting requirement, that requirement would be our requirement, and then we could deal with that at a state level, but we're unique in that we're the only state that has that going on right now.

That is one way. If states came onboard, states could actually do that in a similar fashion, if they chose to do that.

The system that you would use to enforce it would look just -- It should be similar to the system that you do with dealer reports. It's just failure to submit a report on time. Then what you would probably be looking for, again, would be perhaps a problem with particular people, long-term or something, before you involve enforcement. It's much more difficult with 1,500 people at the federal level than it is for us in a state to deal with our hundred-and-something people, but it's not up and running yet.

I agree with you that it's got to work. You've got to have some ability to ensure compliance or you're going to have not the data that you want, or the data that Bonnie needs, but it's not up and running yet. I think the intent is for it to work in a similar fashion as we would deal with probably dealer reporting, and that's how ours works. It's the same system. It's dealer reports and charter boat reports. That's how we manage it.

MR. DILERNIA: Again, forgive me, because I am still learning, but don't you require reporting of your for-hire fleet? Isn't it a condition of the permit?

DR. DUVAL: No, and I mean the -- The headboats --

MR. DILERNIA: But you're going to have electronic reporting, right?

DR. DUVAL: Hang on and let me explain, Tony.

MR. DILERNIA: Okay.

DR. DUVAL: We have had a headboat logbook for, Bonnie, for thirty years? Is that how long the headboat program has been around, something like that? It was monthly reporting, and then it -- Just in the past three years, it went to weekly electronic reporting, and so that's been required reporting.

Now, on the books, the regulations state that the Science & Research Director can select charter captains to report electronically or private anglers to report, et cetera, et cetera, et cetera. From a regulations standpoint, the regulations are in place, but nobody has been selected yet, and so there has not been a selection for that. Now, I understand that it's different in the Mid-Atlantic. You guys have had a vessel trip report program for --

MR. DILERNIA: Twenty-five years.

DR. DUVAL: Yes, but has it applied to the for-hire fleet for twenty-five years? My understanding is it's really only like the last ten.

MR. DIELERNIA: It's been there for a while.

DR. DUVAL: I am talking about for the for-hire sector.

MR. DILERNIA: If I can, I've got forty-five years' experience in the for-hire sector in the Mid-Atlantic, and the for-hire sector in the Mid-Atlantic wants mandatory reporting, because they are of the opinion that the only way they will get effective management and the only way that management will know what they are really catching and what they're really doing is through their VTRs.

As a matter of fact, we have been advocating using the VTRs as a surrogate or as a replacement for some of the MRIP information, because, in the Mid-Atlantic, before you hit the dock, you are required to complete a VTR, and so it's fresh in your mind what you're catching and what you just did, and you put that down on a piece of paper. I once got fined three-hundred-bucks by the State of New York.

My monthly VTRs slipped between the seat of the truck and console and I didn't realize it, and, the next thing I know, I have a law enforcement officer knocking on my door asking me where my monthly VTRs were, and I said that I mailed them in. He said to prove it. Then I wrote a check for three-hundred-bucks. Then when I cleaned the car, I found the VTRs. We in the Mid, at least the for-hire fleet in the Mid, likes VTRs very much, and I would encourage you to -- We're going to go to mandatory electronic reporting, and I would encourage you folks to consider the same. Thank you.

DR. DUVAL: Thanks, Tony. We passed an amendment in December that is going to require mandatory electronic reporting for the remainder of the fleet, which is the charter boat sector, and so we've got that moving forward. This is about limiting the permits, and so the electronic reporting is going to be a condition of the permit, and so that's required, but you don't have limited entry in the Mid-Atlantic for any of your permits.

MR. DILERNIA: No, we don't, but, if you're going to have a limited-access program, you need to know who is active, which permits are active, which permits are not active, or inactive, so that it gives you an idea of what's really being fished and who is fishing them. That defines your universe a little bit better, whereas, without that information, without the definition of the universe, it becomes very difficult, I believe, to create a limited access program.

DR. DUVAL: That would require -- I think the way we have it set up is that both fishing reports and no-fishing reports would be required. Mark and then Monica and that's it, because we're eating into Mackerel.

MR. BROWN: This question might be for Bonnie. I have a southeast regional headboat, and so I do electronic reporting, and we have port samplers, guys that come around and check our boats and everything, and then they also have gotten a new duty of also keeping up with the logbooks and making sure that people are doing their logbooks on time. I guess my question is, once we implement this new electronic reporting, are we going to have port agents or something that are going to keep up with all the people that have electronic reporting mandatory now?

DR. PONWITH: I think the vision of the council is that there is electronic reporting for both the charter/for-hire and the headboats and they would be reporting much the same, right? What that program would look like is there would be mandatory electronic reporting for every captain who is on a for-hire vessel, whether it's a charter or a headboat, and there would be dockside intercepts

that would be done to compare what a port sampler is seeing on the boat versus what ultimately is reported to do corrections for reporting error, and is that what you're asking?

MR. BROWN: I am just thinking that this is probably going to be a lot more challenging than the few headboats that we have in the South Atlantic and talking about this huge number of boats now that are going to be required to electronically report, and I was just wondering how the validation was going to work and keeping up with everything.

DR. DUVAL: I think we'll get an update on that at Full Council from Mike Errigo, in terms of the pilot project and how that's moving forward. Monica, bless us with your wisdom as we wrap up this conversation.

MS. SMIT-BRUNELLO: We talked about a number of things that could be helpful or not helpful, whatever way you want to look at it, in limited access or entry for snapper grouper charter/headboats, and I thought it would be helpful if I maybe once again reminded the council of what the Magnuson Act says on the reasons that the council may want to require a limited-access system.

That is the council may establish a limited-access system for the fishery in order to achieve optimum yield if, in developing such system, the council and the Secretary take into account present participation in the fishery, historical fishing practices in and dependence on the fishery, the economics of the fishery, the capability of fishing vessels used in the fishery to engage in other fisheries, the cultural and social framework relevant to the fishery and any affected fishing communities, the fair and equitable distribution of access privileges in the fishery, and any other relevant considerations.

If you were to consider a limited-access system, it would have to be developed around all of those things, and you would have to look at, and I'm sure staff or whomever would develop that, but you would have to look at all of those different factors in deciding whether to implement one.

DR. DUVAL: I think that's actually a great way to wrap up the conversation on this particular topic. As I said, this wasn't going to be something that was going to be finished here, but hopefully we can have a little bit more time on our agenda during the June meeting to continue this conversation, because we're really just at the tip of it, in terms of what could limited entry do versus what it might not be able to do. Before we move on to Mackerel, I just want to turn things over to Lieutenant Pray to make us aware of a couple of guests we have in the audience today.

LT. PRAY: Thank you, ma'am. Yes, I just wanted to introduce Mark and Clyde, two of our U.S. Coast Guard commercial fishing vessel safety examiners. For the audience and any council members who may have questions about safety-related questions, I just wanted to point that out.

DR. DUVAL: Thank you, gentlemen, for being here. We really appreciate it, and go tap these guys at some point if you have questions. Okay. We are going to adjourn the Snapper Grouper Committee. The two items of Other Business, we will just take those up at Full Council, during the committee report. Thank you.

(Whereupon, the meeting adjourned on March 8, 2017.)



Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By:  
Amanda Thomas  
April 3, 2017

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Name	Last	Will you make a public comment tonight? (If you are unsure and check 'Not Sure', your	Yellowtail snapper Allocations (SGAmendment 44)	Red Snapper & Recreational Reporting (SG Amendment 43)	Recreational Visioning Amendment (SG Regulatory Amendment 26)	Commercial Visioning Amendment (SG Regulatory Amendment 27)	Atlantic Cobia	If you checked, Other, please provide more information:
Edward	Hawle	Yes						black sea bass--bag and size limits
Bill	Kelly	Yes	Yellowtail snapper Allocations (SGAmendment 44)					Lobster, EFP Voluntary Catch Shares
Robert	Lorenz	Yes						Leveraging potential border adjustment tax to benefit fisheries
David	Bush	Yes		Red Snapper & Recreational Reporting (SG Amendment 43)	Recreational Visioning Amendment (SG Regulatory Amendment 26)	Commercial Visioning Amendment (SG Regulatory Amendment 27)	Atlantic Cobia EFP	Express opposition to
bill	gorham	Yes					Atlantic Cobia	
jim	busse	Yes		Red Snapper & Recreational Reporting (SG Amendment 43)				
Chris	McCaffity	Yes				Commercial Visioning Amendment (SG Regulatory Amendment 27)		Opposing EFP Catch Share Scam
Mark	Nemec	No						Coast Guard Commercial Fishing Vessel Safety

Mark	Huffman	Yes				Efp
Joe	Williams	Yes	Red Snapper & Recreational Reporting (SG Amendment 43)	Atlantic Cobia		
david	snyder	Yes			availability and enforcement	
Michael	Sullivan	Yes	Red Snapper & Recreational Reporting (SG Amendment 43)			
Scott	Osborne	Yes			Efp	
Josh	Mccoy	Yes	Red Snapper & Recreational Reporting (SG Amendment 43)			
Jeff	Williams	Yes			For hire fishery	
Charles	Wilson	Yes	Red Snapper & Recreational Reporting (SG Amendment 43)		EFP application	
Wes	Wolfe	No			Not speaking.	
David	Blackshear	No		Atlantic Cobia		
Tim	Tarver	Yes	Red Snapper & Recreational Reporting (SG Amendment 43)	Atlantic Cobia		
Sherri	McCoy	Yes			focus of NMFS	
Andy	Fish	Yes			EFP	
Joey	Spoerle	Yes		Commercial Visioning Amendment (SG Regulatory Amendment 27)	EFP	
Kenny	Fex	Yes				
Marc	Nemec	Yes				
Dewey	Hemilright	Yes			EFP	

Kelle	Ralston	Yes	Yellowtail snapper Allocations (SGAmendment 44)	Red Snapper & Recreational Reporting (SG Amendment 43)	Recreational Visioning Amendment (SG Regulatory Amendment 26)	Limited Entry; EFP
Ron	Surrency	Yes				limited entry pilot fishing permit
Tom	Swatzel	Yes				Catch share EFP
Hillari	Brown	No	Red Snapper & Recreational Reporting (SG Amendment 43)			
russ	sindair	Yes			Commercial Visioning Amendment (SG Regulatory Amendment 27)	
Vick	Lloyd	Yes				
Travis	Kemp	Not Sure				Atlantic Cobia
Eric	Brazer	Yes				Year Round Allocation EFP application
David	Fechtner	Yes				Efp
Tony	Morris	Yes				
Chris	Simmons	No				catch share, limited entry
Billy	Bice	Yes				
TJ	Cheek	Not Sure				Atlantic Cobia Limited Entry
Tony	Hancock	Yes	Red Snapper & Recreational Reporting (SG Amendment 43)	Recreational Visioning Amendment (SG Regulatory Amendment 26)	Commercial Visioning Amendment (SG Regulatory Amendment 27)	Atlantic Cobia Lion fish,efp
David	Hagan Sr	Yes				Efp
Davide	Hagan	Yes				Efp
James	Denes	Not Sure			Commercial Visioning Amendment (SG Regulatory Amendment 27)	

		King mackerel mixing zone
Rusty	Hudson	Yes
Quinn	Barnett	No
David	Blackshear	No
Harvey	Cole	No
Pat	Geer	Yes
Pat	Geer	No
		Atlantic Cobia