

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
LIMITED ACCESS PRIVILEGE PROGRAM COMMITTEE

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Charleston, SC

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SUMMARY MINUTES

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Tom Swatzel

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The Limited Access Privilege Program Committee of the South Atlantic Fishery Management Council convened in the Charleston Marriott Hotel, Charleston, South Carolina, Monday, September 14, 2009 at 1:30 p.m. by Chairman Rita Merritt.

Rita Merritt:

The Limited Access Privilege Program Committee Meeting is called to order. And I'd like to start off first by welcoming our new members on the committee. We have our two newly added council members, and that would be Ben Hartig, and Charlie Phillips, as well as two additional councilmembers who've been added to this committee, Robert Boyles, and David Cupka. Thank you all for joining us.

And I'd like to announced that the vice chair of this committee is Tom Swatzel of South Carolina. And I'd like to start off with approval of the minutes – approval of the agenda, I should say. Are there any changes/corrections? Seeing none, the agenda is approved.

And first up is text message-based angler reporting to e presented by Scott Baker of North Carolina Sea Grant.

Scott Baker:

Thanks, Rita Merritt. Again, my name is Scott Baker. I'm a fisheries extension specialist with North Carolina Sea Grant. For those of you not familiar with Sea Grant, we're a university program sponsored by federal and state dollars. We're kind of a two-way street between the industry and the academic goings on in research, so we try to translate the research that happens to the user that need that information and we also work in the opposite direction. We work with the industry to help solve issues that maybe managers have.

So this project will be a – this presentation will be compilation of three different pilot projects of varying degrees of completion. So the first project is about – is a project we did for our operators, and it's when we tested the text message system. And then I'm gonna talk about an ongoing project with King Mackerel Tournament data collection using voluntarily reporting, and also a black sea bass hail in/hail out project with two commercial fishers out of Sneads Ferry. And finally, if there's interest or if there's time we can do a demonstration on the project Web site.

But just to start out, electronic data collection, there's probably a

universal need for quicker access to data, whether it's quote monitoring or just more timely collection and display for management purposes. Most electronic reporting methods have been developed or configured for the commercial sector. Other design considerations come into play when you're designing this or some type of electronic reporting tool for other sectors, mainly recreation or for-hire industry. And for the most part, computers are getting smaller and more powerful, but they still are relatively expensive for the average person, particularly if routine Internet connection is needed outside of the home.

So enter the mobile phone. Some quick facts about mobile phones. There's over 4 billion mobile phones in use today; that's 60 percent of the world population. Mobile phones have been adopted at a pace unmatched by other emerging technologies. Eighty-four percent of people in the United States have a subscription to a mobile phone, 263 million. This is actually an outdated figure. Ninety-eight percent of those phones are capable of sending and receiving text messages regardless of whether a dedicated text plan is in place.

Just skip through this. I got – I'm gonna skip through probably a couple slides for the interest of time. In terms of text messaging, it was designed in 1985 to allow for the simple communication between mobile devices. By simple, I mean like, A, B, C, one, two, three, not videos and large documents and files. This system can be used with automated systems. Text messaging is also referred to as its official name which is the short message services or, SMS. But SMS is the king of data because it work with all phones, or 98 percent of phones, across all carriers the world over. It's pretty powerful stuff.

It's very inexpensive. The industry average is about 11 cents per messages, either sent or received, and that's obviously if you don't have a plan or something like that.

The drawbacks, as with any electronic technology, are limited to 160 characters per messages, so that's including spaces and whatever you would have in the message. And as with all cellular communication technology, delivery is not guaranteed. It can be validated, but as we're dealing with cell phone towers and things like that, it's not 100-percent.

So for this first pilot project, we were – I was – kinda been thinking about this for a couple years and thinking about a way for the recreational industry to be able to report very simple catch and

effort data, and, of course, do that electronically. And so thinking about this from the ground up, what is the lowest common denominator as far as an electronic platform available to the average fisherman? And that, which I hope just demonstrated, would be the mobile phone.

And, of course, if you're designing a system from the ground up, you'd want to have some attributes, which are listed here on the screen, mainly: inexpensive, real time, infinitely scalable in terms of how many users can you use with the system, electronic, and, of course, provide data that's usable for the users as well as the people who are submitting the data. And, again, just focusing on simple data, we would want to design a system that would allow the reporting of the number of anglers, the catch, and the effort.

So in order to use the short message service, we had design a code to be used within the 160-character framework of SMS. As we intended or this code to be for fishermen and not for scientists, we developed two-letter codes and not MRFs codes, several letters or numbers for different species, so that the nomenclature I guess we had for the system was RECTEXT, which can be thought of the reporting of effort and text via text messaging.

This is an example – what we made 200 species codes for all 58 species of species groupings in North Carolina for marines fisheries. And on the right here you can see an example of the fishing report as in the text message. Within the message you can see the number of anglers was four, the effort was six, and it's a very simplistic report. This group kept four red snapper and released eight red snapper.

So there's nothing to download to the phone. This is all something that an angler would have to follow directions and enter. I brought some examples of the actual wallet card that for those of you here to see. But it's a folding wallet card, the size of a business card, but explains how – basically, it's a cheat sheet how to fill out the report and all the codes, a step-by-step process. This is actually the card that we're doing for second project.

This is just a simple overview of how the system works, but basically moving from left to right on the screen, individual anglers have individual phones. They submit their texts, not to another individual, but to a computer. That computer can then basically – or through the Internet – can then actually send that information to an external website. It's all open sourcing open and free technologies. So for the pilot project, we it would work but

we wanted to see how it worked in the field, and particularly what the industry thought about it. We worked in a controlled environment. We do not validate the contents of reports. We just wanted to see how it worked and what errors were involved.

So we eliminated as many vices as we could. We used prepaid, pre-registered phones. We academy used Twitter which is a social networking site, to actually aggregate our messages and then forward 'em to our central site a that was a free service, so that helped out a lot. We used prepaid \$20.00 phones from a big-box store, preloaded with minutes and so was a very inexpensive study.

The reports are not publicized. There are no knowledge of other participants and we gave each captain \$100.00 honorarium to participate. And we asked the captains to submit a single text message report at the completion of each fishing trip. This is some information on the six captains. Basically, they're all full-time captains with 5 to 16 years of experience. Four had sent text texts, two had not. Three texted on a daily basis, and the age range was 25 to 55-plus. And this was in the Wilmington, Carolina Beach area.

This is the database view of what the actual Web site looks like, *rectext.org*. And on the screen you can see, moving from left to right, it's in chronological order as received. So it has an ID order. How do you wanna identify the anger, which was by phone number for us. The date the message was received, and then anglers, trip length, fish that were kept, fish that were released, so to speak.

These are some of the result from the four-and-a-half month pilot. We had 6 captains, 128 reports, about 2,000 fish, about 27 of the 58 species codes we're used, and 43of these individual fish were released. Here's – and I put some key relates for some our most popular insured species.

The big thing we wanted to see what were the errors associated with kinda freewheeling approach to data collection. And surprising, only five the 120 reports had errors, and these were all easily corrected on our end.

Talk if you think about way, each report had chunks of data in there, like number of anglers, the effort. So out of the 540 separate data fields, 99 percent of that data was submitted correctly. Now I think a large part that had to do with that is we met – as only six captains, I was able to meet with them all individually and spend a

couple minutes with 'em just to show 'em it worked and how to use the phone, if they were aware of it.

Either surprisingly, or not surprisingly, how you look at it four to five errors were made the by the oldest captains, each with no prior text message experience. And some of same trend has been down in the literature and items of usability errors and things like that. But I should say that the two oldest captains did probably contribute at least 30 of the report, so they did a good job.

This is just I guess a fun picture. It shows time of reporting. And since we were not able to validate when they submitted their reports, just asked them to send them at the completion of trips. So when you look at this on a time series, 75 percent of the reports were submitted after 12:00, which makes sense for an in-shore guide trip.

Let's see. When you compare this to I guess the next closest thing which would be a Web-based reporting system where an angler would log in and report information using a predefined template. I guess the negatives to this you'd need to create some form of language, which we did, the RECTEXT. It'd be more difficult to get the same amount of information after filling in drop-down boxes, so to speak. The users may need training or practice if they're not familiar with text messaging. And some phones are easier to text than others. And the phones that we used I would say are difficult to text compared to other phones available today.

The benefits were that this system is accessible to anyone with a standard phone, and you're not – you don't have to go home to use your Internet or log in away from the site. And anglers can access and query the data remotely. We had it set up where individuals could actually log on the computer if you wanted to and look at catch history. But a big benefit to his system is it allows for on-site submission and real-time reporting so that it's potential validation issues with this, or potential.

I was gonna move to the next thing, but anybody – you wanted to answer questions now or before I move to the next one.

Rita Merritt:

Thank you, Scott. Anybody have questions for him on the text-messaging program? No? George.

George Geiger:

Yeah, thank you madam chair. Scott, thanks for that. And I heard your presentation when you gave this to the Gulf Council as well. And I guess I was looking forward to seeing maybe an update this

time in terms of validation, and if, in fact, you have a plan as to how the messages that you would receive from the public – that's next? Sorry.

Scott Baker: Yeah. That's the next step. I should say that we haven't analyzed the data yet. But, yes, we have – that's the next part of the plan – project.

Rita Merritt: Thanks a lot. But, Scott, before you go on, I wanted to let everybody know Kim has a supply of the new *Coast Watch Magazine* out front. And in it, on Page 6 is a great article about the texting and tagging technologies. And I think – I'm really excited to know that we've got something this state-of-the art for our reporting.

Okay. So I think – you're going into your video monitoring study now, or you just going into the next part of the –?

Scott Baker: There's a king mackerel thing I thought to brief on, and then there's a black sea bass thing.

Rita Merritt: Good, thank you.

Scott Baker: Okay. So an immediate follow-up to the completed project was to try to validate some of the on-site reports using this real-time technology. And so what we wanted to try to look at, we got some CRFL funding, which is the Coastal Recreational Fishing License funds in the state of North Carolina to look at – to try to characterize the catch and effort associated with the king mackerel tournaments which are recreational tournaments in North Carolina. And it estimates by Division of Marine Fisheries biologists that 30 – 50 percent of the recreational landings in the state of North Carolina could be attributable to king mackerel harvest. But because they don't have a mechanism or the time or resources to sample those events, they have no real indication of what amount of harvest is coming from this demographic.

So the goal – one of the goals is to validate self-reported links on site and determine if angler-reported information is similar to that observed by scientists in the way masters are collecting the information later on at sampling.

So how we're going about that, we're distributing a sampling packet to all the boats that register, and this could be anywhere from 100 to 300 boats. And each packet includes basically a disposable tape measurer, a pencil, this wallet card which shows

how to do the report, and basically an instructional sheet. And also, it gives people the option to submit a paper survey on it if they don't feel comfortable using the text message survey. But it's all voluntarily reporting.

We try to coax them into it with a little bit of prize money. But, basically, so – and we give a cash incentive for trying to do the electronic way as this way is what we hope will be away to get information from not only those anglers that are successful in the tournament and that you would naturally see at the weight station with the fish or not, but also those mini anglers who participate in the tournament, but for whatever reason exit the tournament because either are not successful or their fish is not gonna place in the tournament. So we wanna be able to capture both pools of people entering the tournament. And, again, anglers report effort and disposition of the catch by species, and we ask that they report the lengths in centimeters for king mackerel kept and released.

We've done two tournaments. We've got another tournament coming up actually this coming weekend in Atlantic Beach, and one more in October. And this is a pilot. Our reporting rates have been probably on the low side. Again, this is voluntarily reporting. I think we had about 9 percent total on the first tournament, and close to 25 percent on the second tournament. And there was a mix of paper and electronic surveys. So I don't have any other information in terms of the actual comparison between the two reported lengths at this time, but that should be forthcoming.

This is just a picture of us at the site. We're identified by our green shirts, and we give kind of a talk at the captain's meeting and try to encourage people to participate. The tournament organizers have been very responsive and very helpful.

So then this is the third – this is kind of a random talk here, but this is the third project. This is in response to at least one industry's – one commercial fisherman's desire to show that he's fishing in a responsible manner. There's been obviously a lot of issues that have come up with the sea bass fishery in the South Atlantic, not including limited access, but responsible fishing in terms of manning your traps during certain periods of time, during adverse weather conditions, and just kinda show – being truthful about what's happening when you're fishing.

And some fisheries have used a hail in and hail out system where they actually notify either enforcement or monitoring personnel when fishing activity is occurring. And it adds a layer of

transparency to fishing activity. As far as I know, there's only a couple different ways to do this, and that's been, obviously, talk to an individual on the phone, or possibly to an automated system, or with some type of vessel monitoring system or electronic gadgets on board.

So, again, we used two fishermen, both in Sneads Ferry. We used Twitter, again, as the data aggregator, so there was no cost in this part. I don't know if you've ever seen Twitter before, but on the screen here you can see that reports are shown as they are received in chronological order with the time stamp. But for this project, we used simple codes, so we used HO or HI for hail in or hail out. The traps on board, wanted to have an ability for the industry to be able to say whether or not they had traps on board coming or going.

Had a line for number of traps lost or boxes of fish caught, although we haven't been using that. So an example text we'd show on the bottom would be a fisher is hailing in, so he's coming in and he's got 40 traps on his boat.

So this a slide. There's a couple data slides. This is a slide of one of the anglers, one of the fisherman. You can see the black line, the real squiggly line on top, and the bottom axis is date. The Y axis is feet. This is dominant wave period, so the period between swells or waves. The middle line, the blue line, that is the significant wave height. And on the bottom, you can see the yellow lines, or the very bottom solid line, that's the pots at sea. So that's the whole time that the gear is at sea.

The blue line, which is above that is when the fisherman was at seas. So if you look at the first – let's see, the first two groupings – I don't have my pointer with me. The first two solid lines you can see, the second one being over January 27, you can see that the fisher was with his gear the entire time. So he took the gear out to sea. He stayed with the gear and fished with it, and then he returned on the same day.

The third set of data points here, you can see – this is right after February 1, to the right – you can see that the fisher accompanied his gear out to sea. Then he set his gear and deployed it. And then he went back, or left the area, went to shore. And then he stayed at home or away from his gear for a period of several days. He stayed home for period of several days. Then he was back with *his* gear and again and so forth.

If you're looking at it just by itself, it's not very enlightening. But when you actually look at it with the weather conditions, with a dominant wave period and significant wave height, you can see that they were avoiding pretty much bad weather, specially when you have a decent swell – a decent wave height, coupled with a very low period which makes for pretty nasty conditions.

So this is actually at the beginning of the season, and it just happens that the other angler, he did – another fisherman, he actually did this for a protracted period. He did it for four months. And so you can see he actually had quite a bit worse weather conditions, and the weather data was pulled from the CORMP data buoys, which is 31CW off of Wrightsville Beach area. And you can see that this fisher actually fishes in a little bit different method than the first captain, and that he basically sets his gear and then he visits that gear on a daily basis.

He'll spend the day at sea, and then go home, go back the same day. And we just focus on this last period here, look at that a little close-up, you can see it's pretty routine in his operation. He would leave in the morning at about quarter to 6:00, and return at about 2:30. Again, that bottom yellow line would be when he initially left in early June or probably about the sixth or seventh of June. He deployed traps. Then when he would go off shore, he would usually fish and then he would probably move in to a different site. So there's two different ways of fishing.

And after speaking with those two guys and my other knowledge of the industry, I think these are the two different ways that the industry usually fishes gear. They either fish for extended periods of time with the gear in the water, revisiting the site multiple times, or they actually carry their gear with them and stay with the gear for several days, and fish the pots repeatedly during that time. So those are the two predominant methods in which this gear's fished.

The two I – I just wanna make two quick suggestions or possibilities for this type of mechanism. Again, this is – I think this type of reporting is good for the transference of very simple fisheries data. In North Carolina, we have one of the largest for-hire sectors in the country, and they use the captain's call approach to document effort or determine effort. And it's a very robust survey, but it's labor intensive.

The Division of Marine Fisheries spends a lot of time tracking down individuals to verify their effort; we have anything rowing number of what are called guide boats or standard consoles,

smaller boats that operate in the four-sectors. And because those boards are not typically being launched or retrieved from the same area every day, it's very difficult for the Division of Marine Fisheries to drive around and do drive-by assessments of whether or not vessel's in port. So if there was a simple SMS-type notification by captains, it would provide a secondary indication of effort, another thing to validate. So that's just a thought.

And the last slide – I'll be very brief, in turns of where cell phone use and technology is heading. There's a recent study was undertaken in the United Kingdom, where they have developed a cell phone based tag for studying marine mammals. And this tag operate much like the more expensive satellite archival tags where they actually tag and animal. It records the data for an extended period of time, at which time the tag pops off and relays the information to a satellite. Of course, these are very expensive tags because they rely on satellite transmissions.

Well, this university has developed a cell phone-based tag which records the message. Sends it when it has access to a cellular network, in this case GSM, and it can sent that information via text message. So it provides the same information at a fraction of the cost.

So my question is, could this low-cost alternative be an option to record vessel movement at a fraction of the investment cost? That's it.

Rita Merritt: Thank you, Scott. That was very enlightening. I do have a question. When you had the code for "other," I'm assuming that's when the person, the fishermen either can't identify what the species is or has some question about it. Is the intent to try to follow-up on those?

Scott Baker: You certainly could. That was the benefit of using – in our first pilot study of using the for-hire industry, because not only do they fish pretty much all the time, but they're also professionals so they should not have a problem with identifying – or correctly identifying species. But I'm sure with the individual anglers who – the private sector, so to speak, they would certainly have more issues with identifying things.

Rita Merritt: Good. Are there any questions – yes, Brian.

Dr. Brian Chevront: Thank you, madam chair. I'm not a member of your committee, but I do have a question. Scott, I just wanted to make sure that

your graphs were being interpreted correctly when you were showing the wave heights and the black sea bass pot stuff.

One of the things that this is showing, if I'm not mistaken is, is that the fishermen are bringing in their gear during bad weather. Is that correct?

Scott Baker: Yes, that's correct. Let's. This is a better slide here. This – like, for example, if you look in between these two points here, between January 22 and January 29 – 2 and 7, you can see that the wave period has a pretty big swell here. And I mean, the wave height is pretty decent here, and the wave period has decreased, which for the most part, calls for pretty slopping conditions when those two converge like that. And you can see there are several instances here where the fisherman has actually pulled his pots from the water.

And in speaking with those two gentlemen, I don't know if it's a community or a stewardship thing, but they have all kinda gravitated towards doing – moving in that direction of pulling the gear when the sea state becomes not hospitable for fishing just because there could be unintentional mortality with these pots.

Rita Merritt: George, and then Duane.

George Geiger: Yes, thank you, madam chair. And, Scott, I guess I go back to the original comment I had in the first portion of your briefing. Are you guys working on a methodology for validation or verification of reporting, number one. And, number two, in terms of carrying this concept forward when it would be passed to the general recreational fishing public, how would you capture events where fishermen did not land any fish? Would they report non-landings or has any thought been given to that?

Scott Baker: Luckily, that's not my portion of the job. That's – well, the first question in terms of validation, we actually met with Colonel Rex Lanier with Division Marine Fisheries, and we showed him this and we wanted to his thoughts about would this be enforceable from the Marine Fisheries' standpoint. And we showed how the data shows up on the Web site and how you can log onto the Web and see.

An enforcement officer or somebody could actually sit at the dock and if they knew which vessels they were looking for, based on identifiers they could look and see what the latest – log onto the Web from the field and actually see what the latest report was for

that individual vessel to see whether they were at sea or out of sea. So it would be easy for them to validate that.

The problem, at least for North Carolina is there's no joint enforcement agreement, so that would not be possible for – I mean at least I guess for North Carolina.

But in terms of as far as recreational reporting, it's – enforcement is pretty sparse as it is in terms of the commercial enforcement. And so, again, hopefully, that wouldn't be up to me, but it would be very difficult to enforce things. But the beauty of something like this is that because cell phones work near shore areas, the example I like to give is if there was a requirement that an angler was fishing on a vessel and he was required to report his retained catch prior to disembarking the vessel or at a boat ramp or something like that, he could send that information and it would be received in a central database in real time and an enforcement officer or anybody on the dock to had access to that level of information could actually see by the identifier list whether or not that person had reported. So there's a lot of potential for stuff like this. It's just working out the kinks, if people wanna go that direction.

Rita Merritt: Follow-up, George?

George Geiger: Actually, he just answered it. Thank you very much. Thanks, Scott.

Rita Merritt: Duane.

Duane Harris: Thank you, Rita Merritt. Before I ask Scott my question, let me move back a little bit and congratulate Ben and Charlie for their appointment to the council. I neglected to that do that. I as was so anxious to get into the committee meetings and get on with the with the council agenda. But, Ben and Charlie, welcome. Glad y'all are here. I look forward to working with you. And I also recognize Bob Gill, who is the Gulf Council liaison for this meeting. For those of you that don't know Bob, I wanted to make sure you did know who that strange guy was sitting at the table with us. Yeah, yeah, Robert. But anyway, Bob, welcome. Glad you're here.

Scott, at the last Gulf Council Meeting, there was a presentation by Joy Shepherd of the Louisiana For-Hire Logbook Program. Are you familiar with that program? Have you all been coordinating efforts? Because it's very similar. It's using a laptop to send very

similar information. But it looks like there may be similar programs going on around this part of the world. But I just wondered if there's any coordination.

Scott Baker:

Yes. I've not been involved directly with that, but I did attend a workshop for the MRIP, the Marine Recreational Information Program. The For-Hire Workgroup sponsored or held a workshop in New Orleans a few weeks ago, and the goal of that workshop was to get the industry and stakeholders together to figure out what information needs to be collected, and look at alternatives and how to collect that information for a mandatory for-hire electronic reporting plaintiff to be demonstrated in the Gulf of Mexico with the intent that that application be – could possibly be expanded to the rest of the country.

And so at that meeting, there were – there was a presentation – a brief presentation on the Louisiana reporting project. I heard that they had some snags with the legislature and it went from mandatory to voluntarily, and when it went to voluntarily they had one person participate. Also, there's a group through Environmental Defense that's doing OFISH, which is a dedicated electronic logbook, like laptop computer-based reporting program that's via satellite transmission, I believe, and other things. But it's actually kinda like this.

It's a dedicated laptop computer set up on board, very detailed information reporting at sea – anywhere at sea via satellite. That's a pilot project that's ongoing. I think there's six or ten vessels participating in that. And then there's the – and that's part of the SOS, Save our Sector, initiative. And then Bob Zales was there with the GOMARS, the Gulf of Mexico Angler Reporting System. And his group is advocating for multiple ways to submit data, not just one platform, like a call-in system or just a multiple range. So those are the various things I know of.

Rita Merritt:

Anyone else? No. Ben.

Ben Hartig:

Scott, very interesting. You're gonna do the validation on the king mackerel tournament information? Now is that a sanctioned tournament? Is that an SK-type tournament, or is it a general – is it just a general king mackerel tournament?

Scott Baker:

The intent was to do four SKA tournaments when we wrote the proposal. Two of the tournaments after the funding was received were folded, so we replaced those tournaments with two other tournaments. I believe three of the four or SKA events,

SKA-sanctioned events.

But were originally trying to validate both those anglers to submit their report prior to docking or unloading so that we could verify their activity. The problem has been is that these tournament, as you can imagine, when anglers are participating for up to \$25,000.00 in prizes, that they have a long list of rules and they don't like any type of miscellaneous activity prior to unloading fish. So that's been a very difficult part.

The positive side is, is that since we're asking that they report lengths for their fish, as least for the ones – most tournaments are allows to enter one fish. So at least for that fish, they enter a length on that we're also working alongside the Division Marine Fisheries at these events, and they're sampling all the fish for biological fish that come on board. So we have a direct comparison between the angler reported length and the scientist-reported link. And hopefully those match up because that will at least be some indication of what is being entered. Of course, without some type of video or observer, there's now way to validate what's being released and other issues.

Ben Hartig:

Yeah, well the follow-up to that was using length and centimeters wouldn't be very appropriate for the general recreational public, plus, tournament-caught fish, people are gonna know pretty close to what that fish – now length, length is usually estimate better than weight anyway by fishermen, but tournament fishermen would have a much better handle at estimating their weights. And I don't know how applicable that would be to the general commercial fishing – or the recreational fishing public.

Scott Baker:

And we – I guess part of the reason we went with centimeters was from advisement from the Division of Marine Fisheries because North Carolina – the benefit working with North Carolina is the marine fisheries section has a long history of working with sampling recreational tournaments. It probably has the most extensive data collection on the east coast or Gulf cost for king mackerel tournaments.

I know their data has routinely been used at the assessments. And one of the reasons why we're revisiting this is because they stopped collecting that data in about the mid-'90s. And at this last stock assessment they were really hurting for some of this tournament information and they're looking for a better, less labor-intensive way to collect the same amount of information from several of these events.

Ben Hartig: Thank you.

Rita Merritt: Thank you, Scott. We wanna move on into the next presentation. Okay. We have Eileen Dougherty is going to join Scott and discuss –

Rita Merritt: monitoring pilot project. Ilene, you wanna just come up here? I'll move up.

Scott Baker: Okay. Scott Baker here again. With me is Ilene Dougherty, and Amber Von Harton – I'm not sure if she's here. She's here. But Ilene, would you like to start by talking about how these got going?

Eileen Dougherty: Thanks, Scott. So one of the things as a part of the LAP workgroup – I'm Ilene Dougherty. I'm with Environmental Defense Fund. And as part of the participation that we participate in the Snapper Grouper LAP Workgroup and had worked some with Scott and some of the other fishermen who seem to want to explore other ways to monitor their fishery. So **not** that they said, "We know what the right thing is, but let's look into this video monitoring thing."

A number of those fishermen went to British Columbia and saw that in British Columbia they were using video monitoring techniques and so this was something that the LAP workgroup took a look at in particular. Scott headed up a smaller subgroup that took a little bit closer look at what some of the monitoring mechanisms were, and out of that, I think, recommended to the council that this potentially be explored.

I know that Jack McGovern at that time did a little checking into CRP, Cooperative Research Program, and he, in collaboration with Scott and a number of fishermen, environmental defense and sea grant, we came up with this proposal. So it was really industry-driven. There was a lot of interest from fishermen in moving forward with some kind of pilot project.

Scott Baker: Okay. I'll move into the nuts and bolts here. As many of you are familiar with the bandit fishery, snapper grouper fishery in general, about 56 percent of the landings come from North Carolina, South Carolina, and Georgia. About 80 percent of those landings are attributable to vertical hook-and-line gear, commonly referred to as bandit gear, which consists of a large bandit reel and an arm with heavy monofilament with multiple hooks. The benefit of this gear

is it can be used on both small and large commercial vessels.

As many of you know, bandit gear is effective for many target species in the complex, but it's also effective at catching non-target species, whether they be regulatory or for biological bi-catch. I don't think it's a shock that bi-catch is an issue in this fishery. So it's been mandated by the MSA that we address bi-catch and I'm pretty certain that bi-catch may be hampering the recovery of over-fished species or those experiencing over-fishing. So there's several ways to quantify bi-catch. And, of course, there's no silver bullet. All have issues.

There are at least three principle ways to do that. The first would be self-reported logbooks which is what is occurring now. It's great in that the entire industry can do it at a very low level of program cost. The down side is, is that there's not a lot of confidence in self-reported data, particularly for discards. It's great for reporting what's being brought to the dock, but again – so it's perceived by many to have poor data quality.

At the opposite spectrum, you've got at-sea observers which have a relatively high program cost in addition to the ability or inability have placement of humans on board vessels, oftentimes replacing a crew member. But the down side – the up side is that they have excellent data quality, but it's at the top of the spectrum here. So our thought and thoughts of others is that some form of electronic monitoring may be able to bridge the gap in terms of deficiency of self-reported logbooks, and the data quality of electronic monitoring.

And I should say that the benefits and drawbacks of observers have been well-documented, and I won't go into those here. But oftentimes, for management purposes, the cost of observers relative to the value of the fishery becomes an important factor in terms of what form of mechanism you're gonna use. So our thoughts are that – and I think the thoughts of many are that since fishers are already required to submit federal logbooks, why not explore an audit-based approach for evaluating fisher logbook data quality using some form or version of electronic monitoring data which will be referred to repeatedly here as EM data.

So for the purpose of the project, I guess which I'm kinda running here, we're contracting with a service provider through funds from the cooperative research program with Archipelago's Marine Services Limited, which is based out of Canada. This company has extensive knowledge with electronic monitoring. It's probably

the pioneer in this field. They've implemented several pilot project, mostly on the west coast, but also throughout the world. And they have fully implemented electronic monitoring in some fisheries. So they have about 500 electronic monitoring systems in use throughout the world, without about 20,000 vessel days at sea being monitored. And, again, most of this – the lion's share of this activity is occurring on the west coast of Canada.

So our objectives here of the study are to compare data obtained from electronic monitoring to data from fishermen logbooks, and at-sea observers, to information on the age, size, structure, number, and disposition of frequently discarded snapper grouper species, and to present the findings of the study along with the results from similarly completed and ongoing studies at this point in the southeast to fishermen, scientists, and other stakeholders at a public workshop at the completion of the data collection.

So for this presentation, I'm gonna give a brief overview of how electronic monitoring works, and then I'm gonna go into more of our program – our project specifics. Any if you have ever seen electronic monitoring presentations, you've seen this slide. It's pretty ubiquitous. There's – this is what it looks like. There's three or four cameras. There's a GPS system. There's various sensors and switches to track mechanical movements of parts on the boat, like wenches on hydraulic-driven boats and hydraulic pressures and also optical sensors. They're all connected to computer which is referred to as a control box with the user interface, and this is all – it can be powered different ways. But this is pretty much the control box needs to be set up inside the cabin for the most part.

So this is some pictures that Jack McGovern provided from a pilot study a couple years ago in the Gulf of Mexico on some long-line vessels. But on the top left here, these two cameras are on a boom, which I'll show in a minute. But there's a wide-angle lens and a close-up lens. There's a camera here. This is the lens looking – a camera looking at the fish-cleaning/bait-cleaning station in the back. Here's the control box or where the hard drives are stores, and here's the user interface. And these are all pretty much open-source technologies, I think. Most of the camera equipment was taken from the security industry. Pretty low-level resolution, but digital image capture.

This is a screen shot of what the video – what the screen looks like on vessel. If you can – you can kinda see here. This is – so you can see the three different camera angles on the boat. And then

you can also – there's also on the left here, I guess it's been cut off, but there's some of the sensor data is displayed, like the track line of the boat when the gear's being deployed, that sorta thing.

This is what the sensor data looks like. This is an example from a long-line vessel in the Gulf of Mexico. What you see on the top screen here, this is an entire trip, so it's pretty busy. This, obviously, is several – many days here. And on this bottom graph – this bottom picture is basically what happens during a typical day on a long-line trip.

Let's see. There's different things – yeah, the black is PSI, so that's a measurement of the hydraulics. Vessel speed is in this pink. The drum rotation or like the revolutions per minute or whatever, is in the red. And the video, these boxes, that means when the video was on. So on this period – during this day, the video came on four times. It was activated by the sensors. On this first trip, you can see that – the first box, you can see that vessel speed is up, as is the drum sensor is activated. And the PSI's pretty low so you can tell that they're spooling out the data, setting the gear. And then these three events here are all hauling events. So we're able to portion all that out. And they only collect the video data when they need to.

This data can also be – it's also plotted from an aerial perspective on nautical charts, and so you can see where the vessel transited to the fishing grounds. Again, these darker areas, I believe, are where fishing activity occurred. And you can also see the vessel movements back to port.

I've got some – we'll see if this works. I've got some video that I embedded in here. This is a – of course, it didn't work. Well, it's just as well. (*Laugh*) This is the wide– again, there were three camera angles on this vessel, so this is the wide-angle view. You can kinda see this view kinda gives you a good indication of what that camera can see. That person that's right behind the W is actually manning the central control point on a long-line vessel, so he's actually unhooking the lines coming off the mainline and he's emptying the empty hooks into that fish basket, and then the actual fish go into that fish tote to our left.

I just had put some slides together to show about a minute of video. But, again, at least you can see what approximately the data quality looks like. And, actually, this is what Jack sent me, so I'm not sure how that translates to what Archipelago's sees when they're actually doing the monitoring.

But, again, these close-up views are a little bit better so they can actually – aids in species identification. And if they had any type of length bars or anything, you can actually get an estimate of how long a species is. And, again, these cameras for the most part are fixed, so they're not gonna be moving, at least in that one particular spot.

Let's see. If you look here, there's a – this is on top of the box here, and there's a cutting board and a knife up there. That's the actual what's considered for this boat, the fish-cleaning, or bait-cleaning station. And that's where that third camera is fixed on, and so this is where a crew member who's actually maybe taking hooks out of fish or things like that, and he can actually – I think that Jack actually said that on some of their vessels they actually put like a multicolored measuring board on there so they can actually get gross fish measurements when the angler was able to lay fish on the screen.

And for the most part, the video quality is not – it's not 100-percent – it's not motion picture quality, which is equivalent to 30 frames per second. It's anywhere from 10 frames per second or something like that in order to not fill up the hard drive that quickly. And it's not necessary.

This would give an indication of what night viewing is like, or night fishing. And in my opinion, it was considerably worse than daytime, so I don't know what – how that affected the outcome of their results, but it was definitely harder to determine what was happening, or identifying species at the species or the general level.

So one of the research components of our study is as this company has worked extensively with single-control-point fisheries – by that, I mean like with long-line vessels where fishermen are only bringing in fish into a single one spot, it's pretty hard to bring in a fish in another spot of the board. So this is definitely an experiment in that the bandit vessels that we're gonna be working with have multiple control points because they have multiple bandits. So there's gonna be multiple cameras. I'll probably placing cameras so that we can capture more than one bandit on a single camera. So that's gonna be an experiment.

But we've already pushed the study back one time. We were scheduled to start in March, but we really didn't have everything in order, and, plus, with all the impending and closures and

everything since we wrote the proposal. So now we're shooting for early March with the installation of the equipment and monitor for ten months from March to December 2010.

As far as another departure from previous pilot studies is that the project PIs, specifically myself and Amber in South Carolina will be doing the lion's share of the maintenance of these systems. These are not stand-alone systems. Once they're installed, they need to be maintained. They need to be offloaded with data. They need to have quality control checks.

In traditional pilot studies, Archipelago's will do this for on the order of weeks, or maybe a couple months, and they actually send somebody on site to service the equipment. And so since we're looking at a long protracted sampling period, plus a wide demographic area, it was – the industry wanted to do a long sampling period, so we had to explore different options, and that would be for Amber and myself to help with the maintenance on these systems.

But this picture here, you can see – I don't know if you can see – but this is the same vessel. This is that two-camera setup that I was talking about, the close-angle – the close-up view and the wide-angle view. And it's on a swing-arm boom, so it's actually pulled back when the vessel's in port, and then it swings out when the vessel is at sea or during fishing conditions.

This is the project area. There are gonna be six vessels outfitted with electronic monitoring from Southport, North Carolina to Townsend, Georgia. The location of the two technicians will be myself and Amber. I'm located in Wilmington. Amber is in Beaufort, South Carolina, by the red ovals on the screen. Tech support (*Laugh*) so to speak, and all the EM data analysis will occur with Archipelago, which is located in British Columbia.

As far as our sampling strategy, electronic monitoring just like observers, can get very expensive very quickly, so we have to develop some form of tiered sampling approach. So looking at an estimated 66 trips on the course of the study with an 8-day average per trip, based on vessel history. So that'd make it 528 days. So three different tiers, observers being the most comprehensive data analysis where everything is analyzed. And that will be observed – all the video, electronic sensor data on that trip would be observed to everything that the observer collected. The most – the minimal analysis would be for standard long-book trips. That would be where the captain and crew just submit their standard logbooks and

we could verify effort data and location of fishing, things like that.

And then something that we wanted to try was expanded data collection. And, again, this goes back to the gist of the study here, and that's to look at bi-catch. And so for this study, we're getting the industry to actually – we're developing a very specific but simple data sheet for the industry to select one or two species and record the catch and disposition of those species relative to time blocks or times series throughout the trip, such that their data or their counts can be compared to count obtained from the video. So, again, like an audit-based approach.

As far as the sensor processing, the benefit of this is that all 66 trips or all the trips that occur during the study will be analyzed with sensor data. They're gonna break down every trip into something like this where they annotate the fishing locations and when the gear was deployed, etcetera.

The secondary part would be determine what we can do with the video that's collected to determine the light angles and to see if we can identify species and whether they're kept or discarded and things like that. This is an example of a technician at the EM service provider actually scrolling through the video data, which is often much faster in real time.

Another experimental approach for our study is the role of observers. On traditional studies, they've used – on long-line vessels it's been relatively easy to record everything that happens on long-line vessel because there's only one control point. On bandit vessels, there may be up to four, six bandit gears on a vessel. And an observer typically is only able to observe a fraction of what goes on, and they usually annotate that in their data sheet.

So we're gonna have to be extremely careful about working with that observer to either stick with what they can observe for the duration of the trip, or to be specific about annotating when they switch to different things because the goal here is to see if the video is gonna match up with what the observer sees on these selected trips, and if they're looking at different things, we're gonna come up with different answers.

The industry role has an obviously very important role. Again, this project was borne out of an industry request to look into this type of monitoring to see what it could provide for the industry. This is not – it's pretty much self-sustained equipment. Once it's on and it's running, it's fine. But it's not like the – it has to be sampled or

monitored by them, so to speak, but they need to be aware of the equipment on their boat.

Again, they'll need to fill out their logbooks and work with us on this new data sheet to document discards in relation to time and depth. Of course, accommodate observers if requested. Although, there will be only a few observer trips. And retain and store discards prior to being sampled. We recently a _____ fishing permit through NOAA Fisheries to retain up to 300 samples of the most commonly discarded species that were in most need of HI structure on the discards. The PIs will be collected those biologic materials at the dock and be forwarding those NOAA Fisheries for processing.

Any project like this that has non-mandatory participation employs some level of risk. And, of course, I should probably move this down here to the first level, access to the fish, because that was the primary reason why we had to delay for the first time. So it's gonna take a lot of cooperation on everybody involved to actually – to stay up to speed on this, particularly because we're doing things differently than it would be in a normal setting where a service provider would be doing all the detailed work, probably for a fee. So we're kinda patching this all together for an extended period of time.

At the completion of the study, the service provider is gonna – obviously, it's gonna compare the observer and the EM system data as well as help us develop an audit-based approach for how to work with the self-reported data 'cause that's obviously gonna be the best way to monitor these fisheries is some form of auditing of the data that's already collected.

Gonna look at the reliability of the electronic monitoring equipment, the failure rate, the number of events recorded, etcetera, the timeliness of data delivery on behalf of the PIs and behalf of the service provider, cost issues which are obviously important. And that's probably gonna be that the service provider should be able to get us an estimate of that once they get handle on how difficult it is to actually review and develop this bandit-based approach. And, of course, look at the fleet support for EM monitoring and fleet suitability. So there's a lot of factors that would go into play to whether this could ever be implemented on a fleet-wide basis.

And what Ilene mentioned at the start of this is we wanted to – we didn't want this project to be completed and be put on the shelf, so

to speak. We wanted the industry to be able to hear about this, not particularly just our studies, but other studies that have been recently completed. The South Atlantic Foundation recently has done two studies on observers in the South Atlantic region and those are nearing completion.

Jack McGovern's study with the Southeast Fishery Science Center has been completed. And there's also another cooperative research program study with the Gulf Fishermen's Association in the Gulf that's look at this on long-line vessels. So by the time this study is completed in 2011, there should be all to of data available as to whether this technology is suitable for both long-line and bandit vessels. And that's basically it.

Rita Merritt: Thank you, Scott and Ilene. Do we have any questions? Yes, Wilson.

Dr. Wilson Laney: Thank you, madam chairman. I'm not on your committee, but, Scott, how is the quality of the video affected by salt spray? For example, is there a requirement that you have to clean those lenses off on a very frequent basis when the vessels are at sea?

Scott Baker: I think – I don't actually know, but I think they do get affected by salt spray. I think they have to – I think that's one of the additional duties that the industry will have to be – kinda keep abreast on. And the beauty of that equipment on board is it's basically when the – it's kind of like a VMS system. I once the boat's on, the system is on. So they can actually look at that screen and see what the view looks like. And if it's all smudged and _____, then they can actually go out there and wipe 'em off.

Rita Merritt: Scott, the power issues that were raised when VMS was first discussed may not be quite as – I guess quite as extensive in this situation 'cause I don't think this would pull as much power, would it?

Scott Baker: No. Unfortunately, I'm not an electrician, but it's pretty minimal, I believe. I think the system when there's no activity, it basically goes in a sleep mode. But it has to be continuously powered. It can't be – well, I should say that it's not tamper-proof, either. It can be turned off by the captain and the crew, and that's something that's happened in other pilot studies. But, no, I think the power requirements are pretty minimal, and it can run off 12-volt batteries.

- Rita Merritt:* So has any part of the study looked into what's the feasibility in a specific fleet for being able to have the space and the power already available without extensive upgrades to the vessel?
- Scott Baker:* Not that I'm aware of. But I know that this company has – they've been able to install this equipment. And for the most part, their system is kind of a universal system. So every boat, no matter what the size, gets the same size – one size fits all. And I believe that they've installed this equipment as small as like 16-foot boats. As long as they – and the vessel operator may have to develop or craft a somewhat dry location for the control box. But other than that, it's self-sustained from what I hear.
- Rita Merritt:* Thank you. Any other comments or questions? Well, thank you so much. That was very interesting. I appreciate it.
- Rita Merritt:* Matt Ruby and Phil Conklin who are Snapper Grouper AP members are going to give us a presentation regarding their request for a catch shares program. Thank you. Yeah. I'll move back this way so you can take these two microphones. Yes.
- Audience:* *[Inaudible Comment]*
- Rita Merritt:* I think we are going to hold that until we've had all the presentations on catch shares, which would come up after Agenda Item No. 7, when George Geiger gives his report on the task force. Thank you.
- Phil Conklin:* Good afternoon. My name is Phil Conklin, in case nobody knows me here. My cohort here is Matt Ruby. I'd like to give you a little insight as to how we got here where we're at today. Three or four years ago, the AP recommended in Coco Beach that the South Athletic Fish Council look into a trip limit to begin for the grouper snapper species. Then in the process of that, Magnusson was changed, and, therefore, a trip limit basically wouldn't achieve the reduction in catch, and a trip limit would work on some boats, but it will not work on all the boats.
- The size of the vessel with the trip limit, the bigger the vessel, the more – of course, the more catch he's gonna have. So Matt and myself came up with the idea of exploring the Catch Shares Program in the South Atlantic. And we've gotten approximately 75 signatures. I'm sure you've all seen the sheet. And in that course, most of the people are from northeastern South Carolina and southeastern North Carolina, and that's where the majority of

these fish are taken here. The majority if the fishermen are up there. Granted, there's some people that travel hundreds of miles to go catch fish in this area, but it's the main area in the South Atlantic where these fish are all taken.

I'd like to thank the Gulf Fishermen's Association for showing up here and supporting us and kinda guiding us into how they came to where they're at today and give us ideas about what we can look forward to and what snags we're gonna have to go over and this and that, but we've got to start somewhere. And I wanna thank 'em again for doing that.

Matt Ruby:

Thanks, Phil. I appreciate that. And thanks to Glen and Dean for coming up here to give us some insight from a guy from the Gulf if anybody has any questions, they've got some live bodies in the room that they could ask 'em about.

Well, Phil just went through the introduction there. Sorry. Phil introduced both of us there. There's a lot of other fishermen that can't be in the room here, a lotta guys, pretty much all of 'em in Little River are out because of the closures that are coming up on the 18th. And a lot of 'em via the sign-on letter and then the survey that we did are sorta showing their support because they can't be here.

Currently, our future under the current and expected regulations are gagging the shallow-water species closures is gonna be January through May. Our vermilion closure is gonna be early this year, September through December, and possibly earlier next year. Black sea bass, there's a possibility it could close somewhere in November to the end of December. Not sure on the red snapper. There's a possibility of large-area closures. And our tilefish is only been lasting for long-lining about four months. And until it gets reduced to 300 pounds for the hook-and-liners down there, then that's it.

I talked with Dave Glockner up in North Carolina. I try to keep in touch with him a good bit for the guys in Little River and whoever else I can talk to, Murrells Inlet, with Phil, and guys up and down the coast to try to keep on top of where the quotas are at so the guys can plan their trips and as the closures and stuff get closer so that they can know whether or not they can get out and get back in safely in time and where everything stands.

When we did the survey there, it has on there a possibility of what other people would fish for, and some of the information came

back from the survey, jacks, grunts, triggers, yellow tail, snappers, bonita, barracuda, mackerel, cobia, dolphin, wahoo, and blue fin lobster, grayline, tile fish, of different things people would maybe see if there was an option they could fish for.

Currently, a lot of people didn't really – including myself – that when Amendment 16 went into place and it was causing our quotas to be retroactive and we had been fishing 'em since January 2009. Now that things are getting a lot closer, a lot of the guys are turning around back-to-back just as quick as they can with the end of the year coming up, and from _____ and our grouper closures coming up. And with everything that's gonna be coming into play, at the fish house there, we're trying to – we're trying to come together and put our heads together to see what we could come up with of ways to try to keep the fish house doors and stuff open.

And guys are asking me, "What are we gonna do?" I've been trying to come up with ideas and I've been talking to 'em a lot about catch shares and things, of a means to try to keep things going. Like currently, out at the fish house right now, we have two boats that are twin-engine or twin-screw boats because of it being so close to these closures at the end of the year that they're just fishing – they're leaving that one engine down and just rigging up different things, wash-down, other things they gotta do and just are fishing on one engine to try 'cause they don't wanna – the guys don't want the down time right now right before the closure 'cause they don't know if their boat might get back up and go on before the quota is called.

Well, to other fishermen we asked, we sent the survey out to try to get out there and try to get an idea of what other people were thinking up and down the entire coast, which is not necessarily as easy as it sounds. It's been kinda – it's been pretty tough trying to get in touch with people 'cause everybody's working so hard. We did a sign-on letter that was basically phone calls, e-mail. I talked to a lot of people, and then sending out some sign-on letters to guys. It basically was asking the council to reconsider catch shares, or re-take a look at, put it back on the table to see if it was a possibility of something we could use to try to ease and everything that's going on, and believed that the catch shares does work.

I know there's a lot that's involved with it, but in talking with guys in the Gulf and other places, it's something that does work from guys that I've talked to in certain places, a lot in the Gulf 'cause we're so close with our fisheries, it does help the economics and ease restrictions as best it can be. Some large area closures and

help make the – hopefully, make the stock a healthier fishery in the commercial fishery.

The sign-on letter basically just had the name, your role of what you did in the fishery, city, state, and a phone number. It was approximately 78 signers, 22 permanent holders holding 29 permits, people that had more than one permit signed. North Carolina with 2, South Carolina 18, and Florida with 2 on the sign-on letter. Fifty-six others, mostly snapper grouper captains and crew.

Fish house owners were represented, charter and marine operators, restaurant owners, and family and stuff of fishermen. At least 76 percent of the permit holders were snapper grouper high liners and almost 100 percent of the permit holders were full-time fishermen. Most all the guys in our area, that's all they do is fish full-time with no other types of jobs that they do on the side.

During the course of trying to do the sign-on letter and stuff like that, always try to read up on other fisheries. I've been talking to Glen and Den over on the Gulf side 'cause I try to keep up with what's going on especially with fisheries that are close to us. And I just ask them some of the things that they had done with going through getting in contact with guys like that in the fishery.

They suggested doing a sign-on letter. I wished I'd talked to 'em earlier about it, maybe got out there a little bit quicker. But basically, we sent out 630 surveys. It was sent to all the permit holders. They were not contacted on the sign-on letter. That was basically guys that had made – that I had maybe talked to already and said that they weren't interested in catch shares, and then ones that had already signed on that they we're interested in asking the council to look at it again.

It was sent to 130 limited permit holders, per the National Marine Fishery's permit list. And it was sent – all but 50 on the – that signed on that we're interested in signing on the letter. And then the unlimited permit holders, not counting the duplicates here – accounting for duplicates, people that owned more than one permit. And that was sent by mail.

Just some information that was on the survey. It was sent out approximately three weeks ago. There was 38 surveys returned. This far, about 7.6 percent. The typical return rate is 15 percent for an entire time period with follow-up. I'm still getting calls back on the survey. A lotta people that have either left messages that I've

talked to which I was surprised with just getting 'em in the mail, which guys are fishing, so guys might have PO boxes and stuff like that and might be out fishing for a couple weeks and just getting back in and receiving 'em. But I feel pretty strong that I'm gonna be continuing to get surveys back probably for the remainder of this year. The survey went out to limited permit holders approximately one week ago, and I haven't gotten anything back yet.

Some results of the survey, 39 surveys returned at this point, 29 in favor of – 24, I'm sorry. About 61.5 percent in favor of. In North Carolina, it was Moorhead City, Holly Springs, Jacksonville, Carolina Beach, Sneads Ferry, South Port, Supply, Wilmington, Sanford, Manteo. In Florida, it was Lakeworth, Islemorada, Posalent, Jacksonville, Saint Augustine, Key West, Tavernere, and West Palm Beach. And then New York and Virginia.

Some of the results were on the council reconsidering a catch share, which was Question 11, supporting a catch share if early season closures occur, which was Question 12. And supporting a catch share with the decrease in regulations. Question 13.

There was five in favor of either – if current regulations resulted in early closures, Question 12, and/or if catch shares meant fewer area closures, shorter spawning season closures and no trip limits.

Ten – about 28 – or 25.6 percent opposed to catch shares. Florida was Jacksonville, Saint Augustine, Miami. North Carolina was Beaufort and Baldhead Island, Tennessee and New Jersey.

Just within – just today, I received an e-mail from Runner Seafood that was showing some support for catch shares. And I've also had support from the Gulf Fishermen's Association which they have South Atlantic permit holders in the Gulf – they fish – in the Gulf and in the South Atlantic.

Of those who responded to the survey, 66 percent said they would put a VMS on their boat if the unit was paid for. Fifty-five percent said they could avoid red snapper, and 68.4 answered no to the question, "Would you still be in business after a six- to eight-month gag and other shallow-water grouper species closure?" Fifty percent answered no to the question, "Would you still be in business with a two- to four-month vermilion snapper closure?" And fifty-seven percent answered no to the question, "Do you think the dealer who you sell to would still be in business with these vermilion and gag closures?"

A hundred and one people in favor via the letter or the survey from area all – of all areas of the coast, and five in support of under certain conditions. High response rate, 60.5 percent want the council to consider catch share outright; 13.2 percent under early season closures or easing of other restrictions. I think it's high enough to justify an amendment. The snapper grouper – and Phil might know a little bit more with being on the AP. The work group had 55 percent when they did the work group, that was in favor.

At this point, there's a lot going on with it, but there's been zero support for red snapper and stuff. The closures in Amendment 16 in the council has moved ahead with no fishermen support with that. What we would like to see in a catch shares amendment is the council to analyze it immediately. Commercial ACTs and commercial AMs for all snapper grouper species, VMSs, and other monitoring to ensure compliance and accurate reporting for us.

Rita Merritt:

Phil, is there anything else?

Phil Conklin:

I'd like to make a few suggestions, and maybe – I've done some research and found out that the South Atlantic is the only fishery in the United States that's not monitored. And in the courses of my snooping around, I found out that there's over 600 BMSs available to be put on vessels at no expense to the boat owner. The only expense would be installation and upkeep. I think there's no reason at all for the South Atlantic fish council not to go ahead and do a VMS as soon as possible. We need to catch up with the rest of the world.

Also, in doing some research, I found out that there's low-interest loans available through different groups now since the halibut and sable fishery in Alaska and in Canada has been underway and they found out that these are gonna work, and, therefore, people are starting to loosen up their wallets a little bit and see that the South Atlantic small vessels and the people that need to have catch shares would have an opportunity to participate and to staying the fishery. We're not trying to run people out. We're trying to get new partisans because most – the majority of the people in the fishery right now are older and they're not gonna be here forever. And we need the new people to come here and be able to do this.

Once again, we're looking at a derby fishery right now, and to avoid this, we need to have a LAP in place where people can fish year 'round and not come to a complete stop like is gonna happen

next week. And in talking to the people in the Gulf, they've experienced one or two years where they just didn't fish for three or four months or five months, and they had said – they've told us that they would highly recommend it. If you have catch shares program in place anytime – if they had one in place they wouldn't be where they're at today running around scrambling to get this done.

Also, I'd like to ask the South Atlantic Fish Council, the Grouper Snapper Committee, to make a motion to readdress LAPs as soon as possible, possibly at this meeting. I think it needs to be brought up because otherwise we're just gonna fall by the wayside. Thank you.

Rita Merritt: Thank you, Matt, and Phil. Any questions from the committee specifically for Matt and Phil on the presentation and the request? Yes, Ben.

Ben Hartig: Yeah. Thanks a lot. That was a good presentation. Have y'all talked about anything about going farther with this, doing a referendum within the council? I mean, having a referendum sent out and see what all the fishermen – all the permit holders thought about a LAPs program?

Ben Hartig: No, not yet. We discussed that when the work group was there, and it was an option to have a referendum. But in order to go through with anything further, we need to readdress the LAP and take it from there. We can go ahead and do whatever we gotta do. And I'm sure everybody's willing to take that step.

Rita Merritt: Go ahead, Ben.

Ben Hartig: The – you've got some pretty significant differences in species composition once you get south of Saint Lucie Inlet in Florida, an assessments on those species have been pretty positive over the recent years. There may not be the same reasoning to go to a LAPs in the southern end of the range as there is in the north. Would you all consider cutting it off at some area in Florida and addressing LAPs for the species that you all target in the northern area, and then maybe not having a LAP program in the south?

Ben Hartig: We've done that. The AP has discussed that as to where boundaries should be. One option was Cape Canaveral. One was Saint Lucie Inlet, I believe, and even far as I think Jupiter Inlet. Because the southern end of this fishery is a whole lot different than it is in the in the northern end. There's no comparison to what

goes on down south and what happens up in the northern and the northeastern part of this fishery. Thank you.

Rita Merritt: Okay. Well, thank you. That was – you all have done a lot of work and we really appreciate your efforts and got to look at all sides of the issue and hopefully come to some conclusions today or this week. Thanks again.

Ben Hartig: Thank you.

Rita Merritt: committee. If you've got any more conversations, I'd appreciate it if you'd take it outside the room. Thank you. Okay. I'd like to introduce Mr. Wayne Mershon who's going to give us a presentation regarding an alternative to catch shares. Wayne, if you would identify yourself and affiliation.

Wayne Mershon: First off, I'd like to thank the council for having us here today, and I'm Wayne Mershon. I'm the owner of Kenyon Seafood. I operate out of Murrells Inlet, South Carolina. I own the fish house there, and I represent 12 snapper grouper boats in Murrells Inlet, 8 of 'em full-time and 4 of 'em part-time who basically commercial fishing in the wintertime when the sport boats are not running after the summer season.

I've been involved in the Snapper Group Fishery off South Carolina for nearly 30 years and would like to be in business for many more years. I'm here to represent a group of concerned commercial snapper grouper fishermen and fish houses from Florida to North Carolina, many who are here, most that are out at sea, like Matt and Phil said. We're all – they're trying to catch what they can before the closure happens upon us.

And we've become aware of the efforts of Phil and Matt and others that seek a catch share program for the fishery. I wanna thank the committee chair, Rita Merritt Merritt, and this committee, for allowing us to be here on this agenda at such short notice. We appreciate your willingness to consider alternatives.

I'm gonna be brief because our proposal is not that complex. While we agree with Phil and Matt's goal of extending the fishing year for all snapper grouper by eliminate derby-type fishing efforts that result in the quotas being met prematurely and respect their efforts, we strongly disagree with a catch share approach. None of our fishermen have ever received a survey that they spoke of, so I'll leave it at that.

We don't wanna see our life's work reduced to a commodity that can be bought up by those with the deepest pockets. We've submitted petitions to the council with the signatures of many other fishermen and fish houses that support trip limits and oppose catch shares which I've e-mailed to each councilmember. And since that day, I've received many more that I did not have time to scan and e-mail to you, but they are presented in the packet that I handed you.

It's a total of 158 names, 50 to 70 of 'em being – excuse me, 60 to 70 of 'em being permit holders. And there's more coming daily, which I will forward to the council as I receive them. I understand that the catch share programs are opposed by the Coastal Conservational Association, the Southeastern Fisheries Association, the Recreational Fishing Alliance, The Fishing Rights Alliance, the North Carolina Fisheries Association, and many other organized fishing groups, both commercial and recreational. All this is public knowledge. You can go to their Web sites. It's posted right on 'em.

A recent news report in *The Gloster Times* documents the European nations are abandoning decades-old catch share programs in favor of fishing effort reductions like trip limits. I also included a copy of that e-mail to you, and one in each packet that I gave out today.

As I'm sure you're aware, the Fishery Council already utilizes trip limits to successfully manage a number of species, such as the greater amberjacks, king, and Spanish mackerel, red porgie, wahoo, etcetera.

As an alternative to catch shares, we ask this Fishery Council to fully evaluate trip limits primarily as a means to manage the rate at which commercial snapper and grouper being caught, but also to increase the sustainability of all species. For example – and this is a starting point – we consider the following to be reasonable trip limits. And since my initial letter to you, I've gotten more input from fishermen as to suggested limits. All group or combined, mainly the shallow-water species, 750 pounds. And that would be excluding the snowy groupers, and they're not in the grouper family, but the blue line and golden _____ fish, which is the deep-water species. Vermillion snapper, 500 pounds. The greater amberjacks, 1,000 pounds, which is already in place as trip limits. The black sea bass 1,000 to 1,500 pounds per trip. All other snapper grouper species 750 pounds.

Most of these species bite at different times of the year along the South Atlantic. Trip limits would also make it fair to all with one quota not being met by one area before the fish started biting in another area. We feel these trip limits would be a starting point, and understand the council would have to refine these limits with a goal of making sure the quotas would not be met prematurely, as they are now.

We simply ask that our proposal for trip limits in general be evaluated and given at least equal consideration with any catch share proposals. Most of our fishermen has fished for living all their lives, generally fish trips that are two to five days in length. They bring home a quality product. Shorter trips, less overhead, better money for the quality product. They produce as many pounds as many of the larger vessels, say, in 8 to 14 days, which in turn with trip limits would still allow our fishermen and our fishing communities to survive.

A trip-limits approach to managing the commercial snapper grouper fishery would be simple, straightforward compared to the controversy and complexity of initial allocation and program design associated catch shares. Unfortunately, I know many of us in the past have been guilty of simply saying, "No," to proposed frankly regulations without providing any constructive alternative to the council. I know, because I've been there and done that myself personally.

It's now crystal clear to us that to preserve our ability to make a living for our families from the sea and to preserve our small communities, we need to help the council develop solutions to all of our fishery problems, and keep it a viable fishery for all. I think properly designed trip limits could be a solutions in the commercial snapper grouper fishery, and urge this council to give them serious consideration.

I thank you for your time, and here are our alternatives. We look forward to hearing from the council on these matters of importance to all of us. We also realize that the council has a busy week ahead, and after studying our proposal if you have any questions, contact me and we will follow up with the information requested. I thank you once again. I'm Wayne Mershon from Kenyon Seafood in Murrells Inlet, South Carolina. Thank you.

Rita Merritt:

Thank you, Mr. Mershon. Any questions specifically to Wayne's presentation? Bob.

Bob Mahood: Thank you, madam chair. I'm obviously not on your committee, much less council. I would like to correct Mr. Mershon's comment. The Southeastern Fishery's Association has not made a policy regarding catch shares at this point in time. They're neither for nor against. So at this point they have not taken the position.

Rita Merritt: Ben.

Ben Hartig: Yeah. Thank you, Wayne. One of the things Phil mentioned was the trip limits and that you guys have variable-size vessels. You've got some really large vessels in the northern area, and some smaller vessels also. Had you thought about trying to deal with trip limits for vessel size or anything like that?

Wayne Mershon: I do not believe that that would be a fair situation because allowing somebody because they have a larger boat to be allowed to catch more just because maybe in the past they acquired a bigger boat. Nowadays we feel the fisheries come down to a smaller boat fishery anyway. And the bigger boats, honestly in my opinion, with trip limits, make another trip quicker, another turnaround instead of staying 8 to 12 days, or whatever.

Ben Hartig: Well, that's why I asked you and wanted to get your input. Because if the question was yes, it woulda been nice of the industry to come forward with something like that in the future.

The other thing why I was so excited about VMS about ten years ago when it first came up is you could validate trip limits on a longer time series. You could have a trip limit for a day, but then if you – the VMS would tell you how long you were out, so you could have a trip limit for that period of time. Is that something you all would think about – entertain?

Wayne Mershon: I do not want to answer that question here without – I mean, this has been thrown together pretty quickly for us, with just being put on the agenda as of like last Monday. And I will be more than glad to get that information to you by the end of the week after speaking with more of the fishermen and stuff like that. But I would not want to speak for such a large crowd and speak incorrectly right now.

Duane Harris: Point well taken. Thank you, madam chairman. Thank you, Mr. Mershon. I appreciate – you already said it. I appreciate you coming forward with a different proposal. Too often we hear the, "No, don't do this. Don't do that." But the fishermen don't come

to us with proposals. And it's extremely important. I want everybody in the audience to hear this. If you're a fisherman and you don't like what you hear the council's preparing to do, come to us with something different. It makes all the difference in the world when you do that. Thanks so much.

Rita Merritt: Thank you, Duane. Anyone else? Question? Thank you very much.

Wayne Mershon: Thank you very much.

Rita Merritt: Kate Quigley is gonna give a summary of the catch shares symposium.

Kate Quigley: Yeah. Just real briefly. I was going to let you know I had made a presentation at the American Fishery Society. They held a catch shares symposium. People from across the nation and across the world got together and gave presentations on various aspects of catch shares. And so I just wanted to go over some of the ground that was covered. And this will just take a quick five minutes.

So just to let you know, I gave a presentation on catch shares as they have progressed in the South Atlantic, so I went over the snapper grouper, LAP workgroup, the work of the workgroup, and the council's response and conversations that they have had, and also covered the rec fish and golden crab. So rec fish – what the rec fish LAP has been and how that might change in the future, and then also golden crab, their push for an LAP-type program, and the reasons why they want it. And then a description of the fishery, the fact that there are a small number of full-timers and a lot of part-time fishermen, what appear to be part-time fishermen at least, looking at the data.

And so I gave that presentation. There were a number of other presentations. One of them was from Iceland, talking about the IFQ program there and the fact that basically they have tried everything else, and this is something that's turned out to work for them. Several people commented on empirical evidence from four recent articles on catch shares that talk about increasing aggregate profits and ending over-fishing, so the success with doing that under LAPs.

They did talk – there was talk about how the only other option that

some fisheries have found that work are taxes, but that taxes on fishermen have been socially and administratively difficult to implement. So this basically taxing people depending on how much they bring in, and trying and arrange those taxes so that you bring in a certain of fish and that it's below some sort of total allowable catch.

And that they had talked – there was quite a bit of talk about how catch shares are, in general, very weak property rights compared to farming, compared to – they're much weaker than agricultural land rights. And they're basically equal to hunting rights where tags are distributed to individuals who apply for them, an some total amount taken is capped. So some total amount is capped, and when that's taken, then the season ends. So lots of comparisons made there.

And there was talk about how LAP implementation is potentially socially upsetting, requirements considerable enforcement, but that in general, the evidence seems to say that at least with fish and harvesting of the total allowable catch reduces effort, minimizes costs, maximizes value anybody improvements in quality and marketing, and creates a basis for self management so that there's more fishermen participation.

And there was also talk about how LAP management has the opportunity to create a basis for resolving problems with joint use of marine resources. So in a situation where you've got different sectors – it provides an environment where you can address some of those problems because you're actually divvying up certain things.

Rita Merritt:

George.

George Geiger:

Yeah, thank you madam chairman. Kate, you're always excellent with the details, but could you go back three sentences and go back over the advantages of catch shares? You listed – you had a laundry list of advantages to having catch shares – and just to those more slowly?

Kate Quigley:

Yeah. So I had mentioned two disadvantages, one potentially socially upsetting, two, requires considerable enforcement. And then the benefits that I had mentioned that people had talked about. These aren't ones that I had talked about. What people had talked about was leads to efficient harvesting of the total allowable catch, reduces effort, minimizes costs, maximizes value. And then I had said, "Creates a basis for self management. Creates a base for

resolving problems with joint use of marine resources.” And there I think they’re talking about commercial versus recreational or different groups.

There was a presentation on the red snapper ITQ program about the ideological opposition to catch shares that existed, and that there was – people saw it as unfair that people would receive the same amount of catch that they could use year after year and year after year. Need to practical solutions. They talked about comparisons between trip limits and catch shares.

Other presentations, Cape Cod Fisheries Trust. There’s some groups forming up in the north communities want to be able to keep the permits that they have in community prior to implementation of a catch share program. So one thing they’ve done is fishermen have gotten together and created this Cape Cod Fisheries Trust where the community is actually buying the permits that they are able to buy.

So they’re going out and searching for money from outside the community, coming back in, purchasing these permits, and then leasing them out at affordable prices to community fishermen. And fishermen can actually, from what I understand – and I don’t know a lot of details about this – but fishermen can actually hand over their permit for the trust to take care for period of time that they’re able to fish it, have it be leased out for them, and then they might come back in at a later point in time and be able to fish that themselves. They might withdraw it from use by the trust.

So there were several different – there acknowledgement of the drawbacks of LAPs, but also trying to work on the problems that exist with regards to community. So a lot of the focus, and a lot of what was talked about had to with communities.

Then there was also talk about a push to create financial models for fishermen to help fishermen visualize catch shares through interactive business models and to help fishermen to find financing that they need. So one of these guys had come forward and said that they see cameras and they see sector allocation even as the problem with it, was that people were going into debt and they were financing their houses. They were financing their boats. Taking out second mortgages, third mortgage. And they’re both sitting there trying to find a way to resolve this problem so that people didn’t have to sell their permit, but they were trying to stay in business and they going into debt. So there’s some consultants that work help fishermen find financing that they need.

For example, they're working with banks to create special grouping for fisheries. For example, in the agricultural community there are special banks that deal with agriculture – with farmers. So there's farming banks, specifically. These are people who have higher risk. So they were talking about the possibility of getting together some sort of fishermen's loaning program, so a fishermen bank of some sort, or a grouping within a larger bank. So trying to find some ways to make some of these disincentives associated – not disincentives but possible draw-back with LAP's work. And these are usually places with a strong community interest in holding the fishermen within a particular geographic region.

There was also talk about creation of online sites to help fishermen buy and sell quota. There were a couple consultants there who were talking about ways that they've been able to do that relatively inexpensively. But basically, some common themes – this is just wrapping this up. Just a common themes and interesting discussions, importance of having good objectives so that you can actually say, "Well, how is this LAP program working? Do we wanna keep it or not?" the importance of having objectives that are actually measurable. So they brought that up.

And talked about collecting economic rent from fishermen who do get allocation – do get privileges, so limited access privileges. And talked about how some people if you don't collect rents. There's some feeling of unfairness. It's seen as people are giving away public resources, however, the point was made that economic rents are being paid by those in catch share programs through not only cost recovery, but through increase in income taxes, trickle-down effects, increased safety, health and less pressure on governmental safety nets.

There was also the question asked, "What do you do if their support within a fisher from several high-liners or that small number of high-liners but you've got a large amount of part-timers that are opposed to LAP-type programs in general and for what philosophical or other reasons. And the one thing that came up that wasn't talked about very much but might be a discussion for this committee someone had suggested a voluntarily catch share program. And that's something that's been done in Iceland where you had a voluntarily LAP-type program. I think it was done in Nova Scotia as well where you could enter if you wanted to. And if you didn't want to, then you didn't have to. So just a couple things that were talked about and with that all, we can move onto the next agenda. And if there any questions.

Duane Harris: Thank you, Kate. We've heard both through letters and through testimony today that there are catch share programs that don't appear to have worked in certain areas. Were there any presentations at this meeting on any of those programs? 'Cause I've really – I wanna hear both sides of this issue. And if there catch share programs that haven't worked, where were they and why haven't they worked?

Kate Quigley: Yeah. There were no presentations specifically on catch share programs that had not worked. But Rognar Arnison, who's pretty much the go-to person for Iceland catch share-type programs did talk about Norway and some other European countries who they had had very strong property rights when they implemented catch share. And he identified four different design elements, and I can't remember exactly what they were. But I think it was transferability. How much transferability was allowed?

Is it a privilege or is a right, an actual right? How long do you hold it for, things like that. And in Iceland – actually in New Zealand, he gave the example in New Zealand all four of those things are very, very strong, but that – and they started out very strong in some European countries, so the example of Norway is always given, and that's the only one that I've ever heard of. Maybe Netherlands, but I think Norway's the only one I've heard of where they started out with rather strong property rights, and then decreased at the transferability.

They kept the catch share program, but they decreased the transferability capabilities because they had some communities that they wanted to protect. And so they started with transferability being allowed, and then they weakened the ability of people to transfer. And that's the only one that I've heard about. And a lot of these presentations I've heard again and again over the past decade. So a lot of this stuff is following catch share programs, and so that's the one I've heard about is Norway did away with some of their transferability allowances.

Rita Merritt: Wilson, George, then Ben.

Dr. Wilson Laney: Thank you, madam chairman. I just wanted to let the council know I did sit in on half a day of that session and heard Kate's presentation and heard Doug Rader's presentation, and quite a few of the others. I found it useful and informative to me.

I have the full program on my hard drive, as well as the abstract.

So if you would like for me to extract the abstracts of those presentations and send 'em to the committee, I can do that while I'm here.

Rita Merritt: I see a lot of nodding heads, so I think that would be wonderful. Thank you, Wilson. Okay. George.

George Geiger: Yeah, thank you, madam chair. Yeah, and Duane, I agree with you 100 percent. In this catch share business, you're always searching for the full answer, both sides of the story. An unfortunately in a presentation – Wilson, you just –

Dr. Wilson Laney: Sorry.

George Geiger: Wilson had the whole presentation all the presenters up here. And when you put something together like this, if there's an agenda, it's very easy to stack the deck, so to speak. And it's interesting that the first to presenters on catch share – what's the lady's name? Kate Bonsom, and then Doug Rader – both talk about how catch share are used to end over-fishing. And one of the things that we discussed on the first teleconference call – and I look at Bob Gill, and Rory because you guys were both on those teleconference calls – we had a discussion about what catch share actually do and as to whether or not they're a tool to be used to end over-fishing.

And it's interesting. It's just here you see a presentation that seems to be pushing for one side, and you don't get the sense of a balance because there are cases out there where catch share programs have not succeeded. In making these decisions, we would like an opportunity to look at both sides and get a good understanding as to what we're doing. And, quite frankly, it's difficult when you see an agenda like this that's put together that almost seems lopsided in terms of what they're trying to get across. I agree, Duane, I think we need a balanced approach and we need to hear both sides fully and completely before we make these decisions.

Kate Quigley: I just wanted to volunteer I'm more than happy to search down papers that people have written, or presentations going along with those abstracts, or research any type of program that you'd like to know about. So if you want to know more about the Norway program – I don't think they considered it a failed program because they kept it. But they did modify it. But I'm more than willing to research any programs that the LAP committee is interested in.

Rita Merritt: Thank you, Kate. And George, to your point, the NOAA bulletin, or publication that went out regarding catch shares kinda left me with the same feeling. It's sort of a driven agenda where it listed – it talked all about how good catch shares were and then it ended with a listing of limited-access programs of catch share-type programs in the US without ever saying whether they were good, bad, or indifferent. Go ahead, George.

George Geiger: Yeah. And to that point, madam chairman, there's a couple of pretty distinguished people out there in the community who have published papers, who have taken except with catch shares as they're currently and how they're implemented. Daniel Bromley and Seth Machinco are two that come to mind immediately who take opposing views to this. And it would be interesting why one of those two authors or even others who have an opposing view to the benefits of catch shares and that type of program wouldn't be included in this so that people could have a full understanding, pro and con, and make their decisions based on information. So that's just an observation.

Rita Merritt: Thank you very much. Ben.

Ben Hartig: Yeah. My question was similar to George and Duane's. When we get a letter that was – what was the name of that *Glouster Times* or *Glouster News* or whatever – and I don't wanna make work for staff, but it would be nice to have that fact-checked in such a – when we – this says this and – well, is it true, basically? Either that or maybe we need to make a motion sometime, madam chairman, that we would like to see literature on other ITQ programs that have failed in other areas of the world, to have another viewpoint.

Rita Merritt: Thank you. Hi, Vince. *(Laugh)* I didn't have a chance to say hello to you. Welcome to the meeting.

Vince O'Shea: Thank you, madam chair. Actually, I am on this committee, so – *(Laugh)* I had experience in a prior life, both enforcing and open-access fishery that was derby fishery as well as implementing an IFQ fishery, and have watched that from the perspective of a councilmember watched the adjustments that were needed to halibut fishery after the council implemented it. And I think one of the takeaways that I've gotten from this – I agree with the issue of carefully considering both sides. But I think there's a reality check here, too. This is – these catch shares are not a magic pill that's gonna solve everything. What they are tradeoffs – and you have to go in with your eyes open – in one case we had 5,000 participants

in the fishery.

At the end of the tunnel there were 1,200. Well for the 12,000 that still stayed in the fishery, that looked like a pretty good deal. And for some of the guys that got out, it was a good deal because they were paid. They sold their shares. So – but if your vision was to have a big fishery with 5,000 boats in it, you were probably disappointed with the IFQ fishery. But if you wanted a small number of boats that were making a living, and you were one of those boats, it was a good deal.

So I think my takeaway message is you're not gonna have a system that everybody likes, but it's gonna be a tradeoff and it's important to identify what you're objectives are. What problems you're trying to solve. Thank you.

Rita Merritt: Thank you, Vince. Robert Boyle.

Robert Boyles: Thank you, madam chair. To Vince's point, I recall when the then controlled access committee met in Charleston in January of '07, perhaps. There was a description of what the committee of council came up with in terms of its vision for the snapper grouper fishery. If it's easily reachable. But I think it' be helpful for us t at some point to revisit that. I agree with Vince. My concept ion of his catch shares are a tool. It is not a panacea. It's not intended to be nor sold as a panacea.

But as I've said before, here at and at full council, trip limits, quotas, tax, great restrictions, season restrictions, come on. Let's open and broaden the toolbox a little bit. So I'd like for staff if we could point, Kate if we could pull that back up, and maybe not today, but at some point revisit that and see if that still irrelevant statement what this council views as the vision for snapper grouper. Thank you.

Kate Quigley: And I think what Robert was referred to is what I'm pulling up right now, which is basically the goal that the council had come up with and the committee agreed to – I'm sorry, the LAP workshop agreed to and that – I think what you're referring to is the goal, "To refine, assist, and whereby profitability of and fish and sea fairness and capacity of the commercial snapper grouper fisher are aligned with available yields from the South Atlantic ecosystem in which contribute to conserving healthy stocks, and/or rebuilding over-fished stocks consistent with the snapper grouper FMP and Mogens and Stephens Act."

Is that what you were referring to, Robert?

Robert Boyles: Yes. And I think from my perspective, this was crafted, I think, in early January 2007, well before red snapper showed up on the horizon. Well, before, or I guess during gag in vermillion. And what I'm sensing from what I'm seeing presented to council is available yields. That's changed considerably. And I think that's what we've seen both in Mr. Mershon as well as Matt and Phil's presentation as well.

Rita Merritt: Thank you, Robert. Charlie.

Charlie Phillips: Thank you, madam chair. Kate, have they sliced and diced the – I know you said the value – the product's gonna go up under a catch share. And I remember going to Vancouver and seeing those big boats with a lot of catch. So their percentage of cost per trip is gonna be a lot lower than what these smaller boats are.

Have you crunched the numbers kind of roughly on an average trip what the cost per trip was gonna be? Are the increased values of the product gonna offset that or where's that ratio? Is it gonna cost us more than they're gonna get, or are they gonna get more than it's gonna cost, or do they know?

Kate Quigley: So when people were present – make these presentations and they talked about, “Oh, there's gonna be an increase in product quality,” well, they're talking about in general sense we have a derby fishery, where sometimes product's being brought in. It's frozen. And then you switch over to a catch share program, and all of a sudden you're getting a fresh product year 'round. Now that is something that we don't have here. So would there be an increase in product quality here?

We think that there wouldn't be an enormous increase in product quality. We don't foresee that. However, there could be the opportunity to satisfy niche markets or go out fishing for a specific market. So that's something that needs to be evaluated in an amendment, and I haven't – so all these things that snapper grouper or the LAP workgroup came up with and would you actually see those benefits or not, that's something that would all be analyzed in an amendment. But until an amendment takes place, it's really guesswork that we think – the conversations that we've had with the workgroup and among staff is that we think the real benefits would be with cost savings, so cost savings on a vessel level. So vessel cost savings with regards to you could take

longer trips. You could take more during a particular trip.

So if you had trip limits, you wouldn't be subject to them, things like that. People would be able to get together and instead of sending out five vessels, you could maybe send out one vessel, things like that, cost savings. But I think what Matt and Phil have been eluding to and what others have eluded to is the possibility of easing up other restrictions, so that's – so it depends what your status quo is. If your status quo is right now, it might be different than what the status quo will be in February of next year.

Charlie Phillips: I'd like to follow up. Well, I know one huge saving you're gonna get is your not gonna get derby fish season and watch the prices crash like they're fixing to do this week. So that's one huge savings right there. But anyway, it's a lot that you want (*Laugh*) again.

Rita Merritt: Ben.

Ben Hartig: Yeah. Charlie's point about derby fishers is well taken. I mean red snapper in the derby fishery was a \$2.00 a pound fish. And when they went to the limited – or the ITQ-type program, it went to \$4.00 fairly quickly. So certainly price if you can stretch the market out over time, you will see that with the LAP-type program. Certainly, it would take some organization with the fishermen. It would happen with time. But you would get an increase in product price over at derby fishery, certainly.

The other thing is didn't red stone do an in-depth study of the snapper grouper fishery and didn't they find it would be about a break-even –

Kate Quigley: Yeah. I'm trying to recall. It was break even or a little higher come out – they say – yeah, break even or a little bit higher. And they were thinking that the benefits would be cost savings to fishermen possible increase in price. Those were the two – it wasn't product quality. It wasn't an ending – an end of derby fishery, because they assumed no derby fishery, because at the time there was no derby fishery that they did the analysis. So their analysis would probably – the result would shift, I assume. But, yeah. They saw benefits, but it was break-even and higher.

One thing that they counted in their analysis, I believe, was the possible decrease in the number of vessels participating in the fishery, with an obvious cap on how much every person could own. So – but it would be a possible decrease in the number of

vessels in the fishery as well. That's one thing that they had predicted, which is typical of other programs – other catch share-type programs. But, of course, the council can limit how much it would be decreased by.

Rita Merritt: Charlie.

Charlie Phillips: Madam chairman. Kate, which species are being looked at to be put in the LAP now? Because it's been a while since I was on that LAP subcommittee. And I'm guessing American reds would be on the top of the list. So they could – it might be a way of not having that huge chunk of ocean closed and fishermen displaced all over the place. So which species are we looking at? Are we looking at? Are we looking at a short list or a longer list, or is that all still up in the air?

Kate Quigley: No listing has been looked at since the work of the LAP workgroup. No conversation of that sort has taken place. So the species that were identified by the workshop, species to be included right here, you guys have looked at a number of different options, with the largest being snowy group or golden tile fish, greater amberjack, yellow tail snapper, mutton, gray snapper, white grunt, red porgy, black sea bass, gag, vermillion, red snapper, gray trigger fish, queen trigger fish, scamp, red grouper, blue line tile fish, black grouper, jack, banded rubber fish, blue runners, jack crevels, jolt heads, and hines.

But then there were other options as well. And something that was brought up earlier, of course, was only focus on over-fished species. That was another option. But since that time, no species have been talked about and the LAP committee has not gotten into any sort of detail at all.

Rita Merritt: Anyone else? Okay. We're gonna head in –

Rita Merritt: George's presentation, so that he can give us an update on the catch shares taskforce.

George Geiger: Thank you, madam chair. I'm fortunate to have at least three other members – Kate, you're on it, too, aren't you? Don't you listen in on the – you're not? Well, at least Bob Gill is and Roy Crabtree is on the – they're both on the taskforce as well, and you guys jump in. I'm just gonna give a very brief summary of what's been done.

The taskforce was, of course, set up and it wound up with one

member from each of fishery management councils in addition to a number of federal employees from NOAA on the taskforce. And it was basically an interactive Web site that was used originally, and they posted I think three – originally up to three questions, very broad in nature.

And you were required to log on and then respond to those questions. It was, in my opinion, kind of ponderous process. It's very difficult to try and capture your thoughts in a very brief e-mail in response to question. And then it's difficult to have interchange people who are on that taskforce via e-mail back and forth. Just it was ponderous to me.

But, nonetheless, we proceeded in that direction. And then overtime, there have been three teleconference calls. I guess as a result of the interactive Web site and the teleconference calls, I would have to say that I'm amazed at the responsiveness to the taskforce executive director who is Mark Holiday – Dr. Mark Holiday from NOAA Fisheries, and Monica Medina from NOAA.

I think they did an excellent job capturing the recommendations and the comments of the personnel who were on the taskforce. And the councilmembers participated actively and freely, both on the interactive Web site and on those teleconference telephone calls. And I think they really did a good job capturing the comments, the concerns, and the issues that were raised by the council people on those telephone calls.

The result of that is that on the last teleconference, we had an opportunity to review a draft policy which was requested to be kept close hold because they wanted it to be finalized before they went public. And in addition to that, there was some discussion as to the time duration that the public should have an opportunity to review it and make public comment in regard to the catch share policy.

As the policy turned out – I don't think I'm revealing anything here when I say that the intent was to make a policy that was non-prescriptive in nature in that it was not going to be directive to the councils to establish catch shares, for example, on X amount or a certain percentage of the fisheries under which the councils currently manage stocks. So the policy was going to be basically a very broad policy statement in terms of catch shares and then try to figure out if the council desired or wanted to go forward with a catch shares program, how NMFS could provide assistance to the councils in bringing a catch share program to fruition.

So far so good, Bob?

Bob Mahood: So far, so good.

George Geiger: Roy? Okay. So during – and on that draft policy, we had an opportunity to make primarily editorial changes, I think. For example, there was one sentence in there that talked about NOAA would look favorably upon councils that implement catch share programs. The question was, “Well, what happens if a council does not implement it? Is the council then looked upon unfavorably because they did not –?” those type of editorial comments were massaged and addressed.

They said we would have another opportunity to look at the draft, and I don’t know that we will not, other than the fact that I have seen e-mail traffic that indicated the draft policy will, in fact, be published by the end of September – broad terms, the end of September, and that either Monica Medina or Mark Holiday would come to each council in an effort to make the presentation to the council.

And they have been – based on the schedule and turning the policy out, getting public comment. I think they said 90 days – it would be out for public comment for 90 days. We have extended and invitation to that group to present to our council during our December meeting. So we’re anticipating – and we’ll be the last council to receive a briefing on the catch share policy.

And that is basically my encapsulated report. Again, I’ve got to say that I was amazed at how receptive the NOAA people – the NMFS people were to the input from the council representatives. And the council people were probably the most vocal and outspoken of all the people who contributed the process. Bob, I turn it over to you. Do you wanna say anything? Roy? It was a good process.

Rita Merritt: Thank you very much, George. David.

David Cupka: Yeah. I just wanna say I’m glad to hear George’s report and the fact that they were so receptive to the council input. As you know, we had a concern early on that the councils were gonna have a very limited opportunity to participate in that process. And I gotta commend ’em for their willingness to go back and revisit that issue and invite the councils to be a part of that process. And it sounds like it was a good move on their part, and really improved the

product that's gonna come out of this whole process of – that was good thing.

George Geiger:

Yeah. And make no mistake, the feeling going into this was that catch shares were going to be pushed. Everybody thought that that was just a fate a compile that catch shares were gonna be the end all, be all. And I've sensed a tremendous backing off from that with this non-prescriptive policy leaving it totally up to the councils to evaluate their individual fisheries and make the determination based on common sense and good judgment whether or not a catch share program is applicable for each of the fisheries that they manage.

In addition – one example. There was a discussion on one of the teleconferences about, “Well, how would we go about measuring via metric how successful we are in getting these catch shares programs implemented?” And a suggestion came forth, “Well, like should we have as the end goal 50 percent of the fisheries managed by the councils in a catch share program by 2012,” I think was the date that was offered. And, man, there was a lot of back-off and – that was kind of an explosive comment.

If you want to really have the makings of a failure, put something like that out there mandating that the councils direct that. And they backed off that very, very quickly and voluntarily . I mean, it wasn't any hard push. I don't sense any hard sell to get this done. This is a non-prescriptive policy and I think it'll be very interesting when you all get to read it.

Rita Merritt:

Thank you, George. Well, to that, I have a couple a questions. But one of 'em is if it's not prescriptive, then why did NOAA send out a fact sheet on catch shares that said that – well, they didn't say that you must or that there is specific species they wanted to have catch shares in, they did specifically say they were working to increase the number of catch share programs in the United States to 16 from the current number of 12 by the year 2011. Sounds pretty –

George Geiger:

I can't speak for what they were trying to do. But it's – again, there's a sense of exuberance in terms of what catch shares will do. On the first teleconference call we had there was this discussion as to, “What are catch shares and what do they do?” And it was my argument that catch shares do not end over fishing. The catch shares are just another tool in the toolbox as Robert indicated earlier.

If you want to end over-fishing, we have a perfect tool for that in Magens which was just reauthorized, and councils really have not been given an opportunity to fully implement all the tenants of the new revised Magens to end over-fishing. That's what's gonna end over-fishing, not catch shares. And, in fact, Monica Medina backed off that policy and agreed that, yes, it's a tool in the toolbox and it will not design end over-fishing.

So as I said, I think they backed away from a number of positions that they had in the beginning that were very, very prominently out there in terms of pushing this catch share agenda. And that's my perception.

Rita Merritt:

Thank you, George. I wanted to put off having a full committee discussion regarding the reports on catch shares that have been taken both pro and con, and George's participation as well as Roy and Bob's with the taskforce so that we could kind of absorb all of that before we made any decisions on making recommendations or directives for the appropriate committees, particularly snapper grouper committee, or requests of staff. So at this time, I'd like to open up the committee for that kind of input on – so what do we do now with all this information, and what would you recommend, and if there's any specific questions that we need to resolve. George.

George Geiger:

Yes, thank you, madam chairman. I think your comments there were very wise in that we have a policy that has not been promulgated yet. And in that policy, there are going to be – Bob, help me. What are the sub-provisions under the policy? No, not objectives. But specific tenants underneath the policy. The word escapes me, and I apologize. Things like the identification of the potential for resource rent, for example.

Yeah, criteria, are going to be identified underneath the policy as a supporting document. And I think it would be wise for us to see what that could be, or should be, or might be, before we embark on our in-depth discussion. I think it's premature to do it without the policy in hand and knowing even what we're moving forward with.

Rita Merritt:

Thank you, George. I know we're running a little late past the agenda allotted time. But considering in the past that I've underages on this committee allotment time, I'd like to express my right to go over a little bit this time. Chairman's prerogative. *(Laugh)* Anyone else? Yes, Vince.

Vince O'Shea:

Thanks, madam chair. In our earlier discussion talking about the change in values of the catch in some systems, depending on what it did to the markets, there's also another dimension here that I think is relevant to the managers, and I think catch shares have a pretty good record of slowing down fisheries, and in the process of doing that giving the fishermen options to make different decisions on the water than if they we're opting in a derby.

So, for example, if they're in areas where they have high bi-catch under catch share systems, they have more flexibility to move to other areas and have less impact. And I think that has some management implications to this body and that I would hope as you go forward that you – I mean, if it comes out as a wash that, for example, X vessel prices aren't gonna change at all, but there maybe some other significant benefits that are gonna benefit maybe other species that don't get caught as bi-catch.

I would hope the evaluation would identify the value of that. And you may still find out that that's a good tool and not just get locked in on increasing the X vessel value. Of course, we're all interested in that, and that's of great importance to the fishermen. But I think there are some other management benefits that need to – that can result from the catch shares. Thank you.

Rita Merritt:

Thank you. Any other questions or comments to add at this point? Duane.

Duane Harris:

Thank you, madam chairman. I'm not on this committee, but I have read a lot about catch shares and listened to a lot of discussion and actually spent some time with the guys from Gulf of Mexico council that are here at this meeting who have direct experience with the catch share program. So at this point in time, I lean favorable towards catch shares.

And I think as Robert and George both said, it's one other tool in our toolbox. And we're never going to get there unless we move this down this path and try to construct some kind of catch share program in some form or fashion. If we don't do that and we don't see how it's going to work and pull the fishermen into the process in developing that program, it's not part of our toolbox.

Right now, it's not part of our toolbox because we don't know what a catch share program will look like for the snapper grouper fishermen in the South Atlantic. So I think we need to move down that road and I would encourage the council to do that. And I think having had the benefit of George being on the taskforce and

knowing how that taskforce has worked, I think that benefits us tremendously over what it might have been had the taskforce simply been a NOAA taskforce, which was what was originally proposed.

So I really think – it sounds to me like NOAA is – how do I wanna say this – is listening a little bit better to the council's experience and thought on catch share programs. And I think now's a good time to move down this path. And if we don't do it, I think a year from now, we might regret it.

Rita Merritt: Thank you, Duane. George and then –

George Geiger: Yeah, I hear what you're saying Duane. The old axiom is you eat an elephant one bite at a time or else you get an awful lot on you. And we've already got three catch share programs that we're talking about in some capacity that we're working on. One of 'em is the rec fish ITQ that is ten years over due at the terms of its review under the requirements of Magens. And I don't see us making a whole lot of progress in getting that ITQ program back on track or on track.

You've got golden crab that we're working on, and we've got the potentially golden tilefish. And how much can you do at one time. We don't even have one program in place, and we're working on three, and we're gonna undertake another one, I think is precipitous.

Rita Merritt: Thank you, George. Robert.

Robert Boyles: Thank you, madam chairman. If you're ready, I would like to make a motion. That the LAP committee recommend to council that we begin the exploration of a comprehensive catch share program in the snapper grouper of fishery, if you're ready for that.

Rita Merritt: Do we have a second?

Ben Hartig: Second.

Rita Merritt: Ben. Discussion? Tom.

Tom Swatzel: Yeah, I guess more of a question. Does that mean that whether or not we'll evaluate the issue of trip limits, too? I think it's important because we're certainly not, from my perspective and what we heard today, we're not hearing a consensus from the

commercial sector about exactly what they want. And I think we've got to evaluate both options. Is that your intent?

Rita Merritt: Robert.

Robert Boyles: Madam chair. This may be a procedural thing, but, Tom, that's a good point. I appreciate you bringing it up. I don't view this as being exclusive – in other words, not including the trip limits. I'm not sure that limited-access privilege program committee is the place where we would be looking at that, but perhaps snapper grouper committee may be looking at that as well. So in difference to Mr. Mershon, I'd look at perhaps snapper grouper committee – that work taking place in snapper grouper or other appropriate places.

Rita Merritt: Thank you. Roy, is it to that point?

Dr. Roy Crabtree: Yeah. Usually when these sorts of amendments are done, you look at what's the problem in the fishery you're trying to address. Now then what are the reasonable alternatives to do that. Catch shares may be one. Trip limits may be other. But like all of these things, you're gonna need to look at different ways of approaching it. So I don't think developing catch shares precludes, and you'll be required to look at alternatives ways to get you there.

Rita Merritt: David.

David Cupka: I agree with Roy. I think at the approach, you want to start out looking at the problems that you wanna solve. And I thought Robert had said to recommend exploration which really to me is more of that sort of an approach than an analysis. Analysis is you've decided on a certain course of action. Now you gotta analyze. And I really think what we wanna do is explore it. And in exploring it, we wanna approach it from the standpoint of exactly what problems do we want to address and see if a catch share might help address those problems.

Rita Merritt: Robert.

Robert Boyles: Thank you, madam chair. David, that raises a good point. If I remember correctly, this council put some pretty stringent conditions under which we would move down the road of catch shares. And one of those stringent conditions was we wanted a lot of support from industry. An at Jekyll Island it months ago, we had a number of folks from industry come in and say, "We're really, really nervous about this. We don't like the idea."

What I've seen today and heard today and leading up to today is that there is some interest in industry, some folks that may have been skeptical, perhaps, of catch shares as a management tool who are saying, "Maybe let's think about this, again." So my intention is let's move the ball down the field as Chairman Harris suggested. Not making any promises, but let's start looking at things. And George is right. We've got three different programs. And I think if we consolidated the efforts, took a look at what we want, what is the fishery – it's gonna look like, and we approach it that way. Thank you.

Rita Merritt: Thank you, Robert. Ben.

Ben Hartig: Yeah, the reason I seconded the motion is because as – if you look at what happened in the Gulf, the fishermen fished under horrible trip limit circumstances for a number of years. I don't know remember how long it was, Roy, five years or so where they were fishing two weeks out the first month of every – of the time that the fishery was open. But they had to fish in horrendous weather. They got half the money for the fish. And, basically, a realization takes place over time that there's gotta be a better way to do this.

So we're not there yet in the fishery – in the South Atlantic. This is the first year the restrictive quota's going into affect. We're already seeing vermillion. To tile fish, actually, has been on our derby for about three years. But it's still gonna be a realization for the fishermen. But I still think that we can start going down this path by the time they catch up to us. By the time they figure out that this isn't the way – there must be a better way to go than what we're doing having a four-month closure for a major fishery.

Basically, we have a B-liner of fishery, and everything else just about is a bi-catch of B-liner fishery. So once that's closed, it's gonna be really tough for anybody to stay in it. So really, I see a realization, and it's gonna be probably two or three years before it happens. We see some evidence of that already with the proposals we've had today. But if we go ahead and start, at least we'll be ahead of the curve when and if it does happen.

Rita Merritt: Thank you, Ben. And I think that kinda goes back to what you said earlier, when you were talking about us having – possibly having a referendum. I mean, that would be the step that would come afterwards, to find out whether or not this is truly something that is wanted by the stakeholders. Alright. We have a motion on the floor – oh, Vince. Go –

Vince O' Shea: Yeah, thanks, madam chair. For what it's worth, we have northern states that once they put hard tax on fisheries and the fishermen saw what their shares were gonna be – I mean I have – last week I was talking to fishermen that are on 50-pound trip limits for one species and 140-trip limits for another species.

Those fishermen have a totally different view about catch shares than they did five years ago when they were looking 1,000-pound trip limits. And what changed was the management action. Those hard tax were put on 'em in response to legislation to rebuild. And now they're seeing they can't make money on those low numbers. So they're looking to improve their efficiencies and their ex-vessel price. So I think Ben makes a very strong point there.

Rita Merritt: Thank you, Vince. Kate.

Kate Quigley: Just for clarification for staff, perhaps for each other. So when we say, "recommend exploration of a comprehensive catch share program for the snapper grouper fishery," are we talking about amendment? Are we talking about embarking upon an amendment or something else?

Rita Merritt: Robert.

Robert Boyles: I don't see any other way to do it then via an amendment.

Rita Merritt: Do you want to make that clear in your motion?

Robert Boyles: Yes, ma'am. May I perfect the motion? **Perhaps recommend the council exploration of a comprehensive catch share amendment for the snapper grouper fishery.**

Rita Merritt: And, Ben, will you – do you second it as amended?

Ben Hartig: Yeah, that's fine.

Rita Merritt: **Okay. All those in favor of the motion, please raise your hand. One, two, three. (Laugh) And those opposed. One. Okay. The motion carries.**

Okay. Kate is going to update us on the Amendment 20 regarding the rec fish ITQ.

Kate Quigley: Okay. If you recall from the last council meeting, there was talking about NMFS staff and council staff getting together to

figure out whether we should do some sort of program review and how to do it. So – and there’s also –

Rita Merritt: Yes, George.

George Geiger: Madam chair, there are nine people on the committee, and we only had four people who voted for.

Rita Merritt: Mm-mhmm.

George Geiger: What happened to the other five?

Rita Merritt: Yeah –

George Geiger: Beside me.

Rita Merritt: Did you abstain? *(Laugh)*

George Geiger: No, I didn’t.

Rita Merritt: Okay. No, I mean the other parties. Alright. George, you were for it?

George Geiger: *[Inaudible Comment]*

Rita Merritt: You were opposed – you were the one that was opposed. Vince?

Vince O’Shea: For.

Rita Merritt: For. Susan is not present, I guess. Tom?

Tom Swatzel: For.

Rita Merritt: Ben?

Ben Hartig: For.

Rita Merritt: Charlie?

Charlie Swatzel: For.

Rita Merritt: Robert?

Robert Boyles: Yes.

Rita Merritt: And, David Cupka?

David Cupka: Yes.

Rita Merritt: So –

Bob Mahood: You've to hold your hands up there.

George Geiger: Just a question.

Rita Merritt: Okay. Were six-one, then.

Bob Mahood: There's only eight members on the committee.

George Geiger: Thank you, madam chair.

Rita Merritt: One absent and one chair makes eight. Thank you. *(Laugh)* We can always count on you to keep us right there on track. _____.
(Laugh)

Kate Quigley: Okay. So I'll continue. So at the last council meeting in June, we had talked about council staff and NMFS staff talking to each other and figuring out what actually needs to be in an amendment under the reauthorized MSA. We had number of different conversations, and right now I'm gonna turn it over to Monica to provide us with an update – or actually some clarification on what's needed.

Monica Smit-Brunello: Section 303A of the Magens Act, talks about limited access privilege programs. And 303AH talks about programs like the rec fish program that was in existence before the act got reauthorized. And I'll paraphrase what H says. Nothing in this act or the amendments made by the reauthorize act shall construe to require a reallocation or a reevaluation of individual quota shares, processor quota shares, cooperative programs other quota programs, including sector allocations in affect b4the date of the enactment of the reauthorized act.

So what that means is that to some extent – well, what it means is that the provisions in 303H that – or, excuse me, 303A that we've gone over before, unlimited access programs, you're not required to – it's not mandated that you visit all those various criteria, the Magens Act 4, the rec fish ITQ program, because the rec fish ITQ program existed prior the reauthorized act.

What is still required, though, are some things that were in the act before, and remain in the at now, such as looking at excessive shares under National Standard 4, and also instituting sort of cost

recovery program under Magens Act Section 304D. So that's thumbnail sketch. Yes, George.

George Geiger: Thank you. Just a question, Monica. It says that we're not required to do some of the things that you said, but it doesn't preclude us from allocation changes.

Monica Smit-Brunello: That's right. It doesn't preclude you from looking at it. It's just now mandated. So for instance you want, you could revisit – you could look at the –

Monica Smit-Brunello: ITQ program and look at all the various measures in 303A that are set for the there.

George Geiger: And in addition to that would be like resource rent and those type of issues in addition to that.

Monica Smit-Brunello: Resource rent?

George Geiger: Yeah.

Monica Smit-Brunello: Cost recovery. Yeah.

George Geiger: No. There's a difference between resource rent and cost recovery. Cost recovery is – covers the cost. It's limited to 3 percent, whoever said limited. It's limited to 3 percent, and it's used to recover the administrative costs of administering the program. Resource rent recovers the use of that resource for public purposes.

Monica Smit-Brunello: Well, 303AD talks about auctions and other programs and collecting royalties. So if that's what you mean by that, George, yes.

Kate Quigley: Okay, thank you, Monica. So we went ahead and did a draft program review. Even though it's not required, it might be a really good idea and something the council was interested in. So NMFS staff and council staff, so myself, Mike Travis, Nick Mehta, and Andy Strelcheck, in particular, although comments were provided by many others, we got together and worked very hard on this and put together a program review to the extent possible. And you all have a copy of this in the second briefing book.

So I'm just gonna go through the document. Just give you just an overview of what we did and see what other kinds of things you would like to be in a program review. So hopefully yourself read this and provide me with some comments. This is gonna be gone

over again, although a little more briefly in the snapper grouper committee. So if you haven't read it, then please take a look at it and provide us with some comments.

So basically of the structure of this program review is as follows. There's an introduction that talks about program review. There's a little bit of background on rec fish, where they're caught, who catches them, how much has been caught, and then Amendment 5, what were the original objections of Amendment 5. There was an overall goal and there were a number of original objectives. That's what's in Section 1 of this program review.

Section 2 outlines the structure of the rec fish ITQ programs. For those not familiar with the program, it lays out the details of initial legibility, distribution of initial allocation which was capped at 10 percent, but not capped thereafter. Transferability, no direct use requirement, tracking and monitoring, dealer permits, fishing permit, 24-hour notice prior to off-loading, off-loading rec fish between 8 a.m. and 5 p.m., so all the different things that were in Amendment 5 that were implemented.

And then we have Section 3 which goes over historical landings, vessel participation, and share trading history. So we took all the data that we could find on this type of thing and put it in here. And there's some data that we've received since putting this together. So what we've got is 1987 to 2001, pounds. Most years are included; however, years that are confidential have been included, and anything after 2001 has not been included at this point in time.

We're working right now on trying to get the – trying to see if the fishermen are interested and dealers are interested in signing some sort of confidentiality agreement that would – not confidentiality agreement, but some sort of agreement – a confidentiality waiver where we would be able to take a look at the pounds that have been caught in aggregate within the fishery. In some years, it's less than three vessels. In some years, it's over four vessels, but the number of dealers was less than three. So if the dealers are less than three or the vessels are less than three, it's confidential. And so in 2001, including 1997, 1999, and 2000, that day has been confidential because either the number of vessels were three or less, or the number of dealers were three or less. So we're working with them. We're working with Monica to try and get some sort of waiver so that we can take a look at their logbooks aggregate them, Monica. I wasn't sure if you had an update on how that might be developing.

Monica Smit-Brunello: I don't right now, but I hope to by the time the snapper grouper committee comes around.

Kate Quigley: Okay. So we'll return to that. We've got some information on historical vessel participation. I do have dealer participation data and I haven't entered that. I received that last Friday.

Number of shareholders has remained at 25 through 2009. Although there have been some changes in shares between shareholders – among shareholders. So we haven't any new entrants, but some people have exchanged shares earlier this year. So you can see right here in Table 4, if you look at the column 2009 to 2010, you can see the number of shareholders that the people who own shares between 2, and 2.9 percent, went from 1 person to two people between 2008 and 2009.

And the number of shareholders that has 6 to 7.9 percent went from 3 people down to two. So you see there was an exchange that occurred there.

And then we have Section 4, which is really the meat of the program review which is analysis of goals and objectives of the ITQ program. To we did what we could. And that was basically taking a look at the overall goal and talking about it. And then providing some recommendations. So you see in blue, we've got some recommendations.

I'm not going to over at this point in time 'cause we need some of feedback in order to complete this. And then we went through each of the different objectives, kind of took it apart, discussed what we could about the objectives, and came up with recommendations. And then – so we went through each of the objectives, and we did this. And so there were some common that came up. So what I would ask is that you take a look at those recommendations and provide some feedback. One thing we found is that the objectives were rather nebulous, and that because they were rather nebulous, we could not analyze and just whether they were being met or not.

So one thing that we need, what the staff needs if perhaps definitions of particular words, such as in the overall goal, for example, it's written, "Manage the rec fish sector of the snapper grouper fishery so that it's long-term economically viability will be preserved." However, we don't have the definition for long-term economic viability. What does that mean? We need to use some

sort of indicators. Does that mean X vessel revenue has increased, or has it stayed the same?

Now, obviously, in the rec fishing fishery it has decreased quite a bit. Or do you mean per vessel profitability? So there's a number of things that could be meant by those words. And so we need some clarification. So if you could a look at the recommendations that we have. So, for example, for the overall goal, we've got, "Recommendations, redefine overall goal or define what appropriate indicators of long-term economic viability, and direct staff to analyze these indicators so that this goal can be analyzed or change overall goal to something measurable."

Then the second recommendation, "Consider implementation of a economic cost data collection program for rec fish fishery, so that profitability can be measured. Right now, we don't have any data on profitability because no cause data has been gathered.

Number three, consider holding a rec fish shareholder meeting to discuss changes to the program to more accurately meet these or revised objectives. So that's one idea. At some future point in time to hold kind of rec fish shareholder meeting to follow-up survey that was done. So these are just some suggestions

Then the Objective 1, develop a mechanism to vest fisherman in the rec fish fishery and create incentives or conservation or regulatory compliance whereby fishermen can realize potential long-run benefits from efforts to concern and manage the rec fish resource. So we talked about vesting in the resource. We talked about incentives to conserve. We talked about incentives for regulatory compliance. Talked about long-run benefits to fishermen and shareholders.

And our comments were consideration of assistance in development of the market for rec fish, and consider holding a rec fish shareholder meeting to discuss changes to the program. So if you could take a look at the objectives and take all look at the _____ some feedback. Perhaps, you have feedback during the snapper grouper committee. But we need some sort of guidance from the council in order continue evaluating this program.

Rita Merritt:

George, David.

George Geiger:

Yeah, thank you madam chair. And I guess I do have some feedback, Kate. And I'd go to Page 13, which is a table, Table 5, that talked about goals and objectives and conclusions and

recommendations. One of the issues I have with this whole thing is that like the overall goal in No. 1 is to manage the snapper grouper fishery so there's long-term economic viability will be reserved.

I think that's a – I think it's a viable goal.. But I think our goal oughta be to manage the receive fish, sector, so that the long-term sustainability of the recourse will be preserved. And then economic viability should be a consideration under that, number one.

The second thing that bothers me a bit is we've not talk in here or anywhere about recreational allocation until we get down to a one-fish-per-boat bi-catch bag limit I guess you could call it, or a boat limit. We have not discussed in here or even had an opportunity to talk about reallocation of the rec fish current allocation between 100 percent commercial , nor is there any discussion in any part of this as to the potential to charge resource rent for the use of this resource for personal profit.

So those are comments I would make just generally and quickly off of what I've read.

Rita Merritt:

Kate, and then Greg.

Kate Quigley:

So just a quick response to this. So our thinking was first, let's analyze the objectives that we currently have for the rec program, and then we've got a section underneath this that talks about – gives a summary and talks about some example objectives and example procedures, and then we talk about requirements of a catch share programs, and some things that people had an interested in. Such as the recreational – some sort of recreational bi-catch allowance.

So I think that can be incorporated into this program review, and I think we would just put it, perhaps, under a different session, such as new things that we want to do. So not only analyzing the objectives that currently exist, and we can change those objectives to include something regarding recreational – charging resource rent, having a recreational bi-catch limit. Those can be input as objectives. But in order to cleanly do it, we were just simply separating those into different sections.

So those can be incorporated if the committee agrees.

George Geiger: I hear you and I think that's fine and that's a viable plan and a good plan. The one thing you keep going back to is to allow for one fish per vessel bi-catch allowance. And I think we need to have the discussion in terms of allocation and whether needs to be some form of allocation for the recreational sector based on landing and the availability of that resources.

Rita Merritt: David and then Gregg.

David Cupka: Just a question for Kate, I guess. And I know part of the problem is that some of these objectives are non-quantifiable and you've had a hard time evaluating whether the program has met those objectives. But as the – 'cause what we're trying to do here is to redefine those that were non-quantifiable so that the next time it's reviewed we certain decide on that? Otherwise, it seems to me we're gonna have to go back (*Laugh*) and try and guess what the original framers had in mind when they put these objectives together.

But it seems to me need to get a clear set of objectives, and then the next time we do an actual review, we'd have something quantifiable objectives. Otherwise, I think we're just second-guessing some of the original work that was done on this. Is that kinda where we're headed on this?

Kate Quigley: Yes. We need clarification either from the people who originally put this together, or according to what the fishery is now, you can go ahead and redefine the goals. And so in the future, we can do this program review, and this and the future, we will be able to do other program reviews every five, seven, ten years, whatever you wish. Yes, we need to do that so that we can continue to monitor this LAP program.

Rita Merritt: Gregg.

Gregg Waugh: Yeah, to George's comment about the biological objectives. All of these objectives come out of Amendment 5, which was establishing the rec fish ITQ program and focused all on economic objectives. And if you read them, you see that very clearly. The snapper grouper FMP has biological objectives that deal with the sustainability. So these are purely dealing with the economic aspects of the rec fish fishery, just as some background.

Rita Merritt: Thank you. Robert.

- Robert Boyles:* Madam chair, thank you. I just wanted to lend voice to George's idea or comment about the discussion about allocation. And, again, in the interest of moving the ball down the field, I'd like to just express my support for that kind of – an idea to have a discussion on allocation at the appropriate time.
- Rita Merritt:* Thank you, Robert. I've got a couple of questions. Gregg, do we have anything on the schedule for when an assessment's gonna be done for the rec fish program?
- Gregg Waugh:* Yes, and I can check and see. I don't know exactly when it is. But it's coming up I think 2011, perhaps. I'll check and get you and answer.
- Rita Merritt:* Thank you. And another – (*Audio Skips*) for Monica, I think, or maybe Roy or Jack, somebody from the – from your office might be able to answer this one. When original shares were determined, everyone had snapper grouper permits. But the way that I read this draft, it appears that currently you can get a vessel permit if you have shares, but it doesn't necessarily mean that you have to have a snapper grouper permit to get the permit for the vessel. Is that true?
- Monica Smit-Brunello:* That's my recollection of how it's set up. I'll double-check that, though. And the snapper grouper permits, like the commercial – other commercial permits that are issued all say they exclude rec fish from them. But I'll check that out. I think you're right.
- Rita Merritt:* Thank you. Kate.
- Kate Quigley:* Just quickly, Greg just let me know that the rec fish stock assessment's set for 2013. And also wanted people to know that the snapper grouper AP met between June and August – I mean, they met between June and now, and they made a motion that endorsed an 1.1 million pound ACL for the rec fish. Right now, there's a 2 million pound total allowable catch for rec fish. And they made a motion for a 1.1 million pound ACL. The reasoning behind that was Paul Reese and Sammy Ray, the two people who are on the AP, they're rec fish representatives on the AP, they had stated that that's the point at which below that is a level at which would likely hurt their current fishing activities, would change their current fishing activities. And that's something that we'll bring up in the snapper grouper committee because we'll be talking about ACLs in particular. And here, we were just basically putting the focus on the LAP-type items.

Rita Merritt:

Kate, is there anything else you need from this committee to move forward? I think a lot of the fleshing out's gonna have to happen in the snapper grouper committee, won't it as far as more details?

Kate Quigley:

I think it can happen in either committee, or in both. Yeah, I just need guidance at one point or another on a couple different things, whether you would like to change any of the overall – if you would like to change the overall goal, the objectives, if you'd like to change those.

If you're interested in holding a rec fish shareholder meeting, if you're interested in implementation of any economic cost data collection program. So, yes, are things that can be considered by snapper grouper or fishery. Just scrolling down the list, there was also talk about under the excessive shares conversation, Mike Travis, who is a NMFS economics, and myself, would volunteer to come to you with a presentation in March on the guidance that has – that exists for identifying excessive shares. You will have to identify what excessive share within the rec fish fishery and any other LAP-type fishery that is implemented by the council.

So if you would like a presentation from us, please direct the staff to do that in your tasking motion for the staff at the end of this meeting. So those are just a couple of different things. We give some suggestions under Objective 3, recommend creating mechanisms for increased participation by interested parties without decrease in current value of the fishery to act _____ shareholders, such as use-or-lose provision, redistribution of shares belong to deceased quota shareholders, or holders that are not able to be contacted over a long period of time.

There are four people, I believe, that are either deceased, and then there's more that have not been be able to contacted. Those shares could be freed up for use by other people. We've come up with a number of different suggestions. Also, coupons are available right now in 100 and 500-pound increments. If someone goes and harvests 150 pounds and they give 2, 100-pound coupons, they are losing 50 pounds. That's something that can be corrected and addressed by the council.

So a number of different things. If you take a look at some of these recommendations. Just take a look at this table that you could provide some input to staff. So right now I don't have enough input to go ahead and do anything, I don't think, other than add these items that George has suggestion, and Robert has said he's also interested in, which are possibly putting in some sort of –

reconsidering some sort of recreational allocation, other than putting that in here, if the council would like to reconsider some sort of recreational allocation. I'm sure what else I can put in there.

Resource rent, I can define resource rent, talk about how it's been implemented in other fisheries. Beyond that, I'm not sure what I could do. So just something to think about perhaps before snapper grouper committee.

Rita Merritt: George.

George Geiger: Yeah. If I could, Kate. If you're gonna define resource rent and how it's been applied to other fisheries, I think you'll find that you'll probably see a goose egg, 'cause it's not been applied to any other fisheries, at least in the United States. So I would look for you to go beyond that and provide some potential guidance as to how the council could go about discussing resource rent.

And, of course, this goes back to the pending policy that has some information in it about resource rent that's worth coming from NOAA Fisheries and embarking down a path. Anyway, we need to go beyond just – 'cause there's none – no resource rent in any fishery _____ in the United States. So we need to go beyond and that and look at how we develop it or what the potential are for developing it. And maybe look to the economics of doing those.

Kate Quigley: I can take a look at academic papers and I can talk to NMFS folks and I can see what other people have suggested as far as collecting resource rent and theory behind that.

Rita Merritt: Well, I for one, would like to see a meeting held with the shareholders that can be reached, and perhaps to determine somehow via permits or coupons turned in how many of these people are no longer I guess available to contact, be they deceased or for some other reason are no longer participating.

Kate Quigley: Would the committee like a presentation on excessive shares from staff?

Rita Merritt: Have any thoughts?

Kate Quigley: I'm seeing nodding heads.

Rita Merritt: One or two nodding heads.

- Kate Quigley:* Okay. We will prepare that either for December or March, depending on workload. What would you like discussed at the shareholder meeting by shareholders? What kind of input would you like?
- Rita Merritt:* Well, it looks like you're missing one of the important factors would be valuation for your economic study. And I think you may want to try to narrow that down and try to get more out of them regarding just what it will take for them to consider for the value of their shares.
- Kate Quigley:* How 'bout if I come back with a draft agenda for the December meeting of what could possibly be discussed at a shareholder meeting? Okay. I'll do that.
- Ben Hartig:* Well, one thing, certainly, if we change the objectives, we'd certainly like to have them comment on that.
- Rita Merritt:* Duane.
- Duane Harris:* I don't know that this meeting is on our budget sheet, so we need to review that, determine the cost, and determine if we can accommodate that meeting in the next few months.
- Rita Merritt:* Thank you, Duane. Okay, Kate.
- Kate Quigley:* I was just gonna say this might be something for between December and March, given workload, and I think given the conversations that I've had with shareholders, might want to really strategize about the agenda of the meeting, have some real clear things that we would like from them. So I think it could even be put off if there's no particular rush.
- Rita Merritt:* David.
- David Cupka:* And the timing would be good, too, from the standpoint of the closure for the spawning closures that they would available then.
- Kate Quigley:* We also might have some more information on rec fish ACL after the SSE meets. Another thing that we had recommended was – one recommendation under Objective 6 was increase the potential for – create the potential or increased participation by allowing for fishermen to fish for rec fish with ownership of a rec permit and annual pounds-only.
- So right now, you can only fish for rec fish if you have a rec fish

permits and shares and pounds. So the committee could consider possibility in this amendment of allowing people just to own a permit and pounds. Provide a – another recommendation was provide a venue sellers and interests to buyers to post quantities and prices for available shares and coupons such as a council _____ contract Web site, similar to Craig's List, which allows monitored posting if wanted or sale quota-sharing coupons with associated contact information.

That might provide some information on how people value their shares and coupons more than perhaps just asking them in the shareholder meeting. So I can, perhaps, gets more information how this could be done, if this can be done, and by him. That's something that I can look into.

Yeah, so those are our recommendations. So in each of these recommendations, I can also look into some extra – some extra _____ and possibilities that's something that speaks to the committee.

Rita Merritt: I think Kate's got a lot of work ahead of her right now. *(Laugh)*
We'll go onto the golden crab amendment. And –

Rita Merritt: Kate, you gonna give us an update on that?

Kate Quigley: Yeah. So I'm gonna call Howard Row and Bill Whipple to come forward and join me. I'm gonna give a presentation on the output of a meeting that occurred in august. So the golden crab AP met in – this past august, and they put together basically a design of an LAP-type program. I'm gonna go through that rather quickly. You've got it with you as part of the second briefing book. So I'll ask them to come up here, sit with me and provide any input after I to through each of these shares – each of these slides.

Okay. So the program goal that the golden crab AP talked about was enable the crab fishery to fulfill its potential to deliver high quality live crab anywhere in the world with several program objectives. One was develop catch share management that provides flexibility such that boat repairs do not interrupt the ability to fishermen to make a living. Allow for permit stacking on one vessel to maximize efficiency and enable fishing more than one zone in a trip. Right now you can only put on permit on one vessel; therefore, they can only fish one zone, either a northern, middle, or southern zone in a particular trip, and they'd like to

have the flexibility to fish more than one zone in a particular trip.

Allow fishermen the ability to sell portions of their harvest privileges by catch shares. Allow for increased stewardship opportunities for fishermen to protect corals by allowing for ownership of catch privileges. And provide protection for historical participation in traditional fishing grounds by implementing a catch share program that relies on catch history for initial allocation and prevents fishermen exceeding the total allowable catch. Right now, I'm just gonna see if they have to add and if you might have any questions about this overall goal and program objectives.

Okay. I'll move on unless there's any questions. Just go ahead and interrupt us.

So eligibility for initial allocation. Option 1, any person holding a current permit as of implementation date, which is yet unspecified, in any zone – so northern, middle, or southern zone, is eligible for initial allocation. Eligibility is based on vessels logbook data and varies based on initial allocation formulas under consideration. I'll go through those in just a little bit. Catch history is based on currently permitted vessels as of September 2009.

Okay. Vessel catch history initial allocation. So thus far, I've got data on vessel catch history. I don't have permit catch history. We're waiting for that. That's coming. It won't be available probably until December. So right now, this is all based on vessel catch history. And there are no preferred options in these initial allocations. This has been gone over and gone over with the AP, and this is what they came up. I believe there's eight or nine different options, but just to briefly go through, 2002 to 2008, aggregate catch history, five vessels. So that is adding up everybody's individual catch history between the years 2002 and 2008, and dividing it by everyone else's aggregate catch history over that time, and getting that percentage.

Option 2, 1995 to 2008, same thing., aggregate catch history, five vessels. So this is how much was landed by the vessel, not by the permit. So that is if someone was leasing a permit and they were using their vessel then that vessel would be the catch history that was used, and not the permit.

Option 3, 1998 to 2008, aggregate catch history by vessel. Vessels with below 5 percent initial allocation receive an extra 2 percent per vessel. Excluding those receiving greater than 30 percent

initial allocation on vessels combined. The extra 2 percent that is allocated, and we're calling this a bonus, comes out of the highest shareholder. And another stipulation. Must have 25,000 pounds aggregate to receive bonus, which most people have got.

Option 4, 1987, 2008 catch history by vessel. It must have catch history since 1998. So you've got to have something – one pound – since 1998 in order to qualify to get this initial allocation. Option 4, vessels below 5 percent initial allocation receive an extra 5 percent per vessel. Must have 25,000 pounds aggregate to receive the bonus. Again, I've put “...” just to indicate that the 5 percent comes out of the highest shareholder. So same language as before.

Again, Option 5, same thing, but anyone that gets less than 10 percent initial allocation receives an additional 7 percent per vessel. And you must have 50,000 pound aggregate to receive the bonus. And different years were used to, 2006 to 2008.

Option 6, 2006 to 2008, catch history by vessel. If vessels fished in the last five years, and receive less than 20 percent initial allocation, 5 percent bonus, must have 50,000 pounds aggregate to receive bonus. Almost every one other than only I think two people, two vessels are excluded under the 50,000 pounds, and one vessel is excluded under the 25,000 pounds.

Option 7, 50 percent catch history plus 50 percent equal allocation. That's similar to how the rec fish was done. Sub Option 1, so different years being used, different requirements for a minimum number of pounds that have to be landed in aggregate.

Option 8, 75 percent catch history, plus 25 percent equal allocation, with the same sub options as Option 7.

Option 9, equal allocation of the tack with Sub Option 1 being allocated among the 11 vessel owners and Sub Option 2 among the 4 active vessels. So right now, there's only four vessels active in the fishery. So under the equal allocation Sub Option 1, these seven vessels that have not fished would be given some sort of equal allocation.

Option 10, best three years averaged, the same sub options as above under Option 7 and 8. So just to give you an idea that a full range of initial allocation scenarios have been run.

And, again, permit catch history we're waiting for that data to be

made available. And we expect that by December.

Eligibility for harvest. There is a preferred option. Any person holding a current permit in any zone, northern, middle, or southern zone, is eligible to participate to in the golden crab catch share program. New entrants to the fishery must purchase annual pound and purchase or lease a permit. There are 11 permits in fishery right now. And to obtain a permit someone would have to purchase or lease one of the 11 permits. So that is they could lease a permit to participate in the catch share program that they are proposing, and buy pounds. They would haven't to buy share, and they could lease the permit.

Appeals process. There is a preferred option. One to 2 percent of tuck would be set aside for the appeals process. If the set is not used, it will be returned back to the overall quota pool, and will be redistributed based on the original initial allocation to all shareholders. The NMFS regional administrator would administer the appeals process. The process will be conducted 90 days after initial allocation, and before the bonus that we had talked about is distributed. There will be no hardship clause, and the appeals process will rely upon trip tickets to establish additional landings.

Program duration. The program will exist perpetuity unless modified by the South Atlantic Fishery Management Council, and that's a preferred option.

Another preferred option, perform review every five to seven years. The program reviews would coincide with stock assessments if possible, so that changes to the program in response to the stock assessment can occur.

Transferability preferred Option 1. Program allows for all or a portion of a permanent, meaning quota share, and temporary, meaning annual pounds, sale of quota among all permit holders and those leasing a permit.

Quota share ownership caps. Option 1, cap on ownership of quota share where the maximum percentage of quota share initially allocated would serve as the ownership cap, Option 2, 55 percent, Option 3, 65 percent, Option 4, 75 percent. The reason why these percentages are so high is because the current amount being harvested by individuals is rather high. There are four active participants and there are some people that already harvest, depending on the initial allocation scenarios that you run, are already – not initial allocation, but the methodology that you run,

the catch history methodology that you run, are already harvesting depending on the methodology that you use, 55 percent, 65 percent, or 75 percent.

These are not real numbers, the 55, 65, 75, but that is the range that we're looking at. It is around there. And that why some of the initial allocation scenarios have got this bonus where 2 percent, 5 percent, 7 percent, is allocated to other vessels in order to cut down on the amount that would be harvested by the highest shareholders, or the two highest shareholders.

Use it or lose it provision. This is preferred, but they're not exactly sure exactly how this would flesh out in detail. They need some feedback, perhaps, from the people who administer such a program. Permit owner or person leasing a permit must have used at least 10 percent of an individual's quota share for one year, either fished, they sold it, or they leased it, on a cumulative basis during a two-year period using a running average. So in other words, they would somehow take a look at whether people had used 10 percent over two years together. And if they had not, some portion – they haven't decided – but perhaps some portion would be taken away of their quota share.

Cost recovery as defined by the reauthorized MSA. And the golden crab AP requested cost estimates from NMFS for how much it costs to currently administer this program. And they understand that until details are fleshed out, they wouldn't be able to able to get a cost estimate how much a catch share would cost, but they would like to get some sorta cost estimates on what it currently costs to administer this program.

Boat length limit. I've got in here Preferred Option 2. I didn't get a chance to take that out. There is no preferred under this right now. Right now, there is a limit on what the boat length can be. So Option 1, leave boat length limit rule in place. Option 2, eliminate boat length limit rule in the middle and southern zones. And this does not currently apply to the northern zone, and that's why the northern zone's not listed there.

The rationale is that greater length is sometimes needed after implementation of the recirculation seawater system that we had talked about in March and in June. A larger boat is more efficient; however, the vessel length would be somewhat limited by the catch shares and the quota share ownership cap. So there was discussion about, "Well, if you get rid of the vessel length cap then are we going to have these enormous vessels coming in, which is

what we wanted to keep out in the first place.”

And there was a discussion that this would be the amount of catch shares that someone can actually hold. Where as, right now, there’s no limit on how much golden crab can be taken.

And a couple different zone issues. Preferred Option 1 and Preferred Option 2. They would like both of these. Participants can use quota in any zone for which they possess a permit. And – so in other words, the zones, the northern zone, the middle zone, and the southern zone permits would remain in place and we would restrict you to where you can actually fish. As far as the quota that you receive, could be used in any zone at all. So it ‘would be zone-specific, LAP-type program.

Preferred Option 2, eliminate the box that’s currently in the southern zone, originally established to protect against very large vessels. So the rationale eliminating the box would allow vessels over 65 feet to participate in that area. Very little fishing has occurred in the southern zone, perhaps because of the box for some time. And it is seen as no longer necessary, and that the problem that created this solutions no longer exists.

If you are smaller than 65 feet, the vessel is smaller than 65 feet, and have a permit in the southern zone, you are currently restricted to fishing in the box, and cannot fish outside the box. So they’d like to get rid of the box that exists.

Regarding permit stacking. Preferred Option 1, allow for stacking of up to three permits on one vessel so that any zones for which the vessel has a permit can be fished in one trip.

Regarding monitoring, phase in additional monitoring as necessary based on the economic capacity the fishery, explore real-time reporting via electronic monitoring. That is recording trip tickets and logbook data on a Web site upon landing. That’s what they mean by electronic monitoring.

And enforcement. I think this might be the slide. Consider requiring hail in at least three hours ahead of time whereby a message could be left or texted in excess of three hours when landing with location and time or other information deemed necessary by enforcement. The specific hours of landing and departing are difficult to identify due to weather, tides, and nature of the Gulf Stream. Because crabs are bought in live, time is of the essence. In order to main a quality product, landings need to occur

immediately upon arrival at the dock.

Also, renewing rearticulating seawater is not always an option near shore where the water is murky and of slow salinity. Therefore, landings need to occur at any time during 24 hours. Work with law enforcement to determine specifics.

Regarding new entrance, set aside some amount of annual pounds for new entrance when the quota is released as part of a violation. Lost quota under use or lose provision and when the tack exceeds 3 million pounds. So this is something that is not a preferred option. They're gonna talk about it quite a bit more. But they see that that is something logical to discuss.

Regarding banking and borrowing overage and underage provisions, Preferred Option 1, 20,000 pound borrowing allowance each year. So that means if you come in the dock and you don't have enough coupons, enough annual pounds to cover what you've brought in, you can have it taken off of next year up to 20,000 pounds. Preferred Option 20,000 pound banking allowance if you don't use to 20,000 pounds or 15,000 pounds, they can put it towards next year. And their questions was are there legal impediments to this.

And, Monica, I don't know if you want to comment at this point in time on that. I think we had talked and there weren't any legal implements to designing something. And that's what they've put together.

George Geiger:

Great job, which is what I expected of y'all, but really, it's a great job. I am curious about one thing, and that's the southern zone box. I'm not exactly what it means to do away with that box in the southern zone. So if I could have an explanation of that.

Bill Whipple:

The southern box is more or less a triangle offshore between Marathon and Key West. It's roughly 11 miles in a north/south dimension and about 33 in east and west. It came about because there was a time of direct concern about the actions of some of the transplants from the Pacific Northwest who would come over with big boats and doing the things everybody'd been worried about from the Time 1.

Fortunately, it never materialized as a significant threat, although it certainly did look so for a while. And the box was promoted by one of the Marathon fishermen in particular who wanted to get protection to the grounds that he'd been fishing in historically.

The outcome was that the box revolves around a 65-foot length, and the objective was to keep boats larger than 65 feet out of the area. One of the consequences (*Laugh*) which wasn't popular with him was that he couldn't go of the box, either. He had to stay in it everybody was gonna stay out.

But anyway, by the time this all got worked out and established, the problem was pretty much gone. So it looks as though the best interest for anybody in the future is probably to get rid of it.

Rita Merritt: David.

David Cupka: I seem to recall, Bill, at the time there was some gear conflict in that area before the box was established, if I'm not mistaken. There was a boat that had come in there and sit and gear over another boat's gear and they all kinda problems. And then the big boat left and never pulled their gear out. It got to be real, (*Laugh*) a real mess. And that's another reason I think why we end up doing with the steel wire for the main line was because they didn't want main lines getting cut if somebody did set a string of traps over yours or something. And so we also did away with the steel cable for the main line.

Bill Whipple: Yeah, you're absolutely right, David. And I didn't mean to minimize the significance of the problem at the time. But fortunately it was a pretty short duration, probably no more than a year that any of these vessels were around. And since then, it's no longer there. Plus, you have – the question of vessel size has pretty well been resolved. Some of these boats were – well, one of 'em was 180 feet or so that had come from the west coast. And through the attrition of the permits and a lot of the – there was something like 34 permits to being with and now it's down to 11. They risk, I think, of having big boats get in there is next to nil.

Duane Harris: One other question respect to that, does that box protect any deep-water coral areas or not? Would eliminating that box run us into problems with deep-water coral?

Bill Whipple: It's genuine mud everywhere. (*Laugh*)

Rita Merritt: Okay, anybody else? No? Thanks for all your hard work. And, Kate –

Kate Quigley: So from staff – so I guess I need guidance from the committee on what to do with this material. Is this something that you'd like put

into the amendment or should that be taken up by the golden crab committee?

Rita Merritt: David.

David Cupka: Yeah, my understanding was that I guess y'all would recommended it be removed or moved to us in the golden crab committee to work out the particulars and that the LAP committee really looks at major policy areas and things like that, and then it would be best dealt with, I think inside the golden crab committee. So if you need a motion or something to that effect, **I'd make a motion that we I guess transfer this issue to the golden crab committee for further development and possibly implementation.**

Rita Merritt: Second was George. Thank you. Yes, David.

David Cupka: If I may, madam chairman, I'd by possible _____, I certainly don't mean that this isn't a way to go. I know the fishermen are very much in favor of it. I only said possible implementation realizing that the ultimate decision will be up to the full council and not the committee. But certainly don't want anyone to look at this as the fact that we don't wanna move ahead with it. 'Cause I think certainly the fishermen do, and so that's why I say possible implementation.

Rita Merritt: Thank you. Duane.

Duane Harris: Thank you, ma'am chairman. I don't get to vote on this motion, but I would just like to ask the committee – the golden crab committee to move this forward as quickly as we possibly can. I know that's what the members of the AP have requested, and I've had phone calls. I don't wanna delay this any longer than it has to be delayed.

Rita Merritt: **Thank you, Duane. Any further discussion? Seeing none, all those in favor of the motion, please raise your hand. One, two, three, four, five, six. Unanimously in favor.** Thank you.

Rita Merritt: and the more I've had to think about it, the less I even like it now. *(Laugh)* My question was is the name of the formally known controlled access committee still appropriate considering the emphasis now on catch shares. And of course, my question then became, "Well, is catch share a LAP or is a LAP a catch share?"

(Laugh) I've been getting a lot of input on that. And so, okay, David, and then George.

George Geiger: Can I just answer it?

Rita Merritt: Please do.

George Geiger: In this taskforce, again, correct me if I'm wrong, Bob, but a catch share is now used as the general terminology and incorporates all other like programs, ITQs IFQs, LAPs, everything. So catch shares is now the generic terminology.

Rita Merritt: But to your point, the reason my question was posed is because LAPs is what is in Magens and Stephens, and catch shares is not. But when you read what catch shares entails, it appears to be LAPs. And I guess that's why my confusion was there.

George Geiger: I think in the first paragraph or the second paragraph of the policy it's gonna explain that that's the new terminology in the policy. So I would make a **motion we change the name of the committee to the catch shares committee.**

Rita Merritt: Thank you. David?

David Cupka: Well, I'm gonna second _____ George said exactly what I was gonna say. It was my understanding that catch shares is now the umbrella phrase for LAPs and ITQs and everything else. So I would second that.

Rita Merritt: Okay. Any discussion? Well, I guess I'm the only one that seems to have a little bit of sensitivity about the terminology. And I guess it's because we're trying to follow Magens and Stephens and catch shares isn't in there and LAPs is. And then I guess the other part of it is, is this committee really – does this committee really want to limit itself to those items in our toolbox. As Robert said, this is a toolbox, and those things that can be used in it, and there may be some other things. So perhaps we might want to use a more generic name for the committee, the toolbox committee, the alternative *(Laugh)* – no, that was a joke. *(Laugh)*

Or alternative management programs or something else so that if the next administrator decides to change the name, we can have a more generic moniker for what we're trying to accomplish in this committee, which I guess is to provide alternate means of accomplishing our goals with the various committees that we

recommend these tools. So any other further comment or discussion? Vince?

Vince O' Shea:

Thank you, madam chairman. May I can move you over to your – get you in your comfort level by suggesting a term that will make you even more uncomfortable, and that would be in other places they talk about this general topic of rationalizing fisheries. And you could argue that things like harvesting co-ops, individual fishing quotas, sectors, those a things are efforts to rationalize fisheries. I think the problem I have with that terms is now you've totally lost the general public about what that means. And I think the advantage at least in catch shares right now is the administration is defining that and it's out in the vocabulary to the public. And I think – it maybe not be the best term, but I think there's some other terms that are worse than that. Thank you.

Rita Merritt:

Okay. So we have a motion on the floor to change the limited access privilege program committee – what a mouthful – to the Catch Shares Committee. Any further discussion? Anyone have objection? Seeing none, we have a new name. Thank you. *(Laugh)* Well, I guess since there are – that's kind of like our children we have to give them the same name. We have to change their name, too? Any objection to that? *(Laugh)* okay, thank you, Bob. I guess we're all getting a little punch drunk. It's getting late in the afternoon. Thank you.

Duane Harris

Just for everybody's information, we will finish this committee today, and then we will convene spiny lobster first thing in the morning. We're not going to push on to spiny lobster this afternoon.

Rita Merritt:

Thank you, Duane. Okay. Moving along into timing and task motion. And I think Kate's pretty much been keeping a list of things.

Kate Quigley:

I've got a list that I haven't written down yet. So let me just go through what I've got so far. And that basically is with regard to the rec fish, to the Amendment 20. So with regards to Amendment 20, come back with a draft agenda for a possible shareholder meeting, and also information on whether that's possible to under the – I guess the 2010 budget. So that would be one timing task motion for staff.

Another one is to ask staff to give a presentation on excessive shares at either the December or March meeting, and to provide language on recreational allocation into the program review,

provide a discussion of resource rent in the program review. Those are the four things that I have. Is there anything else?

Are there any other timing and task – any other timing and task language that you would like in this motion as direction to staff? Would you like staff to do anything else before the December meeting, before the March meeting? Alright. Let me just write it up real quick.

I'll go ahead and read that. **With respect to Amendment 20, provide language on recreational allocation of rec fish and the program review, provide language on resource rent in the program review. Provide the committee with a draft agenda for a possible shareholder meeting and information on whether such a meeting can be covered by the 2010 budget, and staff to provide a presentation on excessive shares in December 2009 or March 2010. And I guess I'll also – well, you've already made a motion with regards to the golden crab, so I'll just add motion in here.**

Rita Merritt: Do we have a second?

George Geiger: Second.

Rita Merritt: George seconds it. Do we have any discussion?

George Geiger: Who made it?

Rita Merritt: **Oh, I thought you did. That's right. I'm sorry. I'm – because Kate read it, I was assuming she made it. George has made the motion. Second is Robert Boyles. Is there any discussion? Hearing none, the motion is carried – is there any objection? And hearing none, the motion is carried.**

Is there any other business to come before this committee? Vince?

Vince O'Shea: Just one minor observation, madam chair. There's a couple illusions amount the amount of time, but I just wanted to tell you from my perspective, all the topics that you cover this afternoon are contentious issues. They're important to the constituents that follow this council. And I think that the time you spent this afternoon was well spent on these issues. Thank you for taking the time to do it that way.

Rita Merritt: Thank you, Vince. Ben.

Ben Hartig:

Yeah, just one thing, and I wish I'd said it while all the public was there. The motion we approved to develop a catch shares program from the snapper grouper fishery in my mind certainly doesn't preclude – and we mentioned trip limits before, but other management measures that we already have going down the public hearing trail – basically, we've got a tile fish fishery who unanimously – (*Gets Tongue Tied*)

All of 'em. (*Laugh*) All of 'em. (*Laugh*) All of 'em voted to not go ahead with a catch shares program at that time, and that was actually the majority of people who have the majority of the catch now. Basically, they see their program going to an endorsement system as a bridge to a future catch shares program. And they feel with the increases they've seen in fishery with the sizes available that they're hoping that the assistant will come out in a better light and that they'll have enough fish that they feel they can go to a catch shares program. So some of these things – trip limits that were mentioned – will be bridges to catch shares programs. And, certainly, we shouldn't – we should do those before we go in concert with developing this catch shares amendment because it's gonna be a while before they're ready and that bridge will take them there hopefully in time.

Rita Merritt:

Thank you, Ben. And with that, this committee is adjourned.
Thank you.

(Whereupon, the meeting adjourned at 4:00 p.m., September 14, 2009)

Certified By: _____ Date: _____

Transcribed By:
Verbalink, Inc.
September 2009

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
LIMITED ACCESS PRIVILEGE PROGRAM COMMITTEE

Charleston Marriott Hotel
Charleston, SC

September 14, 2009

TABLE OF MOTIONS

PAGE 56: Motion that the council continue exploration of a comprehensive catch share amendment for the snapper grouper fishery. The motion carried on page 56

PAGE 77: Motion that we transfer the golden crab presentation information to the golden crab committee for development and possible implementation. The motion carried on page 78.

PAGE 78: Motion that we change the name of the committee to the catch shares committee. The motion carried on page 78.

PAGE 79: Motion, that with respect to Amendment 20, provide language on recreational allocation of rec fish and the program review, provide language on resource rent in the program review. Provide the committee with a draft agenda for a possible shareholder meeting and information on whether such a meeting can be covered by the 2010 budget, and staff to provide a presentation on excessive shares in December 2009 or March 2010. The motion carried on page 79.

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Limited Access Privilege Program (LAPP) Committee Meeting Charleston, SC Monday, September 14th, 2009

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ORGANIZATION

AREA CODE &
PHONE NUMBER

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CITY, STATE & ZIP

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* (see names on back)

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Limited Access Privilege Program (LAPP) Committee Meeting Charleston, SC Monday, September 14th, 2009

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ORGANIZATION

AREA CODE &
PHONE NUMBER

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**SOUTH ATLANTIC FISHERY
MANAGEMENT COUNCIL**

PROPOSAL

TRIP LIMITS

I'm Wayne Mershon. I own and operate Kenyon Seafood, a snapper-grouper fish house in Murrells Inlet, SC.

I've been involved with the snapper-grouper fishery off SC for nearly 30 years and would like to be in business for many more years.

I'm here to represent a group of concerned commercial snapper-grouper fishermen and fish houses from Florida to North Carolina, many who are here, that have become aware of the efforts of Phil Conklin, Matt Ruby, and others to seek a "catch share" program for the fishery.

I want to thank committee chair Rita Merritt and this committee for allowing us to be on your agenda. We appreciate your willingness to consider alternatives.

I'm going to be brief because our proposal is not complex.

While we agree with Phil's and Matt's goal of extending the fishing year for all snapper and grouper by eliminating derby type fishing efforts that result in the quotas being met prematurely, and respect their efforts, we strongly disagree with a catch share approach.

We just don't want to see our life's work reduced to a commodity that can be bought up by those with the deepest pockets.

We have submitted petitions to the council with the signatures of many of the fishermen and fish houses that support trip limits and oppose catch shares.

I understand that catch share programs are opposed by the Coastal Conservation Association, the Southeastern Fisheries Association, the Recreational Fishing Alliance, the Fishing Rights Alliance, the NC Fisheries Association, and many other organized fishing groups- both commercial and recreational.

A recent news report in the Gloucester Times documents that European nations are abandoning decades old catch share programs in favor of fishing effort reductions like trip limits.

As I'm sure you are aware, this fishery council already utilizes trip limits to successfully manage a number of species, such as Amberjack, King and Spanish Mackerel, Red Porgy, and Wahoo.

As an alternative to catch shares we ask this fishery council to fully evaluate trip limits, primarily as a means to manage the rate at which commercial snapper and grouper are being caught, but also to increase the sustainability of all species.

For example we consider the following to be reasonable trip limits, and since my initial letter to you I've gotten more input from fishermen as to suggested limits:

All grouper (excluding snowys and blueline and golden tilefish)	750 lbs.
--	----------

Vermilion	500 lbs.
-----------	----------

Amberjack (Greater)	1,000 lbs.
---------------------	------------

Black sea bass	1000-1500 lbs
----------------	---------------

All other snapper-grouper species	750 lbs.
-----------------------------------	----------

Most of these species bite at different times of the year along the South Atlantic. Trip limits would also make it fair to all, with the quota not being met by one area before the fish started biting in another area.

We feel these trip limits would be a starting point, and understand that the council would have to refine these limits with a goal of making sure the quotas would not be met prematurely.

We simply ask that our proposal for trip limits in general be evaluated and given at least equal consideration with any catch share proposal.

Most of our fishermen have fished for a living all their lives and generally fish trips that are 2 to 5 days in length and bring home a quality product. They produce as many pounds as many of the larger vessels staying 8-14 days, which in turn with trip limits, would still allow our fishermen and our fishing communities to survive.

A trip limits approach to managing the commercial snapper-grouper fishery would be simple and straight forward compared to the controversy and complexity of initial allocation and program design associated with catch shares.

Unfortunately I know that many of us in the past have been guilty of simply saying NO to proposed fishery regulations without providing any constructive alternatives to this council. I know because I've been there and done that.

It's now crystal clear to us that to preserve our ability to make a living for our families from the sea and to preserve our small communities, we need to help the council develop solutions to our fishery problems.

We think properly designed trip limits can be a solution in the commercial snapper-grouper fishery and urge this council to give them serious consideration.

Thank you for your time.

Wayne Mershon

Kenyon Seafood....Murrells Inlet, South Carolina

We the undersigned South Atlantic snapper-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

	Name	Address	City	State	Telephone
1.	Wayne Mershon	1159 Palmer Place	Murrells Inlet	SC.	843-421-6440
2.	Carl [unclear]	28 Porpoise Ct	Pawlys Island	SC	843-318-9886
3.	Steven B Johnson	1517 Delas Pt	M.B.	S.C.	843-449-7991
4.	Marvin [unclear]	4901 Old King's Hwy.	Murrells Inlet	SC	843-344-2876
5.	James [unclear]	229 Ranch Rd	Batesburg	SC.	803-687-3395
6.	Henry A. Strayer	500 Seaside Dr.	S.C.	29576	843-651-1606
7.	Deese [unclear]	M.I. HALL	Dew	599351	843-450-1116
8.	Jeff [unclear]	3590 Adam Ct.	Murrells Inlet	SC	843-421-5373
9.	[unclear]	512 Fox Hollow Rd	Murrells Inlet	SC	843 421 6011
10.	[unclear]	1572 Murrells Inlet	SC		843-421-6013
11.	David McWilliam	4854 Surry Lane	Murrells Inlet	SC	843-421-6012
12.	Robert Beath	105 Ashley Park Dr.	Myrtle Beach	S.C.	843-457-6389
13.	Jimmy Knapp	3931 Flag St.	Murrells Inlet	S.C.	843-357-2536
14.	Robert Kogaysek	2450 Hwy. 17	Bus Garden City	SC 29576	843 651-7833
15.	John W. [unclear]	5302 Little River Neck Rd	NMB	SC 29582	843 385 2260
16.	[unclear]	1248 Merwin Ct.	Murrells Inlet	SC 29576	843-650-6252
17.	[unclear]	9501 Leeds Circle	M.B.S.C.	29558	843-385-1127
18.	[unclear]	P.O. Box 2092	M.I.S.C.	29576	843.902-8093
19.					

We the undersigned South Atlantic snapper-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

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1.	Charles W Stone	296 Run Gully	Murrells Inlet	SC	843-250-1250
2.	Mike #890	783 K. Howard Lane	Murrells Inlet	S.C.	843-933-1700
3.	Randall King	4513 Winterswat Lane	Murrells Inlet	SC	843-241-5648
4.	ANDREW F. BALDWIN	230 CREEK HARBOUR CIRCLE	MURRELLS INLET	SC	843-251-5943
5.	Andl #	553 white oak drive	Murrells Inlet S.C.	29576	843-933-0811
6.	John M. #	296 Run Gully Road	Murrells Inlet	SC	843-933-0810
7.	Conner B. Shaw	296 Run Gully Road	Murrells Inlet	SC 29576	843-933-0809
8.	Mike #	1473 Bahia Terrace	Murrells Inlet	SC 29576	843-661-2498
9.	Theresa #	1524 Running Water Rd	Murrells Inlet	SC 29576	843-458-2377
10.	John #	7986 Short Meadow Ln	MI	S.C.	843-267-6265
11.	Blair #	5314 Beachy Ct	MI	SC 29576	843-430-4200
12.	John #	4310 Lotus Ct #C	MI	S.C. 29576	843-341-2345
13.	Walter #	6864 Woodhaven Dr.	Myrtle Beach	SC 29588	843-458-1998
14.	Tom Coyle	510 oak Ave	Georgetown	S.C. 29576	843-833-2704
15.	John #	501 Run Gully Road	Murrells Inlet	SC 29576	843-933-3302
16.	John #	3166 Live Oaks	Parley Island	29585	843-222-3003
17.	Bill Murrell	109	Murrells Inlet	29576	843-222-6292
18.	DEFIANT Gem Wilcox	609 olive Street	Georgetown	SC. 29440	843-240-9372

19.

Subj: trip limits Date: 9/8/2009 9:12:23 AM Pacific Daylight Time From: keryonacalood@psc.nc.com To: Slsbrkwrwks@aol.com

Tuesday, September 08, 2009 America Online: Slsbrkwrwks We the undersigned South Atlantic humpser-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

- | Name | Address | City |
|---|---------------------------|---------------------------------|
| 1. Jeff Oden
SEA HOUND | (252) 986-2575 PO Box 474 | Hatteras, NC |
| 2. Robert Harrison
F/V Brawler | 252-986-7039 PO Box 7 | Hatteras, NC |
| 3. Harbor House Seafood
Vick's Fishery | 252-986-2575 PO Box 1 | Hatteras, NC |
| 4. Gerald M. Huggins
F/V S... .. | 252-986-2575 PO Box 69 | Hatteras, NC |
| 5. Charles Kuhn
F/V SALVATION | (252) 982-6133 PO. Box 76 | Wanchese, N.C. 27951 |
| 6. Robert F. Searles
919-945-4154 | PO Box 74 | Wanchese, NC 27986 |
| 7. Clayton Foster
252-986-7182 | PO Box 160 | Hatteras, NC 27943 |
| 8. Rena Stoffel
F/V MISS JESSICA G | PO Box 626 | Hatteras, LLC |
| 9. Ernie Foster
Hatteras, NC 27943 | Box 120 | 252-986-2575 The Hatteras Fleet |
| 10. Cho Cannon
252-986-2575 | Box 311 | |
| 11. Anthony Bebank
Hatteras, NC 27943 | PO Box 30 | |
| 12. David Shreeve
Hatteras, NC 27943 | | |
| 13. Timmy Jay | | |
| 14. Tom M. Jay | PO Box 251 | |
| 15. Tom R. Jay, JR. | AVON N.C. 27915 | |
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We the undersigned South Atlantic snapper-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

- | Name | F/V Kill-N-Time | Address | City | State | Telephone |
|--|------------------|---------------------|----------------|----------------------|-------------------------------|
| 1. Chris Channing Strickland | F/V Kill-N-Time | 4435 Ricefield | Murrells Inlet | SC | 843-360-9743 |
| 2. James Rachols | F/V Wills Wagon | PO Box 573 | Murrells Inlet | SC | 843-222-3037 |
| 3. R. D. M... | F/V | WILLS WAGON 1005 | LOUIS DR. | MURRELLS BEACH, S.C. | 843-449-7872 |
| 4. LEE Wilson Fish Monger | (Fop. Dealer) | 2523 Foxestbrook Rd | Myrtle Beach | SC | 843-983-2722 |
| 5. Larry D. Strickland Troy D. Strickland | F/V Kill N Time | 4438 Ricefield Rd. | Murrells Inlet | S.C. 29576 | 843-655-1058 |
| 6. Everett Silve | F/V Perseverance | 3681 Bus 17 | Murrells Inlet | SC | 29576 ⁸⁴³ 357-3903 |
| 7. Dennis Hardwick | F-V Perseverance | 573 Marylou Dr | Murrells Inlet | SC | 29576 ⁸⁴³ 742-0622 |
| 8. Allen Sogars | | PO Box 73 | Florhorne | FLA | 904 659 2544 |
| 9. Jerry Spang | | 5248 Ave D | St Augustine | FLA | 904 810 5234 |
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We the undersigned South Atlantic snapper-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

Name	Address	City	State	Telephone
1. James Clark	8121 Amalfi Place	Myrtle Beach	SC 29579	843.315.7869
2. Bill Hardy	625 Oakhurst dr	Myrtle Beach	SC 29579	843-655-0302
3. Larry W. Wood Jr	4282 Adventure Ln	hones	SC 29568	843 399 9839
4. Kevin M. Bishop	2798 Sandway Blvd	Conway	SC 29526	843-467-7777
5. YING YU	1213 Ellington Ct	Myrtle Beach	SC 29577	843-448-7979
6. Janice Williams	3714 Coniel Cir. Lot 7A	Conway	SC 29524	843-365-2405
7. Maurice Cotton	909 marshfield circle	Myrtle Beach	SC 29579	843-421-4764
8. Harry Daniels	2284 Freedom St	Longwood	NC 27452	910 547-3905
9. K. Spaltns	310 75th AVE. #12	MB	SC 29572	843-251-7697
10. Tatgenhorst	4782 Southside Parkway	MB, SC	29579	843-236-9877
11. Ben Miller	16702 Jefferson PL C6	MB, SC	29577 SC	(843) 450-7174
12. Ross Murphy	3932 Fairway Lake Dr	MB SC	29577	843-913-1333
13. Rachid Chaderx	166 belleGrove DR	MB SC	29579	(843) 236-4477
14. Jan Petzold	208 Lake Drive	MYB, SC	29572	(843) 427-4798
15. Amanda Allen	155 Augusta Plantation dr. Unit I	MB, SC	29579	(323) 807-4196
16. Michelle Hackett	8121 Amalfi Pl.	MB, SC	29572	843 913 28
17. W. C. Walker Jr	6813 Poinsett #20	MB	SC 29572	843-424-54
18. Derek Hize	4281 Bocatcher Ln	MB	SC 29572	843-213-2
19. Jackie MO	117 Fern Ln	Beaufort	29721	(843) 281-21
In. h. Manna	9754 Leland Dr. #10	MB	29572	

We the undersigned South Atlantic snapper-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

	Name	Address	City	State
FV SARAH BRENT	1. Donald H. Elliott	P.O. BOX 1724	MANTEO	N.C.
FV JAMIE B	2. William D. Brown	P.O. Box 450	WANCHESA	N.C.
FV Tammy Marie	3. David W. Wark	P.O. BOX 374	WANCHESA	N.C.
F/V FINNALI	4. Martham T. Gant	113 Le Oaks	Manteo	NC
F.V. Emily Shay	5. Willy B. Brown	P.O. Box 495	WANCHESA	N.C.
F.V. TARBIBY	6. Dewey W. Wark	P.O. Box 667	WANCHESA	N.C.
F/V APPARITION	7. Jack A. Fox	128 PINE ACRES	WANCHESA	N.C. 27986
FV WINDY GALE	8. JAMES S. TAYLOR III	VIOLET COURT	Manteo	
F/V MISS B HAVEN	9. Willie R. Ctheridge III	P.O. Box 705	WANCHESA	N.C. 27981
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(CF) COM FISH/CAPT (P) SNE Permit (D) dealer (C) consumed 5 day

We the undersigned South Atlantic snapper-groupers fisherman and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

Name	Address	City	State	Telephone
CF ₁ Nicholas Magallon	470 E 9th St	Chalco	FL	
D ₂ Joe Shearer	1931 old Dixie St	Princeton	FL	772 940-2637
CF ₃ Steve Eury	315 north St	Dartmouth	FL	464-7168
CF ₄ Curtis Revel	7904 San Carlos	FL		772-332-0153
CF ₅ Jerry Howard	473 Camberlain	Ft Pierce	FL	466-9121
CF ₆ Mueldey	1917 Orange Ave	Ft Pierce	FL	772-34983
CF ₇ Calum	Beach 487 SW Lucena Dr	PSL	FL	395 200 2843
CF ₈ Ross	3200 S 7th	Ft. Pierce	FL	34947-772-342-5692
CF ₉ James Thomas	3303 Ave T	Ft. Pierce	FL	34951 772-465 4349
CF ₁₀ Ferni Green	8002 Lakeside way	Ft. Pierce	FL	34951 772-216-5334
CF ₁₁ Lou Jones	1175 54th Ave	Vero Beach	FL	329 66 772-460 1743
CF ₁₂ Luke Logan	254 Bimini Dr	Ft Pierce	FL	772 466 7993
CF ₁₃ Tiffany Aultz	4809 Silver Oak Dr	Ft Pierce	FL	34982 772-466 7993
CF ₁₄ David McElaney	7201 North Blu	Ft Pierce	FL	34951 772 940 1650
35. Rick Ankiel	3417 North AIA	Ft Pierce	FL	34949 772-828-5956
36. Paul C. Jones	3200 S 7th	Ft Pierce	FL	34982 772-828-6771
37. [Signature]	1560 Pulitzer RD	Ft Pierce	FL	34945 772 370 9401
38. [Signature]	2454W ROBERTA	Ft Pierce	FL	34951 772-696-3353
19. Mandy McAlabon	910 C Shorewinds Dr	Ft Pierce	FL	34949 814 952-9651
20. James C Phillips, Jr.	827 Shore Rush Dr. Pawleys Island SC 29585			843-240-0709 "Vessel 'Hooker'" Return to Wayne Marshon (843) 421-6640 Ext 243-357-9085

SECTION 1000

DATE/CF/PB

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(CF) Com Capt. Com Fish (P) s & G permit (D) Dealer (C) consumed 5 days

We the undersigned South Atlantic snapper-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

Name	Address	City	State	Telephone
(CF) 1. Fred Briggs	5503	Fort Pierce	FL 34982	772-201-3217
(CF) 2. Tommy Jones	2499 N. Ind. Riv. Dr.	"	34946	772-444-4512
CF 3. Craig J. Jones	3143 Old Edwards Rd	Ft. Pierce	FL 34988	772-444-5698
(P) 4. Al Tyne	102 GARDENIA AVE			772-940-1997
CF 5. James Tyson	175 Turbey rd	Fort Pierce	FL 34946	772-466-3992
CF 6. Alan Cox	5710 Palm Dr	Ft. Pierce	FL 34982	772-216-6282
CF 7. Derek Zeiss	3051 Charles Way	Ft. Pierce	FL 34946	772-466-0363
CF 8. George Krael	10,600 Okeechobee rd	Ft. Pierce	FL 34945	772-465-4863
CF 9. Donald Root	4521 So. Indian Riv. Dr	Fort Pierce	FL 34946	772-461-0846
10. Jordan Sidel	5351 N.W. Mims Ct.	PSL	FL 33492	772-409-3594
CF 11. Danny Waggott	P.O. Box 312	Port Salerno	FL 33492	(772) 332-1648
CF 12. Tyler Sams	1045 Martinique Ave	Fort Pierce	FL	(772) 946-3639
CF 13. ALEXANDRO SANTOS				772-201-0029
CF 14. [unclear]	5900 Bantro Dr.	Ft. Pierce	FL 34982	386-756-7833
CF 15. J. A. CHAVITA	PO Box 503 Burgess VA	22430		386-689-0877
CF 16. S. SCOLA	PO Box 282 USB	FLA 33170		772-464-7572
CF 17. R. Sullivan	5703 University	La. Pierce	FLA 34951	772-201-5322
CF 18. M. Jones	141 Doctor Rd	Ft. Pierce	FLA 34945	772-82-5448
CF 19. J. [unclear]	200 SE Jupiter Ave	Port St. Lucie	FL	843-357-9085

Return to Wayne Mershon (843) 421-6400
Fax 843-357-9085

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We the undersigned South Atlantic snapper-grouper fishermen and packing house operators call on the South Atlantic Fishery Management Council to evaluate commercial trip limits for the fishery and to oppose the use of catch shares:

	Name	Address	City	State	Telephone
P/D	1. Glenda Macain	9220 Crazy Ave	Ft. Pierce	FL	772-201-5600
P/D	2. Tammy Casson	415 NE Deepwater Cove	St. Lucie	FL	772-201-7787
P/D	3. Cathy Hegedus	1655 Copentower Rd.	Ft. Pierce	FL	772-201-7787
P	4. Neil Logan	254 Bimini Dr	Ft. Pierce	FL	772-460-1743
P	5. Chris Blackwell	2509 N. Indian River Dr.	Ft. Pierce	FL	772-201-6622
P	6. Woe Klostermann	251 Bimini Dr	Ft. Pierce	FL	772-461-0449
P	7. James Reeves	14390 Orange Ave	Ft. Pierce	FL	772-332-2828
P	8. David C. Hagan	2323 Orange, Pierce Rd	3rd FL	(904)262-2809	Hold 9 S. Alm
P	9. Scott A. Osborne	1309 SE LACONIA LN	PSL	FL	772-263-3548
P/D	10. Robert Paul	5106 Palm Dr	Ft. P.	FL	772-376-4163

ALL SIGNATURES HOLD 1 OR MORE S.N.G. PERMITS

NOAA-pushed plan in stark contrast to course taken overseas

By Richard Gaines
Staff Writer

September 08, 2009 05:40 am

Federal oceans administrator Jane Lubchenco and the two environmental lobbies that were her stepping stones into the Obama administration promote privatizing the wild stocks of the sea into tradeable commodities — or fishermen's "catch shares" — as a scientifically proven antidote to what ails New England's and the nation's fisheries.

But the science comes from a narrow circle of fellow travelers in the orbits of the Pew Environment Group and the Environmental Defense Fund — ENGOs or environmental non-government organizations in which Lubchenco held pivotal positions before her appointment to head the National Oceanic and Atmospheric Administration.

And from other quarters — Europe, British Columbia and the New England Fisheries Science Center — the implementation of the catch share regulatory system, set to take effect for Gloucester fishermen and the New England fishery next year, has sparked counter claims and a fierce debate about the effectiveness of the catch share format and their social and environmental impacts.

Just last week, Europe's top fishery official proposed ending a quarter-century experiment in catch shares.

In a presentation to the European Parliament meeting in Brussels, European Union Fisheries Commissioner Joe Borg suggested scrapping annual fishermen's catch limits in favor of effort controls — the days at sea system of the New England fishery now being unwound and to be replaced by catch shares.

"Replacing TACs — total allowable catches — and quotas by effort can be a very effective way of reducing the environmental impact of fisheries, and in particular of discards," Borg was quoted as saying in the Aberdeen (Scotland) Press and Journal.

The Press and Journal went on to quote Borg as saying the present system — a mix of catch limits and days at sea — was not working and had failed to deliver either a profitable industry or a sustainable fishery. The New England fishery is targeted for a system allowing fishermen to choose regulation through catch shares, or through the days-at-sea format that would continue for fishermen who opt for an independent common poll rather than join new cooperatives known as sectors.

Research from at least three other sources earlier this summer have also raised serious questions about the economic, environmental and social impact of catch shares or their close relatives, individual fishing quotas, IFQs, or individual transferable quotas or ITQs.

In June, Seth Macinko and William Whitmore of the Department of Marine Affairs at the University of Rhode Island published a report on sectors, the voluntary fishing cooperatives that will begin working under catch shares next May. Commissioned by the Mass. Division of Marine Fisheries, the paper warned that converting the common resources into tradeable commodities will not reduce "or solve the bycatch" problem, but will likely accelerate industry consolidation — which seems to be a universal outgrowth of fish stock privatization in almost all forms.

July brought a socio-economic study by Ecotrust Canada that disputed claims of wondrous improvements in the ecosystems and economies of fisheries converted into privatized models. It also brought a bitter exchange between Ecotrust Canada and the EDF, which in public has been pushing catch shares as a conservation panacea and in private as an investment capable of yielding windfall profits.

The Ecotrust study, "A Cautionary Tale about ITQ Fisheries," reviewed the experience of British Columbia fisheries which were converted to ITQ markets in the early 1990s.

The study reported that British Columbia's highly unregulated market encouraged speculative buying and leasing of quota by "armchair" fishermen and investors.

"This is driving up business costs for working fishermen, which is hindering their competitiveness relative to American fishermen. Income is also being drained away from skippers and crewmen to pay for expensive lease fees," Ecotrust reported.

"Individual transferable quotas are being heavily promoted as a solution for both conservation and the financial ills plaguing fishing fleets around the world," said Tasha Sutcliffe, fisheries program manager for Ecotrust Canada. "However, our experience in B.C. is that highly unregulated, speculative ITQ markets can create as many problems as they solve."

"Under ITQ markets, working fishermen in British Columbia are increasingly becoming 'tenants' who pay exorbitant rents to landlords, or 'sealords,' who own all the quota. The lucrative leasing has, in turn, driven up the cost of fishing and the price of purchasing quota, making ownership prohibitively expensive for many fishermen," Sutcliffe said.

Gloucester-based industry analyst, Vito Giacalone voiced similar concerns this summer after learning that EDF officials were talking up investments in catch shares.

"It's a conversion to share-cropping," said Giacalone, a founder of the Northeast Seafood Coalition, the region's leading industry group. "It sets up a Wall Street approach. Now, you handicap the product in the marketplace because people are skimming and renting a public resource."

The Ecotrust study also found that the most important elements in creating sustainable stocks and fishing dependent communities are scientifically defensible catch limits and co-management between government and stakeholders' communities.

When EDF recognized the study on its Web site but interpreted it as endorsing privatized fisheries, Ecotrust objected.

"Ecotrust Canada's motivation for publishing (the study) stems from the fact that some industry and environmental groups — including EDF — exaggerate the importance of catch shares in sustainable fisheries and have ignored or downplayed their negative side. Your blog posting makes our report sound like a glowing reference for ITQs and minimizes our critique of some fundamental problems as experienced in British Columbia, Canada."

"A proper and more balanced reading of our report would suggest that, as implemented in BC, catch shares have created huge market distortions and have missed the mark in achieving a number of objectives," wrote Ecotrust Canada, which describes itself as private, non-profit that promotes the emergence of a conservation economy.

Another cautionary report was published in August — this one from inside the Northeast Fisheries Science Center, a division of Lubchenco's own National Oceanic and Atmospheric Administration.

Science center anthropologist Julia Olson submitted a chilling report on the tendency of privatized fisheries to create "employment loss, decreased income and quality of life, structural disadvantages to smaller vessels and firms, dependency and debt patronage, concentration of capital and market power, inequitable gains, regulatory stickiness, reduced stewardship, decreased community stability (and) loss of cultural values."

The campaign for catch shares was launched years ago by EDF and the Pew Environment Group; it was brought inside

the government by Lubchenco, an academic marine biologist, who was vice chairwoman of the EDF board and a Pew Fellow.

She came to office as NOAA administrator promising enlightened, science-based policies. But the science she has cited to support the catch share conversion policy comes from a roster of academics who are solidly in orbit around Lubchenco herself.

As the basis of her advocacy for catch shares — the priority policy adaptation for fisheries in her administration — Lubchenco has cited a 2008 research paper in the magazine *Science*, "Can Catch Shares Prevent Fisheries Collapse?" by Christopher Costello, Steven D. Gaines, and John Lynham.

"The *Science* article looked at 11,135 fisheries from around the world and compared catch share fisheries against those without and found that catch shares halt and even reverse the global trend toward collapse," said NOAA press spokesman Scott Smullen.

But of the 11,135 fisheries that the authors studied, industry analyst and columnist Nils Stolpe wrote in *National Fisherman* in March, only 121 of them, barely 1 percent, were under catch share models, and an inordinate proportion were used by advanced nations in stable fisheries.

The paper acknowledged this in passing, but unlike Stolpe, the authors did not seem concerned about the thin evidence for their thesis, and in their paper cited other works of dubious scientific relevance.

One such citation was not so much a scientific paper but an op-ed type policy recommendation for catch shares, "Sharing the Catch, Conserving the Fish," by EDF officials David Festa and Diane Regas and EDF fellow Judson Boomhower, in *Issues in Science and Technology Magazine*.

A member of the Obama transition team for the Department of Commerce — parent agency for Lubchenco's NOAA, where he worked during the Clinton administration as director of policy and strategic planning — Festa advised investors at the Milken Institute in California that catch shares will produce profits in the range of 400 percent.

Festa and Lubchenco are longtime close associates. They co-bylined an op-ed piece in 2006 in the *Washington Times* praising "Bush, the environmentalist?" when the then-President created a massive marine conservation area off Hawaii.

In 2005, Festa, Gaines and Lubchenco were among the lead instructors in a course on marine conservation and science at Lubchenco's base campus, Oregon State University.

Gaines, the director of the Marine Science Institute at the University of California at Santa Barbara, has been a prolific researcher, grants applicant and distributor and writer. He received his doctorate at Oregon State. His advisor: Jane Lubchenco.

Richard Gaines can be reached at rgaines@gloucestertimes.com.

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