

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION II

**Town and Country Inn
Charleston, S.C.**

September 15-16, 2022

Transcript

Council Members

Mel Bell, Chair
Robert Beal
Gary Borland
Tim Griner
Kerry Marhefka
Trish Murphey
Andy Strelcheck
Spud Woodward

Dr. Carolyn Belcher, Vice Chair
Chester Brewer
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Judy Helmey
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Attendees and Invited Participants

Rick DeVictor
Frank Helies
Jamal Ingram
LT Pat O'Shaughnessy
Monica Smit-Brunello

Dale Diaz
Dewey Hemilright
Dr. Jack McGovern
Dr. Clay Porch
Meg Withers

The Full Council Session II of the South Atlantic Fishery Management Council convened at the Town and Country Inn, Charleston, South Carolina, on Thursday, September 15, 2022, and was called to order by Chairman Mel Bell.

MR. BELL: We're going to convene Full Council Session II, in its modified form, and so don't have as much left as it looks like we did originally on paper, and so welcome to Full Council Session II. The first item on the agenda is Council Chair and Vice Chair Elections. I have a script. All right. I am going to hand the floor over to the Executive Director to run the chair elections.

MR. CARMICHAEL: Thank you, Mr. Chair, for a little bit longer. First, we're going to elect a chair, and then the new chair will handle the election of the vice chair, and so are there any nominations? Spud.

MR. WOODWARD: It is my honor and pleasure to nominate our Vice Chair, Dr. Carolyn Belcher, for the position of Chair of the South Atlantic Fishery Management Council.

MR. CARMICHAEL: Any other nominations? Chester, I see your hand.

MR. BREWER: (Mr. Brewer's comments are not audible on the recording.)

MR. CARMICHAEL: Thank you, Chester. Are there any objections to the motion? All right. Hearing and seeing none, Dr. Belcher is elected Chair. Congratulations, Dr. Belcher. The floor is yours, New Chair.

DR. BELCHER: Thanks, John. Now I will handle the election of Vice Chair. Are there any nominations? Tim.

MR. GRINER: Thank you. It is my honor and pleasure to nominate Trish Murphey for the position of Vice Chair of the South Atlantic Fishery Management Council.

DR BELCHER: Are there any other nominations? Kerry.

MS. MARHEFKA: I will second the nomination, and I move that the floor be closed to nominations for Vice Chair and that Trish Murphey be appointed Vice Chair by acclamation.

DR. BELCHER: Are there any objections to the motion? Okay. Hearing none, Trish Murphey is elected Vice Chair. For the record, outgoing Chair Bell is the one that has us extending past five o'clock this evening, and so what we're going to do is pick up where we left off in Full Council Tab II, which is basically some of the agency reports. We're looking at a Protected Species report from Jennifer Lee, who is remotely calling in, and so Jennifer.

MS. LEE: Good afternoon, everyone. I'm going to keep this brief, especially because I know you have a proposed North Atlantic right whale vessel strike reduction rule through the office of Protected Resources next, and so, moving, right ahead, for updates with respect to ESA actions related to listing and rulemaking, we, on September 8, published a proposed rule to list queen conch as threatened under the ESA. They only occur in the Florida Keys and back reef areas, as far as within your region, and, as you know, of course, they are protected by Florida since 1980, and so, in the interest of time, I'm just going to let you know that we have that proposed rule out.

During the status review, people can ask questions, and, the rule itself, I have links to in the brief, and you can check that out.

Our Nassau grouper critical habitat determination is on target to meet our settlement agreement, and there's nothing to report for that, and I'm going to keep flying. Five-year status review on seven threatened coral species, on August 10, 2022, NOAA Fisheries did publish a five-year review for seven species of Caribbean corals, and a five-year review is a periodic analysis of species status conducted to ensure the listing classifications of the species as threatened or endangered under the U.S. Endangered Species Act is accurate, to review and evaluate information that's become available since the last status review, which was conducted in 2014.

NOAA Fisheries determined that the classifications for staghorn, elkhorn, lobed star, mountainous star, bolder star, and rough cactus corals be maintained as threatened, but they did also determine that the classification for pillar corals be considered for uplisting from threatened to endangered, and so NOAA Fisheries is recommending changing the status from threatened to endangered, due to loss in the northern portion of its range, the low and declining population and the susceptibility to stony coral tissue loss disease and the rapid spread of the disease to most areas of the Caribbean. We will be developing a proposed rule to change the status, and so this isn't already the case, and it will be open to public comment, once published, and we do anticipate doing that sometime in mid-2023.

The only update I have on our determination for critical habitat for threatened Caribbean corals is just a little tentative timing information for you, and that's that we anticipate publishing our final determination by this summer.

For Section-7-related news, no change in Dolphin Wahoo FMP consultation and the priorities. Coastal migratory pelagic resources consultation, SERO Protected Resources Division is working to complete its amendment to the Gulf and South Atlantic CMPR FMP bi-op and so we are making progress on that, and then, from there, I'm going to move on to Marine Mammal Protection Act actions, as we have a lot going on.

First up, as far as the Atlantic Large Whale Take Reduction Team, at the last virtual fall meeting, in May of 2022, since your last meeting back in June, they have met several times in preparation for a big September 2022 fall team meeting, and you can see there are links to available recordings that can be found on the Atlantic Large Whale Take Reduction Team webpage of those various meetings that have -- There were a couple of meetings in August, September, another September, but the full team meeting will be held on September 19, 22, and 23, from 1:00 to 5:00, and, again, go to the Atlantic Large Whale Take Reduction Team webpage, and you can find information.

On September 9, NOAA Fisheries published a notice of intent to prepare an EIS on modifications to the Atlantic Large Whale Take Reduction Plan to reduce mortality and serious injury to large whales in commercial trap, pot, and gillnet fisheries along the U.S. east coast, and so this is the scoping period for the next phase of the Atlantic Large Whale Take Reduction Plan. NOAA is asking for ideas and suggestions for measures for all U.S. commercial fisheries, now including Northeast lobster and Jonah crab, regulated by the Atlantic Large Whale Task Reduction Plan, and that would be to 90 percent risk reduction, due to the continued decline of the North Atlantic right whale population, the ongoing unusual mortality event, as well as a recent court decision that held the 2021 rule invalid, and modifications to the plan included all U.S. Atlantic commercial

fisheries are necessary. The notice of intent is in the Federal Register, and I have a hot link in the brief, and then the comment period is open for thirty days, from September 9 to October 11.

The next action is the big news as far as the amendment to the North Atlantic right whale vessel strike reduction rule, and I'm just going to skip right over that, because, again, we have a wonderful presentation coming up next.

Then I'm going to move to the North Atlantic right whale unusual mortality event, and that's just an update on some of our numbers, because that is still ongoing. I don't have information for you, because there is no change, to the pelagic longline take reduction plan proposed rule development, and there's also not really anything on the bottlenose dolphin take reduction plan right now to mention, but I do have news as far as a report you're interested in, which is the report to Congress regarding interactions between bottlenose dolphin and sharks and commercial and for-hire and private recreational fisheries in the Gulf of Mexico and South Atlantic.

Congress requested that report in the joint explanatory statement accompanying the Consolidated Appropriations Act. That report was informed by consultations with the Marine Mammal Commission, the Gulf Council, and you all, the South Atlantic Council, as well as the Atlantic HMS Advisory Panel. The report is now available, and so check it out at the link there.

We also just published our proposed rule for the Marine Mammal Protection Act list of fisheries for 2023, and most of you are familiar with this and how we publish an annual list of commercial fisheries and classify each fishery based on whether it has frequent, occasional, or remote likelihood of incidental mortality and serious injury to marine mammals, and so the proposed rule, and I have a hot link there for you, is out now, but there are no major changes to commercial fishery classifications that you would be particularly interested in, and so we are accepting comments on it through October 11.

The very last one here is you recall the national deterrents meeting, that I believe I mentioned last time, and there is a final report that is now available for that meeting, and you're welcome to reach out to Jessica Powell, or has her email, or, of course, me, to request a copy of that, and so that was your speed report, and I did that on purpose, because I know you have a really good presentation coming up, and I don't want to have her run out of time.

DR BELCHER: Thank you, Jennifer. Does anybody have any questions for Jennifer at this time? Okay. Seeing none, thank you, Jenny, and we will now be getting a presentation from Caroline Good, who will be discussing the changes to the North Atlantic right whale speed rule.

DR. GOOD: Hi there. My name is Caroline Good, and I am a large whale ecologist with the Office of Protected Resources in Washington, at Headquarters, and I wanted to give you guys a quick overview of the changes that we are proposing to the current right whale vessel speed rule. I know it's late in the day, and so I'm just going to speed through a couple of these slides very quickly.

I know you guys are all well aware of the ongoing unusual mortality event. Right now, we are actually now up to fifty-four individuals included as part of this event, and our most recent population estimates indicate that there are now less than 350 whales left in the population, and so, again, just to highlight the very serious issue that we're facing, and many of these events also

do include vessel strikes as well, and it's contributing significantly to the ongoing decline of the species.

Another important thing to note is that, in order to address this crisis, we have been developing a living strategy initiative, and what we're referring to is our road to recovery, to focus resources on the key threats to the species and to monitor the health of the population as well. Today, I'm going to focus specifically just on our vessel-strike-related efforts, but I want to make sure everyone understands that this is really part of, obviously, a much broader series of activities and initiatives that we are launching to help recover the population.

As most of you are well aware, North Atlantic right whales inhabit U.S. waters year-round, but they predominate during the late fall through early summer, when nearly the entire right whale population may be found in U.S. waters. This map here shows all of the right whale sightings between 2010 and 2021 along the coast, although I will note that this is not effort corrected for search effort, and so they are not necessarily representative of whale densities, as there are more survey efforts in certain areas than in others.

You will see that they have a strongly coastal distribution in many areas, and also are found mostly, although not exclusively, along the shelf, and I will also note here that right whales are highly vulnerable to vessel strikes, due to their coastal distribution, but also because they frequently at near-surface depths, and this is very true especially for mothers with young calves, and so that's a special problem, and we see that both females, calves, and juveniles are disproportionately represented in our vessel strike data.

I don't think -- I don't know if this visualization, unfortunately, is playing, but I just wanted to illustrate the issue that the whales have along the coast here. We see an enormous amount of vessel traffic, especially outside very busy port areas, and we were recently able to work with the U.S. Navy, which satellite tagged a one-year-old right whale off of Virginia and demonstrated how that is essentially -- Those whales are crossing over enormously dense vessel traffic zones just as they migrate along the coast each year.

We first implemented vessel speed restrictions back in 2008, and, just to review the current rule, it requires most vessels sixty-five feet or longer to transit under ten knots within designated seasonal management areas, or SMAs, and the speed rule does exempt certain vessel categories, including military vessels, federally-owned or operated vessels, and those that are actively engaged in law enforcement or search and rescue activities. Also, the rule includes a special safety deviation provision, which allows vessels to exceed the ten-knot speed limit, in certain circumstances, if they encounter severe maneuverability constraints.

Concurrent with the implementation of the rule, we also launched a voluntary dynamic management area program, whereby all vessels are requested to slow their speeds to ten knots or less when transiting through temporary fifteen-day zones that are declared when three or more whales are sighted in proximity outside those seasonal areas. We have, since this was originally implemented, we have also added acoustic detection of right whales, as a means of triggering DMAs, which we also refer to as slow zones, and this map shows the location of the sixty-seven DMAs, closed zones, that were declared during 2021, although I will note that our recent analysis indicates that vessel cooperation with this voluntary program remains very poor.

We are proposing four categories of amendments to the speed rule, to ensure that we have a substantial reduction in the ongoing lethal strike risk to right whales that we are seeing along the coast. First and foremost are changes to the spatial and temporal boundaries of the seasonal management areas, which we plan to rename as seasonal speed zones, just for greater clarity, and, next, we intend to broaden the size class of vessels subject to speed restriction to include most vessels between thirty-five and sixty-five feet in length. Third, we would create a new mandatory dynamic speed zone framework that would provide temporary speed restrictions for right whales, again outside of the seasonal areas, and, lastly, the proposed rule would also update the current safety deviation provision.

This map shows the newly-expanded seasonal speed zones in solid colors, along with the existing SMAs, for reference, that are illustrated by the dotted lines. We also have, by the way -- If anyone is interested, this is also up on our website, and we have GIS files for this as well also available on our website. The expansion of the mandatory seasonal speed restrictions is needed to address a misalignment between the current where the current SMA is and the areas and times with elevated vessel strike risk, and so, since 2008, right whales have modified their distribution along the coast, and it has rendered the current boundaries and timing inadequate to provide sufficient protection for the whales.

To address this, we developed a coastwide vessel strike risk model, using the latest available data on right whale distribution and vessel traffic characteristics, and we also, I should note, have much more comprehensive data than we did originally, and so this updated data is probably miles ahead of what we originally had when formatting the original boundaries and timing. We also were able to include information on vessels in the thirty-five to sixty-five-foot length class, although this data is more limited, due to the less-frequent use of automatic identification system, or AIS, devices by this vessel size class.

The proposed changes would include a combination of spatial and temporal expansion and contraction, and so, overall, the changes would approximately double the area under speed restriction along the coast, although the modifications do proportionately impact the Northeast and Mid-Atlantic areas.

A second important change, again, is the addition of vessels in that thirty-five to sixty-five-foot size class, which currently remain unregulated. It may come as a surprise, but many of these vessels are absolutely able to kill a right whale, despite their smaller size. In fact, vessels seventeen to fifty-four feet in length, operating in U.S. waters, have reported eight right whale vessel strikes since 2005, and six were lethal strikes, and two resulted in non-serious injuries. Additional vessels in this size class, ranging between twenty and thirty-six feet, have reported six strikes also involving undetermined large whale species that may have been right whales, based on the location and timing of those events. I will also note that, in most of these cases, the vessel operators never saw the whale prior to impact, and, in many cases, these impacts also included substantial damage to the vessels and, in some cases, injury to passengers.

As I said before, you know, right whales are particularly vulnerable to vessel traffic in this size class, just due to the overall density and speed of this traffic and the frequency with which whales are occurring, often close to shore and in those near-surface waters. I will also note too that there are already regulations in place for vessels under sixty-five feet to protect right whales. The State of Massachusetts implements a ten-knot speed restriction for most vessels under sixty-five feet in

Cape Cod Bay each year, and Canada also has similar ten-knot speed restrictions for vessels thirteen meters or longer.

In addition to that, we also recognize the need for protections outside of the seasonal speed zones, and this is where we are proposing this new dynamic mandatory speed zone program. These would be triggered when we confirm the visual or acoustic presence of a right whale outside of the active seasonal areas and determine that there is a greater than 50 percent likelihood that the whales will remain within the zone. Once triggered, these dynamic zones would be announced via the NOAA Fisheries website, U.S. Coast Guard broadcast notices to mariners, Weather Service alerts, email lists, however we can best get that information out, and we would also publish a Federal Register notice as well.

The expansion of the seasonal zones will reduce the overall need for these dynamic zones, however, and we anticipate that most of them will occur in the Mid-Atlantic and Northeast, and we expect to see many fewer than we have under our current voluntary dynamic program. This map, just as an example, shows you all of the 2001 dynamic zones in gray, with the pink zones outlined the ones that we would predict would have occurred under the new expanded seasonal speed zone regulations.

We are also proposing updates to the speed rule safety deviation provision, both to enhance mariner safety and aid in monitoring and also enforcement of the rule. These changes include a few key things. First of all, expansion of the deviation to include emergency situations that present a threat to health or safety of a person, and so, if there's a medical emergency, if someone is having a heart attack onboard a vessel, et cetera, the vessel could speed into port.

Second, modifications to the existing reporting protocols, and so, currently, mariners must make a notation in the vessel logbook when employing a safety deviation. These proposed changes would eliminate the requirement and instead require mariners to submit an electronic report to NMFS within forty-eight hours of employing the safety deviation, detailing the circumstances and the need for the deviation. This will allow us to better understand when and where mariners experience safety issues, which vessels are involved, and help us better monitor compliance with the rule.

Finally, we're also proposing changes that would add a new provision just for vessels in the thirty-five to sixty-five-foot size class, allowing them to transit at speeds in excess of ten knots in areas where the National Weather Service has declared a gale warning or other high wind warning exceeding that that would trigger a gale warning, such as a hurricane warning, and no reporting of these vessel weather deviations would be required, and, again, this change recognizes the special safety needs of these smaller vessels, especially commercial and industrial vessels that are most likely to need to be out on the water during particularly inclement weather events.

Finally, enforcement is a very important consideration for us, given the totality of these proposed changes, and, you know, we recognize the need for planning. We've already taken additional proactive steps, including operating capabilities for tracking vessel speeds at-sea, initiating research for new tracking technologies and also investigating both land-based and aerial-based monitoring options, and we have also begun staff-level discussions with the U.S. Coast Guard about possible modification to the AIS carriage requirements, to include additional vessel types and sizes, to expand that AIS use.

Last, I just want to talk a little bit about our economic assessment. We estimate that just under 16,000 vessels would potentially be affected by the proposed amendments, at an estimated cost of a little over \$46 million per year. Of the impacted vessels, we estimate about 59 percent are recreational pleasure boats, 22 percent are large ocean-going commercial ships, and 19 percent are other commercial and industry or other vessel types.

I will note that the number of affected vessels under sixty-five feet, especially recreational vessels, are likely substantially overestimated in our assessment. We took a very conservative and inclusive approach when estimating those numbers, since many of those vessels do not carry AIS, and, thus, limited the data that were available to estimate their activity. Overall, commercial ships would continue to bear the majority of costs, which is consistent with what we've seen with the current rule. Also, approximately 89 percent of costs would accrue to vessels operating in the Northeast and Mid-Atlantic, and, again, this is due to the larger expansion of the seasonal speed zones in that area to address the elevated vessel strike risk in those regions and, also, in the relatively, you know, denser commercial vessel traffic that we see in that area.

Finally, I will note too that we do expect certain vessel types, such as commercial fishing vessels and sailboats that may be subject to speed restriction may be less impacted in certain areas, because the majority of them already tend to transit at speeds under ten knots, as part of regular operations. It varies a little bit from region to region, but, overall, there are certain vessel types that we expect might be less impacted.

I just want to quickly note that we published the final rule on August 1, and we just announced, earlier today, which I think you've already heard, that we've extended our comment period now to October 31, and we're aiming to finalize changes to the rule as soon as possible. We also continue to plan to work with the maritime community, to minimize burdens on regulated vessels, and I will also note too that we remain open, in the future, to potential technologies that could also help with avoiding vessel strikes. We don't have those options available to us today, but that's definitely something that we continue to look into.

Finally, I just want to stress too that we really cannot -- I cannot stress the seriousness of the right whale situation enough, and I really want to note that the only reason that we are moving forward with this is because we have to be able to address these problems with vessel strikes on the ocean, and that is why we're going ahead and proposing these. There is really nothing else out that we can do, and this is absolutely essentially for right whale recovery. Thank you very much.

DR BELCHER: Thank you, Caroline. Are there questions for Caroline from folks? Dewey.

MR. HEMILRIGHT: Thank you. Can you go on page -- I think it's page 8, the one about that, if you all find a right whale in an area, that it has a greater chance -- How about the next one, 9? That it has a greater chance, more than 50 percent chance, and I wonder how you all figure that out. The right whale is in this area, and you all can figure out if he's got a -- He or she has a 50 percent chance of hanging out there or going somewhere else, and I was wondering -- How are you all able to attain that? That's pretty interesting.

DR. GOOD: Sure. Sure. Basically, there's a two-tiered approach to this new mandatory dynamic system that we're proposing, and it would include both a trigger, and so either an acoustic detection

of a whale or a sighting of the three whales in proximity, and then we are right now in the process of identifying a specific protocol that would capture that greater than 50 percent likelihood, and what that is based on is we have, as you can imagine, a lot of information and data over the years of sighting of whales, or acoustic detections, where we basically know, based on what happened over time.

If we had aggregations of certain numbers of whales, or we had a certain number of acoustic detections every single day in a certain area, whether they were likely to continue to persist, and that is what is most important. There's no point in us putting in place any kind of mandatory dynamic requirement that would require mariners to slow down if we don't think the whales are actually going to stick around in that area. It's not going to help the whales any, and it's just going to be an unnecessary burden, and so we're working, right now, on finalizing what that would look like.

We're also trying to look at how we could best incorporate behavioral information, and so, for example, some recent scientific analyses have indicated that, for example, if whales are involved in sort of foraging activities, or social activities, they are more likely, essentially, to stick around in certain areas, and so this would be very much a data-based, information-based process that would allow us to better target where and when we need those mandatory dynamic zones declared and where they're going to be really truly be functionally useful for providing conservation to the whales.

MR. HEMILRIGHT: I've got a follow-up. I've got two other questions. When I look at your map here, and I look at your boxes, you basically could have, off North Carolina, in the Southeast, in the middle part, you could have a speed zone from all the way from shore out to probably about forty miles, looking at the edge, of a ten-knot speed zone, and so that leads me to ask the question of, when you say the effect of \$46 million on industry, and a great majority of that was recreational, or possible charter boat, how do you come up with that dollar value?

Is that the charters that will be cancelling, because they only have two hours, or three hours, of fishing in this speed zone, or how do you all come up with them numbers? I'm sure it's a well-thought-out process, but it seems like it's just interesting, a little insight, of how that is to come about, your numbers, because I think it's going to have a bigger effect, number-wise, than what you all are stating here, and, given that it could be over forty miles, and, right now, if it's twenty miles, just for a charter boat, it would be an extra four-hour trip.

I've got one question left, after that one, and that is, in these stripes, where you've moved your vessel size from thirty-five feet to sixty-five feet, is there any difference between vessel strikes with just bare propellers or if you've got a keel, and like boats that have keels are not going to have the propeller marks, like the ones you see here, and so is there any difference between them two types of boats that are manufactured different? Thank you.

DR. GOOD: Sure, and so let me just start at the beginning. You were asking about the coast of North Carolina, and so, just to clarify, the proposed zone off the North Carolina coast extends out twenty nautical miles, and not forty, and that is because most right whales that are transiting down to the Southeast through North Carolina waters, just off the coast there, tend to actually stick relatively close to shore, and we actually don't tend to see a lot of whales far, far offshore there, likely due to the fact that the Gulf Stream there is quite warm, and probably not the kind of --

They're a very well insulated whale, and not the kind of water temperatures they want to be in, and, if they're headed south, the Gulf Stream is, obviously, headed the wrong way, and so that's inefficient, and so they really do tend to tuck into shore along the North Carolina coast there.

Second, you were asking about the economic analysis, and, regarding who is bearing the brunt of that, I should specify that large commercial ships would continue to bear the largest proportion of those yearly costs, and so not charter vessels, and so I wasn't speaking specifically about fishing vessels. There is an enormous universe of vessels that are subject to regulation under the proposed rule, but, again, those large commercial -- I'm talking about tankers, container ships, vehicle carriers, those types of ships, bear the greatest proportion of cost, and we assessed cost looking at delayed time of transit and the cost of that delay, and so that's how that was calculated, and the details regarding that are all available in our regulatory impact review on the website too, and I'm sure we can get you those links as well.

Then, lastly, you were asking about the smaller vessel strikes and about the propellers, and so, first of all, I want to note that we, in many cases, do not know the size of the vessels that are always involved in strikes, and, in some cases too, we have whales that have non-serious injuries, meaning we don't believe it's an injury likely to lead to death, but where we can see that there is prop and strike marks, and there's an enormous variety, and, in fact, we have some research ongoing right now, to see if we can better identify the types of vessels, or at least some vessel characteristics, associated, just based on the scarring on the whales alone.

There is a variety of different types of whales, essentially, that we get back too, and so we don't always have them in, you know, good enough condition to be able to assess the exact nature of the strike, or the vessel. In those cases where we have, the right whales are suffering both blunt force trauma injuries as well as laceration injuries from strike events involving vessels, and so it can involve both the hull as well as the propeller, and both parts of the vessel essentially can be lethal, and I hope that I answered that last part in what you were looking for.

MR. HEMILRIGHT: You certainly did. Thank you.

DR BELCHER: Other questions for Caroline? Okay. Thank you, Caroline, for your time.

DR. GOOD: Thank you.

DR BELCHER: Moving on, we have Christina up to talk about the council's comments on the speed rule.

MS. WIEGAND: All right. I'm back again, and so I'm going to go over this pretty quickly, since Carolina covered essentially what the proposed vessel speed rule aims to do, and comments were extended to the end of October, as Andy noted earlier, and so we just wanted to do sort of two things, bring up some points to ponder, some things the council may want to think about when discussing this proposed rule, particularly the size of the vessels that typically participate in council-managed fisheries.

I do have some information for you related to that, how far those vessels need to travel to get to productive fishing grounds, and we often talk about sort of the regional differences and that specific issue, and note that it is likely to vary not just by fishery, but also by community, how this

additional travel time may affect commercial and for-hire businesses, the current cost of fuel and how that may affect business practices considered with slower travel, and then, finally, the fisheries that are open and actively fished during the speed restrictions and, from North Carolina down to through northern Florida, those are extending between November through April, with some variation between the different zones.

We did put together some figures. The SERO Permits Office was kind enough to rapidly provide us with some vessel length information, and we've got that summarized here by fishery. This does include sort of for each FMP as well as the crustaceans, which includes the golden crab, spiny lobster, and rock shrimp fisheries, both commercial and for-hire permits, and so, as you can see here, in the green, these are the vessels that would not be affected by the proposed rule, based on their length, and then you've got those vessels that are currently affected in blue, and those would be vessels that are already sixty-five feet or longer and are affected, and then, in the red, these are the vessels that would be affected under the proposed expansion, to include vessels thirty-five feet and larger.

As you can see, right now, most of our finfish fisheries are not affected by this rule, but a chunk of them would be affected under the proposed rule. The crustacean FMPs, on the other hand, a lot of them, particularly golden crab and rock shrimp -- These are deeper-water fisheries, and they operate larger vessels, and, thus, many of them are already affected by the current rule, but there is, again, a chunk that would be affected by the decrease in vessel length.

We do have the permits broken out a little bit more down here by year, and you can see dolphin wahoo, charter, and commercial permits, as well as your king mackerel, Spanish mackerel, and then the CMP charter permit, all of your snapper grouper permits, and then, last, but not least, the spiny lobster, rock shrimp, golden crab, and penaeid shrimp vessels, and so I'm going to go ahead and scroll back up to Figure 1, which I think is the most descriptive, and what we're looking for here, in terms of council action, is whether or not you guys would like to direct staff to develop a letter that we would then send as comment to Protected Resources, and, if you do want to have staff draft a letter, if there are specific points you would like to make sure are discussed within that letter.

DR BELCHER: Thanks, Christina. Are there comments for Christina? Dewey.

MR. HEMILRIGHT: One thing that you can look at that's going to affect is if there was some way to look at the analysis from the for-hire logbook, and that's going to have a seasonal aspect to that, and so you're going to know, during the November to April time zone, of who it possibly could affect, based on the amount of when they went fishing each month, and so it can give you an idea of -- Since they're reporting, an idea of the universe of -- Even though these size vessels here, some of us, commercially, ten knots will be great, and that's going to be all right for us, but, other boats, if they've got charters, you'll be able to find that out and see the universe and the effect on particularly the charter industry, because it is going to slow them down somewhat, and it depends on how much in different locations.

DR BELCHER: Other comments right now for Christina? Jessica.

MS. MCCAWLEY: Do we want to ask NMFS to hold public meetings or workshops or webinars or something with fishermen or with people that own boats in this region? I'm just throwing out

ideas here of things that we can put in the letter. I know that one of my comments was about the time period, because I looked at the letter from industry folks, and one of their concerns, and we heard it last night, was the time period, but that time period has been extended, and so I'm just trying to think of other things that we want to highlight in the letter.

DR BELCHER: Mel.

MR. BELL: Well, I will just say that our strong suit is we can point out, from a data standpoint, like we've got here -- I mean, the fisheries that are affected, and we also had input yesterday, and, I mean, we can reference the input we've received from our fishermen, that we can provide a lot of facts of how this is likely to impact a wide variety of our fisheries, and, you know, even the economic side of that and all as well, and so I see us as kind of a big provider of data, and I know this is -- The federal and the states are looking at the same thing as well, that we can provide a lot of information to show what the negative side is, from the standpoint of the fisheries, you know, as to whether or not additional hearings or something, that they might want to do, but we've received, just yesterday, a lot of comments. I mean, we received a good bit of that ourselves, and so, I mean, we could pass that along, simply quantitatively. I mean, I think that's the big thing we can do, is provide a lot of information related to potential impacts.

DR BELCHER: Jessica.

MS. MCCAWLEY: Do we want to talk about how the area might be enforced? I know that we don't have time to get the Law Enforcement AP together, but that's something that was coming from our law enforcement, is how are they going to make these determinations about the speed, et cetera, and I'm not sure if that's something that we want to point out in our letter.

MR. BELL: I would certainly point out there is -- They know that already, because they're already talking about it, but there certainly would be enforceability issues, in terms of assets available and how you actually do it. It's not like, you know, putting a speed trap on the interstate or something, and it's pretty challenging, from a law enforcement perspective, and then another, I guess, potential impact, for us, is keep in mind that we're always concerned about enforceability of our own regulations that we deal with, to manage our fisheries, and so to what degree does this take precedence over -- You know, is there going to be less enforcement of some of the things that we're counting on, and then that has an impact on our fisheries. If we're spending -- You know, you've only got so many assets out there, and you've only got so many enforcement hours and people out there, and it just kind of dilutes the whole ability to, you know, kind of keep track of the things that we focus on, and so that's perhaps worth pointing out.

DR BELCHER: Andy.

MR. STRELCHECK: Obviously I'm not offering a suggestion here, in terms of the rules in some part of the agency, but I guess advice to the council, and so the rule itself -- They have spent a lot of time understanding and assessing the impacts, and so I think it's important that you reiterate those, but that's information that, in large part, they have already factored in and considered, and I think that would be really beneficial, like any rulemaking, is if you have suggestions, refinements, improvements, in terms of the analysis that was done, the impacts themselves, as well as modifications to the regulations that you may see as mutually beneficial for both fishermen and protecting right whales.

DR BELCHER: Judy.

MS. HELMEY: I was just going to agree with Dewey. It is definitely going to add four hours to charter boats that go offshore to the snapper banks, or, actually, to the stream, because it is going to be quite an impact on that, and I'm not sure -- Thinking about it, I'm not sure exactly how bad it's going to be, other than I know that there's not a lot of people -- There's no way for us to add four hours to our trip, and so we really need to address that. Thank you.

DR BELCHER: Other comments? Christina, how else can we help you with this?

MS. WIEGAND: I guess I would just reiterate what Andy had to say. If there are any suggestions this council would like to provide, that information would be helpful, so that we can get that included in the comment letter.

DR BELCHER: Mel.

MR. BELL: To Andy's point, I think again, we have a connection with our fisheries, with our fishermen, and we have the ability to help in outreach and education some, and so many part of this is, you know, we help fishermen deal with it, however it turns out, and, in terms of, you know, how to best navigate through all of this, but that's the only other thing.

I mean, I don't have a magic solution for it. I'm sitting here thinking of crazy ideas to make it even more dynamic, and it's like tracking the whales somehow, and I go back to, you know, we used to track submarines, and so we've got all these old Navy P3s that we got rid of, and maybe we turn them all into whale hunters, and we're flying -- Instead of ASW patrols, we're flying whale patrols up and down, and then spotting whales and warning ships and stuff, but that's -- I can't think of any practical things to do to help with this, but, I mean, that would be nice, if you could actually track them, and then that somehow --

You know, the dynamic becomes a little bit more dynamic if you've got like a higher probability, in a particular area, of whales, as they transit, but you have to know where they are, in order to do that, or have an idea of -- Because we're just kind of using this general period of time, and they're not always there, and they're not all traveling together, and so there's just a lot of practical things you can do, but, if there was a way we could make the dynamic speed a little more dynamic, that would be great.

DR BELCHER: Jessica.

MS. MCCAWLEY: So some of the things that we had been talking about for our letter, trying to think of the solutions that Andy is talking about, was possibly limiting the scope for vessels that were thirty-five to sixty-five feet with inboard motors and excluding vessels thirty-five to sixty-five feet with outboard motors, and so that's an example. Also, thinking about maybe they could address that vessel strike risk with a smaller focused area, and so that was another one of our ideas, and so I'm just throwing out some of the solutions that we were thinking about.

DR BELCHER: Thanks. Spud.

MR. WOODWARD: Along the lines of what Mel was talking about, I came across a press release the other day that a sea-land-air logistics group partnered with Woods Hole to locate a second acoustic monitoring buoy thirty-nine miles off the coast of Savannah, and that matches one that they've done off of Norfolk for that specific purpose of being able to determine the location of whales and then be able to broadcast that out, so that boats can then react to it, and so it goes along with what you're saying. You know, the more of that kind of technology that's brought to bear on this, the more informed boaters can be, and you can make the actions of the boaters more specific to the risk, instead of sort of this broad-brush approach, which is kind of what we're doing now.

DR BELCHER: Okay. Are there further suggestions or comments? Christina, do you have a time window, so that, if people still are thinking about it, or have other things that come up, do you have a date in which you would like to receive comments? I mean, I'm just thinking about those of us that go back to the office, and I know Doug has been fleshing out a lot of what our responses are, and so it may be one of those things that we go back, and we have talks, and, as things come up, we could get them to you.

MS. WIEGAND: Yes, and I would say, preferably, within the next few weeks, we need to get a letter drafted and to NMFS by October 30, and October gets pretty busy for the council staff schedule, and so if, within the next few weeks, anyone has suggestions, they can get them to me, and then, of course, we'll send the letter out for council leadership to review before submitting it.

DR BELCHER: Okay. Sounds good. John.

MR. CARMICHAEL: I would say by October 1. By October 1, get comments to staff, so we can draft a letter, and then, if you have any suggestions that require looking at some info, it gives us a chance, and then we can run it by council leadership and then give all of you guys a chance to look at it as well, and it will take that long.

DR BELCHER: Thanks for that. Jenny.

MS. LEE: I was just going to say that someone brought up a webinar, and I will pass this on to council staff, but there is a recorded webinar that constituents can watch that's online, and it has the slides, and you can hear the whole presentation, and so I know sometimes it's hard, and you get one shot kind of listening to a presentation, and you're trying to form your opinions and thoughts on it, and so I will pass that along to staff, if someone thinks it would be helpful for their constituents or for anyone here to digest it again.

DR BELCHER: Thanks for that, Jenny. Okay. If everybody is good with that, we'll move on to the Fisheries Science Center report. Shannon, I'm assuming -- Are you stepping in for Clay, to give the report, or --

DR. CALAY: I had not been briefed on that. My apologies. If there is a presentation, I can certainly walk through it. Are we basically asking about the Oculina presentation?

MS. BROUWER: Yes.

DR. CALAY: Okay. That is going to be Andy David, and I believe he is on the line. Thanks.

MS. BROUWER: Andy, I'm going to pull up your presentation here in just a second.

MR. DAVID: Thanks for your time, and I will try to get us done before the top of the hour here, and so this is a short slideshow on a project we did earlier in the summer to conduct a visual survey out in the shrimp fishery access area that was associated with Amendment 10. We've been working in the Oculina area for over two decades. We've done a lot of mapping, and we've done direct restoration, and, most recently, we've been doing monitoring and assessment, as part of the shelf-edge MPA survey. We've had a lot of partners in this over the years, Harbor Branch, the U.S. Geological Survey, Florida State University, et cetera.

Our most recent activity, prior to this mission, was the annual ROV survey that we did last June, as part of the previously-mentioned deepwater MPA assessment. We don't have any visual data, or we had no visual data of the area in the SFAA, for two reasons. Primarily, we thought there was a lot of probability of encountering corals, or rather significant habitat, based on the existing multibeam mapping that we had, the acoustic mapping we had, and, also, the extreme difficulty in using any sort of tethered instruments, or vehicles, in areas that have currents like we see in the Gulf Stream, which can be five knots at times.

We were tasked, however, with generating a quick turnaround survey to provide some visual data of what the bottom looked like, specifically on the presence or absence of oculina coral colonies in this area, for the Southeast Center, for the Regional Office, and for Fisheries Headquarters.

We generally look at oculina in one of four states. Either we see live, standing coral, like the white corals in the upper-left, and we do see -- Or dead standing coral. Now, in the upper-right, that piece isn't standing, but it's still all intact, having probably recently fallen over, but it's no longer white, and the colonies are no longer alive, but the matrix of the coral framework is still intact.

Then we see rubble, down in the lower-left, where the colonies have been broken up into sort of singular pieces of coral material, coral skeleton, and then that transitions, as you get further away from high-relief habitat, out into sand, mud, clay, silt, and this would also include say recently uncovered rock that's been buried by sediments and unearthed by currents, and so we're looking for those types of classifications of when we would find oculina.

This is what we expected the best-case scenario would be, that we would find small oculina corals in the five to ten-centimeter size class, and this was some standing, dead, and rubble. They may be hard to see, but there are two laser dots, sort of in the middle of the screen, towards the bottom, two red dots, and those are ten centimeters, or about four-and-a-half inches apart, and so those colonies that you see in the upper part of the screen would be about as big as you would expect to see if corals have started growing when this area was closed to fishing, roughly a decade ago.

Well, we had a short time window, and we had not a very large budget, and we had a lot of these environmental challenges mentioned earlier about the Gulf Stream, and so what we chose to use was a towed camera system for our observing platform. We looked for vessels and vehicles -- We looked for vehicles across the entire country, and for vessels basically from Virginia to Texas. What we were able to put together, in the timeframe we had, was a vehicle called the Batfish, which is there on the left, obviously, and it's a towed camera sled, and it's operated by Marine Applied Research and Exploration, or MARE. They're a California-based research group.

It's a nice system. It has high-definition video, and what makes it nice is one of its features are the wings and tail move, and so it allows fine-detail adjustment relative to the bottom. A lot of the larger towed sleds do not have that, and they strictly rely on their altitude based on the towing mechanism that you're using from the ship. The vessel we used was the Weatherbird II, which is a 115-foot boat operated by the Florida Institute of Oceanography. It's based in St. Pete, and they came around the state to do this work for us.

There is another shot of the Batfish, and, the black area there underneath it, that's where the cameras are. It has high-definition video, and it has lights that you can see on the end of the wings, and it has scaling lasers, a lot of the performance instrumentation, salinity, or temperature at depth, altitude, et cetera. It's fairly easily deployed off the stern of the vessel, and it has a very narrow umbilical. It's only seven millimeters in diameter, which is a little bit smaller than most pencils, and that small diameter reduces drag, which is really important in high-current areas like that.

Two fairly boring slides, or images, here. On the left, you see the overlays that we get on the ship. It looks a lot like an airplane, as the vehicle itself resembles that. You have -- In the middle there, you have altitude, nose up and nose down, as opposed to the horizontal to the horizon, as well as roll and pitch. In the upper-left, a little cartoon of the vehicle shows the altitude of the tow cable going into it, and then we have depth, we have altitude off the bottom, we have water temperature, and we have a variety of other features. Not shown on here, of course, is heading and course and stuff. We don't show the strain on the cable, and that's a surface-mounted instrument, and that ended up being one of our limiting factors.

The other boring photo on the lower-right is one of the images from the camera survey, and you can see our laser dots, in the upper portion, in the middle of it there, but what we saw was miles and miles of sandy bottom, with a little bit of shell hash and not very much else. Again, those lasers are spaced ten centimeters, or about four-and-a-half inches, apart.

I do apologize for the legends, which are somewhat small to see at this scale, but, moving from left to right, we sort of zoom-in on the area that we worked. The upper-left, the green is the original Oculina area and the yellow is the portions that were added on subsequently. If we go to the lower-left, that purple area is the northern extension, of which the SFAA is part of, on the eastern extent there, and so just that green and blue on the right edge is where the SFAA is. Then the image in the middle is the entire SFAA, in the sort of purple line, and then the dots are where we made dive attempts, and I say attempts, because we made quite a few dives and were unable to attain the bottom, and the current was just really strong while we were out there.

Then all the way on the right are the dives that we succeeded in attaining the bottom in the course that we took for the survey, and so the smaller panel there shows a dive that we're calling Dive 11 that was entirely within the SFA area, and Dive 6, on the extreme right, shows the multiple colors of the line. When it's light blue, we strayed outside of the SFAA area and into what would remain within the closed area in the Oculina, and then the darker blue were areas that we strayed east of the OHAPC into areas that are, and would remain, open to trawling.

We intentionally made this meandering path, and we had hoped to make multiple passes the full length of the SFAA, but it just wasn't possible, and the currents were just too strong to -- They overcame the equipment's capabilities, and so, with limited amounts of time on the bottom, we

chose to try to weave our way back and forth across the full width of the SFAA, including looking at some areas inside that would remain closed and some areas outside that would remain open.

Here are the results of the camera deployments, and we ended up with -- We made eleven total dives inside the SFA area, or, well, we made one dive that was inshore, to test the equipment, and that was in fifty meters of water, with 1.4 knots of current, and that was very successful, and we easily attained the bottom, and we saw corals, hydroids, lots of biota.

Once we were offshore, in the SFAA, the currents were, of course, much higher, and they were four-and-a-half to five knots the entire time we were there, and we broke the equipment, many times, and we would recover it and repair it and try again. We were only able to reach the bottom twice, but, during those two times, we covered about thirty-five total kilometers of distance and an area that was about a quarter million square meters that we covered. Of that, just about twenty-seven kilometers was inside the SFAA, and about five-and-a-half was inside the Oculina HAPC that would remain closed, and just over two was outside and to the east of any part of the SFAA. You can see our depths ranged from just over eighty to almost ninety-nine, from 80.6 to 98.7 meters, and so we were right at the edge of the operational capabilities, and it's rated to a hundred meters.

In our twenty-five years or so of working on the oculina reefs off the east coast of Florida, I have written that all live colonies have been found on medium and high-relief habitat, and I should know not to use such definitive words as "all" or "none", because it only takes one time to make that inaccurate. Almost all, nearly all, of the live colonies we see are on medium or high-relief habitat. We often find rubble along the perimeters, the slopes from these high-relief areas, and we do occasionally see live colonies, or small standing dead colonies, in these low areas between oculina mounds that are on the perimeters of the higher peaks, but the amount of coral we see in these flatter areas is very significantly lower than what you see in the higher-relief areas.

On this survey, we did not see any live, standing dead, or oculina rubble in or immediately adjacent to the SFAA area, in the May through June 2022 visual survey, and we did see two starfish, fourteen hydroids, and uncounted dozens and hundreds of worm burrows and small mounds, from clams and such, but we did not see any coral whatsoever.

We cannot state definitively that there is no live coral within the boundaries of the SFAA. However -- Because we did not survey every square meter of it. However, based upon the results of the visual survey, with the multibeam bathymetry that we currently have, which is inclusive of the entire SFAA, we predict that the likelihood of live oculina in the SFAA is very low, and that's my presentation. If there are questions, we can move to the next slide, and I will be happy to answer what I can.

DR. BELCHER: Thank you, Andy. Tim.

MR. GRINER: That's a great presentation. When you say you reached bottom, does the sled actually touch the bottom, or is it just gaining the bottom with its camera system?

MR. DAVID: No, and we never touched the bottom once. Depending on the water clarity, we could see the bottom from five to seven meters above it, and our preferred altitude for getting a good view, side to side, with well lit, was about three to four meters, and so we never did touch

the bottom. That was intentional. We got close enough to see it, close enough where we had a full field of view of the bottom, and then maintained that altitude with the wings and the tail of the vehicle.

DR. BELCHER: Are there other questions for Andy? Laurilee.

MS. THOMPSON: I am going to wait to hear what other questions my associates ask, but I did - - Andy, I really wanted to thank you. This is outstanding, and, on behalf of the rock shrimp industry, we are -- We really, really, really appreciate the effort that you guys made to do this research, and I know it was short, and I am stunned that you were able to do it and pull it off, and so we really thank you.

MR. DAVID: No problem. We actually would have done it at the end of April. However, the entire camera crew from California came down with COVID, and so we missed our window on the ship and ended up having to do it at the end of May. I would like to point out that this was funded entirely by the Southeast Center's internal budget, with the additional help of about 20 percent of it was funded by NOAA's Deep Coral Program from headquarters, and so this was an off-schedule project, and we were happy that they were able to fund resources to fund it, to put it together.

DR. BELCHER: Thanks again, Andy. Anybody else have further comments or questions for Andy? Okay. John Walter.

DR. WALTER: Thanks, and, Andy, thanks for that, and for putting together that really monumental effort, and I just want to point out that I think this is a really good example of the know-before-you-go strategy that we are trying to at least put in place as much as we can for considering these openings, and I think that's a very valuable thing for us to be able to do, to lead with the science when there is a consideration for an opening. I think, when we've got closed areas that may need reconsideration, because species are dynamic, and things move, and things change, and what might have worked several years ago, or many years ago, might need to be reconsidered.

I think the critical part of those kind of considerations, for what are closed areas, are being able to get in there and actually do surveys such as this that allow for non-invasive visual surveys, with really cutting-edge technology, and so, to the extent that we can do these, I think it's a great proof of concept, and so, if other areas are being considered, to the extent we can get them in that planning hopper well in advance, then there are capabilities to do this, and so, Andy, thank you to you and your team for getting this in the water and getting this information. Thanks, everyone.

DR. BELCHER: Jessica.

MS. MCCAWLEY: I appreciate this survey as well. It's very cool, and I love seeing the photos. Is this where we going to talk about the rejection of the rock shrimp amendment? I didn't know if we were going to talk about that.

DR. BELCHER: Yes. Once we were finished with questions, Andy was going to chat with us about that.

MR. DAVID: The other Andy, I'm assuming.

DR. BELCHER: Yes. Sorry.

MR. STRELCHECK: All right. Thank you, Andy David and the team, for excellent work there, and so Coral 10, just as a reminder, we sent you a letter on July 28 disapproving the amendment. You, obviously, know why you were establishing it. In terms of the public comment period and some of the information that we considered, we received 353 distinct public comments, and there was a number of form letters that brought the total number of people commenting to about 32,000 people.

The vast majority of those comments opposed the proposed action, and their comments ranged from the decision was not based on best available science, that it failed to minimize adverse impacts to EFH, it was inconsistent with the goals and objectives of the Coral FMP, and it was inconsistent with goals and objectives of the America the Beautiful initiative.

Those comments alone aren't reason for disapproval, and we have to look at the Magnuson Act and other applicable law and determine whether or not the amendment met those legal requirements, and so, in our review of Coral 10, what we determined is that there was two aspects of the amendment that were insufficient and that we have recommended for more robust analysis, if you want to resubmit this for consideration by the agency.

Just talking a little bit in detail, in terms of the Magnuson Act, Section 303(a)(7) requires FMPs to minimize, to the extent practical, adverse effects of fishing on EFH, and then, kind of intertwined with this, is you have two fishery management plans, one the Coral FMP and the other the Shrimp FMP, which, in many respect, are, obviously, trying to accomplish different objectives, but also, in the same light, protect EFH, while allowing for shrimp fishing.

Then, under Section 301(a)(9) of the Magnuson Act, it requires fishery conservation and management measures to minimize bycatch, to the extent practical, and, in typical actions, and what we did in Coral 8, but failed to do in Coral 10, is complete a bycatch practicability analysis, and so I think the bycatch issue is probably a little bit simpler than the EFH issue, and so, talking about that one first, there was this failure to complete that bycatch practicability analysis, and that was an oversight on our part, on the council's part, and I would ask that, obviously, that be completed and considered, if there is an action that would be resubmitted to us.

I will note that, in Coral 8, what it noted is, obviously, that the expansion of the HAPC would benefit coral communities and ecosystems, and I recognize that's the broader HAPC that we're talking about, and then it also talked about shrimp trawling as being kind of the major source of potential, you know, damage that could occur related to that habitat.

With regard to EFH, that's a little bit more of a gray area, but the action could have either direct impacts to EFH, and so we just got a presentation from the Science Center which allows us to at least know a lot more than we did prior to that survey, in terms of what is in that SFAA, and, you know, based on the limited area that they were able to, obviously, survey, they did not discover any coral or coral rubble or other major sources of habitat.

However, the comments that came in on Coral 10 also pointed to the indirect impacts, and we did talk a lot about sedimentation and the potential for sedimentation, and you are narrowing the buffer between the fishing grounds and this pinnacle, kind of high coral, habitat, by about 40 to 50 percent, and so there is a need to better address those indirect impacts and what those would be toward corals and ultimately improve the analysis, in particular with kind of the cost and benefit of doing this in terms of the benefits to the shrimp industry, the potential negative effects to corals or to the shrimp industry, depending on what action you take.

Based on all of that, essentially, the council has an opportunity to revise and resubmit the amendment, once you've addressed those issues, and we have kind of outlined, in further detail, what I've spoken about now, in terms of how you would go about doing that. In addition, we recommend, and we can certainly provide the public comments, when revising the amendment, to ensure that you are addressing comments related to best available science, minimizing impacts to EFH, and the inconsistencies with goals and objectives of both the America the Beautiful as well as the Coral FMP. I think the only other thing to note is that you now have the survey information, and we can also, obviously, provide that for your benefit, and so, with that, I will take any questions, and certainly I would leave it up to you, in terms of how you want to handle readdressing the SFAA.

DR. BELCHER: Thank you, Andy. Mel.

MR. BELL: So I've never had this happen before, but so is there a time limit on resubmittal? So Step 1 might be just kind of seeing what it would require, maybe in terms of staff time and resources, to even address the things that have been pointed out, before we kind of go down that road, but there's no drop-dead date on that? Okay.

DR. BELCHER: Chester and then Tim.

MR. BREWER: I was struggling with this amendment when it came through, but, at the time, we didn't have this survey, and we had this turbidity, or this silt, issue that came in really at the eleventh hour, and I -- The statements that were made to us about the silt, you know, infiltration of the bank was based pretty much on supposition, and there hadn't been any kind of study, and, if we are to go forward, I would like to get some sort of an idea, first, if the rock shrimp industry is willing to fund a study like that, and then, also, Clay is out there, but I guess some sort of idea what you're talking about, what magnitude of research, what magnitude of expense, it would be to see whether in fact that silt is a problem or no. Thank you.

DR. BELCHER: Andy, to that, and then Tim and Jessica.

MR. STRELCHECK: Yes, and just a comment to that. I, obviously, can't talk about the industry's perspective on that, but there were comments that were being made by your Coral and/or Habitat APs about sedimentation, but that was in the shallower coral reef environment and our experience more with dredging. I think the one thing that you just learned, from the prior presentation, is how difficult it is even to work in this environment, right, and so I think that's an added challenge with any sort of research that's going to occur in that area.

DR. BELCHER: Tim, Jessica, and then Laurilee.

MR. GRINER: Thank you. Yes, I was thinking the same thing, Andy, and I really -- Gosh, I wish they could have incorporated a big weight on a separate umbilical cord in front of that, so they would have had the opportunity just to hit the bottom a couple of times and video what that plume actually did.

That was kind of a wasted opportunity there, but, you know, I guess my question is, given what they saw in that habitat, some worms and a couple other things, it seems like, to me, knowing what we know now, and looking at that, that, really and truly, the only concerns that we would have about habitat would be those plumes, or maybe the possibility of losing some gear and it getting tangled and lost, or coming off the boat or something, but I'm just wanting to make sure that what I understand now is that it's not any bycatch, and there's nothing -- There's nothing else out there, other than that sandy bottom, and so we're really kind of limited to trying to figure out, in that four or five-knot current, and in the direction that it's headed, what will -- Will any plume impact the habitat, and is that kind of where we are?

MR. STRELCHECK: Well, I guess it would depend on, obviously, the additional record and the analysis, and what we've pointed out, with the bycatch practicability analysis, and that's the obvious one, is it just wasn't there, right and we need to complete that, and I think you raise, obviously, a number of points, in terms of the likelihood of bycatch is going to be fairly minimal right, and I think the bigger issue is really with relation to EFH and impacts to EFH, and it's largely the indirect impacts, but you do have, obviously, potential for direct impacts as well.

Then I mentioned earlier, and, I mean, as part of this analysis, it's really looking at the benefits of the decision you're making, right, and kind of weighing them, and I, unfortunately, can't find it in my notes, and I will look for it and maybe comment in a minute here, but there was kind of some statements that the cost and benefit just wasn't able to be determined, right, and, well, that's okay, and we don't have to necessarily determine it, but we need to have at least some discussion and analysis around it.

DR. BELCHER: Jessica and then Laurilee.

MS. MCCAWLEY: Some of my comments, or some of my questions, were already answered by Andy on the bycatch, and it was really the lack of this bycatch practicability analysis, and not anything else, because I thought that there was an actual bycatch study done in this fishery a while ago, and I guess it was just -- This is just like a technical thing, that we didn't submit the right paperwork, was one thing. Then I assume, if we resubmitted this, then the survey results that we just saw would be also included in there as well.

DR. BELCHER: Laurilee.

MS. THOMPSON: We could -- I mean, if we could get the EFP to do it, because you would have to have it to be able to drag inside the closed area, but why couldn't we put a shrimp boat out there, with a GoPro aimed towards the back of the net, that's mounted on top of the net, and drag the nets through there and see where the plume goes?

I am not sure whether Andy, Andy David, is still on the line, but my question, that I just thought of for him, would be, when you were dragging the batmobile, could you tell whether there was any sideways currents pushing on it, or was it a straight-in-line, north-south current, like what we

would expect out there from the Gulf Stream? I mean, obviously, he encountered the kind of currents that these guys are fishing in, and, you know, we believe that it's mostly a due-north current out there, but, you know, we would be fine with -- If you guys wanted to put your scientists on a shrimp boat, we would take them out there and put a camera on the net and see what happens. That would be cheaper than bringing your research vessel around from St. Pete. We would be glad to do that.

I do want to say, you know, I think our industry has been so misrepresented in this, on various websites and articles and social media, and I was looking at website today where this website was just stating emphatically that this would only benefit three boats. Well, I can tell you there's thirty boats out there right now rock shrimping, and so it's more than three boats.

DR. BELCHER: Clay and then Tim.

DR. PORCH: Andy David might want to add to this, but it wouldn't be sufficient to put a camera on a few shrimp boats, just because the currents are highly variable there, and so, yes, there's a strong north-south component, but there is also a cross-reef component that happens, and it happens for a variety of reasons, meanderings of the currents, spinoff eddies, and so, if we were to put cameras on shrimp boats and look at the plumes, we would have to do an awful lot of them, because it's not going to be every one that you're going to have the plume drift over.

However, there is another way to do it, although it's still expensive, but that's to put current meters down there, and then you can measure how the currents are changing in time and space, and then you can run numerical models, just like you saw Mandy Karnauskas and crew simulating where larval fish drift, and you can do the same thing with fine-sediment particles, and that work has been done quite often in the physical oceanography literature, and so it's doable, but it does require someone to put down enough current meters to measure the currents along the reef tract, and it something that could be considered. Of course, it would take some resources to do that.

DR. BELCHER: Tim.

MR. GRINER: That just prompted another question for me. When I looked at the slides there, I was curious whether the slide that showed the dashboard of the sled itself, whether that was just a -- Just a random showing of the kind of data, or was that actually from a sled, because I was curious about the heading that was shown there.

MR. DAVID: Yes, that slide with the overlay was from this survey, but don't go by the heading that it was showing. There was a glitch with the gyrocompass for a couple of days, and I don't think that slide was accurate on its heading. A question about the current, and the current direction that we saw was 350 degrees, fairly consistently, for the time we were out there, and so just a little bit west of north.

A couple of points, and there are certainly limitations to the work that we were able to do. One, we did not get to the northern area, and it's been a quiet year for hurricanes. However, Tropical Storm Alex came right through our area, right when we were there, back at the end of May, and it made us come to port a day early, when we had hoped to go to the northern end of the SFAA. Up at that northern end is where the bathymetry shows the closest -- The shortest distance between the SFAA area and probable oculina mounds that show up on acoustic bathymetry maps, and

they're probably within a hundred meters or so of the boundary between the SFAA and a high-relief oculina mound, and so, I mean, the results that we have are what they are, but I would not extrapolate them.

You know, we did not cover the entire area, and so, the area that we covered, we have high confidence that there was no coral, but we did not cover the entire area. I like Clay's idea of current meters to assess long-term changes in water movements, and we are very much aware of upwellings that come, and that's an east-to-west current, that bring deep shelf water up over the edge of the shelf, and those are fairly common.

The other concern -- If we were to repeat this, or look at something more exhaustive in assessing the SFAA, I think the unmanned submersible is the way to do it, because that would be an untethered vehicle. You can get under the current, and currents at the bottom are lower than they are in the water column, and that would allow a more thorough survey. However, human submersibles are not inexpensive pieces of equipment to operate.

DR. BELCHER: Okay. Are there further comments or questions? Jessica.

MS. MCCAWLEY: I guess I would like to resubmit this, with the modifications that we've talked about, but I don't know that we can do it anytime soon, based on our priority list, and so I don't know if you're wanting a motion, or I don't know if we talk about it when we get to the priorities, and I don't know how you want to do this, but my suggestion would be that we resubmit.

DR. BELCHER: I am kind of thinking the same thing you are, as far as resubmittal. I'm thinking, just so we can have the full schedule in front of us, it probably would be good for us to wait until we go through the plan tomorrow, and then we can make a decision then. John.

MR. CARMICHAEL: You can make the motion that you wish to resubmit, and then we can more that out more, logistically and administratively, without a motion hanging over our head.

DR. BELCHER: Jessica.

MS. MCCAWLEY: Okay. **I move that we resubmit Coral Amendment 10, after modifications.**

DR. BELCHER: We have a motion. Is it seconded? Mel. Discussion? Okay. **Anybody opposed to that motion? Seeing no objection, we'll go ahead and pass that motion.** At this time, it's 6:30, and I'm going to go ahead and recess us for today. We'll stick with 8:30, and we'll finish our business tomorrow morning.

(Whereupon, the meeting recessed on September 15, 2022.)

SEPTEMBER 16, 2022

FRIDAY MORNING SESSION

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The Full Council Session II of the South Atlantic Fishery Management Council reconvened at the Town and Country Inn, Charleston, South Carolina, on Friday, September 16, 2022, and was called to order by Chairman Carolyn Belcher.

DR. BELCHER: Good morning, everyone. The good news is that it's Friday morning, and we'll be wrapping things up today in Full Council. We're going to go a little bit out of order, just to give Mike Schmidtke some time to get his stuff organized for Snapper Grouper, and so we're going to do Full Council Session Report, followed by Mackerel Cobia, and then the SEDAR report, and Jessica will follow up with Snapper Grouper, and so Mel is going to give us the Full Council report.

MR. BELL: Thank you, Madam Chair. All right. This is the Full Council Session I, which was Monday. The council approved the agenda for the meeting and the transcripts from June 2022. Then we received reports from the NOAA Office of Law Enforcement, U.S. Coast Guard, and state agencies, and the council liaisons provided reports to the council.

We received an update on dolphin management strategy evaluation and stakeholder workshops. The Southeast Fisheries Science Center is beginning work on a management strategy evaluation for the Atlantic dolphin fishery. The goal of this project is to develop an index-based management procedure that may provide catch level and management advice that best achieves the multiple operational regional management objectives of the fishery. As part of the developing of the MSE, the Southeast Fisheries Science Center will be holding a series of stakeholder workshops in the fall and winter of 2022 and 2023 along the U.S. Atlantic coast to, in part, discuss dolphin management.

During the discussion of Dolphin Wahoo Regulatory Amendment 3 at the June 2022 council meeting, it was noted that MSE stakeholder workshops may also provide feedback on management topics within the amendment and may help with scoping. Since these workshops will not be fully completed by the December 2022 meeting, the council directed staff to continue working on Regulatory Amendment 3, but bring the amendment for council review in March of 2023. We had direction to staff to continue work on Regulatory Amendment 3, but bring the amendment back for council review at the March 2023 meeting, instead of the December 2022 meeting.

Then we discussed the Golden Crab and Spiny Lobster Advisory Panel reports. The Spiny Lobster Advisory Panel met in Key Largo, Florida on June 29 to discuss areas closed to traps via Spiny Lobster Amendment 11 and to update their fishery performance report. The Golden Crab Advisory Panel met in Key Largo, Florida on June 30, 2022 to complete a fishery performance report. The council reviewed input from both advisory panels and key points from the fishery performance reports. The council directed staff to discuss the possibility of historical participant seats on the Golden Crab Advisory Panel during the closed session during their December 2022 meeting.

Then we had discussion of the commercial electronic logbook amendment. Council staff delivered a presentation covering some background and progress to-date on the amendment. This amendment is being developed jointly with the Gulf of Mexico Fishery Management Council to require commercial logbooks to be submitted electronic reporting forms instead of currently used paper-based forms for the South Atlantic Snapper Grouper, Atlantic Dolphin Wahoo, Atlantic and Gulf of Mexico Coastal Migratory Pelagics, and Gulf Reef Fish Fishery Management Plans.

Staff presented a short video demonstrating how the eTRIPS is used to enter a trip and went over a spreadsheet to compare current data fields and modifications that would be required for implementing an electronic logbook. The council reviewed the draft purpose and need statement and had no modifications.

We discussed the National Saltwater Recreational Fisheries Policy update, and Russ Dunn and Tim Sartwell from NOAA Fisheries presented an overview of updates planned for the 2015 National Recreational Fisheries Policy. NOAA Fisheries is accepting comments on the policy from August 1 to December 31, 2022. Council members provided comments during the discussion and made suggestions to improve the policy.

Then we discussed the ABC Control Rule Amendment. A public hearing and joint meeting of representatives from Dolphin Wahoo, Golden Crab, and Snapper Grouper Advisory Panels were held via webinar in August of 2022. An additional in-person public hearing was held as part of the council's public comment session on September 14, 2022. Council staff presented the draft amendment and decision document and provided a summary of the recommendations from the joint AP meeting. The council made the following motions and gave the following direction to staff.

Motion 1 was approve the purpose and need statements, and I won't read it, and there's the purpose for action and need for action, and that was approved by the council. Motion 2 was confirm Alternative 2 under Action 1 as preferred, with Preferred Sub-Alternatives 2b and 2c. That was in Action 1 to modify the Acceptable Biological Catch Control Rule, and you can see the Preferred Alternative 2 there, and I won't read all the language. There's a lot of language there for that, and that's what we approved. There's a lot of language, and I won't read all that to you right now, but we did approve all of that language. The council approved it.

Then we had Motion 3 to select Alternative 2, Sub-Alternative 2c, under Sub-Action 2.1 and Alternative 2 under Sub-Action 2.2 as our preferred. You can see the language there that we approved, and so the council approved that. Motion 4 under Sub-Action 3.1 is select Alternative 2 as preferred, with Sub-Alternatives 2d and 2e, as amended. Then there's that language, and that was approved.

Okay. Additional direction for staff related to Action 3 is note, in the amendment discussion, that additional conditions to annually qualify for carryover can be added on a stock-by-stock basis. Highlight in the amendment discussion that, if overfishing occurs, the stock no longer qualifies for carryover, and the council will specify whether fisheries with split seasons and sub-section allocations, such as gear allocations, should be eligible for interannual carryover on a case-by-case basis.

Motion 5 under Sub-Action 3.2 is select Alternative 2 as preferred, and, again, you can see the language there. There's a good bit of language, and that was approved by the council. Motion 6 is select Alternative 2 under Sub-Action 4.1, Sub-Action 4.2, and Sub-Action 4.3 as preferred, and then you've got all the language associated with that, a good bit of language, and then that was approved by the council, and this is just the language we pulled right out of the draft amendment. Motion 7 is approve all actions in the ABC Control Rule Amendment. That was approved by the council. All right.

Then we had an update on the climate change scenario planning initiative. Roger Pugliese, Habitat and Ecosystem Scientist and Core Team Member, representing the council, provided an update on the current phase, recent development, and an overview of the narratives for climate scenarios developed during the climate scenario planning initiative. The effort has completed scenario creation, where, in June 2022, a group of seventy-five stakeholders attended the scenario creation workshop and developed an initial set of scenarios describing several different possible futures facing east coast fisheries out to 2042.

The effort has just completed scenario deepening, where two scenario deepening webinars were held in August of 2022, where interested stakeholders reviewed, validated, and added details to the draft scenarios developed during the scenario creation workshop. The initiative is now moving to the applications phase, which starts with fishery manager brainstorming working sessions scheduled for the council meeting in September and October 2022 to begin to identify issues, ideas, and options that should be discussed at scenario planning conversations at council and commission meetings scheduled during the fall of 2022 and subsequently at a summit meeting being scheduled for early 2023.

We have a note that the following agenda items were originally scheduled for Session II of the Full Council, but were moved up in the agenda to optimize time, and we're here this morning because we did that, and so we basically bought ourselves some time.

Staff report, John Carmichael, Executive Director, went over activities that council staff have been involved in since the June 2022 council meeting, and we had a briefing on pending litigation, and Monica Smit-Brunello from NOAA General Counsel briefed the council on pending litigation in the Gulf of Mexico.

Habitat AP topics, and Roger, habitat and ecosystem scientist, reviewed a draft of the topics to develop an agenda for a meeting of the Habitat and Ecosystem Protection Advisory Panel, scheduled to take place in Charleston on November 1 through 3, coming up here pretty soon. The council had no additional input.

Guidance regarding convening the golden tilefish longline endorsement holders, council staff requested guidance on whether to proceed with convening a meeting of the holders of golden tilefish longline endorsements. Staff expressed some concern regarding groups of stakeholders that have not been brought in as advisors being convened and requested guidance from NOAA GC. Monica advised that the council consider creating an advisory panel, such as a sub-panel of an existing AP or ad hoc group or focus group or working group, to obtain input from stakeholder groups and go through the established process. Additionally, the council discussed the importance of stating the need for bringing together various stakeholder groups. Regarding the golden tilefish longline endorsement holders, the council will continue to consider whether they should be formalized into an advisory group as development of Amendment 52 moves forward. Madam Chair, I believe that concludes my report.

DR. BELCHER: Thanks, Mel. Any comments or questions or edits for that section of the report? Seeing none, we will ask Spud to report out on Mackerel Cobia.

MR. WOODWARD: All right. The Mackerel Cobia Committee of the South Atlantic Fishery Management Council met on September 15, 2022. The committee approved the agenda and the minutes from the March 2022 meeting. Then we had an update on amendments recently submitted to NMFS. At the December 2021 meeting, the council approved CMP Amendment 32, which is Gulf cobia catch levels and management measures, for formal review. The Gulf Council approved CMP Amendment 32 for final action at their October 2021 meeting. The document was transmitted to NMFS in February, and the proposed rule published in July. At the March 2022 meeting, the council approved CMP Amendment 34 for formal review, and that document was transmitted to NMFS on August 5.

Then we had a discussion of CMP Amendment 33, which is updates to Gulf king mackerel management based on SEDAR 38. Matt Freeman, with the Gulf Council, presented draft options to be considered in that amendment, which proposes modifications to catch limits and sector allocations for Gulf king mackerel based on SEDAR 38. The stock assessment found that Gulf king mackerel were not overfished or undergoing overfishing. However, recruitment has been low over the last ten years, and the spawning stock biomass is below SSB at maximum sustainable yield.

The committee reviewed the FMP goals and objectives, the proposed action and alternatives, and actions taken by the Gulf Council during their June 2022 meeting. We had three committee motions that I will bring before the council.

The first is to add the following language to the joint CMP FMP objectives: to achieve robust fishery reporting and data collection systems across all sectors for monitoring the coastal migratory pelagic fishery, which minimizes scientific, management, and risk uncertainty. On behalf of the committee, I so move. Any discussion about the motion? Any opposition to the motion? Seeing none, the motion carries. All right.

The second motion was to remove the current Objective 3 from the FMP objectives, and that objective is to provide necessary information for effective management and establish a mandatory reporting system for monitoring catch, and this has basically been rendered redundant by the first motion, and so, on behalf of the committee, I so move. Any discussion on the motion? Any opposition to the motion? Seeing none, the motion carries.

Our third motion was to amend the language of Objective 1 to read as follows: The primary objective of this FMP is to achieve and maintain optimum yield, to allow recovery of overfished populations and maintain population levels sufficient to ensure adequate recruitment. On behalf of the committee, I so move. Any discussion on the motion? Any opposition to the motion? The motion carries.

Next, we received an Atlantic Spanish mackerel management overview, and this is sort of a history of how we've gotten to where we're at and some of the concerns that have arisen over the last few years in that fishery, and then we had a report on SEDAR 78, which is the Atlantic Spanish mackerel assessment. It was completed in July 2022 and included an assessment based on data up through 2020.

In August of 2022, the Scientific and Statistical Committee reviewed the results of the updated SEDAR and recommended additional work be completed. Shannon Cass-Calay presented the

center report, and SSC Chair, Jeff Buckel, presented the SSC recommendations to the committee, and then council staff presented an overview of the Spanish mackerel fishery. After quite a bit of discussion, decisions were made that the Southeast Fisheries Science Center will rerun SEDAR 78 with new landings to address uncertainty with the MRIP estimate in the terminal year. The SSC will review the changes at their upcoming October 2022 meeting and determine whether the changes were sufficient to address their cited concerns or if additional changes are needed. If additional changes are substantial, a research track assessment would be needed for Atlantic Spanish mackerel.

We have one issue that we need the council to provide some feedback on, and that is the question of whether, given continuing closures in the commercial sector, does the council wish to apply the allocation decision tool to Spanish mackerel at the upcoming December meeting, and so I would appreciate some feedback and discussion on that from the council.

DR. BELCHER: Are there thoughts from the group? Kerry.

MS. MARHEFKA: I've been dying to use it. Is it time? Is it ready for primetime? The staff worked really hard on it, and we've had lots of discussion on it, and it has to get used for the first time somewhere, and it seems like this is a fishery where there was extensive discussion about whether or not a change in allocation is appropriate, and why would we reallocate in any other way, or talk about allocation in any other way, if we have a good tool now to use it, and so, in my mind, if staff says that this is the one to start with, then I would go with that.

DR. BELCHER: Jessica.

MS. MCCAWLEY: So I assume we would have the catch limits, in order to plug it in there? I'm just curious. Okay.

DR. BELCHER: That's a good question.

MS. WIEGAND: I think the answer to that is maybe. It will depend what happens at the SSC meeting in October. It's possibly that you'll have updated catch limits by then, if the SSC feels comfortable with the minor changes that are made in the assessment. It's also possible that they decide a research track is necessary, in which case we could use the tool to decide if the allocation changes are needed under the current catch levels.

DR. BELCHER: I've got Mel and then Laurilee.

MR. BELL: I was just thinking that, if the tool is properly informed and functional and up and running, then yes, but, if we're not there yet, then we might not want to use it, and so we won't really know until we get down the road here a little bit, and so we could say -- Again, that could be our intent to use it, if it's ready, or, if it's not, then maybe not. The tool, but I just mean properly loaded. The tool is fine, but it's just what you put in the tool to make it work.

DR. BELCHER: Laurilee and then Trish and then Monica.

MS. THOMPSON: Just a question, and I'm still trying to figure some of the processes out. Can we change allocations if we're not doing an amendment? Can we just change allocations in midstream like that?

MS. WIEGAND: Absolutely. Allocations can be changed sort of at any time the council feels it's appropriate, as long as there's enough, you know, justification and rationale to support that decision.

DR. BELCHER: Trish and then Monica.

MS. MURPHEY: If the stock assessment -- If they say it needs to go research track, we'll just use the current numbers and reallocate based off of those numbers, and reallocation is an issue in that fishery, especially for North Carolina, and so, yes, I would support, you know, using the allocation tool, if it's ready to go.

DR. BELCHER: Monica.

MS. SMIT-BRUNELLO: I was kind of thinking along the same lines of Laurilee's question, and that made me think as well, and so, if you've got -- Let's say your assessment -- The SSC approves it and gives you new catch levels, based on the most recent stock assessment, and, sure, I think that fits in your allocation trigger policy. If they decide not to give you -- If they want to do a research track, and they're not going to give you new fishing level recommendations, based on the stock assessment, and they're going to wait to get more information, then I would just say make sure you review your trigger policy, because the council passed an allocation review trigger policy, and make sure it fits in there, but then we would need to do an amendment, Laurilee, and so, yes, you can change allocations, but it's going to have to be done via an amendment, a plan amendment.

DR. BELCHER: Christina.

MS. WIEGAND: So an additional question. There are two types of allocations with Spanish mackerel. There is the allocation between the commercial and recreational sectors, and there are also regional allocations for the commercial sector, between the Northern Zone and the Southern Zone, and is the council's intent to, I guess, get information on both of those allocations between the sectors and between the zones?

DR. BELCHER: Tom.

MR. ROLLER: I would say, if we're going to look at it, I would support looking at both of those directions, and I just pose, for a question here, particularly since we don't have the answers on the stock assessment, and is it -- I guess I just want to say that I just have a little bit of concern applying it to what's clearly one of our most climate-affected species, and so there's so much going out, with so much uncertainty in it.

DR. BELCHER: Trish.

MS. MURPHEY: I agree with Tom. If we're going to look at everything, I would support looking at regional as well as the commercial and rec.

DR. BELCHER: Other comments or suggestions or direction to staff on this? Okay. Myra, do you have enough? Christina, is that enough for you all? Okay.

MR. WOODWARD: All right. Thank you, Madam Chair, and I think, you know, the intent is a test drive. It doesn't mean we have to buy the car, but it just means that we're going to do a test drive and see if we like the way it's working. At some point, you have to do it, you know, and so I appreciate that feedback, and we will see that a little later in our timing and tasks motion, and so, all right.

Moving along we also had a discussion about topics for the upcoming Mackerel Cobia Advisory Panel meeting, which will be held here in October. There are several topics for the meeting. Update on amendments, update on SEDAR 78, and you can see, listed here, some of the specific topics to be addressed, and then we're going to have a discussion about the current false albacore and little tunny fishery and some of the questions that we'll be asking the AP to give us specific feedback on have there been substantial changes in the fishing behavior or catch levels? How have social and economic influences affected the fishery? What should the council consider when determining whether or not false albacore are in need of conservation and management?

We're going to look at the CMP FMP goals and objectives, a discussion of CMP Amendment 33 and how increased Gulf king mackerel commercial allocations may impact market price for Atlantic king mackerel, an update on commercial electronic logbooks, right whale speed regulations, Hudson Canyon, and, if we have time, update the fishery performance reports for Atlantic king mackerel and Florida east coast cobia, and then we'll have the usual citizen science, SEDAR, and climate change. At this point, I will pause, and is there anything that anybody would like to add to that at this point? That's a pretty exhaustive list of things to be digested in a day-and-a-half, and so I think that's probably enough.

Then, in Other Business, last week, we received a letter from the American Saltwater Guides Association requesting the council consider adding false albacore back to the CMP FMP. The council provided direction to staff to develop a white paper examining if false albacore meet the MSA criteria for conservation and management and discuss with the AP. We will work with the North Carolina DMF staff, who are also preparing a white paper, and we'll look at state versus federal landings. Then I have a timing and tasks motion, if someone would like to read that for me, and I think that's the right process. Mel.

MR. BELL: Move to adopt the following timing and tasks: Work with the Gulf Council staff, as needed, to continue work on Coastal Migratory Pelagics Amendment 33; add a review of the revised SEDAR 78 stock assessments to the SSC's October 2022 meeting agenda; convene a meeting of the Mackerel Cobia Advisory Panel to discuss the agenda items as listed above in October 2022; develop a white paper that examines false albacore relative to the ten criteria outlined in the Magnuson-Stevens Act to determine if they may be in need of conservation and management; prepare the allocation decision tool for the Atlantic Spanish mackerel, to be reviewed at the December 2022 meeting.

MR. WOODWARD: Thank you, Mel. We need a second for that. All right. Any discussion on the timing and tasks motion? **Any opposition to it? I don't see any, and so that motion carries.** Madam Chair, that concludes my report, and I do want to thank Christina for her usual stellar preparation for the meeting and assistance during the meeting. Thank you.

DR. BELCHER: Thank you, Spud. The next item we're going to go to is the SEDAR report, which Mel is going to do.

MR. BELL: All right. The SEDAR Committee of the South Atlantic Fishery Management Council met on September 15. The committee approved the minutes from the March 2022 meeting and approved the agenda, after adding a discussion of the SEDAR planning grid under Other Business.

The SEDAR Steering Committee Report was received. The committee was provided an update on the April 2022 SEDAR Steering Committee report. The committee was informed of the change to the vermilion snapper operational assessment to an interim analysis. The SEDAR Steering Committee would be further discussing topical working groups for operational assessments at their meeting in September of 2022. SEDAR staff would be allowed to chair SEDAR research track meetings.

SEDAR Projects Update, the committee was briefed on SEDAR projects being conducted in the South Atlantic region. The committee was informed changes were proposed to the several assessment projects, including the mutton snapper benchmark, vermilion snapper, tilefish, and the blue-line tilefish operational assessments and the red snapper research track assessment. The committee discussed the use of an interim analysis for vermilion snapper. The SSC is being briefed on the interim analysis approach in October 2022. The Southeast Fisheries Science Center indicated that vermilion snapper has a robust time series in the assessment and a long time series for the video trap survey.

Then we approved scopes of work for the gag, king mackerel, and red porgy assessments. The committee was provided scopes of work for gag, king mackerel, and red porgy. The scopes of work were approved with the addition of alternative reference points for management, as developed by the Gulf of Mexico Fishery Management Council for gag. We had a motion.

The committee approved scopes of work for gag, king mackerel, and red porgy, as modified. On behalf of the committee, I so move. Any discussion? Any objection to the motion? All right. That motion passes.

Under Other Business, we spent a good bit of time working through the very colorful SEDAR planning grid, which is Appendix 2 at the bottom of the document. The committee was briefed on changes to the SEDAR planning grid. There have been several changes to the SEDAR planning grid since the March 2022 committee meeting. Vermilion snapper was changed to an interim analysis in 2023, the snowy grouper operational assessment was replaced by the Atlantic stock cobia operational assessment in 2025, and the white grunt research track was moved to 2028.

The Southeast Fisheries Science Center scheduling call indicated that operational assessments for blue-line tilefish and tilefish and would not be possible in 2024, and the red snapper research assessment could start in 2023. The committee requested that red snapper be moved back to late 2024 and have blue-line tilefish assessed in 2023, if possible. The gag and red porgy operational assessments (2026) would be moved back a year to allow for the assessments of the tilefishes. The greater amberjack research track and snowy grouper was recommended for 2027, and you can see

all of this drawn out if you scroll down to Appendix 2 at the bottom, which is all the little arrows and things that we saw as we worked through this.

Then timing and tasks, and there were no timing and tasks motions made, and I will note that there is an Appendix 1, which I don't need to read, but Appendix 1 were recommendations from the SSC catch level projection working group to review for operational assessments, and that's the list from the SSC. Then, following that, is Appendix 2, which are all the very colorful, and annotated with circles and arrows, and that's how we ended up with the planning grid, and so that's there. All right. No questions, or no changes or additions, and we're good? Then that concludes my report, Madam Chair.

DR. BELCHER: Thank you, Mel. Now on to the long-awaited Snapper Grouper report. Jessica.

MS. MCCAWLEY: All right. The committee met and approved the minutes of the June 2022 meeting and the agenda for this week's meeting. Then the committee talked about the status of amendments under formal review, and NMFS provided an update on the progress of Amendment 50, which is red porgy, and then we got an overview of an exempted fishing permit that was submitted by Dr. David Portenoy at Texas A&M for sampling speckled hind, to research population structure connectivity and life history. Do we need to talk about the EFP and give some sort of approval or write a letter? Do we need to do anything? Okay. All right. Would someone like to make a motion that we are good with this exempted fishing permit? Mel.

MR. BELL: **I would just move that the council indicates that it's fine, or recommends approval of the EFP, as we had it, and so, yes, we recommend approval of the EFP.**

MS. MCCAWLEY: Okay. Motion by Mel, and seconded by Kerry. All right. Any more discussion on that? **Any objection?** All right. **That motion carries.** All right.

Then we got into release mortality reduction in red snapper, which is Amendment 35. NMFS gave a presentation summarizing current information and potential strategies for addressing management of red snapper, and council staff presented a draft options paper that describes initially directed actions. Council staff also presented a report responding to the council's June 2022 data request, and the committee made the following motions and gave the following guidance.

Under Action 1, we need to figure out -- So this is the change in the ABC, and we need to figure out if we are going to consider the interim rule or the abbreviated framework, and so my suggestion would be to use the interim rule, which would be a separate action, and then this stays in Amendment 35, to make it the more permanent action, and so the interim rule is just temporary, whereas the framework would be permanent, but I'm suggesting that we keep it all inside Amendment 35, as we originally intended, but I'm looking for discussion on that. Andy.

MR. STRELCHECK: Jessica, I have a motion that Myra can bring up, and my recommendation is actually to proceed with an abbreviated framework.

MS. MCCAWLEY: Okay. Myra is typing that motion.

MR. STRELCHECK: I sent it to you via email, Myra. Do I need to read it? Okay. I was trying to save some effort here. All right. **To direct staff to develop an abbreviated framework to reduce the South Atlantic red snapper ABC, total and sector ACLs, and annual optimum yield, based on SEDAR 73, for final action at the December 2022 council meeting. ACL alternatives to be included in the framework would include Alternative 1, no action; Alternative 2, ACL equal to ABC; Alternative 3, ACL equal to 95 percent of ABC; Alternative 4, ACL equal to 90 percent of ABC; and Alternative 5, ACL equal to zero and prohibit all possession and retention of red snapper for both sectors.** If I can get a second, I will explain my rationale.

MS. MCCAWLEY: It's seconded by Kerry. All right.

MR. STRELCHECK: All right, and so I was hoping to save some time by copying the motion, and so I'll figure out maybe a process, because I have a few more, but the recommendation here is that we need to move quickly. We talked about that it's been really a year and about three or four months now since we've notified you of the overfishing, and it's been longer than that since we were aware of the results of this stock assessment, and an abbreviated framework is a quick way, obviously, to move forward and separate these actions from Reg Amendment 35, and then, as discussed during committee, reasonable to consider an alternative that would set the ACL equal to zero and prohibit harvest, given that we need to end overfishing, and so the goal here is, obviously, to move quickly, and I believe this motion does that.

MS. MCCAWLEY: Thanks, Andy, and so I would speak against this motion. I think that the interim rule is the way to go here, and so the abbreviated framework -- Our staff would have to work on that, spend time working on that, and that's going to stop the progress on Amendment 35, which is the holistic management. We talked earlier, in committee, about moving that Amendment 35, holistic management, faster than what was indicated, and so I don't want to see Amendment 35 slow down.

We talked about a process that could finalize 35 at the March meeting, which is before the two-year deadline since we received the letter about the overfishing, and so I would rather see this go through an interim process, instead of using this framework process, because this is more work for staff, and they can't work on both of these documents at the same time. Andy.

MR. STRELCHECK: Well, Jessica, I mean, you mentioned, when you were making the comments about the interim rule, that you would include this still in Amendment 35, but, if we do an interim rule, we're essentially doubling our effort, because we're doing it in both places, and so I would disagree that the interim rule is going to add -- I think the interim rule is going to add more work than actually taking this out and doing an abbreviated framework and separating it from Amendment 35.

MS. MCCAWLEY: Yes, but I think it's different staff working on it. Doesn't the Regional Office do the interim rule, and the council staff does the framework action?

MR. STRELCHECK: It's been a while since I think we've done one of these in the South Atlantic. With recent interim rules, and emergency rules, in the Gulf, we've collaborated closely, working with the Gulf Council staff, and we would hope to do that with South Atlantic staff here, given the tight timeline.

MS. MCCAWLEY: Mel and then Chester.

MR. BELL: So you're saying that the abbreviated framework would be quicker than the interim rule? I mean, if you're trying to go for quick, that's -- Because I am not familiar with the process, I guess.

MR. STRELCHECK: I was saying that we would be doubling effort, because we would be doing the interim rule, but also maintaining then this action in Amendment 35, as was being suggested, and so my view is the abbreviated framework, separating that out and doing this as a stand-alone action, will move faster than doing both of those simultaneously and doubling effort.

MS. MCCAWLEY: Mel.

MR. BELL: I guess I misunderstood then. I thought you said then it would still be in 35, and so you've got -- That's where I was getting lost in process here.

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: The council, when you are dealing with conservation and management measures, you've got several different kinds of ways you could go to implement something. You've got a full-blown plan amendment, right, and you've got a regulatory amendment that really -- We kind of call those framework amendments, because, really, you do those on a shorter timeframe, based on a framework that you have set up in your larger fishery management plan. With that framework, and I think it was Amendment 27, you passed an abbreviated framework, which is part of -- So you have your framework, and then there's this little chunk at the bottom for an abbreviated framework that you can do even more quickly for certain things.

The certain things are when you get a stock assessment and you want to implement a new ABC, new ACLs, and you can do that via an abbreviated process. I think you've used that, in snapper grouper, maybe three times. We've got different abbreviated framework amendments, and then there's also an interim rule or an emergency rule, and they act like each other, except the interim rule is to reduce overfishing. Again, that lasts for only six months. If you're working on something to make it permanent, you can renew it again for six months, and so I think what Andy is saying is, if you do an interim rule, that will have a time certain to expire, and then you'll have to do that work again, I guess, in a way, to make it more permanent in another rulemaking.

You would be doing an interim rule, and then you would also be doing the Regulatory Amendment 35 framework that deals with the ABC. You've still got the other pieces of Regulatory Amendment 35, and, anyway, that's kind of how it all shakes down, in terms of the options you have before you to do certain management measures.

MS. MCCAWLEY: Chester.

MR. BREWER: I'm not so concerned about the differences between an interim rule and the different kinds of rulemaking. What I am concerned about, and I will say this, because, as I have talked to people, and as we listen to public comment, people don't have any problem with taking

the probably one day of the season and doing away with it and just going ahead and prohibiting the take of red snapper.

What I am concerned about, and what I see language like “based on SEDAR 73”, I am wondering if that’s not some sort of method to get at closure of all species in the snapper grouper complex, to be determined by god only knows who, but I have voiced my thoughts on that before, and I am holding to my opinion that I think that that is an incredible overreaction to what is, at least in my mind, somewhat questionable data, and I don’t want to see that happen, and so, if the language that is here in any way puts forward this thing about closures of, essentially for all species, snapper grouper, then I absolutely cannot support this. Thank you.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Well, this motion speaks to nothing about spatial or area closures. This is simply changing ABCs and ACLs and optimum yield. I am fine with removing “based on SEDAR 73”. The reality is those catch levels, those ABCs, are based on SEDAR 73, right, and there is no other place that we’ve gotten them from, other than our SSC and the recommendations that came out of SEDAR 73.

MS. MCCAWLEY: John and then Tim.

MR. CARMICHAEL: My concern is this potentially seems to slow down actually addressing the problems. It seems to address a bureaucratic paper issue with the ABC, whereas we’ve acknowledged that the problem with overfishing is the discards and not the incredibly tiny amount of fish that are actually kept and harvested, and so doing an abbreviated framework -- We’re still doing and FMP amendment, and staff is going to work on all that and not work on the other stuff while we get this pushed through, and we’re potentially then going to be farther behind on actually doing the things that are supposed to be addressing the problem in the fishery.

I just don’t see where the fishery benefits from doing this, and, if we were under a hard statutory deadline to get this done, then we might be in a different situation, but Magnuson does not define that immediately, and the council didn’t get an ABC until a year ago, this September meeting. While we may have had a letter, the SSC was still debating it, and still reviewing projections, and so, you know, I think that the reality is that we’ve been working on it for a year, essentially, and that’s not unusual, considering the level of controversy for this, and I just am concerned, if you do this, you’re putting off actually solving the problems in the fishery.

MS. MCCAWLEY: I had other hands up, and so Tim and then Mel and then back to Andy.

MR. GRINER: Okay. Now I’m thoroughly confused here. Thanks, guys. Let me try to get to my base concern here, and so we have an ABC that is new from the SSC, and does a new ACL not go into effect until we do something, either via this or via 35? What are the ACLs going to be in Fishing Year 2023, and what are they based on? Does nothing change from this year to next year until something happens, either via this framework or 35?

MS. MCCAWLEY: John.

MR. CARMICHAEL: Yes. Nothing changes until you do this. You have the ABC that you have now, which goes back to Amendment -- Whatever the average values were.

MS. MCCAWLEY: Tim.

MR. GRINER: As a quick follow-up, just to make sure I understand, the commercial ACL, in 2023, will be exactly what it is in 2022, and the season will proceed exactly like it has this year, with a start date, and then running until we reach the quota? Thank you.

MS. MCCAWLEY: Mel.

MR. BELL: That's kind of what I was getting at, and so this approach basically gives you a higher probability -- Again, how fast this works, but it gives you a higher probability of implementing the new ABC before the next mini-season, if you will. Then 35 would still impose, eventually, that new ABC and ACL, but it could be -- Although we're trying to do it on a quick timeframe, and it would potentially not be in place before the next season, I guess, and a little slower, and so, to John's point, it's the fishery --

Based on our discussion of discards across the entire snapper grouper fishery, the mini-season, if you will, for red snapper is not really the big problem. The big problem is the overall snapper grouper fishery that we've talked about, and so that's what this approach -- It's basically whether you put -- You've got a higher probability of having the new ABC in place before July, or, you know, after July, perhaps, with the other approach, and it would cut the ACL in half, or whatever, I think is what -- It's about half, I believe, but that's what this offers, is the ability to put the new ABC in place before the next mini-season, but, again, I don't think the little --- The red snapper is not the discard problem, in itself, and it's what we're trying to deal with more holistically in the long-term, but that's the way I read this.

MS. MCCAWLEY: Yes, and, to me, there's not two paths. There is three paths. There is two paths to do what's on the board, the abbreviated framework, which takes away time, our staff time, and takes away from Amendment 35, which, as John mentioned, is where we're trying to get at the problem, and there's also the interim action, which, in the Gulf, the interim actions are done by the Regional Office, and it doesn't take away from the council time, and so that's -- To me, there's not just these two paths. There is three paths here, two that are similar to what's on the board and then just not passing this and sticking with Amendment 35, and so there's three, in my mind, and not two.

MR. BELL: The interim action is even quicker, I suppose, but it's only in effect for 180 days plus the --

MS. MCCAWLEY: Correct, but we're also saying to change the timeline on Amendment 35 that has the ABC in it, and we're suggesting that that be finalized in March and to stay on the quicker timeframe. Yes, it has the ABC in there, but it also has these other items that we believe are going to get at the discards, and so, yes. Andy.

MR. STRELCHECK: Several points, and so, one, I want to correct Jessica, and so the interim action, yes, is led by the Regional Office, but, once again, we work collaboratively with the Gulf

Council staff, and we would ask that we would work collaboratively with the South Atlantic staff on any interim action, if that was the path that we go forward.

I continue to disagree that, by doing an abbreviated framework, that that's taking away time from staff working on 35. You are taking one action out of 35 and just putting it in another document, at that point. 35 then has less actions and alternatives in it to move forward with, but, in terms of what John said, and what Mel said, they've made my point from Tuesday's presentation, which is we need to get serious about addressing discards, and you're exactly right.

This is only a small fraction of the mortality in this fishery, right, but the council is not moving forward with any substantive actions right now to seriously address discards in this fishery, and you can argue that these gear modifications in 35 are going to have an effect, and I would venture a guess that it's probably going to have the same benefit as closing the fishery, which means we're falling well short of our efforts to try to reduce discards in this fishery, and so my intent, with this motion, is really intended to what are we doing to show progress being made to end the overfishing, and address the overfishing, and I understand there is disagreement about whether overfishing is even occurring, but, under Magnuson, it is explicit that we need to end the overfishing, and we have informed you that a bulk of the reason for that overfishing is because of discards in this fishery.

To me, this is a good first step to address some of the mortality that we need to get, in terms of reductions in ending overfishing, and I agree that we need to move forward with 35 and the gear modifications, and then I agree that we need to move forward with a holistic approach that addresses, more broadly, discards in the snapper grouper fishery.

MS. MCCAWLEY: John.

MR. CARMICHAEL: I don't think the issue is about this step, taking it or not, and the issue just seems to be one purely of timing and whether or not getting this in earlier is worth the cost to progress on the other amendment, because they are -- You know, a framework is an amendment, and the other is an amendment, and so it's really not about doing this or not, and that's off the table. We have to do this, and it's really just a matter of timing, and it seems to be a matter of probably one season. That, to me, is what we're weighing here.

MS. MCCAWLEY: Spud.

MR. WOODWARD: So the end result of either of these is that we will be put in a situation where we'll have to apply a new ACL, based on the new ABC, and the question that I'm getting, and I keep asking myself, is that, when we apply that, is it going to end up with a default zero ACL for the recreational sector anyway?

I mean, that's my question, because, you know, we sit here, and we've got these alternatives, but, if you take that reduction, and then you reduce it down by the allocations, and, with the catch rates that's been used for making projections for future years, I mean, are we -- Is accepting the ACLs equal to ABC basically the same as Alternative 5 for the recreational sector? I mean, I'm just trying to -- I mean, I know what we've got to do, and, you know, there's a debate of the best way to get there, but I think, in terms of setting expectations for ourselves and for the fishing

community, is basically Alternative 2 and Alternative 5 the same outcome, when you actually get down to applying it? I mean, I would like some feedback on that.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I mean, great point, Spud, and the way I guess I look at the difference between Alternative 2 and Alternative 5 is one is an explicit closure and one is a functional closure, because I do not see, based on catch rates that I've seen in recent years, us being able to have more than a one-day season for recreational, and, to me, that is not a solution to this fishery. That is an expression of all the frustration that we heard about on Wednesday night from public testimony.

I would love to say that we could open this fishery up and allow for more catch, but we are bound by the SSC's catch limit recommendations, and so that's why I'm pushing so hard to try to make a difference, in terms of how we address these discards, and try to turn some of these discards into landed catch, so that we could have more opportunities and access to this fishery.

MS. MCCAWLEY: Tim.

MR. GRINER: Okay. Maybe I got confused again with Spud's comments there, or maybe Andy's response, and so Alternative 2 and Alternative 5 are not the same, as far as my understanding. I mean, Alternative 5 closes the commercial sector, but Alternative 2 does not close the commercial sector, and so, you know, I want to make sure we're clear on that. I mean, you can't make the commercial sector suffer just because the recreational is going to have a one-day season. We need to continue like we're doing, and we're not a problem here.

MS. MCCAWLEY: Spud.

MR. WOODWARD: My discussion was in the context of the recreational sector. I didn't say anything about the commercial sector, Tim. I was talking about, for the recreational sector, it's a functional closure, because the catch rates in the recreational sector are so high that you really -- You just about can't even have a full day, and so, I mean, they're the same as applies to the recreational sector, and that's what I meant.

MR. GRINER: Thank you for that clarification. I just don't want us to have, in our mind, that Alternative 2 and Alternative 5 are functionally the same thing, because they're not.

MS. MCCAWLEY: Thanks. Monica.

MS. SMIT-BRUNELLO: Just to John's comment too, the -- It's not just a matter of timing. The other thing that you have to weigh is your willingness to accept legal risk, and I think we heard a good bit of conversation, the other day, around the table on how people felt about that, but just to remind you that you do have -- Your legal risk goes up, in terms of the longer you go on not ending overfishing immediately.

MS. MCCAWLEY: All right. Any more discussion on this? John.

MR. CARMICHAEL: I guess, if workload is a discussion, then Alternative 3 and 4 seem to do nothing appreciable. If we're already talking about a piece of harvest that is miniscule relative to

the fishing mortality, why would cutting it back to 95 or 90 percent do anything? If you're going to go with this, and you're going to try to limit your impacts on workload, why would we evaluate other alternatives that probably have a complete indiscernible biological effect?

MS. MCCAWLEY: Andy.

MR. STRELCHECK: **If the seconder supports it, I'm willing to remove Alternatives 3 and 4 from the motion.**

MS. MCCAWLEY: She is nodding yes. John.

MR. CARMICHAEL: We do all recognize, and it's been stated, this doesn't end overfishing, based on at least the stock assessment world. It may end overfishing, based on how overfishing is monitored on paper, if you allow no harvest, and then there is no harvest, but it doesn't end overfishing in the real world that we operate in, as illustrated by the assessment, with the discard problem.

MS. MCCAWLEY: Spud.

MR. WOODARD: I just -- I am going to say this, because I want to make sure that I understand it, and hopefully it helps everybody else, but an interim rule would expire in six months, to be extended for six months, and this will be in effect until it's changed by a subsequent action.

MS. MCCAWLEY: Yes. Tim.

MR. GRINER: Would that subsequent action then be 35?

MS. MCCAWLEY: John.

MR. CARMICHAEL: I mean, yes, it could be, and so, if you did this, and set it to zero, and then, in 35, you decided that you didn't need to set it to zero, then we're evaluating the ABC all over again in 35, and all of our, you know, perceived workload advantages that were discussed here are out the window.

MR. GRINER: But, if we set the ACL equal to ABC, then that portion of 35 is done, and then that just stays in place until we finish 35, and is that a correct assumption?

MS. MCCAWLEY: Dewey.

MR. HEMILRIGHT: I probably should know this, but is 35 the prohibit of automatic rod-and-reels and single hooks, and so is that basically them two things that is 35, or is there something else in there, because, clearly, them two things, which are not quantifiable, are not going to get you -- Get you anywhere, and, I mean, that's the feel-good measure, and it just ain't going to -- It sounds good on paper, but 35 -- If it's only them two things, I don't see how it's going to get you anywhere. If somebody can explain to me how that's going to get somewhere, and, I mean, I just think you all are -- You know, it's a farce to think you're going to get somewhere on points -- Whoever looks at it by them two actions, and so good luck.

MS. MCCAWLEY: So 35 is also the ACL and the outreach.

MR. HEMILRIGHT: But that's still not quantifiable, and something like that -- You would have to see two or three years, probably, the way this process works, or maybe four years, three or four years, before something is going to be quantifiable, to say we've got this amount. Even if you were to get 10 percent, it's not where you've got to get to. You've got to get to somewhere like 50 percent of something to see, to be quantifiable, looking at it, and so, you know, it's too bad that -- Well, it's a mess.

MS. MCCAWLEY: Yes, and that doesn't exactly have anything to do -- But anyway. Mike.

DR. SCHMIDTKE: I guess, just trying to clarify what would and would not be in 35, if this motion were to pass, then the ABC and ACL -- That would be addressed in an abbreviated framework, and that would be taken out of 35, and so there would be nothing in 35 that would change an ABC or an ACL.

What would change the ABC and ACL in the future would be some future amendment, and so, if that were, you know, stated to be 35, then 35 would have to be put on a postponement, or something like that, and be dealt with later on, but it would be some future amendment that would have to change the ABC and ACL, and there would need to be, presumably, some type of science supporting whatever the change in ABC and ACL would be in the future, and so I'm just making sure that that's clear. If this passes, and it's addressed through an abbreviated framework, then it's no longer in 35, and it's not going to be addressed in the future, when 35 is completed.

MR. CARMICHAEL: Unless you want it. Unless, like I said -- If you did this, and you set the ACL to zero, and you got into 35, and you decided you didn't want the ACL to be zero, it's always your prerogative to go in and change it, as long as you don't exceed the ABC, and so, you know, we don't know how this would play out. If you set the ACL equal to ABC, that's as liberal as you can be, and so you probably wouldn't change that in 35, unless you wanted to be more conservative, but, given what we know about the ACL and its impact on overfishing, you may not want to fool with it.

MS. MCCAWLEY: Okay. Anything else here? All right. **All those in favor of the motion, raise your hand. That was one. Then those opposed. The motion fails, and I believe that that was one to twelve, or twelve to one, whichever.** John.

MR. CARMICHAEL: I think Dewey made a good point, and Andy did as well, talking about what's in 35, and it's not really germane to that motion that we just dealt with, but I think we do have to see how some of these options are going to -- What they are going to provide, in which case, you know, maybe in December hopefully you have some of that information, but you may have to look at some of the other ideas that have been tossed out there, like maybe aggregate limits or things like that, something that helps to get a handle on effort, tap the brakes on it, in some way. I think, you know, we're well aware of that, and we just don't have the information now that says how effective any of this stuff is going to be yet, but I think we need to have that for December, to keep moving.

MS. MCCAWLEY: Mel.

MR. BELL: Just mirroring that, 35 was never meant to be the solution. It's the beginning. My interpretation was it was an immediate beginning of working towards the solution, and the solution will be much more complex, as we know, and so --

MS. MCCAWLEY: All right. Andy.

MR. STRELCHECK: Jessica, you mentioned, obviously, the idea of an interim rule, and is the council interested in and willing to consider an interim rule, because you would have to make a request to the agency for that interim rulemaking.

MS. MCCAWLEY: Okay. We had a lot of discussion on that particular motion, and so the interim rule would basically look like that, and, once again, it would be temporary while Amendment 35 is being worked on. Are we wanting to tell the agency to consider the interim rule, or are we just going to proceed with Amendment 35, and so that's what I meant by there were three kind of -- Three options, and we just talked about one of them, and now we need to go back, and are we asking them to do an interim rule or just stay with 35, and so you could do the interim rule and stay with 35, or you could not do an interim rule and stick with 35, and so a couple more decision points here. I don't want to make assumptions about that vote, but that would be the same thing on the interim, but Chester and then Carolyn.

MR. BREWER: If we asked the agency to do an interim rule, would they be able to, within that interim rule, shut down all snapper grouper fishing in any particular area, or some particular areas, or would that be something that would have to come through -- That kind of drastic action, would that have to come through the council?

MS. MCCAWLEY: It's a good question. Monica.

MS. SMIT-BRUNELLO: I guess it would depend on what the council is requesting, right, and so the interim rule, and the emergency rule, those are creatures that exist in the Magnuson Act, and they are creatures for the Secretary to implement. I think it would be dependent, I would think, on the kind of -- Well, one, I haven't seen a motion what the interim rule would request, and so I think you should work on that.

If you're going to do an interim rule, it should be specific as to what you, the council, would like. Could the service change that? Potentially, I guess, and it's a creature for the Secretary of Commerce, and so I would think it could be changed, but it would be based on -- You would need a record, right, and an interim rule is based on a record to support it, because, in effect, it acts like an amendment to the FMP while it's in place. It's got expiration dates on it that we've already talked about, and so I think, if you want an interim rule, you ought to be very specific in what you're requesting.

MS. MCCAWLEY: Thanks, Monica. Okay. We've got more hands. Tim and then Spud.

MR. GRINER: A couple of things. Thank you, Madam Chair. First off, I guess, it sounds like, to me, that we can ask for something in an interim rule, and it doesn't necessarily mean that's all that we'll get, and we could get additional, and, just to make sure I understand, Magnuson allows for the Secretary to do an interim, or an emergency, rule without it being asked for by the council,

and is that correct? They can do this on their own, without any involvement from us, and put in there whatever they would like, and is that a fair assumption?

MS. SMIT-BRUNELLO: Sure. However, unless it's some sort of safety issue, or something like that -- I mean, practically speaking, I have not seen that. I don't recall that happening. Could it be done? Yes, I think the Act would allow the agency to act without the council.

MS. MCCAWLEY: Spud and then Andy and then Dewey.

MR. WOODWARD: Well, I was prepared to make a motion, just to focus our discussion perhaps. **My motion would be that we would recommend NOAA Fisheries develop and implement an interim rule to set the South Atlantic red snapper ACL equal to ABC, and so it would be specific to that action.**

MS. MCCAWLEY: Okay. We have a motion by Spud. Is there a second? Second by Kerry. All right. I'm going to go back to my list here. Andy and then Dewey.

MR. STRELCHECK: Just to clarify, Tim said the agency could put anything in that interim rule, and so, obviously, it has to meet a purpose and need, and it has to be consistent with federal law. When we've done interim rules recently, the council recommends them to the Fisheries Service, and they're very explicit, like what Spud just did, in terms of telling us exactly what you want implemented in that interim rule, and that's how we carry out the interim rule.

As Monica has mentioned, we do have authority to do interim emergency rulemaking separate and independent of the council, if we so chose, but, in this instance, you would be giving kind of direction for that interim rulemaking, based on whatever management measures you want the agency to consider.

MS. MCCAWLEY: All right. Thank you. Dewey.

MR. HEMILRIGHT: I'm a little bit familiar with the emergency rule. In the Mid, there was no management whatsoever for blueline tilefish, and, once the commercial fishing started, and they implemented emergency rules that lasted at least once, if not twice, and it was to work on a management plan, which was a reduction, a management plan for the blueline tilefish up in that area, and so it seems like that GARFO and SERO has some latitude, if it's to address a problem, that they have that latitude to do that, because that comes first on some of the pecking orders.

MS. MCCAWLEY: Thanks. All right. We have a motion on the table here. Do people want to discuss this motion further? Mel.

MR. BELL: Just to be sure I'm reading all this correctly, if we go this route, it's basically similar to what we just kind of voted against, but what would happen is the new ABC would go into effect, or a new ACL for the rec sector would be in effect prior -- That would be used to compute, based on last year's, or this year's, fishery, and that would be used to compute the length of days for a possible 2023 red snapper fishery. Since that's going to be reduced, it's going to be reduced, and now, this year's season -- I don't know what the numbers are, but it may not have been, in terms of the take, not as much as the year before, just given weather considerations, but we don't know yet, but there's a likelihood that we could find ourselves in a -- Looking at July 2023 with a one-

day season, or a no-day season, no season at all, but that's how that would play out, if we go this way.

Again, I don't think that red snapper season that we have is the problem, but, yes, you would take away some directed effort, obviously, for that one or two days, or whatever it might end up being, but I think that that's the net result of what would happen here, is we would be proposing -- Or, if we find ourselves looking at a possible one-day, or a possible half-day, I suppose NOAA Fisheries could argue that now we have a --

It's always been sort of a derby-ish fishery, with safety concerns, and, I mean, that could be an emergency action type of thing, for a safety-at-sea kind of issue, because, as we mentioned, that needs to be something that is related to some sort of potential safety issue or something, but that's just the way I see this playing out, if we go this route, but this is basically doing the same thing in a different way, and realizing that it's 180 days plus 180 days, but then, eventually, that new ABC, as it stands right now, will come in through 35, once 35 is fast-tracked, hopefully, and so you're going to get there, and so what it boils down to is what happens with a fishery, with a red snapper fishery, in 2023. I mean, that's the way I see this playing out.

MS. MCCAWLEY: Two things, just to add to what you said there, Mel. This would also affect commercial, and so, just to be clear, you were talking about the recreational portion of the season, and this affects commercial as well, and so I just want to be clear that it's affecting both the sectors, which was one of the questions that Tim asked before, and then, yes, the interim rule is 180 days, extended for I believe it's 186, is the second timeframe, and so just pointing that out. Tim, did you have your hand up?

MR. GRINER: Yes, and I just wanted to make sure that we were all understanding that it's a 180 days, if this interim gets implemented in time for the following season, and then another 180 days, and then we're right back to where we were, I mean, and, if 35 is not done by then, which I can't see it being done by then, we're right back where we are, and we just, a few minutes ago, said that we didn't want to do this through an abbreviated framework, which would have kept it in place until 35 was done.

I mean, if we want to do this, then the abbreviated framework was the way to go, so that now you're not looking at 180 days plus 180 days, and you just have it in place until we can finally do something with 35, and so, you know, I don't -- Although I'm not horribly against it, I just think we're spinning around in circles here, and we just said we didn't want to do this, no matter what the mechanism, and this mechanism seems to be even worse, because it only lasts for 180 days, and then you've got redo it, and so, you know, I don't know that I could support this, for the same reason that I didn't support the abbreviated framework, and so it just seems to me that this is even worse.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: To clarify, it's effective for 180 days, but then it can be extended for 186 days more, and so, essentially, a full year, and that extension is a little work on the Fisheries Service's end, but it's not a lift on your end, the council. A couple of clarifying questions, and so the ABC would be 28,000 fish, consistent with the recommendation from the SSC, and I just want

to be clear about that, and then we would, in implementing this, use the sector allocations that are currently in place, in order to implement the regulations.

We've talked about, obviously, the issue of the very short recreational season, and the commercial quota is going to be cut in half, and there's nothing that prevents you from also making changes to when those seasons start, right, if there is opportunities, potentially, to reduce some of those potential derby conditions. I don't know if, in fact, we want to do that on the fly here, but the bottom is -- You know, Mel, you're exactly right. I mean, my concern is we've gotten to the point where it's such a small catch level that one day, zero days, two days, however many, we have these derby conditions, and we have safety-at-sea issues, and it's just not a good spot for us to be in.

MS. MCCAWLEY: Okay. Are we ready to vote? All right. All those in favor of this motion, raise your hand. I see two NOAA hands. Is there a procedural thing? Monica.

MS. SMIT-BRUNELLO: I think it should be a roll call vote, procedurally.

MS. MCCAWLEY: Okay. Stand by. Thanks, Monica.

MR. CARMICHAEL: Okay. Roll call votes, we go alphabetically with the Chair at the end. Bell. You have now moved from the bottom of the list to the top of the list.

MR. BELL: That would be a big no, sir.

MR. CARMICHAEL: Borland.

MR. BORLAND: No.

MR. CARMICHAEL: Brewer.

MR. BREWER: No.

MR. CARMICHAEL: Griner.

MR. GRINER: No.

MR. CARMICHAEL: Helmey.

MS. HELMEY: No.

MR. CARMICHAEL: Marhefka.

MS. MARHEFKA: No.

MR. CARMICHAEL: McCawley.

MS. MCCAWLEY: No.

MR. CARMICHAEL: Murphey.

MS. MURPHEY: No.

MR. CARMICHAEL: Roller.

MR. ROLLER: No.

MR. CARMICHAEL: Strelcheck.

MR. STRELCHECK: Yes.

MR. CARMICHAEL: Thompson.

MS. THOMPSON: No.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: No.

MR. CARMICHAEL: Chair Belcher.

DR. BELCHER: No.

MR. CARMICHAEL: **The vote is one yes and the remaining no, and the motion fails.**

MS. MCCAWLEY: All right. I'm going to keep moving through the committee report here. I'm sorry, Andy. Did you have your hand up?

MR. STRELCHECK: I have another motion. I know people are shocked. I'm on a winning streak today, and so I want to keep it up. **Given what we just decided, I think it's even more urgent that we move forward with Reg Amendment 35, and I think Jessica and others agree with that, and so my motion is to continue work on Reg Amendment 35 to reduce snapper grouper discards and modify the ACL, with the goal of taking final action no later than March 2023.**

MS. MCCAWLEY: All right. That's going up on the board there. Do we have a second? It's seconded by Tim. It's under discussion. We did have lengthy discussion on this earlier in the week, and we talked about the timeframe that was in the document and that we felt like it needed to move faster. This was my thought, on trying to finalize this document in March of 2023, and so this is where I think we had this discussion and kind of ended up when we were in committee. Mel.

MR. BELL: I think that's where we were. We were thinking that that was the best we could possibly do, in terms of timing, and so that's consistent with what we've already discussed.

MS. MCCAWLEY: Any more discussion here? Dewey.

MR. HEMILRIGHT: So a final action no later than March of 2023, and when would be the implementation that you could look forward to? In a few months, two or three months, after the

final action, because, after the final action -- This is from the council, and then it's got to go to SERO to be digested, or whatever, and then it's going to take three or four months there, probably, unless it's fast-tracked, and that usually doesn't happen, which maybe this will be the case, and so you're looking at March, April, May, June, or July, where this would come out, and so you're halfway through a summer season, to see some of the results, or how are you going to quantify, or how is this methodology here, in 35, going to be quantified for the next year, to be looked at for 2024?

How are we going to see results, or how are you going to quantify what this does besides the bang for the buck? You know, everybody understands what I'm asking, because clearly there's been enough discussion around the room about this use and what reduction you're going to see, but how is that going to be quantified, to be plugged into SERO's mind to say, hey, we've got a 50 percent reduction here, and so things are looking a lot rosier, or something, and I'm wondering how does that work, or is that to be determined?

MS. MCCAWLEY: Who is going to answer that question? Mike?

DR. SCHMIDTKE: I'm just trying to make sure that I'm understanding the question correctly, and you're asking how it would be quantified, the effects of the gear regulations, of how we would be estimating those effects, and so the pieces that we have right now, within the document, include -- There is, you know, the ongoing hook study that's doing a comparison of the hooks, and there is also discussion about the outreach effort, and there are some papers that we're looking into that have discussions of effects of outreach efforts and how they can contribute to conservation.

There is a bit of a lack of data related to these things, and this kind of points in the direction of something that Clay brought up yesterday, in terms of best scientific information available. In terms of some of these things, we'll scour up what we can, but there will need to be assumptions made of the effects, and like presumably the effect won't be zero, but, as far as how to quantify it, to an extent, there will need to be some assumption estimation related to that, just because of the lack of available information.

MS. MCCAWLEY: Spud.

MR. WOODWARD: I certainly don't want to keep belaboring this, but I'm trying to manage my own expectations, and hopefully that of others, and so, if this were to go through, and we were to reach a decision point in March, at some point, we've got to set the ACL equal to the new ABC, and we can't -- At this point, we are bound to do that, until somebody changes the ABC, and that is sort of what we're stuck in doing, and so, if you made a decision in March to set ACL equal to the new ABC, and what Dewey is talking about is the timing of all this, would it be the prerogative of the service to use an emergency action, or an interim rule, to accelerate the application of that new ACL for the 2023 fishing season, because, you know, you would be -- If you're trying to set it in that same July summer timeframe, I mean, obviously there is a time crunch there, and so I'm just trying to figure out what could possibly happen as a consequence of this.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Well, the bottom line is that this is too late, most likely, to affect the 2023 season, which I see as problematic, but I also was concerned, when I came to this meeting, that we

were saying that Reg 35 wouldn't be completed until December of 2023. We haven't added anything to Reg Amendment 35 at this point, and it's a fairly simple action, other than it's very hard to quantify some of the benefits from it at this point, and so I just saw this as a reasonable timeframe and something that would move this along for the council to take action, but, typically, with regulations, we're in the five to six-month timeframe, once the council submits it to us, to take action.

MS. MCCAWLEY: Thank you. Gary.

MR. BORLAND: I don't mean to throw a wrench in this conversation, and I'm going to pull the new-guy card, because I've only got a few hours left, and how do we get this council group to think holistically about this grouper snapper complex and talk about like the regulations they have in Alaska, where you pull up on the reef and you catch ten fish and quit? You have to quit fishing, because you've reached the limit, and stop the discards. The whole problem is discards, and how do we get to the point where we catch fish and then you stop fishing?

I think the rec sector would be for that, and maybe I'm wrong, but I feel like we are avoiding what the real problem is, and I think there is a management solution to get there, and I'm not a scientist, and I don't know how to model that, and I don't know -- But it almost takes care of itself, because, if red snapper is the most prevalent on the spot you pull up, you catch ten and quit. If you pull up and there's yellowtail, you catch ten and quit, and I'm not saying ten is the number, but how do we get to that point?

It seems to work fairly well, from what I've seen and experienced, in the Bahamas, and it works, from what I understand, very well in Alaska, and I've been part of that fishery, and I've never heard that spoken about, and so how do we get there? I know that's a whole other project, and I didn't mean to derail this whole Amendment 35 piece, but it's inevitable, where we're headed now.

MS. MCCAWLEY: I feel like this is a broader discussion, and I just will say that I brought up that option at the June council meeting as an option, to have an overall snapper grouper bag limit, but it wasn't the pleasure of the committee, or the council, to select that option to put it in Amendment 35, and I also think, once again, Amendment 35 is the faster, the shorter, timeframe option, and I would love for angler behavior to be changed relatively quickly, and so, I mean, I thought that that might be a way to do it, but that was not the pleasure of the committee.

We did have a visioning process, a number of years ago, on the snapper grouper fishery, and maybe there's something that happens outside of a regular council meeting, when there's an amendment on the table, where we have these discussions again, like what we had in visioning, where we talk about these overall bag limits, the seasons for each species, whether it's, you know, a shallow-water grouper closure, deepwater species, et cetera, or even what species are in the snapper grouper complex, and should some of those be moved to ecosystem component species, because they're never going to get a stock assessment, and so I believe that, part of that discussion, we already had it in June, and it wasn't selected by the committee as an item to go in Amendment 35, but then another piece of that is another type of discussion that we could have, should have, in thinking about what to do on the long-term, and so I'm hoping the management strategy evaluation piece will look at some of these types of things as well. Tim.

MR. GRINER: Thank you, and that's one of those things that, with this many species, you start peeling back the layers of the onion, and it just gets worse and worse. We couldn't even come up with an aggregate for a deepwater species that only had -- That only had a few species in there, but, anyway, back to this.

I think having a goal is always good, and I'm very supportive of this. You know, if we, as a council, can't get this done by March, then shame on us, and I think -- Mike is very correct that, I mean, we're going to have to make some assumptions whether or not these things are going to give us any bang for our buck, and, you know, hopefully we make the assumptions and we assume the best, is all I can say, but I really think we need a goal here, and March seems to be a very doable goal, and let's work hard to get this done by March, so we can get the new ACL set to the new ABC and move this thing forward.

Maybe, once we get this done, and, by then, maybe we'll have some better ideas of some holistic approaches and some other things that can help us, but, you know, right now, the best we can do is push this to March, and make some very educated assumptions with what we're going to get out of some of these gear modifications, and, you know, send it down the road, but I'm in favor of this, and I think we need a goal, and I think this is a good one.

MS. MCCAWLEY: All right. Any more discussion on this motion? We've heard some discussion today, but we had discussion about this in committee as well. Are we ready to vote? Myra.

MS. BROUWER: **Just to clarify, Andy, if it's okay with you, I would like to put "red snapper" in front of "ACL", just to make it crystal clear what we're talking about here, for the public.**

MS. MCCAWLEY: Okay. Andy is nodding yes, and I believe the seconder was Kerry. Are you good? Okay. All right. **All those in favor, raise your hand, eleven in favor.** Judy, are you in favor?

MS. HELMEY: I am raising my hand.

MS. MCCAWLEY: Okay. Yes.

MS. MARHEFKA: Just so the record is clear, Tim was actually the seconder of that motion.

MS. MCCAWLEY: Okay. Thank you. I'm sorry. Tim, were you okay with adding "red snapper"?

MR. GRINER: Yes.

MS. MCCAWLEY: All right. I think that there were twelve in favor. Those opposed. Maybe we were technically at thirteen, with Judy. Okay. **Then no opposition, and it passes.** Okay. All right. I'm going to go back to the committee report. I know folks need a break. Let's try to get through red snapper, and then we'll take a break. All right.

Back on Amendment 35, the next two items there on the board were showing the actions, some of the actions, that are in Amendment 35. Action 2 is to prohibit the use of automatic rod-and-reel

for the snapper grouper recreational sector, and there is some points under that. Action 3 is prohibit the use of more than one hook per line for the snapper grouper recreational sector, and so there's some points underneath there. I am not going to read them, and you guys can see that. There was also a bullet there that said to investigate changes to the launch schedule at Kennedy Space Center, associated fishing regulations, and potential effects on catch, fishing mortality, and rebuilding for red snapper in that area.

Then the committee made Motion Number 1 to add an appendix to Regulatory Amendment 35 to promote best fishing practices that reduce recreational dead releases in the snapper grouper fishery. On behalf of the committee, I so move. Any discussion? Any opposition? All right. Seeing none, that motion carries.

Then there were a number of bullets underneath that about the best fishing practices and about the outreach there, and I am not going to read that, except for the one that asks a question about adding a mandatory best fishing practices education component that, in another amendment, this was part of the discussion for our technical group, but there is a question here about need additional clarification of who would administer, NOAA or the states, and is this is an EFP, and so how can we clarify this, from the committee? Mike.

DR. SCHMIDTKE: Thanks, Jessica, and I don't know that that needs to necessarily be answered today, but that's something that would need to be answered as it's going through that process of having this mandatory education component as a requirement, and just I would clarify -- Is that something that is being incorporated into Amendment 46, is a mandatory education component, and that may be talked about in the next item.

MS. MCCAWLEY: Yes, and that's what I was going to say. In the next item, on the private recreational permit and reporting, where we're working on the technical group, some of those same questions were posed to that group. Are we wanting to -- When does the technical group before the December council meeting? I can't remember. It's not scheduled yet, according to Myra. I am looking around to the committee. I mean, I really like this idea, but do we want the technical group to talk about this first, or do we want to keep this in this amendment? Thoughts? Andy.

MR. STRELCHECK: I like the idea of having a technical working group talk about this.

MS. MCCAWLEY: Okay. Mel and then Carolyn. Mel, you were the one that brought it up, and I'm giving you time to read it. Let me go to Carolyn first and then back to you, Mel.

DR. BELCHER: I was going to say that I would support the technical group looking at it as well.

MS. MCCAWLEY: Mel, are you okay with that?

MR. BELL: Yes, that makes sense. I mean, ultimately, it's all about the ideas and the technical application of how it may work, and so hopefully we get something out of that.

MS. MCCAWLEY: Okay. All right. Thanks for that discussion. Myra.

MS. BROUWER: Thank you, Jessica. I had highlighted up here this bullet at the very top, and, just for my own clarification, this directs staff, and not the IPT, and the second bullet directs the

IPT, and so I just want to make sure that we're on the same page, but to develop this program to expand BFP education and outreach, and so that's kind of a big ask, and I just wonder if the committee would just sort of tell us what your vision is. I can tell you what we were sort of thinking about bringing to you in December, and the decision document for Reg 35 included a summary of everything that we've done so far for best fishing practices and outreach, the ongoing efforts with the Sea Grant fellow, work through citizen science, and so we're going to kind of compile that and develop a draft plan to include in Reg 35, but we would like a little bit more guidance on what you mean by including cost estimation.

MS. MCCAWLEY: I thought, also, we were talking about the new descending device coordination team, the Return 'Em Right folks and that team that has got state agencies and other folks on there, and, if there was a cost estimation needed, and so let's say that that new team is suggesting that a video needed to be produced, or multiple videos needed to be produced, or that a bunch more of these devices need to be purchased and then handed out, and I think that that was the intent, was to get more information from that group and figure out if there are costs with doing some things that they're suggesting. Spud.

MR. WOODWARD: Thank you. Another thing I think is important is we need to capture and quantify what everybody has done and not just the council, because a lot of states have done this, and some private ventures have done this. I mean, we need -- How many people have been touched by best fishing practices and descending devices education, and, I mean, even the Gulf, because these people fish in both places.

I mean, we really need to look at how big has this been, how many people have we touched, and how do we make it bigger, and it's even YouTube video videos. I mean, you all -- FWC has done that, and, I mean, how many views have there been of those things? I mean, we -- To really understand the scope of how many people we've affected by this, we need to look at everything that everybody has done and bring that number back to us, so we have some frame of reference of where we're trying to go with this.

MS. MCCAWLEY: Yes, that's a great point, and it looks like Myra captured that. Mel.

MR. BELL: Part of my thinking too is bringing in -- As Spud mentioned, look at everything that's been done, but I had this vision of a really attention-grabbing video-type thing, and I'm working with video, but where you're using like people from outside, like what we call influencers or whatever, and folks, and so I don't know what that costs, or what it would cost to get the best you can get to -- I mean, some people may be willing to do things on a voluntary basis, but that would be -- To get the people that the fishermen trust already, to some degree, to get them involved in this, and then just kind of preaching the message, and they already kind of do this stuff anyway, a little bit, and so -- But whatever that might cost to wrap into this sort of thing.

MS. MCCAWLEY: Christina and then Dewey.

MS. WIEGAND: I just want to remind you guys that you mentioned the reef fish fellow that we have, Ashley Oliver, and so that's the program that's funded by Sea Grant, and we have this for four years, and she is working, currently, on a lot of the stuff that you guys have talked about, going to tackle shops, to distribute best fishing practices information, and working with the Citizen Science Program as well, and we've had seminars, and you heard two of our public commenters

who partnered with us to do a seminar at Haddrell's, and we're also working on, you know, gathering and putting together content, things like videos and stuff that we can use to help spread sort of the best fishing practices word.

There is a summary of that in Reg 35, and we can also, like Myra said, put together additional information about that. As part of that, there's also an evaluation going on, and this is part of a larger grant that includes Return 'Em Right, and there is survey work being done. They just completed the first set of it, and the results of that will be presented at the sort of broader Reef Fish Extension meeting this October in San Antonio, and that was sort of the first step looking at knowledge and awareness of best fishing practices. There will then be a follow-up survey, later on, that sort of looks at how things have changed as a result of campaigns like Return 'Em Right and the work that Ashley Oliver is doing.

MS. MCCAWLEY: All right. Thanks for that. It looks like Myra captured some of that up there as well. Dewey.

MR. HEMILRIGHT: I mean, we've seen, in the audience the other day, a lot of folks, and we saw a lot of NGOs, and we saw a lot of recreational fishing organizations, and I know, from being a commercial fisherman, that some of them don't have problems writing about what the commercial industry does, and so this might be a great opportunity to reach out to folks in the recreational industry and say we need your help.

You want to go fishing, and you want to access these fish, and we need to promote and see that you're using, and be able to quantify that, and so you had a lot of folks here, and you had CEOs of Shimano here and different things like that, and you should be reaching out to them, the ones in the audience that are begging to help, because of a possible red snapper closure by area, and I know that some of them are, you know, whatever it is, when you're promoting something, and I can't remember what it was, but, I mean, you've got a great opportunity.

They're begging to help, and you should take them all up on it, all avenues of the NGO community, sportfishing groups, different associations, and all that stuff, and it's a perfect opportunity here to help you all out, because they have the money and the resources and the time, and it's obvious that the council doesn't. It's been doing a great job with what it has, but it ain't reaching there, to get us some idea of the quantity, that everybody out there fishing is using it and knows about it, and all the tackle shops have it, and so you need to tap into that, because, if it's between not going fishing and standing in the way of them telling about it, you've got some issues there.

MS. MCCAWLEY: Thank you. Spud and then Mel.

MR. WOODWARD: I certainly don't want to detract from this conversation, but a lot of this is going to be talked about at our Outreach and Communication Advisory Panel meeting coming up next month, and there will be a lot of in-depth discussions about that, and, to Dewey's point, industry has been involved in this, and I would just remind everybody of the FishSmart project, where the American Sportfishing Association, Keep America Fishing, and Yamaha funded, you know, the giveaway of descending devices, and so there's been a lot done, and I think what we're struggling with is we sort of forget that this has been going on a long time.

I mean, we've been -- Florida was giving away descending devices how long ago, Jessica? I mean, probably almost ten years now, and so there's been a lot going on, and what we really need to do is almost stop and go, okay, how much have we done to get us to where we are, and what do we do best, going forward, to build on that, using the resources that we have, and that's what our AP can help us do, is figure out, you know, which of these tools gives you the best bang for your buck, to use a cliché, and that's what they'll be focusing on.

MS. MCCAWLEY: Thank you, Spud. I have Mel and then Gary.

MR. BELL: As Spud mentioned, Outreach and Education will be dealing with this, and this is the messaging piece, but, in any of our messaging, I think we need to have a clear understanding -- The public needs to have a clear understanding of the problems we're facing, and it's not a red snapper problem, and it's not even just a snapper grouper problem. It's -- The problem is, and I speak from forty years of watching this, is the extractive capacity of our fisheries is amazing, beyond what it was years ago, and that's because of numbers, and that's because of technology, technology in everything from electronics to boats, and so a clear statement of what's at stake and what the issues are needs to be at the head of this, because -- In all of our fisheries.

Just that's what we're dealing with. If we want to have access for as many people as possible, for as long as possible, then folks really need to take these best practices seriously, because they're in control. They're in control of, you know, their fishing effort, their discards, how they handle discards, and that sort of thing, but a clear statement from a standpoint of explaining the problem and what's at stake and what their role is in this in enabling us to have sustainable fisheries into the future, but it's just -- It's very scary, in that it's not the same world it was forty or fifty years ago, in terms of what people can do.

It's great that people have access to these public trust resources, but, you know, with that access, they've got to take on roles of being -- That's why I was saying, earlier on in the week, that I'm very proud of my own South Carolina fishermen, in that I've watched them deal with things like red drum issues, and spotted seatrout and things, and they -- You know, because of their own willingness to become extreme conservationists, in some extent, and to where fishing practices that used to be tolerated are no longer tolerated within their own community, and so that's the -- We just need to make sure we have a clear statement of the problems and what's at stake, and so that needs to be in the messaging.

MS. MCCAWLEY: All right. Thank you, Mel. This whole time, Myra is capturing these points and those bullets. Gary.

MR. BORLAND: Just real quick, to add on to Mel and Spud, is that, obviously, the industry will, and is, getting involved. I think the -- From my view, the bigger miss is that I don't believe the public, a large percent of the public, understands that dead discards goes into the equation to run our policies, right, and I think they miss that, and that message needs to get carried.

MS. MCCAWLEY: Good point. All right. Laurilee.

MS. THOMPSON: So we're talking a lot about how we educate the public, but how do we educate the SSC? I wish the SSC could have been here listening to public comment the other night and hearing the success stories on the releases, because I believe that their dead discard numbers, which

is what is shutting the fishery down, are way overinflated, and so, you know, they need to be educated, too.

MS. MCCAWLEY: All right. Thank you, Laurilee. All right. Any more discussion on this? Okay. I think we've covered all that, and I'm going to suggest to our Chairman that we take a break. Is this a fifteen-minute break? Sure. A fifteen-minute break, and people can check out, and so see you back here in fifteen minutes.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. We're going to get going again here, and so, before we go into the private recreational permitting and reporting technical group, I'm going to turn it back to Andy, who has some more items on discards.

MR. STRELCHECK: I guess we're missing a few folks, and so there were some brilliant ideas that just came out and kind of aligned with a couple of motions that I wanted to make. I have provided Myra two motions. You heard, on Wednesday night in public testimony, and there's been a lot of chatter around this table that no one believes the discard estimates. We also have talked a lot about the benefits of outreach and education, and I was impressed, and surprised, I think, with the amount of use by the stakeholders of descending devices.

I talked to Clay, and, you know, is there anything we can do, in terms of looking at the assessment model and making some different assumptions with regard to discard estimates and descending device utility, or utilization, and provide more guidance to the council, and I get back to a comment that I made yesterday, or the day before, and it's really important, least for me personally, that this council be guided by science, and we have an assessment, and I know people disagree with that assessment, but I think this is an opportunity for the science to help us be more informed with regard to what does it mean, in terms of some of the comments we're making and how that then affects the results of the stock assessment and decisions that are ultimately going to come before us.

My motion, and I don't feel like I need to read it, and so it's on the board, but, essentially, it's to request a sensitivity run from the Southeast Fisheries Science Center that's presented in December that would do two things. One, it would assume discards are essentially 50 percent relative to what's included in the assessment currently, and that's just a guesstimate, and it's not founded in any science, and then also assume 100 percent compliance with descending devices. Right now, I believe we have 25 percent assumption, and so this is intended to be just a hypothetical scenario. This is not best available science, but it would help the council, obviously, as we work through some decisions about understanding how to reduce discards and discard mortality, and so that's my motion, and, if I can get a -- Well, I guess I should ask for a second before I explain it.

MS. MCCAWLEY: All right. It's seconded by Gary. It's under discussion. Can everybody read the motion? I'm just making sure that people can see it. Mel.

MR. BELL: I think that would be useful, like Andy is saying, in terms of, you know, just making some assumptions that these things happen and what would that mean in terms of applied back to the assessment, or to the stock, and so they've got the ability to do it, and it would just help us to

have a sense of, you know, what improvements in some of these areas might mean and how it would actually play out in terms of impact back on the status of the stock. It seems useful to me.

MS. MCCAWLEY: Tim and Trish and Chip.

MR. GRINER: I think it would be very useful, very informative, if nothing else. I was curious though, and is that dead discards or all discards, and, when you're talking about all discards, does anything other than dead discards give you any benefit in the assessment, or does only looking at reducing dead discards do something for you?

MR. STRELCHECK: I mean, it refers to discards, and so, essentially, we would be cutting the discards in half, but still applying the same discard mortality rate. You could kind of accomplish the same thing by keeping the discards the same and reducing the discard mortality rate, right, and so, in talking to Clay, and I don't want to split hairs here, in terms of the approach, but I just felt like this was a reasonable way to look at what would a significant lowering of the estimate of discards do, in terms of the outcome of the assessment.

MR. GRINER: Can I follow-up, real quick? Would it be difficult to run the same analysis with a change in the discard mortality rate as well?

MR. STRELCHECK: I would have to check with the scientists, and so that would essentially then be a cumulative reduction, and so, if you reduced it by 50 percent for the discards, and then reduced the discard mortality rate further, it would result in additional reduction in the dead discards, but this is hypothetical, right, and so I'm just trying to keep it reasonable, in terms of the hypothesis here.

MR. GRINER: No, and I get it.

MS. MCCAWLEY: Trish and then Chip.

MS. MURPHEY: So this is just a question, and so would this be one sensitivity run, the discard estimates and the 100 percent compliance, and is that one together? I guess what I'm asking is, is this two separate sensitivity runs, and then would you do a third one with them combined, and so it's just a question, for clarification.

MR. STRELCHECK: Thanks, Trish, and so, as envisioned, it would just be a single sensitivity run with both of these items combined.

MS. MCCAWLEY: All right. Chip.

DR. COLLIER: I'm assuming the annual discard estimates -- That is the number of fish that are being released going back to like maybe 2010, when the closure went in place, or do you want to go even before that, and just a reminder that there are blocks for different discard mortality rates currently included in the stock assessment, and so changing the discard mortality rate might be a little bit more challenging than just changing that rate.

MR. STRELCHECK: Clay has his hand raised, and so it's probably best for him to talk.

MS. MCCAWLEY: Thanks. Clay.

DR. PORCH: I had a question, but I will answer the last questions first, and so the way I would interpret this motion is that we would assume that annual discards have been about half what we're estimating them to be all the way back in time, and the rationale for that is the thought that FES might be overestimating the offshore effort. That scale seems about right, because, if I recall, where we had side-by-sides with SRFS and FES, on the west coast of Florida, and, at times, it might have been different by a factor of two, and so this kind of makes sense.

I don't think, even from the public testimony we heard, that the discard estimates are much lower than what we're using in the assessment. What the public sees is how many die at their boat, and they don't really see how well they live after they've been at-large for a few days, and I was talking with some other folks. Even if you spear a fish, and he gets off the spear, he swims off, and it looks like he's okay, but he's got guts trailing out, and you know he's not going to live, and so I don't think I would drop the discard mortality rate very much. We have some pretty good studies there, but the bottom line is they both work together, and so, the way this is written, it would say, whatever the reason, dead discards, and so total discards and dead discards, are half what we used in the assessment.

We do that back in time, because you would expect that to be the same, and then we would make the same assumptions about how the discards might be reduced, as was used in the projections from the last assessment, since there is a body of literature that looked at that very thing, how effective could the descending devices be, and they essentially assumed a high compliance with descending device usage.

MS. MCCAWLEY: All right. Thank you, Clay. Any more discussion? Spud.

MR. WOODWARD: I like this motion, and I think it shows some willingness to address a persistent concern of ours about the accuracy of the discards, and, while it may not be peer-reviewed, the best scientific information available, it will give us some context for future discussions, I think, about this that will be useful, and so I appreciate it.

MS. MCCAWLEY: All right. Any more discussion on the motion? All right. **Is there any objection to the motion?** Andy.

MR. STRELCHECK: One more, and then I promise that I will stop. This builds upon what Gary said just before the break, and I appreciate his comments. I have heard the discussion today, and I heard the discussion earlier in the week, and we've talked about Reg 35, even the reduction in the ACL not achieving a lot, in terms of reducing discards, and I think it's really important for us to start wrapping our minds around, you know, options that we can look at over the long term to avoid, minimize, and reduce discards in the snapper grouper fishery.

You can bring up my motion, Myra, and I'm not being prescriptive on how we do this, but I'm recommending that a white paper be drafted, and -- Well, let me ask for a second first, and so the goal here is essentially to direct staff to develop a white paper.

MS. MCCAWLEY: So, just to be clear, we didn't get all the way through the previous motion, and so I didn't see any hands in opposition, and I assume that Judy was not in opposition, but we were still trying to record the vote on the previous motion.

MR. STRELCHECK: Sorry.

MS. MCCAWLEY: Are we -- Okay. **It looks like we're approved on the previous motion.** Okay. I'm going to pass it back to you.

MR. STRELCHECK: Apologies, and I don't realize we were not done. **This is essentially to direct staff to develop a white paper for review at the December meeting to evaluate additional long-term options to further avoid/minimize discards of snapper grouper species, in order to achieve many of those other objectives.** This is wide open, and this is not prescriptive.

This is just an opportunity for us to really be brainstorming and strategizing ideas that we think might be opportunity for us to evaluate further options to minimize discards, and my concern is that we are putting a lot of eggs in a basket for the MSE, for some other analyses that are multiple years away, and I think the problem, or the challenge, with that is that, if we wait for a couple of years, and then we try to react to that, we're probably another couple of years after that before we start taking action.

This, to me, is frontloading some of that work and discussion, but allowing, obviously, those other processes that we've set in motion to proceed, with an opportunity to potentially react and do some things before then, if we feel like we've come up with some viable options, and so, if I can get a second.

MS. MCCAWLEY: All right. Are those hands for seconding? All right, and so motion by Andy and seconded by Tim. It's under discussion. Myra.

MS. BROUWER: So this looks like a whole lot of work, work that will definitely inform your decisions over the long-term, but, if you want this for December, I'm afraid that we're going to have to cut back on other items, and so that's kind of the obvious thing there, and I think maybe Chip has a few more things to add.

MS. MCCAWLEY: Thanks, Myra. Chip.

DR. COLLIER: Andy did mention the MSE that we're going to be working on. I think one of the important things to do with that is let the stakeholders come up with the ideas, in order to develop a sustainable fishery. If you begin to develop a white paper, you're framing some items for them to fight against, as opposed to develop how they want to see the fishery, and I think that's going to be how we try to work on that management strategy evaluation, is letting the stakeholders guide the development of it and really think about how different management strategies, essentially, that could be effective for reducing potential discards and also increasing, potentially, satisfaction in the fishery.

MS. MCCAWLEY: Gary.

MR. BORLAND: Sorry. I am pulling the new-guy card again, and how do we -- How do you guide them to brainstorm -- I haven't been to an AP meeting yet, and so, again, excuse my ignorance, but how do we guide them to think that way, right, and I feel like, today, they know we manage, or it seems like we manage it by fish, and not the fishery, or complexes, and how do we get them thinking in that direction? I'm just looking for a little bit of information.

DR. COLLIER: I'm not an expert on this, and this is why we've hired Blue Matter Science, in order to develop the MSE for us, and we also have a facilitator that's going to be working on the project with them, in order to engage them and getting them thinking in the right direction, in order to develop this holistic approach.

MS. MURPHEY: I guess what I was thinking, when you put this motion up -- Andy, I appreciate that we're trying to find solutions as fast as possible, but I just was -- What came to mind was workload and if this was kind of jumping in front of the MSE, and then what Chip said kind of confirmed my thoughts, that I know the MSE is a longer-term way to get to solutions, and that you're trying to be quick, but I feel like we need to just let the MSE take its course, because, again, sometimes doing something -- You get a better product if you take the time and put it in and do it right, and so that's -- I'm not sure that I would support this, though I appreciate, you know, the intent of it.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Well, I don't necessarily fully agree with the MSE and waiting for that. I mean, I agree that it's important to have stakeholder input. There's a lot of smart people around this table, and you've been appointed by the council, most of you, to obviously work on these challenging issues, and so we have an opportunity, working with the stakeholders as well, to inform this process and make some headway.

I'm cognizant of workload, recognizing that, and so I would be amenable to changing the motion to begin development of a white paper for further review at the March meeting, but I think it's important that we continue to show the steps the council is working to take to address these management challenges for snapper grouper, and that, to me, would like up well with Reg Amendment 35 coming to completion, us, you know, building off of Reg 35 for the next action, and then moving forward with the continued work of the MSE and the work of the Science Center thereafter.

DR. SCHMIDTKE: I just wanted to point out that, within the AP's agenda for the October meeting, we are having the primary investigators for the MSE come and talk to the AP, and they're going to be getting feedback from them that's going into the MSE, and some of that very well may be -- I don't know the specific questions that they have planned, and it's probably within their research design of what they have planned to ask, but I would imagine that a lot of that is getting at some of the topics that are being addressed within the motion.

Then, just coming back to Gary's question, as far as getting, you know, the -- As far as the AP having thoughts towards a more holistic fishery, the AP, just in my fairly brief couple of years of experience with them, but kind of some of the recurring comments that you hear from them, are that, for snapper grouper specifically, it's kind of a -- It's an array. It's a suite of species, and, because of the way that the fishery is prosecuted, the way that the fish are distributed, both the

recreational and the commercial guys both -- They recognize that they are fishing on groups of species, and so their thoughts, their comments, have been geared more in a more holistic, rather than single-species, type of manner, in the past few meetings especially.

MS. MCCAWLEY: Okay. More discussion here? We've changed some deadlines, and it says, "begin development", and it doesn't say complete by the December meeting. It does kind of seem to conflict a little bit with the MSE, but I like the spirit of it, but still. Mel and then Carolyn.

MR. BELL: I am more comfortable with it in this fashion, in that it does line up with 35 coming to completion, hopefully in March, and I understand the time imperative thing, and what we want to make sure is that things are moving along and moving along, and we don't want to seem to have a dead period, where we're transitioning and having taken action in March, and then we've got this little lull, but it -- Andy is right, and these things need to happen, and Gary mentioned it.

The out-of-the-box thinking needs to happen, and, the quicker we can get people's minds engaged in helping us with this -- Because, you know, so far, in some of the -- I think, at the last Snapper Grouper AP, we didn't really get -- We got a lot of anger and disappointment and venting of -- We didn't really get a lot of out-of-the-box thinking, and so I think, the sooner we get this going, the better, and it is about just getting people thinking, getting them engaged, getting them to understand the problem, getting them to understand their involvement. The quicker we kind of officially get that moving, the better, and so I'm more comfortable with it as worded here.

MS. MCCAWLEY: All right. Dewey and then Kerry.

MR. HEMILRIGHT: I think this is a good motion, but something that I find most helpful, and visual, is that we need, at the AP meetings, which I'm not on the AP, but, at AP meetings, we need a visual of the states, each state, and the bathymetries of the fishing area. Like there should be a posterboard up of every state and its bottom area, and let people look at it, and maybe write something, that this is where we catch this or this at, and we've got our surveys, but we sit around the table, and most people, even though -- They don't know the area they're fishing, maybe the public or something, but I believe that some visuals, with bathymetric area, of showing off a coast, on some whiteboards on an easel, is not too much to ask, to let the people look about their area and stuff that's known, where we maybe do surveys or something to show that area, and just let people look at the ocean.

We talk about all this stuff about discards and where it happens and all this other things, but nobody has got -- Knows where it is, and so that's something that's cheap, relatively, to do, and I think the Beaufort Lab has done -- A girl in there named Christina, I believe is the name, has done some great work for SADL, in showing the fishermen -- Laying out the bathymetric, but something like that I think would be a very helpful tool.

Somebody might have to carry it around to the meetings, but I think that would be very helpful, a visual, and I would help recommend an outlay of what I'm thinking about, if that could be useful, and maybe also to help the AP in their meeting in October, and I don't know what their dates are, but just to do a start, because, even when we review stock assessments, nobody knows where in the heck the -- Where we're talking about the different things, blueline tilefish or stuff, and I think it would be helpful for all of us, folks that are in the table and folks that are on the water, to be able to look at maps to have discussion on. Thank you.

MS. MCCAWLEY: Thank you. Kerry.

MS. MARHEFKA: I just wanted to second, on the record, what Mel said. I agree with him. The spirit of this very much gets me all tingly and excited, but I also feel very protective over staff's workload and the MSE process, and so what I would hope we could do -- I would very much like to have the -- If there's a way for the AP to directly address the topics and the situation that is laid out in this motion, without it messing up the MSE people, and I would trust staff to work through that and to lay that out for the AP in a way that you feel most comfortable. I don't know if that's too much decision on you all's shoulders, but I like the spirit of this a lot, and I think this is -- We've got to do something, and it's not going to be red snapper, and it's going to be another species, and we're not going to have a choice, and we've got to do something, and I think this is a conversation that needs to be had soon.

MS. MCCAWLEY: Okay. Trish and then Tim.

MS. MURPHEY: I think this is great, that we're trying to do this, and, again, I appreciate the spirit, but this is a huge ask. I mean, look at the list in here, and I just -- It's almost like a whole separate amendment in itself, and that -- Again, I guess I'm really concerned about staff time on this, because this is a -- There is a laundry list in here that is just -- I know, if I got -- If I were staff, and I was given this, I wouldn't even know where to start, but I think, again, this is really just asking for an MSE, but, you know, anyway, that's my opinion.

MS. MCCAWLEY: Thank you. Tim and then Andy.

MR. GRINER: Well, I really like this. I mean, this is the heart of the problem right here. I mean, you look there, and it says to shift dead discards to landed catch. That, in a nutshell, is the problem with red snapper, and we can dance this all we want to, and talk about how much time we have, and time to do this and time to do that, but, you know, yesterday, I heard that we had time to go do a white paper on little tunny, on a fish we don't even manage, don't even have a fishery management plan, and it's not even caught very much in federal waters.

The problem we have with red snapper is dead discards, and we need to be thinking outside the box, and I don't care how long it takes, or how much effort it takes, but this is the problem. We've got to get to the root of the problem, and I think Andy is exactly right. The way you're going to get there is by brainstorming and using the smart people that we have available to us, including everybody sitting at this table, to come up with some ideas that can turn these dead discards into landed fish, and that's the only way you're going to solve this problem, and I'm for this motion.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Tim made a lot of my points, and, you know, I just would emphasize, like he said, this is the heart of the problem, and we spend a lot of time focusing on changes to trip limits and whether the size limits are going to be thirty-two versus thirty-four inches. We're really working around the margins, in terms of some of the really major challenges that we need to be addressing in the fishery.

To Trish's point, I'm also cognizant of workload, and that's why I was amenable to making the change, because we're saying begin development, and I don't think we're obligating staff, in terms of telling them how to write this document and what the document looks like. I mean, I can envision this as simply a bulleted list of ideas, starting with pros and cons and further information that can start helping inform a more elaborate and detailed white paper that will benefit all of us in the long term, and so I think there's some opportunities for us to be able to simplify the process, early on, and then form the building blocks for really improving upon the white paper as it goes forward.

MS. MCCAWLEY: All right. I would like to take a vote on this, to try to move us along. We're still only on page 2 of this committee report, and I'm just saying. We're still on the first main topic, and so, all right, and I would like to take a vote on this. **All those in favor of this motion, raise your hand.** Judy, where are you?

MS. HELMEY: Yes. I'm for it.

MS. MCCAWLEY: Thank you, Judy. **Those against.** Okay. **All right, and so that motion passes.** All right. I'm going to try to go back to the committee report. I'm just saying. All right. Next up, the committee discussed the private recreational permitting and reporting, which is Amendment 46, but, at the June 2022 meeting, the council established membership for the Snapper Grouper Private Recreational Permitting and Reporting Technical AP.

The committee received a summary report of the AP's first meeting, which took place in August, and asked for guidance on how the AP should proceed at the next meeting, and the committee was asked for feedback on the intended outcomes of implementing a potential private recreational permit and reporting requirement.

In response, the committee provided the following vision statement and guidance. The vision statement says: A permit for the private recreational sector of the South Atlantic snapper grouper fishery will facilitate the collection, validation, and analysis of harvest and discard data to improve the catch and effort estimates used for fisheries science and management decision-making. Then we went through a list of discussion topics for the AP, and they've been grouped into items for the permit and items for reporting, and I'm not going to read all of those, and you can look at them in the committee report.

Next up, the committee went to yellowtail snapper, which is Amendment 44, and so the committee received an overview of the SEDAR 64 interim assessment, and the committee then reviewed the SSC report overview and the fishery overview, and the committee made the following motion, Motion Number 2, to reinstate Snapper Grouper Amendment 44. On behalf of the committee, I so move. Is there any discussion? Is there any objection? All right. **That motion carries.**

Then the committee went on to gag, which is Snapper Grouper Amendment 53, and reviewed a decision document and made the following motions and gave the following guidance. **The committee made Motion Number 3 to approve the purpose and need statement, as revised. On behalf of the committee, I so move. Any discussion? Any objection?** All right. **That motion carries.** All right.

MS. BROUWER: Let me explain, and so the note refers to the fact that you added black grouper to one of the actions, and so, therefore, that's going to necessitate some edits to the purpose and need, but, if you all agree to let the IPT bring you back a revised purpose and need to incorporate black grouper, then we can dispense with that in December.

MS. MCCAWLEY: Okay. I'm good with that, and I see people nodding yes, and I see thumbs-up. Okay. All right. Then the committee looked at Action 4, modify the commercial management measures for gag, and made Motion Number 4, that looks like it's been edited a little bit. **Retain Alternative 1 as preferred under Sub-Action 4b for public hearings. On behalf of the committee, I so move.** Any discussion? **Any objection?** All right. **That motion carries.**

Then it looks like there was some direction to staff on gather input on adding May to the spawning season closure and gather input on region-specific spawning season closure adjustments, and so then Motion Number 5, which -- Go ahead, Allie.

MS. IBERLE: So, when this motion was originally made, it was discussed that we would have a separate action to address black grouper, and staff discussed this and thought that it would be best incorporated into the actions that we already have, actions and alternatives that we already have, and so we have the suggested edits on the motion there.

MS. MCCAWLEY: I am looking, and I think that it might get dicey, and so, the way that it's written now, it's changing every single one of the actions, so that you cannot select black separately, and you have to make whatever the decision is apply to black and gag, and so I guess I had some concerns about that, that we needed to intentionally decide that we wanted both things, vessel limit, trip limits, seasons, et cetera, and I know we didn't want to modify the season, but, if we did, I would want us to make a conscious decision and have options to select black separately from gag, and so I have some concerns with how it's worded a little bit here.

MS. BROUWER: Okay, and so, just to clarify then, it would probably have to be done in multiple actions, and so we're talking about adding several actions to the amendment to address black grouper.

MS. MCCAWLEY: Yes, I think so, and this would be on the recreational side, since that's where the identification -- In my mind, it was modifications to that on the recreational actions, or sub-actions, or whatever they are.

MS. IBERLE: Yes, and, just to clarify for the IPT, so then the suite of actions will kind of -- We'll have the commercial actions, and then you'll have a suite of actions for gag for the recreational sector and then a suite of actions for black for the recreational, black grouper for the recreational sector.

MS. MCCAWLEY: Yes, that was kind of how I envisioned it, or I think selecting the same type of sub-actions for black is a decision point, so that you could make a decision whether, each time, you're applying it to black and gag or black or gag.

MS. BROUWER: So what I've done is reverted the motion back to the original motion, which was the one approved by the committee, and so I think you're fine to proceed.

MS. MCCAWLEY: **Okay, and so then I'm going to make Motion Number 5 to include actions that would modify the black grouper vessel limit, spawning season closure, and captain and crew bag limit and alter the purpose and need statement, or need, accordingly. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.**

All right, and so then we moved -- **We made Motion Number 6, which was remove Alternative 4 from Sub-Action 5a. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries. Andy.**

MR. STRELCHECK: I am going to have Frank come up. There was a question with regard to Motion 5, real quick, just for clarity with staff. Okay. Never mind.

MS. MCCAWLEY: Okay, and so, just to clarify, I think that we passed Motion 6. All right. **Then the committee made Motion Number 7 to add an alternative under Sub-Action 5a to prohibit the retention of the bag limit for captain and crew. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.**

All right, and so then it looks like, under this particular action about the vessel limit, it looks like it's been restructured, and we need clarification, and so, the way it's restricted -- Maybe I will just let Allie explain it.

MS. IBERLE: Yes, and so this would be your new suite of alternatives under Action 5a, and now we do have black grouper in here, and that will get edited out, and you will have this same suite of alternatives separately for black grouper, and so, essentially, you have no change, and then Alternative 2 -- You would be picking between -- You would pick an alternative for the private sector, or the private component, and then an alternative for the for-hire component, and then the sub-alternatives indicate which vessel limit you want, in either per day or per trip, and then Alternative 4 is that captain and crew bag limit.

We do have a clarification, and I don't want to skip ahead, but we do have a clarification on this, and we want to make sure, for the IPT, that you would like Alternative 3 to be for-hire, and you wouldn't like that separated out, and then, if you do, do you want per-trip sub-alternatives for each of the for-hire components, if you do want to separate it out?

MS. MCCAWLEY: Okay, and so, right now, it just has all for-hire lumped together, for-hire and recreational lumped together, in one alternative, but the question is would you want a for-hire charter alternative and a for-hire headboat alternative separately, or did we mean just for-hire overall? Spud.

MR. WOODWARD: I think, and my brain is a little foggy now, but I think that's what we meant, given how small quantities we were looking at here, and not parsing this out between headboats and six-pack boats.

MS. MCCAWLEY: Okay. All right. Okay.

MS. IBERLE: So the Draft Motion 8 we have -- So, essentially, two birds with one stone with this one, and so you'll be approving the restructuring of this range of alternatives, and then we are

giving you the opportunity to select any preferred alternatives, because we were -- I do have another draft motion to approve for public hearings, and so we can pick preferreds for this action.

MS. MCCAWLEY: I'm going to be honest. I'm too confused right now, with the black grouper situation, to try to pick preferreds here, because it hasn't been created, and so I am too confused to try to pick any preferreds right now.

Okay, and so I'm going to move to Motion Number 9, which was, and it looks like it's been modified, retain Alternative 1 as preferred under Sub-Action 5b for public hearings. This is the gag spawning season closure. On behalf of the committee, I so move. Any discussion? Any objection? All right.

Then just, before we go back to Allie, so then there were a couple of points there, to gather input on adding May to this spawning season closure as well and gather input on region-specific spawning season closure adjustments, and then I'm going to turn it back to Allie.

MS. IBERLE: Underneath this, we did want to note that, if, for the inclusion of black grouper -- Even if we separate it out, and we were talking about consistency between the commercial and the rec, and so, if we do include black grouper, and we don't modify it on the commercial end, then we'll have differing commercial seasons for black grouper, and so the commercial sector will be able to harvest black grouper before the recreational sector.

MS. MCCAWLEY: Okay. Do we have thoughts on that? Is that something that you guys can gather input on, or are we wanting them to gather input on, if the season is modified for recreational for black, that you would then consider modifying the season for commercial for black? I am looking around, and so I see heads nodding yes, but I don't know what we're saying yes to. Okay, and so that staff gather -- Gary said it. Staff gather input on modifications to adding a month to both the commercial and the recreational season and gather input on whether that should be for black as well, for both commercial and recreational. All right. I see heads nodding yes.

All right, and so then we have a draft motion here on the board, and I will read it, to approve Amendment 53 and all actions, as -- Not just as revised, but as will be revised, for public hearings. Would someone like to make that motion? Motion by Mel.

MR. BELL: Madam Chair, I move to approve Amendment 53 and all actions, as revised, for public hearings.

MS. MCCAWLEY: All right. Motion by Mel, and it's seconded by Kerry. Any discussion? **Any objection?** Mel.

MR. BELL: I was just going to say noting that we're not in a position to deal with preferreds right now, and it will just be what it is.

MS. MCCAWLEY: All right. We're going to move on to wreckfish, which was Snapper Grouper Amendment 48. It looks like we provided some direction to staff, which was to develop additional actions necessary to consider development of a VMS requirement, discuss offloading time requirements with the Law Enforcement Advisory Panel, and have the NMFS IFQ team discuss

the cost recovery process and VMS, and, Monica, did you have something else that you were going to bring back here to the March meeting as well?

MS. SMIT-BRUNELLO: Yes, and good memory. You know, I don't believe that any of you council members were at the table when the Comprehensive ACL Amendment was approved by the council, and that resulted in using an ABC Control Rule, the one you have now that you're working on modifying, but, at any rate, that changed the catch limit, the ABC and the amount of catch limit that was available for the fishermen, and that resulted -- For many fishermen, right, in all these different FMPs, but, for the wreckfish fishermen, it really dropped it, from something like over a million pounds down to -- I can't recall, but 200,000 or something pounds, and maybe a fifth of what it was.

That resulted in a lawsuit by recreational fishermen, and so, when you hear, you know, the fishermen paid for a stock assessment and all that, I thought that I would just bring back to you, in March, which is the next time you'll see this, just kind of a little small history, explanation, of what that means, that the fishermen paid for the stock assessment, because that went through your SSC process as well, and so just to kind of -- I think it sounds mysterious and weird, when that gets brought up, and so I thought that I would kind of clarify and demystify all of that and just explain it in March.

MS. MCCAWLEY: All right. Thank you for doing that, Monica, and Myra is adding that to our list there. Okay, Monica, and we're typing it up there as the history of the assessment that was conducted for wreckfish, and is that adequate, or do we need more?

MS. SMIT-BRUNELLO: That's good enough for me. I can add a little bit as -- Yes, that's good.

MS. MCCAWLEY: All right. Thank you. All right. **Moving on, the committee then made Motion Number 11, which was to approve the purpose and need, as modified. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.**

Then the committee made Motion Number 12 to select Alternative 2 as a preferred under Action 1. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.

Then the committee made Motion Number 13, which was to select Alternative 2 as a preferred under Action 2. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.

Then the committee made Motion Number 14 to select Alternative 3 as preferred under Action 3. On behalf of the committee, I so move. Any discussion? Any objection? That motion carries.

Then the committee made Motion Number 15 to add an alternative that allows for harvest or sale of wreckfish with a permit for South Atlantic snapper grouper, removing the requirement to be a wreckfish shareholder. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.

Then the committee made Motion Number 16, which is to select Alternative 2 as the preferred under Action 4. On behalf of the committee, I so move. Any discussion? Any objections? All right. That motion carries.

Then the committee made Motion Number 17, which was to move Action 5 to the Considered but Rejected Appendix. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.

The committee then made Motion Number 18 to select Alternative 2 as the preferred under Action 8.1. On behalf of the committee, I so move. Any discussion? Any objections? All right. That motion carries.

The committee then made Motion Number 19 to select Alternative 3 as the preferred under Action 8.2. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.

Then the committee made Motion Number 20 to select Alternative 4 as the preferred under Action 8.3. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.

The committee then made Motion Number 21 to select Alternative 3 as the preferred under Action 8.4. On behalf of the committee, I so move. Any discussion? Any objections? All right. That motion carries.

Then the committee made Motion Number 22 to approve Snapper Grouper Amendment 48 for public hearings at the March 2023 council meeting. On behalf of the committee, I so move. Is there discussion? Andy.

MR. STRELCHECK: Given the conversation a little bit earlier today, and workload, you know, wreckfish has been on a slow track, and I feel it's a little bit like little poor white grunt, right, and we kind of kick the can down the road, and, as much as Kerry loves the coupon system, I don't see as much of an urgency with this one as a lot of the other mandatory requirements we have, and so I am curious, from a staff perspective, the recommendation for going to hearings in March. We haven't, obviously, looked at the workplan, at this point, coming out of this meeting yet, and we'll do that shortly, but kind of where -- Do you feel like this is reasonable to get done by March, because this is a pretty heavy lift, with still what we have to do in this amendment.

MS. BROUWER: Thanks for that, Andy. I think this amendment is scheduled to be discussed by the committee in March, and the idea is to hold a public hearing during the public comment session at the March meeting, and so I think it would actually work better for staff. They're going to have to prepare the material for you all anyway.

MS. MCCAWLEY: All right. Any more discussion? **Any objection?** All right. **That motion carries.** Then the committee moved into the golden tilefish and blueline tilefish amendment, which is Snapper Grouper Amendment 52. Public comments were received online, and hearings were held, via webinar, on September 6 and 7. Then an additional in-person public hearing was held as part of the council's public comment session on September 14. We went through a decision

document, and the committee approved all actions in the amendment and provided direction to staff for completion of the amendment, as noted here.

Under Action 2, include a discussion in the amendment there is limited recreational effort in deep water, where golden tilefish are caught and so there's no need for a large recreational allocation. Also, add in a discussion of why the council did not look at a broader range of years for the alternatives.

Then, under Action 3, clarification was requested on analysis for a predicted closure for the commercial hook-and-line component. Analysts clarified that the data used in the analysis is limited, due to many regulatory closures. The IPT is to look further into this issue and make sure that it's clear in the amendment.

Then Action 4, and this is highlighted, and this is to remind us that we want to come back at Full Council, and so now, and determine whether in-season accountability measures need to be retained for golden tilefish, given the current preferred, where NMFS predicts the season length, and so I'm looking for a discussion here. I don't know that we still need the in-season AMs, but I feel like -- So I think we can remove them, but I see some discussion happening over here. Trish.

MS. MURPHEY: I was going to say the same thing. If NMFS has got it covered, I don't think we need AMs, right?

MS. MCCAWLEY: Andy and then Dewey.

MR. STRELCHECK: Yes, and I don't think we have a need for the in-season AM, given the post-season AM.

MS. MCCAWLEY: Dewey.

MR. HEMILRIGHT: Does the mentioning, when we were in the Key West meeting, about the size of the fish and what the amount would be for the golden tilefish, and it went -- By removing the size, changing the size, it's my recollection that it lost 700 fish, and it went down from 2,500 to 1,700 or 1,800, and I'm just curious how many fish there is for this 2023 season.

MS. BROUWER: What I'm remembering is there was a correction to the average weight.

MR. HEMILRIGHT: Yes.

MS. BROUWER: That was used to convert the recreational allocation in pounds to numbers of fish, and so that did in fact -- The average weight went up a little bit, and it was based on, I believe, three years of data, and don't ask me which years those were, but it was from the assessment.

MR. HEMILRIGHT: Right.

MS. BROUWER: So I don't recall exactly what the number -- But it did go down by a small amount.

MR. HEMILRIGHT: That's the number that will be used starting in 2023, and is that correct?

MS. BROUWER: This amendment will be -- It's scheduled to be approved in December, and so regulations are not going to be effective for the 2023 fishing year.

MR. HEMILRIGHT: Okay. Thank you.

MS. MCCAWLEY: All right. I think we have that captured. Myra captured that there on the board, and I'm going to move on to Action 5, which was to modify the blue line tilefish recreational bag limit, and the committee discussed future need to consider regional quotas, given the distribution of catches. Data from SEFHIER will be informative, since most of the recreational catch comes from the for-hire component.

Then we moved into the recreational season and made Motion Number 23 to change the preferred alternative under Action 6 to Alternative 1, no action. On behalf of the committee, I so move. Any discussion? Any objection? All right. That motion carries.

Then we looked at Action 7 in the document, which is the accountability measures for blue line tilefish, and this is where we made a note that we need to provide clarification, at Full Council, whether in-season accountability measures need to be retained for blue line, given the current preferred where NMFS predicts the season length, and so we need a little discussion here on that. Thoughts? Andy.

MR. STRELCHECK: I mean, consistent with what we just discussed with golden tile, given the post-season AM, I don't see a need for the in-season AM.

MS. MCCAWLEY: Okay, and so Myra is going to capture that, no in-season AM. Okay. All right. **Then the committee made Motion 24 to approve all actions for Snapper Grouper Amendment 52. On behalf of the committee, I so move. Any discussion? Any objection? All right.**

Then we moved into the snowy grouper amendment, which is Snapper Grouper Amendment 51. We reviewed public hearing comments from the webinar public hearing held earlier this month, and then we reviewed a decision document and made the following motions and gave the following guidance. Motion Number 25 is approve all actions, as modified, in Snapper Grouper Amendment 51. On behalf of the committee, I so move. Any discussion? **Any objection? All right. That motion carries.**

Then we also had a note, for clarification, for the IPT. Does the council want to have continuity between the AMs for snowy and blue line tilefish, and there's a little table there for folks to look at, and so I'll give you a second to check that out. Andy.

MR. STRELCHECK: I mean, from where I sit, I think the answer would be yes, and then the question I would raise is I had mentioned, during committee, an accountability measure that would essentially set the season for both blue line and snowy grouper the same, based on whichever one was shorter. I recognize there is regional differences, in terms of the co-occurrence, and so that may not be favorable for the entire coast, but it's certainly a reasonable alternative to consider if we want to try to avoid bycatch of one species when others close.

MS. BROUWER: Unless you want make changes to your current preferreds -- We just wanted to bring to your attention that you talked a lot about, you know, having similar regulations for snowy and blueline, and so we just wanted to point out that the accountability measures are going to be a little bit different, as they are right now, and it is up to you if you want to retain them as-is, and what I understood, from Andy's comment here, was that his suggestion was going to be for a longer term and not something that would be added to these amendments right now.

MR. STRELCHECK: I mean, certainly we had the motion, earlier today, about how we can improve on reducing discards, and so that could be kind of a longer-term action, and what can we do in Amendment 51 so that the accountability measure is aligned with what we're doing in Amendment 52? Is there an alternative to do that?

MS. BROUWER: Yes, and I believe the accountability measures are structured similarly, and so you would just need to switch your preferred to match what you've selected for blueline tilefish.

MS. MCCAWLEY: Okay. Is that something that we want to do today, or do we want to work on that at the next meeting? The next meeting, it looks like. Okay. All right. Myra is going to capture some of that, and I'm going to move on through the committee report.

Then we moved into greater amberjack, which is Snapper Grouper Amendment 49, and we looked at a draft amendment, including the rationale for each action. The committee reviewed the document and made the following motions and gave the following guidance. **Motion 26 is to approve the purpose and need statements, as revised. On behalf of the committee, I so move.** Is there any discussion? **Is there any objection?** All right. **The motion carries.**

Then the committee made Motion 27 to approve modified action and alternative language in Action 1. On behalf of the committee, I so move. Any discussion? **Any objection?** All right.

Then the committee made Motion Number 28 to change the preferred alternative under Action 3 to Alternative 2, which is a thirty-four-inch commercial minimum size limit. On behalf of the committee, I so move. Any discussion? **Any objection?** All right.

Then the committee made a motion to approve Amendment 49 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region for formal secretarial review and deem the codified text as necessary and appropriate and give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text. On behalf of the committee, I so move. Any discussion? This is a roll call vote, and I will pass it to John.

MR. CARMICHAEL: Okay. Thank you. You know the drill. Bell.

MR. BELL: Yes.

MR. CARMICHAEL: Borland.

MR. BORLAND: Yes.

MR. CARMICHAEL: Brewer.

MR. BREWER: Yes.

MR. CARMICHAEL: Griner.

MR. GRINER: Yes.

MR. CARMICHAEL: Helmey.

MS. HELMEY: Yes.

MR. CARMICHAEL: Marhefka.

MS. MARHEFKA: Yes.

MR. CARMICHAEL: McCawley.

MS. MCCAWLEY: Yes.

MR. CARMICHAEL: Murphey.

MS. MURPHEY: Yes.

MR. CARMICHAEL: Roller.

MR. ROLLER: Yes.

MR. CARMICHAEL: Strelcheck.

MR. STRELCHECK: Yes.

MR. CARMICHAEL: Thompson.

MS. THOMPSON: Yes.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: Yes.

MR. CARMICHAEL: Belcher.

DR. BELCHER: Yes.

MR. CARMICHAEL: **It passes unanimously.**

MS. MCCAWLEY: Thank you, John. Monica.

MS. SMIT-BRUNELLO: We had some -- I think a little bit more discussion on how the allocations, you know, meet the National Standard 4 Guidelines, as well as National Standard 4 period, and so, of course, when you give the staff editorial license to make the changes, we'll capture that a little bit more, probably in the council conclusions section, Section 5, and that sort of thing, just so you all know.

MS. MCCAWLEY: All right, and so then we looked at the topics for the Snapper Grouper AP meeting that is scheduled to convene -- It says via webinar, and I thought that that was in-person. Okay, and so we're fixing that. To convene October 18 through 20, and you can see the list of the topics there on the board, and it looks like they're going to be extremely busy, with lots of topics there. I am not going to read them all.

Then the committee discussed the topics for a golden tilefish longline endorsement holders' meeting and determined that, for the council to convene a meeting of the golden tilefish longline endorsement holders, they would have to establish the group as an AP or sub-group of the Snapper Grouper AP, with members going through the same nomination and approval process as other APs, and the council's next consideration of AP membership is scheduled for December, and there are no management actions specific to the commercial longline component that are currently under consideration. Therefore, the committee postponed consideration of a meeting of the golden tilefish commercial longline endorsement holders.

Then here we -- There was no other business that came before the Snapper Grouper Committee, and so what we have here is a draft timing and tasks motion. The one thing that I don't see up there is the wreckfish document coming back in March and holding a public hearing in March. Do we need to put that on there? Okay. All right. Got it. There it is. Okay. Would someone like to make this timing and tasks motion? Mel.

MR. BELL: Yes, Madam Chair. **I move to direct staff to do that following: continue to develop actions for Regulatory Amendment 35 (snapper grouper release mortality reduction and red snapper catch levels) for the committee's consideration of approval for public hearings at the December 2022 meeting; remove overfishing limits from purpose and need and action language in amendments considering revisions to catch levels, including Amendment 49 (greater amberjack), Amendment 51 (snowy grouper), Amendment 52 (golden tilefish and blueline tilefish), Amendment 53 (gag grouper), and Regulatory Amendment 35 (red snapper and release mortality reduction); conduct public comment for Amendment 53 (gag grouper) prior to the December 2022 Council meeting and coordinate with states to conduct hearings via listening stations; develop Amendment 48 (wreckfish) in preparation for public hearings to be held at the March 2023 council meeting; prepare Amendment 51 (snowy grouper) and Amendment 52 (golden tilefish blueline tilefish) for consideration of final approval at the December 2022 council meeting; convene a meeting of the Snapper Grouper Advisory Panel in October.**

MS. MCCAWLEY: All right. Motion by Mel. Mike.

DR. SCHMIDTKE: Sorry. **Just noting that we did not update the timing relative to the actions that were discussed earlier in the meeting for Reg Amendment 35, and so, with what you all discussed previously, the December 2022 meeting would be approval for public**

hearings, rather than scoping. We did do -- Just as a reminder, we did do some informal scoping, back earlier this year, as early as February of this year.

MS. MCCAWLEY: All right, and so we've modified that motion a little bit. Do we have a second for this timing and tasks motion? Seconded by Carolyn. Any more discussion on this? **Any objection to this timing and tasks motion?** All right. Any other business to come before the Snapper Grouper Committee? Laurilee.

MS. THOMPSON: Thank you. I have two things. I brought up, at the last meeting, the idea to try to help the commercial guys that are fishing out of central Florida. They don't have a whole lot they can fish for, and so they're kind of -- They were hoping that there would be some mechanism that would allow them to be able to catch their 200-pound trip limit and stay out for multiple days and catch their 200 pounds a day, or some way that they could do a week's worth of fishing in one day, because they can do that, and catch their limit of snowy grouper and then bring the boat back to the dock and tie it up and go home and stay home for the rest of the week.

That would really help them out with fuel costs, and I was looking -- That would satisfy National Standard 5 for efficiency, and it would satisfy National Standard 6, variations and contingencies, and it would meet National Standard 7, cost and benefit, and it would really help them. They would be willing to put VMS on their boats, so that you would know their boat was tied to the dock, but it would save them a tremendous amount of fuel costs, and also wear-and-tear on the boat and having to go in and out and in and out, just to catch 200 pounds of snowy grouper.

The other thing that I wanted to bring up, and I don't want that to like just disappear and go away, and I don't know where it fits in anywhere, and maybe under the snapper grouper MSE, but I don't want to lose that. I don't want it to just go away, and the other thing that I have is an idea, and it's actually, in my opinion, a huge opportunity, and Trish mentioned the rubble from the Oregon Inlet Bridge was hauled offshore and turned into artificial reefs.

When Sam Rauch was here, he said there is \$2.6 billion that's available for coastal resiliency projects, and so what's going to happen -- That's a huge pot of money, and its intent is to fund huge projects, and so we have a lot of really old bridges in the southeast Atlantic, and so, over time, some of these bridges are going to come down, and so I think that we need to think about how we can direct the rubble from those bridges, instead of going into landfills, or instead of being a profit thing for concrete crushing businesses that will get the rubble and then turn around and sell it, and that rubble needs to be hauled offshore, and we could create some artificial reefs, all up and down the coast, as these bridges come down, and that would help.

I mean, that would help increase habitat, and increase areas, for bottom fish to take over, and I think we really seriously need to try to figure out how we can capitalize on these -- You know, where they take these bridges down and use that rubble to create artificial reefs, and so we've got to figure out how to get into that process. Thank you.

MS. MCCAWLEY: Mel.

MR. BELL: We don't have time to talk about that in detail now, but I will be glad to talk to you one-on-one, but that's already kind of being done, and it's really handled by the states, and I can tell you how we've done that in South Carolina, and actually incorporated bridge material on

artificial reefs, as well as even our MPA and special -- Our spawning zone reefs, but, yes, the states basically handle that, and we have programs in place to make it happen.

MS. MCCAWLEY: We have programs like that in place in Florida as well. All right. Any other business to come before the Snapper Grouper Committee? All right. Thank you. I will turn it back to you, Madam Chair.

DR. BELCHER: Okay. Only two more items on the agenda, the big one being the council workplan review, which John Hadley is going to come and talk to us about what we've got going on.

MR. HADLEY: While I bring this up, a revised version of the council's workplan is under Recent Documents and is uploaded to the council's website, and so if you want to follow along, and I know the font can be challenging, the font-size can be challenging, for this one. Okay, and so in front of you is a revised version of the council's workplan, updated for many of the items that have been discussed this week, and I will kind of start -- I will go over a few kind of highlights, starting from the top and working down the column there.

As you will notice, Regulatory Amendment 35, focusing on red snapper, we have a tentative approval in March, and so you'll be seeing approving it for public hearings at December, with a final approval in March, and so that was an update that has been made, and then, moving down, we do have the Dolphin Wahoo Regulatory Amendment 3, and that's been moved to March, and so that did free up a little bit of time for your December meeting.

Then, coming down to the planned workload, regarding Spanish mackerel, that was originally sort of a free slot, for AP review, and I went ahead and added that to the council's workplan, since you'll be reviewing the AP report, and then also the discussion on the allocation decision tool, and so just capturing that for December, and, overall, it's a pretty full load there, from an FMP perspective. However, there are fewer items than were reviewed at this meeting, and so there will be fewer agenda items, overall, and so that covers the FMP items.

When we move down to this last area, and so it's sort of the other council items, of note, that has been changed here, we dropped the Citizen Science Committee meeting in December, but we did pick up a couple of slots, one for the false albacore white paper, and then we also added an item for March, for the snapper grouper discard white paper that was discussed during the Snapper Grouper Committee report, and so that's about it for the overall workload.

There are a couple of questions that I did have for the council. There are a few items that have been kind of hanging out here at the bottom, and I just wanted to get some feedback, if you wanted to keep those on your workplan or go ahead and take those off, and one is the recreational AMs amendment, and so Snapper Grouper 31. Work has been suspended on those for a while, and, basically, different parts of that, different parts of that amendment, have been pieced out and have been addressed, and so it seems like it's indefinitely suspended, and it has been addressed on a case-by-case, species-by-species, basis. Would you be okay with us taking that off the workplan?

Then, also, the mackerel port meetings have been hanging on there, and I didn't know if those need to continue on there, which we can certainly leave them, but that's just an item that's been

there for a while, and I'm just asking for a little bit of feedback on that, and so, with that, I'm happy to answer any questions.

DR. BELCHER: Tim.

MR. GRINER: Thank you, Madam Chair. Down there on that bottom stuff, like where the recreational amendment is, if we take some of that up -- I think we talked a little bit about bringing that spiny lobster, commercial spiny lobster, amendment back up, and can we get that back on that bottom part somewhere? It used to be on there, as far as I remember, but we looked at having an increase in spiny lobster above Florida.

MR. CARMICHAEL: Is this the amendment to allow like spiny lobster harvest by some other group?

MR. GRINER: Yes, and we were going to allow -- We were going to increase the spiny lobster commercial take, and we had some options developed, like twenty per trip, and, right now, it's like two per person or something, and it wasn't --

DR. BELCHER: Jessica.

MS. MCCAWLEY: Yes, and so I don't know that we had options. We did discuss it, and it was way down on the list. It did come up, at the Spiny Lobster AP meeting again, by people outside of Florida, and I will just mention that.

DR. BELCHER: Mel.

MR. BELL: Are you talking about just putting it on there as a placeholder, because, you know, we've talked about other things that --

MR. GRINER: Yes, that's what I was -- Just a placeholder. If we were going to take off that recreational thing, which was basically a placeholder, can we replace it with another placeholder?

DR. BELCHER: Jessica.

MS. MCCAWLEY: A different topic, and maybe it's on there and I just can't see it, and so what about Coral 10, the rock shrimp area, coral area, amendment? I don't necessarily know that it needs to be completed right away, but can we get it back in the mix, a placeholder to put it back in the mix, and I don't think it needs to come back anytime soon, but just adding it, so we don't lose it.

DR. BELCHER: Other comments or suggestions or other placeholders for placeholders? John.

MR. CARMICHAEL: I feel like there was affirmative nodding about the question of removing the rec AMs, and so was that agreed to? Yes, around the table, and so we can scrap that one. Mackerel port meetings, do we retain that as a placeholder? I think we want to discuss things with the mackerel fishermen at some point, and whether port meetings captures well enough what we want to do.

DR. BELCHER: Jessica.

MS. MCCAWLEY: I wouldn't want to have any of those meetings until after we figure out what's going on with the Spanish mackerel assessment, and I presume that port meetings would be the way we want to go, but maybe we wait until after that's all figured out and then have this discussion, maybe at the next meeting or the following meeting.

DR. BELCHER: Other --

MR. CARMICHAEL: So I think we keep it as a holder in there.

DR. BELCHER: Andy.

MR. STRELCHECK: I mean, given the amount of workload we've had, and priorities, you know, one idea I've had with the liaison agency staff reports is maybe alternating every-other-meeting, where we wouldn't have as many reports at each meeting, but reports could come six months from the states, and six months from NMFS, and I don't feel like, when we give those reports, a lot of the information is really changing that rapidly, where we need it on a quarterly basis, and so I'm just trying to think of ways where we maybe can reduce some time on the agenda, increase some efficiency, and allow for more discussion of a lot of the priorities that we have in the mill.

MR. BELL: I would agree with Andy on that, and another thing you could do is, I mean, you can have a report, and the report can come to us, and we can read it, and we can access it, and I don't know that someone has to read it to us at the meeting. I mean, that's -- You know, if you have things that maybe need a little more updating, or refreshing, inside of quarterly, but kind of make that call, but I agree with you, and I think we can trim a little bit of time there, and it's real obvious, from this meeting -- I mean, we basically had a Snapper Grouper Committee meeting, and a council meeting broke out around it, but that's how much work we've got to do in just this one area, and so it's tremendous.

DR. BELCHER: Chester.

MR. BREWER: Something that I am hopeful would take a very little, little piece of time, and that is I would really like to have an update on what it is that the Caribbean Council did from the standpoint of their dolphin FMP. I'm told that they have -- Andy, you can correct me, but I'm told they finalized that FMP.

MR. STRELCHECK: Which one are you talking about?

MR. BREWER: The dolphin FMP for the Caribbean Council.

MR. STRELCHECK: Yes, and we just recently published the final rule for island-based FMPs, which would include dolphin wahoo.

MR. BREWER: Okay. I make that statement because there's an upcoming, and I think it's September 21, a meeting of this group that's HMS and ICCAT kind of thing, and they're starting to take a look at dolphin, and I think that's probably the proper place to be looking at dolphin, and the problem -- I think most of us agree there is a problem, but we're not really sure what the cause

of the problem is, and I'm hopeful that that working group will be able to identify cause, or causes, but I would also really be interested, because, heretofore, Puerto Rico has not had any management of dolphin, from what I understand, and I would love to know what it is they've done, and maybe somebody from SERO could give us a really, really -- Like a fifteen-minute breakdown of what they've done and where they see things going, but thank you.

DR. BELCHER: Kerry.

MS. MARHEFKA: Not to that, and so is it okay to move on?

DR. BELCHER: Yes.

MS. MARHEFKA: We do have, in 2027, the spawning SMZs are going to be sunseting, and so I just want us all to be aware that we're going to need to slot those in, and so it looks like they probably, right now, go under that orange line, but I want to make sure that we're all prepared that we're going to need to work on that, because I think, without our action, they will expire, if I'm not mistaken.

MR. CARMICHAEL: To say more a bit on the idea of liaison reports, we already pretty well try to hone-in very closely on the Science Center and SERO, in terms of what we ask them to present, and, you know, we certainly have moved far away from the general reports. The state liaisons are still fairly general, and so I think that's at you all's pleasure, if that's something that you are, you know, interested in dispensing with, or doing less frequently.

There's probably going to be, every meeting, something from the center or SERO, but I think, as long as we keep focusing on, you know, things that are actually underway, and new developing issues, it's a pretty good use of your time. You also get, you know, law enforcement reports, which I think are really useful, and it gives a chance to hear what's going on there, but, you know, it is your time, and it's your choice, if you want to dispense with some of those.

DR. BELCHER: Additional comments or feedback for John? Okay. The last item is Upcoming Meetings. John Carmichael.

MR. CARMICHAEL: Speaking of not spending time reading to you documents that you have, you have the document that we do, and it summarizes what is coming up. It's getting to be AP and SSC season, as it normally is in the fall, and so there's a lot going on in October. I do want to note that we do have the council meeting webinar, and don't forget, for WECAFC and the Florida Keys Sanctuary on the 21st. Then, as you can see, October is filled with AP meetings, and there's a lot happening. We'll try to keep you informed and let you know what's going on. If you have any questions about any of these meetings that are coming up, shout out. Otherwise, I know you can read.

DR. BELCHER: Okay, and so any questions for John relative to that? There is one meeting on there that's four of us going to in November, the CMOD for the CCC.

MR. CARMICHAEL: Yes, and a number of your representatives will be out at the Council Member Ongoing Development training, and I guess it's the week before Thanksgiving.

DR. BELCHER: The 15th through the 17th. Okay. Well, I appreciate everybody's time, and I know it was tough going there in a few spots, but I think we made some good headway, and, again, I appreciate you all, and everybody have safe travels, and we'll see you in Wrightsville. Sorry, Gary. Go ahead.

MR. BORLAND: Now that I'm not the new guy, I would like to thank everybody for the warm welcome and working with me. Obviously, I've got a big hill to climb, as far as education and understanding, and I appreciate everybody's help.

DR. BELCHER: Thank you, Gary. We're glad to have you onboard. Baptism by fire is the next meeting. That's it, if there is no further business from anybody. All right. Then the meeting is adjourned.

(Whereupon, the meeting adjourned on September 16, 2022.)

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Certified By _____ Time _____

Transcribed By
Amanda Thomas
October 3, 2022

FULL COUNCIL ROLL CALL VOTE 2022-2023

DATE: 9/16/2022

LOCATION: Chambers S

MOTION: Interim Rule Red Snappa ABC

NAME	YES	NO	ABSTAIN
Belcher Bell		✓	
Borland		✓	
Brewer		✓	
Griner		✓	
Helmey		✓	
Marhefka		✓	
McCawley		✓	
Murphey		✓	
Roller		✓	
Strelcheck	✓		
Thompson		✓	
Woodward		✓	
Bell (Chair)		✓	

Belche

FULL COUNCIL ROLL CALL VOTE 2022-2023

DATE: 9/16/22
 LOCATION: Charlotte
 MOTION: Amendment 56 49 approval

NAME	YES	NO	ABSTAIN
Belcher Bell	✓		
Borland	✓		
Brewer	✓		
Griner	✓		
Helmey	✓		
Marhefka	✓		
McCawley	✓		
Murphey	✓		
Roller	✓		
Strelcheck	✓		
Thompson	✓		
Woodward	✓		
Bell (Chair) Belcher	✓		

SAFMC September Council

Attendee Report: Meeting (9/12/22 - 9/16/22)

Report Generated:

09/17/2022 04:09 PM EDT

Webinar ID

734-573-171

Actual Start Date/Time

09/15/2022 08:11 AM EDT

Duration

10 hours 21 minutes

Attendee Details

Attended	Last Name	First Name
Yes	Addis	Dustin
Yes	Allen	Shanae
Yes	Bailey	Adam
Yes	Barbieri	Luiz
Yes	Barrineau	Marina
Yes	Batsavage	Chris
Yes	Beal	Bob
Yes	Berry	james
Yes	Bianchi	Alan
Yes	Borland	Gary
Yes	Box	Cameron
Yes	Brennan	Ken
Yes	Brouwer	Myra
Yes	Bublely	Walter
Yes	Buckel	Jeff
Yes	Burgess	Erika
Yes	Byrd	01Julia
Yes	Campfield	Patrick
Yes	Caycedo	Mario
Yes	Cheshire	Rob
Yes	Cimino	Joseph
Yes	Cody	Richard
Yes	Coleman	Heather
Yes	Conklin	The Real Chris
Yes	Corey	Morgan
Yes	Cox	Derek
Yes	Cox	Jack
Yes	Crosson	Scott
Yes	Curtis	Judd
Yes	Dale	Diaz
Yes	Dale (NMFS SERO)	David
Yes	Dathe	Michael

Yes	David	Andrew
Yes	DeVictor	Rick
Yes	Dingle	Julie
Yes	Dixon	Michael
Yes	Dunlap	Matt
Yes	Duval	Michelle
Yes	Edmonds	Melissa
Yes	Fifer	Jocelyn
Yes	Finch	Margaret
Yes	Fitzpatrick	Eric
Yes	Flowers	Jared
Yes	Foss	Kristin
Yes	Franke	Emilie
Yes	Freeman	Matt
Yes	French	Patrick
Yes	Friedrich	Tony
Yes	Glazier	Ed
Yes	Goldsmith	Willy
Yes	Good	Caroline
Yes	Gore	Karla
Yes	Gray	Alisha
Yes	Guyas	Martha
Yes	Harrison	BeBe Dalton
Yes	Harrison	Alana
Yes	Hart	Hannah
Yes	Hawes	Rachel
Yes	Helies	Frank
Yes	Helmey	Judy
Yes	Hemilright	Dewey
Yes	Herrera	John
Yes	Hildreth	Delaine
Yes	Howington	Kathleen
Yes	Iverson	Kim
Yes	Jones	Carlisle
Yes	Karazsia	Jocelyn
Yes	Kellison	Todd
Yes	Keppler	Blaik
Yes	Kerns	Toni
Yes	Kramer	Rob
Yes	Labocchetta	Mark
Yes	Laks	Ira
Yes	Larkin	Michael
Yes	Lazarre	Dominique
Yes	Lee	Jennifer
Yes	Li	Yan
Yes	Lorenzen	Kai
Yes	Malinowski	Rich

Yes	Marinko	Jeff
Yes	Martinez	Adrian
Yes	Masi	Michelle
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	McManus	Brian
Yes	McRae	G
Yes	Mehta	Nikhil
Yes	Merrifield	Mike
Yes	Merrifield	Jeanna
Yes	Morrell	Nick
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Newman	Thomas
Yes	OShaughnessy	Patrick
Yes	Patrick	Donald
Yes	Pellicer	Joseph
Yes	Perkinson	Matt
Yes	Poholek	Ariel
Yes	Poston	Will
Yes	Powell	Jessica
Yes	Pugliese	01Roger
Yes	Rapp	Greg
Yes	Records	David
Yes	Reed	John
Yes	Reeder	Kelly
Yes	Reichert	Marcel
Yes	Renchen	Jeff
Yes	Reynolds	Jon
Yes	Roller	00Tom
Yes	Schwanger	Chuck
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Shervanick	Kara
Yes	Siegfried	Katie
Yes	Sinkus	Wiley
Yes	Sitton	Brent
Yes	Smarrito	Michael
Yes	Spurgin	Kali
Yes	Spurlock	Zack
Yes	Sramek	Mark
Yes	Stam	Monica
Yes	Stam	Geoff
Yes	Stemle	Adam
Yes	Stephen	Jessica
Yes	Surrency	Ron
Yes	Swanson	Chris

Yes	Sweetman	CJ
Yes	Switzer	Ted
Yes	Takade-Heumacher	Helen
Yes	Thompson	00 Laurilee
Yes	Tibulle	Sébastien
Yes	Torres-Pabon	Jashira
Yes	Travis	Michael
Yes	Vecchio	Julie
Yes	Venker	Ted
Yes	Waine	Mike
Yes	Walia	Matthew
Yes	Walter	John
Yes	Wamer	David
Yes	Whitaker	David
Yes	White	Geoff
Yes	Wilber	Pace
Yes	Williams	Erik
Yes	Withers	Meg
Yes	Wolfe	Wes
Yes	Wyanski	David
Yes	Zoodsma	Barb
Yes	blough	heather
Yes	brewer	00chester
Yes	buie	jay
Yes	collier	chip
Yes	moss	david
Yes	thomas	suz
Yes	thomas	suz
Yes	usina	ken
Yes	vara	mary

SAFMC September Council

Attendee Report: Meeting (9/12/22 - 9/16/22)

Report Generated:

09/17/2022 04:28 PM EDT

Webinar ID

734-573-171

Actual Start Date/Time

09/16/2022 07:57 AM EDT

Duration

4 hours 11 minutes

Attendee Details

Attended	Last Name	First Name
Yes	Allen	Shanae
Yes	Amendola	Kimberly
Yes	Aukeman	Trip
Yes	Bailey	Adam
Yes	Barbieri	Luiz
Yes	Barrineau	Marina
Yes	Beal	Bob
Yes	Bianchi	Alan
Yes	Borland	Gary
Yes	Box	Cameron
Yes	Byrd	01Julia
Yes	Chaya	Cindy
Yes	Cimino	Joseph
Yes	Coleman	Heather
Yes	Conklin	The Real Chris
Yes	Cox	Jack
Yes	Crosson	Scott
Yes	Curtis	Judd
Yes	Dale	Diaz
Yes	DeVictor	Rick
Yes	Dixon	Michael
Yes	Fifer	Jocelyn
Yes	Finch	Margaret
Yes	Foss	Kristin
Yes	Freeman	Matt
Yes	Glazier	Ed
Yes	Gonzalez	Luis
Yes	Gore	Karla
Yes	Gray	Alisha
Yes	H	Ben
Yes	Harrison	BeBe Dalton
Yes	Harrison	Alana
Yes	Helies	Frank
Yes	Helmey	Judy

Yes	Hemilright	Dewey
Yes	Howington	Kathleen
Yes	Hunter	Bevan
Yes	Iverson	Kim
Yes	Johnston	Cyle
Yes	Keppler	Blaik
Yes	Laks	Ira
Yes	Lazarre	Dominique
Yes	Malinowski	Rich
Yes	Marhefka	00Kerry
Yes	Marinko	Jeff
Yes	McGovern	Jack
Yes	Mehta	Nikhil
Yes	Morales	Harry
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Newman	Thomas
Yes	OShaughnessy	Patrick
Yes	Pellicer	Joseph
Yes	Perkinson	Matt
Yes	Porch	Clay
Yes	Ralston	Kellie
Yes	Roller	00Tom
Yes	Schwanger	Chuck
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Sheridan	Nancy
Yes	Simpson	Julie
Yes	Sinkus	Wiley
Yes	Smarrito	Michael
Yes	Spanik	Kevin
Yes	Spurgin	Kali
Yes	Sramek	Mark
Yes	Stam	Geoff
Yes	Stam	Monica
Yes	Stephen	Jessica
Yes	Sweetman	CJ
Yes	Switzer	Ted
Yes	Takade-Heumacher	Helen
Yes	Travis	Michael
Yes	Venker	Ted
Yes	Walia	Matthew
Yes	Walter	John
Yes	Wamer	David
Yes	Waters	Lauren
Yes	Whitaker	David
Yes	White	Geoff

Yes
Yes

Withers
Withers
Wyanski
blough
brewer
buie
collier
kittle
moss
sandorf
thomas
thompson
vara

Craig
Meg
David
heather
00chester
jay
chip
christine
david
scott
suz
laurilee
mary