

**SAFMC  
DECISION DOCUMENT  
March 2012**

**for  
Comprehensive Ecosystem-Based  
Amendment 3  
(CE-BA 3)**



**Savannah, GA  
March 2012**

## **Background**

Comprehensive Ecosystem-Based Amendment 3 (CE-BA 3) is being developed to address a number of measures that involve various fisheries, as opposed to multiple amendments and frameworks addressing single species issues. The measures that were identified for public scoping, approved during the December 2011 Council meeting, pertain to management of deepwater coral resources, designation of spatially managed areas, and changes in management of the snapper grouper fishery. Many of these potential measures were brought forward by the Coral, Habitat, and Snapper Grouper Advisory Panels. CE-BA 3 is intended to provide a holistic approach to fisheries management and foster greater public awareness and understanding of the entire amendment development process, from initiation to implementation.

## **Potential Actions in CE-BA 3 (Scoped in January/February 2012)**

1. Expand Coral Habitat Areas of Particular Concern (HAPC), including:
  - a. Oculina Bank HAPC
  - b. Stetson-Miami Terrace HAPC
  - c. Cape Lookout HAPC
2. Prohibit powerheads
  - a. North Carolina EEZ
  - b. South Atlantic EEZ
3. Establish Marine Protected Areas across the mid-shelf and designate HAPCs for speckled hind and Warsaw grouper
4. Designate Snapper Legde, within the FL Keys National Marine Sanctuary, as a Marine Protected Area
5. Develop a recreational tag program for deepwater species
6. Increase the minimum size limit for hogfish to 18" FL.
7. Change the bag and size limit for gray triggerfish to 14" TL (both recreational and commercial) and limit the recreational catch to 5 per person per day.
8. Add African pompano to the appropriate fishery management unit.
9. Modify permits and data reporting (commercial and for-hire) to ensure Annual Catch Limits (ACLs) are not exceeded.

## **Timeline**

In order to meet the timeline goal specified for this developing amendment, the Council will need to:

- Review public scoping comments and select measures to include in CE-BA 3 during the March 2012 Council meeting, and identify a process to develop these measures.
- Receive input from the SSC (April 3-5) and the associated Advisory Panels (Snapper Grouper April 18-19; joint Shrimp and Deepwater Shrimp April 20; and Coral May 9-10) during the spring 2012.
- Review input from the APs and SSC, select preferred alternatives, and approve for public hearings during the June 2012 Council meeting.
- Public hearings will be held in August 2012.
- Review public hearing comments and approve CE-BA 3 for formal Secretarial review during the September or December 2012 Council meeting.

## **Overview of Staff Recommendations:**

<b>Objective=Finish CE-BA 3 in 2012</b>				
<b>Items Scoped for CE-BA 3</b>	<b>CE-BA 3 (CY 2012)</b>	<b>CE-BA 4 (CY 2013)</b>	<b>Framework (after 2013 assmt.)</b>	<b>Drop</b>
1. Expand Coral HAPCs	1. Expand Coral HAPCs			
2. Prohibit Powerheads		2. Prohibit Powerheads		
3. MPAs & HAPCs for SpHind & Warsaw	3. MPAs & HAPCs for SpHind & Warsaw			
4. Snapper Ledge = MPA		4. Snapper Ledge = MPA		
5. Rec. tag program for deepwater sp.	5. Rec. tag program for deepwater sp.			
6. Hogfish			6. Hogfish	
7. Gray triggerfish			7. Gray triggerfish	
8. African pompano				8. African pompano
9. Permits & Data reporting	9. Permits & Data reporting			
<b>Distribution of Work</b>				
Ecosystem Committee	1. Expand Coral HAPCs			
Snapper Grouper Committee	3. MPAs & HAPCs for SpHind & Warsaw			
Data Collection Committee	5. Rec. tag program for deepwater sp.			
	9. Permits & Data reporting			

## **Possible Alternatives for CE-BA 3 process**

**Alternative 1.** Include items 1, 3, 5, and 9 in CE-BA 3 and the distribution of work to Committees as shown above.

**Alternative 2.** Split MPAs and HAPCs for speckled hind and Warsaw grouper out of CE-BA 3 into SG Amendment X, or Regulatory Amendment 13.

**Alternative 3.** Others?

## **Action 1. Expand Coral Habitat Areas of Particular Concern (HAPCs)** **(Ecosystem Committee)**

The Coral AP recommends the Council move forward with expanding the Oculina, Stetson-Miami Terrace, and Cape Lookout HAPCs (**Figures 1 and 2**). The recommendations were developed during the October 2011 Coral AP meeting and were presented to the Council during their December 2011 meeting.

The Habitat AP also recommends that any potential revisions to HAPCs incorporate an EFH-HAPC designation.

### **A. Expand Oculina Bank HAPC**

- Oculina Bank HAPC North (**Figure 1**): From the current northern boundary of the Oculina HAPC (28° 30'N) to 29° 43.5'W. The west and east boundaries would follow the 60 meter and 100 meter depth contour lines, respectively. Total area = 393 square nautical miles.
- Oculina Bank HAPC West (**Figure 2**): From 28° 4.5'N to the north boundary of the current OHAPC (28° 30'N). The east boundary would coincide with the current western boundary of the OHAPC (80° W). The west boundary could either use the 60 meter contour line, or the 80° 03'W longitude (which is the west border of the Oculina HAPC satellite regions). Total area = 75 square nautical miles.

### **Recommendations from Shrimp Industry Representatives**

Representatives from the Shrimp Industry have provided specific recommendations through the public scoping process:

1. Do not include areas of traditional rock shrimp fishing in expansion of Oculina.
2. Modify the Coral AP's recommendation for extending the northern boundary of the Oculina HAPC (**Figure 3**).
  - a. Consider an expansion of the western boundary (northern extension) that lies east of traditional rock shrimp fishing grounds. The western boundary should be around ~220 ft (60-70 meters).
  - b. Consider an expansion of the eastern boundary (northern extension) that lies west of traditional rock shrimp fishing grounds. The eastern boundary should be around 100 meters (~328 feet) (some said 90 meters = 295 ft.).
3. Modify the eastern boundary of the original HAPC to exclude traditional rock shrimp grounds.
4. Modify the transit provision to allow possession of rock shrimp on vessels going through HAPC at speeds above trawl-able speed. (Speeds when they are trawling are ~2.5 - 3 knots; running speeds are around 8 knots.) VMS data can be use to determine whether a vessel is trawling or motoring through the HAPC. Utilize the technology as completely as possible.
5. Incorporate plot data from the shrimp fishing fleet. These data, as well as the NOAA bathy charts could be balanced to determine an appropriate modification of the original boundary.

### **Public Scoping Comments Summary**

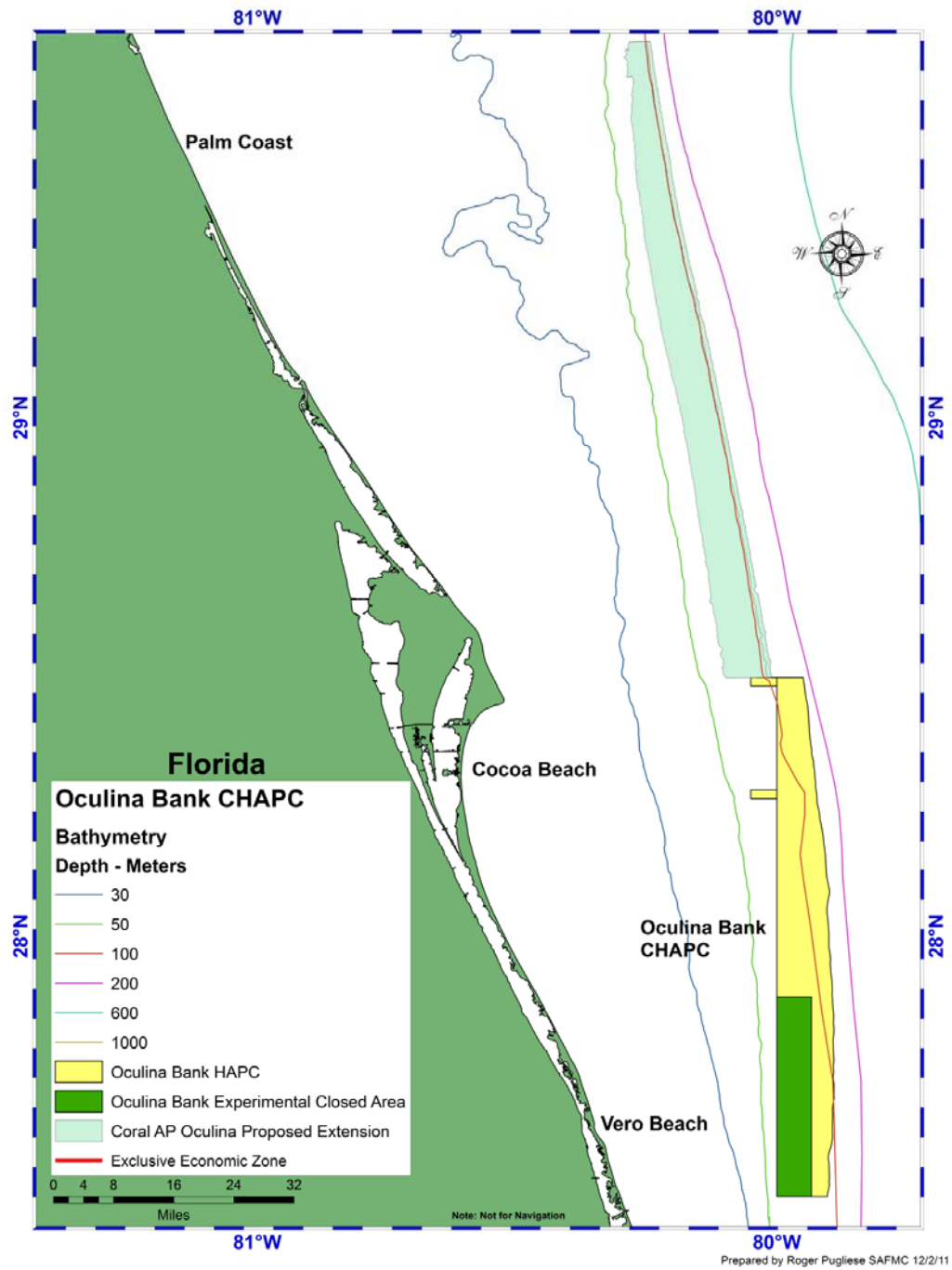
Many representatives from the shrimp industry expressed concern that information presented during the scoping process for CE-BA 3 was developed without adequate input from the Shrimp and Deepwater APs. Generally, the majority of comments opposed the Coral AP's recommendations to expand the Oculina HAPC. Fishermen spoke about the lack of coral habitat within the existing Oculina HAPC boundary, and expressed concern about anticipated socioeconomic hardship if the boundaries were modified according to the Coral AP recommendation (lengthy transit time to access rock shrimp grounds). Many fishermen reiterated their practice of dragging nets for rock shrimp away from coral habitat because of damage incurred to gear. Several representatives from the shrimp industry provided specific recommendations in response to the Coral AP proposal (see above).

A few comments encourage the Council to move forward in protecting Oculina habitat in areas the Coral AP has identified.

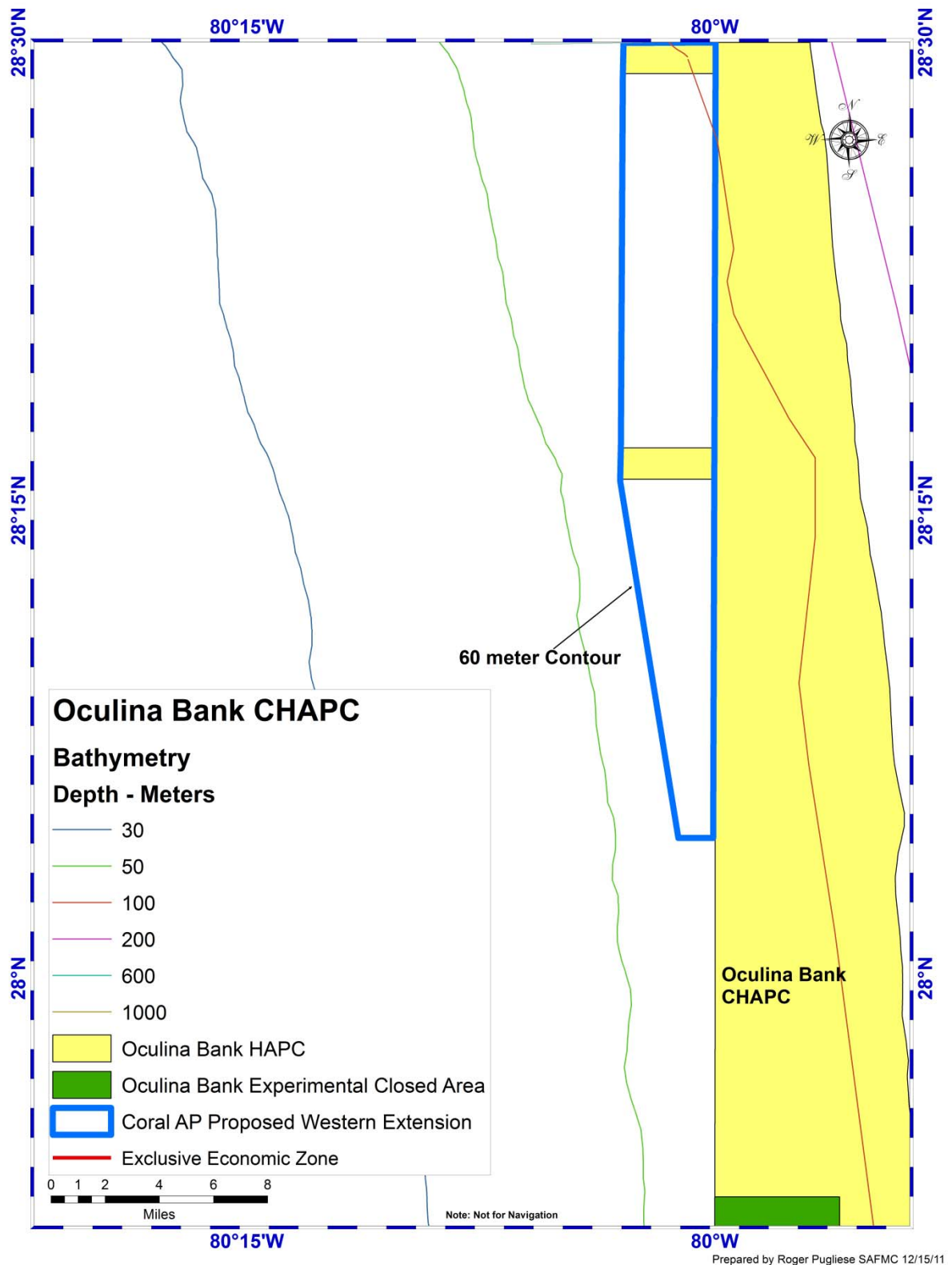
### **SAFMC Staff Recommendation**

Staff recommends pursuing this measure through CE-BA 3 and working with the Shrimp and Deepwater Shrimp APs (meeting April 20) and the Coral AP (meeting May 9-10) to refine alternatives for this action to present to the Council in June. The Council will need to select preferred alternatives for this action in June.

**Figure 3** was developed by staff to incorporate the shrimp industry's recommendations provided during the public scoping process.

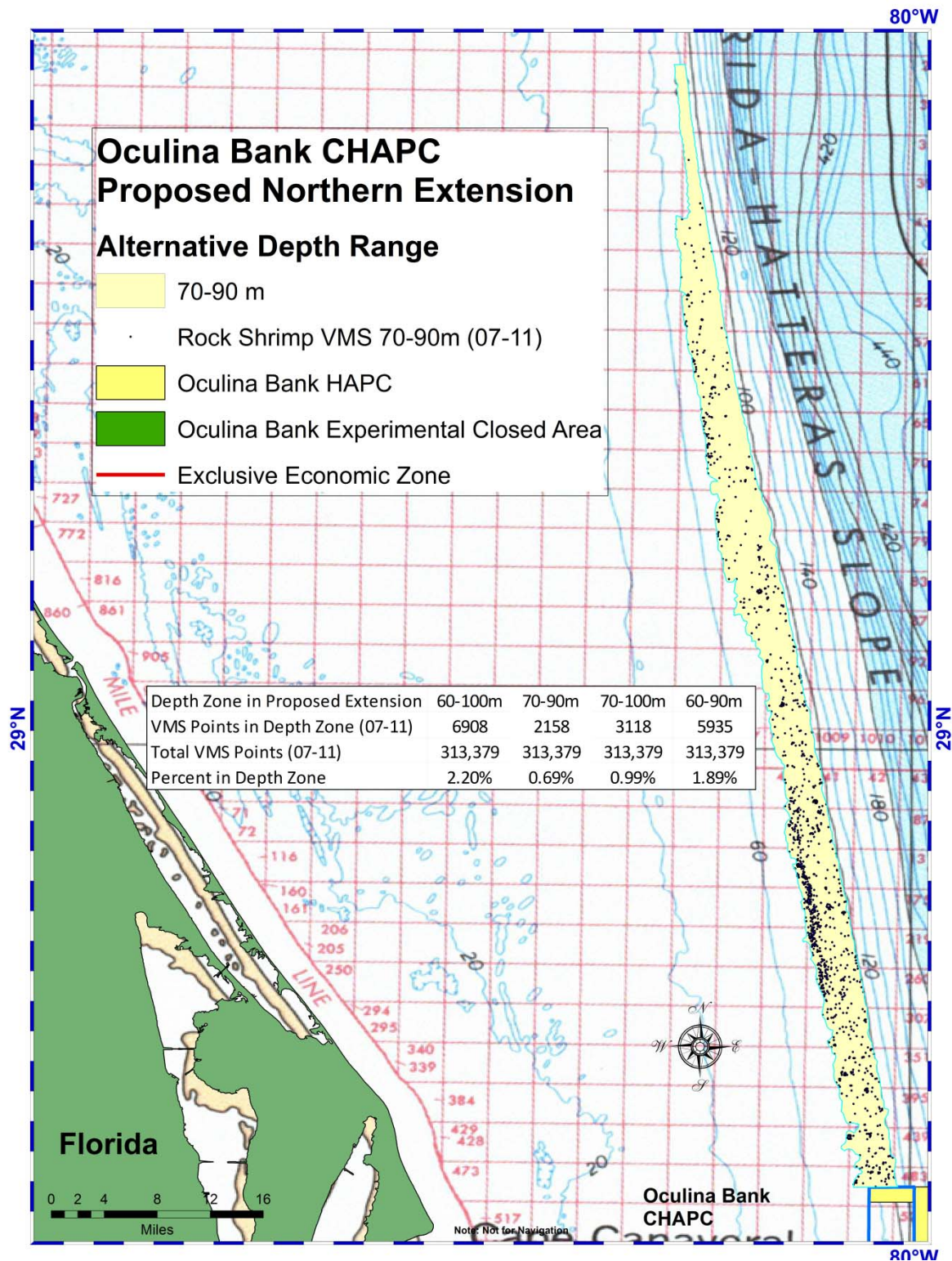


**Figure 1.** Coral Advisory Panel's proposed expansion of the Oculina HAPC northern boundary.



**Figure 2.** Coral Advisory Panel's proposed expansion of the Oculina HAPC western boundary.





**Figure 3.** Modifications to the Coral AP's recommendation for expansion of Oculina HAPC based on suggestions from shrimp industry representatives during the CE-BA 3 public scoping process. This figure modifies the western and eastern boundary of the northern extension recommendation, approximating the 70 and 90 meter depth counter, respectively.



## **B. Expand Stetson-Miami Terrace Coral HAPC to incorporate a *Lophelia* site off Jacksonville**

- Area west of the existing Stetson-Miami Coral HAPC bounded approximately by the 200 meter depth contour between latitude 30°45.0' to the north and latitude 29°52.0' to the south (**Figure 4**).

### **Recommendations from Shrimp Industry Representatives**

Representatives from the Shrimp Industry have also provided specific recommendations through the public scoping process on the Coral AP's Stetson-Miami Terrace Coral HAPC recommendation:

1. Consider the traditional areas of royal red shrimping and leave them out of an expansion of Stetson-Miami Terrace Coral HAPC. Utilize data from the industry (plot data) to help illustrate where royal red shrimp habitat is located (**Figure 5**).
2. Expand Shrimp Fishery Access Area 1 to incorporate areas where deepwater shrimp fishing is occurring.

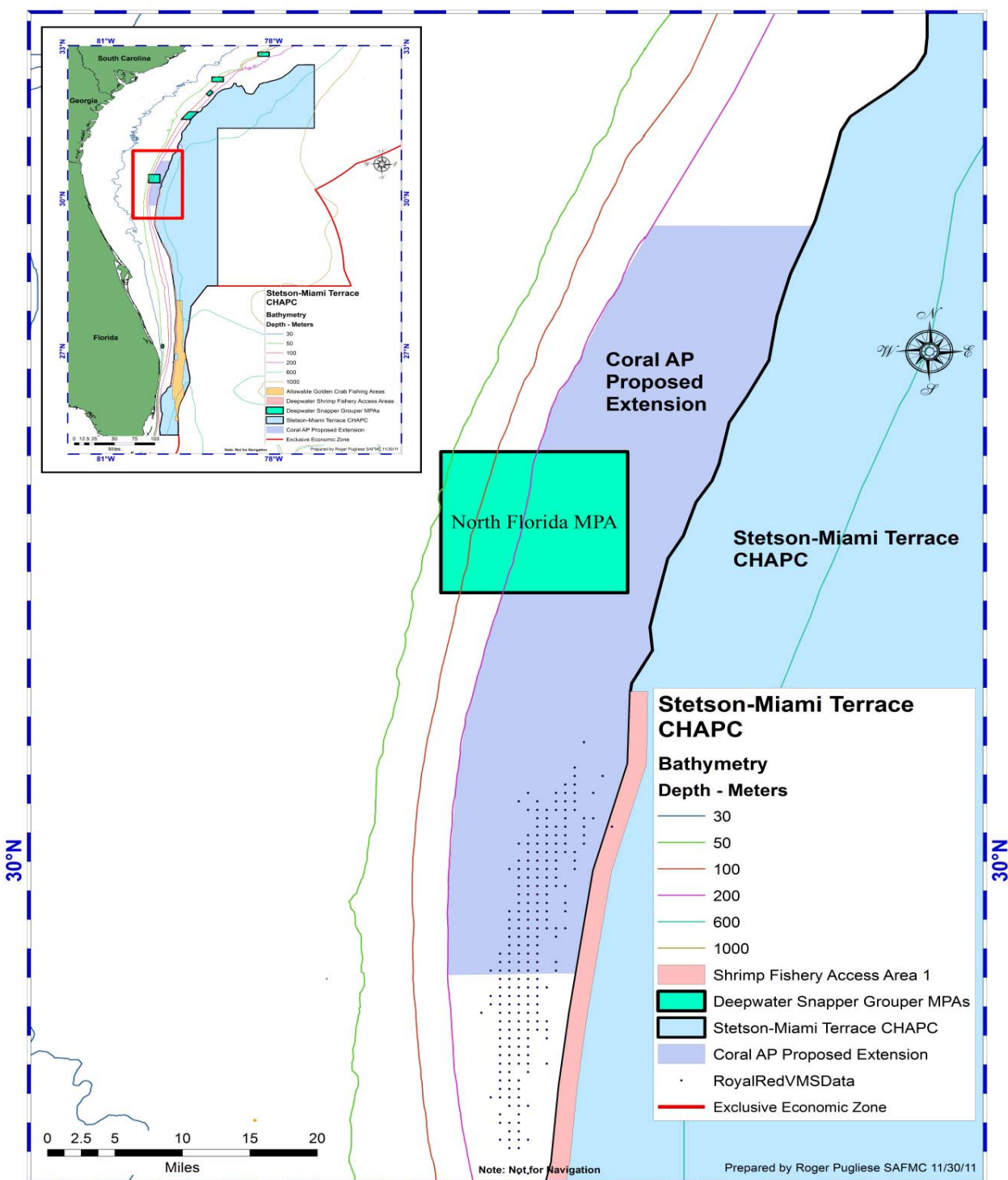
### **Public Scoping Comments Summary**

Most comments regarding this measure were opposed to the Coral AP's recommended extension of the HAPC without some modification (see above). Fishermen expressed concern that the proposed extension of this area would impact traditional royal red shrimping grounds, and questioned the magnitude of the proposed extension in relation to the presence of *Lophelia* coral.

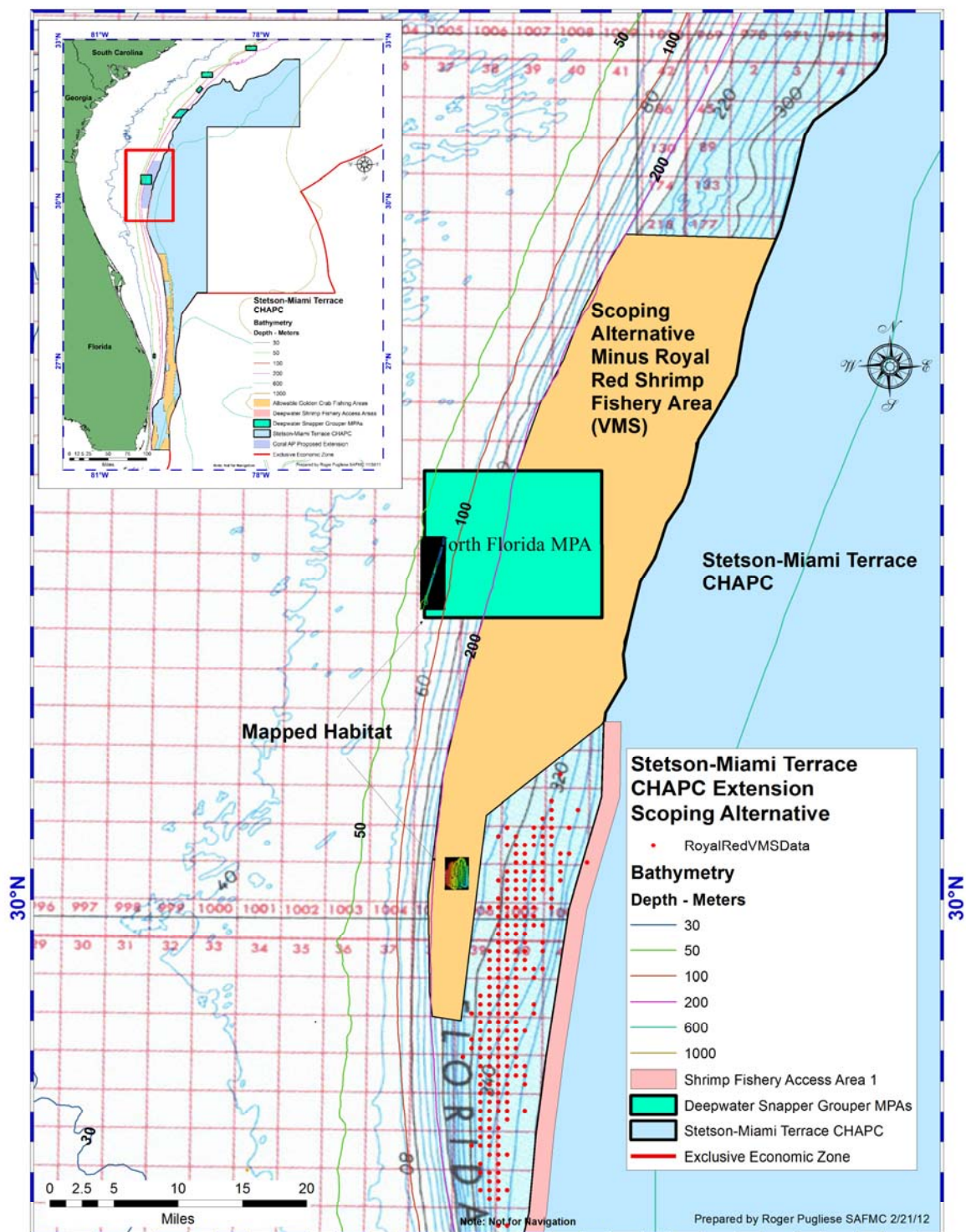
### **SAFMC Staff Recommendation**

Staff recommends pursuing this measure through CE-BA 3 and working with the Shrimp and Deepwater Shrimp APs (meeting April 20) and the Coral AP (meeting May 9-10) to refine alternatives for this action to present to the Council in June. The Council will need to select preferred alternatives for this action in June.

**Figure 5** was developed by staff and incorporates a recommendation from shrimp industry representatives during the public scoping process.



**Figure 4.** Coral Advisory Panel's proposed expansion of the Stetson-Miami Terrace HAPC western boundary.



**Figure 5.** Modifications to the Coral AP's recommendation for expanding the Stetson-Miami Terrace CHAPC based on suggestions from shrimp industry representatives during the CE-BA 3 public scoping process. This figure includes area of mapped habitat within the Coral AP's proposed extension and excludes areas of royal red fishery activity based on VMS data.

### **C. Expand Cape Lookout Coral HAPC**

- Extend the northern boundary to encompass the area identified by the following coordinates (**Figure 6**):

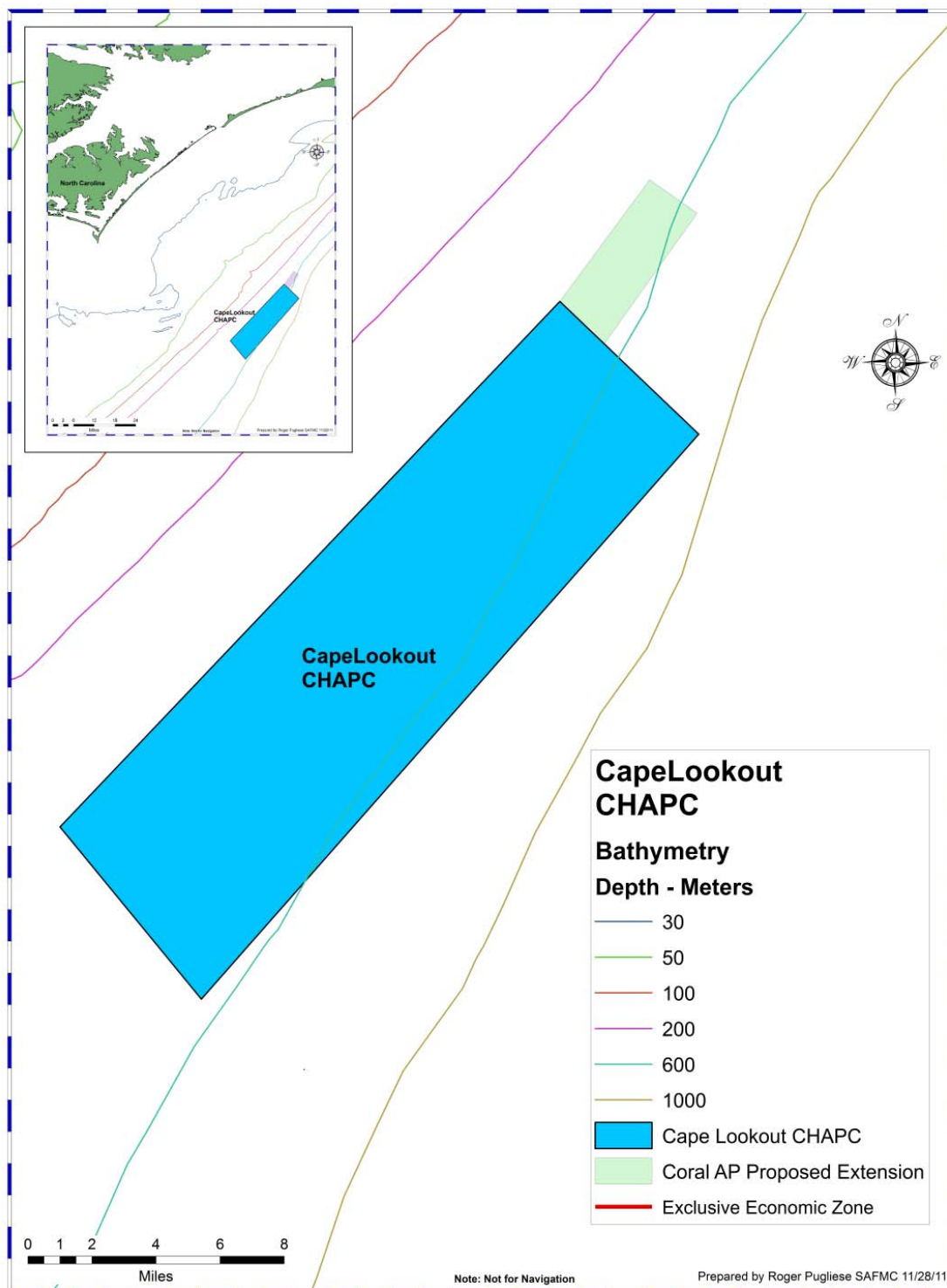
<u>Latitude</u>	<u>Longitude</u>
34°24.6166'	75°45.1833'
34°23.4833'	75°43.9667'
34°27.9'	75°42.75'
34°27.0'	75°41.5'

#### **Public Scoping Comments Summary**

Few comments were received on this measure. Those that were expressed a general interest in not supporting an expansion of the Cape Lookout Coral HAPC without additional details on the recommended area.

#### **SAFMC Staff Recommendation**

Staff recommends pursuing this measure through CE-BA 3 and working with the Coral AP (meeting May 9-10) to refine alternatives for this action to present to the Council in June. The Council will need to select preferred alternatives for this action in June.



**Figure 6.** Coral Advisory Panel's proposed expansion of the Cape Lookout HAPC northern boundary.

## **Action 2. Prohibit Powerheads** **(Snapper Grouper Committee)**

A. Prohibit the use of powerheads in the EEZ off NC

### **Note**

The North Carolina Marine Fisheries Commission has requested the Council consider prohibiting the use of powerheads in the EEZ off NC in response to concerns of localized depletion of larger snapper grouper species. In an Issues Paper distributed to the Council in January 2011, the N.C. Division of Marine Fisheries stated that the use of powerheads in the EEZ off NC may create unfavorable condition for a species' reproductive capabilities, and expressed concern that there are no current regulations prohibiting the use of powerheads by fishermen to target the largest fish (long-lived, slow growing) in a population.

B. Prohibit the use of powerheads in the EEZ throughout the South Atlantic

### **Note**

During their December 2011 meeting, the Council discussed that in addition to a possible prohibition on the use of powerheads in the EEZ off NC, they would like to scope prohibiting the use of powerheads throughout the South Atlantic EEZ. Currently, powerheads are only prohibited in the EEZ off South Carolina and also within SMZs off Georgia.

### **Public Scoping Comments Summary**

In general, comments about this measure were opposed to the Council moving forward with a prohibition of this gear type. The majority of comments were received during the Key Largo and Jacksonville scoping meetings from fishermen in southern Florida. Fishermen discussed that zero bycatch is associated with this gear type, those utilizing powerheads comprise a fraction of the overall effort in the snapper grouper fishery, and that a prohibition would violate some of the National Standards of the MSA. Suggestions were offered to offset a prohibition throughout the South Atlantic: set a maximum size limit for this gear type, prohibit powerheads at a specific depth limit, establish an endorsement program for commercial use, and designate SMZs in FL and prohibit powerheads within SMZs.

A few fishermen spoke favorably of a possible prohibition only if a provision to allow carrying the gear for emergency purposes is included.

### **SAFMC Staff Recommendation**

Staff recommends the Council defer this measure to CE-BA 4, if they wish to pursue further action. Based on the controversial nature of this potential measure (including public scoping comments), Council/staff priorities/workload for 2012, and in the interest of meeting the timeline established for development of CE-BA 3, this action would be better suited for development through another amendment at a later time.



**Action 3. Establish Marine Protected Areas across the mid-shelf region and designate Habitat Areas of Particular Concern for speckled hind and Warsaw grouper**  
**(Snapper Grouper Committee)**

In CE-BA 3, the Council is seeking to implement additional protections for these two species, including targeted Marine Protected Areas across the mid-shelf region to reduce bycatch mortality of speckled hind and Warsaw grouper. MPAs would be established (and/or existing type II MPAs could be expanded) based on concentrated landings and catch history data analyzed in Regulatory Amendment 11.

**Public Scoping Comments Summary**

Many comments were opposed to additional protections for speckled hind and Warsaw grouper if they include time restrictions (spawning season closures) and MPAs. Several comments expressed unfavorable opinions of the value of MPAs as a fisheries management tool and the lack of appropriate education and outreach on current areas. Fishermen discussed that many of the existing protected areas may already house speckled hind and Warsaw grouper, and these connections should be presented. Some understand the data available now on speckled hind and Warsaw grouper to be the same data that was available during the analysis of Snapper Grouper Amendment 17B that implemented the 240' closure to protect these species. A couple of comments caution the Council including this measure in CE-BA 3 due to the urgency and attention they feel this measure should receive.

A few comments were received in favor of the Council pursuing additional protections for speckled hind and Warsaw grouper. They noted that the Council should initiate regional working groups with fishermen and stakeholders to determine appropriate areas to protect these two species (spawning locations throughout their range, not just the mid-shelf alone.)

One comment was received identifying specific recommendations the Council should analyze in efforts to implement protections, including: develop a full range of potential area protections (ranging from fixed large area closures to spawning and/or seasonal closures); evaluate time and area closures, a network of no-take MPAs, and caps on total mortality; develop an EIS that identifies essential data collection elements and methods for collection such as methods for more accurately assessing effort, monitoring bycatch, identification of fishing locations and important habitat areas; include a broad range of options for a total mortality management system and consult with regions that are facing/have faced similar issues; and SSC evaluate impacts of discards and categorize real allowable mortality of the new management measures.

**SAFMC Staff Recommendation**

Staff recommends pursuing this measure in CE-BA 3, which is currently scheduled to proceed at a timeframe conducive for implementing additional protections for speckled hind and Warsaw grouper. The Council will need to select preferred alternatives for this action in June.

**Refer to Attachment 9 for SAFMC Staff Recommendations for this measure.**



**Action 4. Designate Snapper Ledge (federal waters) within the Florida Keys National Marine Sanctuary as a Marine Protected Area (Snapper Grouper Committee)**

The Florida Keys National Marine Sanctuary Advisory Council passed a resolution at their August 2011 meeting supporting designation of Snapper Ledge as a Sanctuary Preservation Area. The rectangular area under consideration is approximately 0.6 nautical miles long by 0.4 nautical miles wide and would include the unique concentrated fish populated ledge and gully area and the hard bottom section currently being used as a coral transplantation research and re-population study site

Under the Magnuson-Stevens Fishery Conservation and Management Act, the Secretary provides the appropriate Regional Fishery Management Council with the opportunity to prepare draft regulations for fishing within the EEZ as the Council may deem necessary to implement the proposed designation.

**Note**

The coral restoration and population study site located within the region of FL Keys National Marine Sanctuary known as Snapper Ledge is identified as Area 21 in Spiny Lobster Amendment 11.

**Public Scoping Comments Summary**

A number of comments were received on this measure, primarily during the Key Largo public scoping meeting. This issue was not as widely commented upon as many other measures in the scoping document. Most comments were in opposition to the Council pursuing this measure in CE-BA 3, and expressed concern of involvement of multiple agencies in the implementation of designations for this area. A few comments were also received in favor of the Council moving forward with an MPA designation for Snapper Ledge. They discussed the ecological significance of the area and encourage protection for spawning populations of coral species and snapper grouper populations that occur at Snapper Ledge.

**SAFMC Staff Recommendation**

If the Council chooses to pursue this measure, defer consideration until CE-BA 4 or at a later time. The Sanctuary Advisory Council has passed a resolution recommending this area be designated as a Sanctuary Preserve Area. As such, the Sanctuary has not yet taken their Advisory Council's recommendation into consideration, and this measure has not yet been developed fully through the Sanctuary process. Staff recommends that the Council consider this measure only after a formal recommendation has been provided by the FL Keys National Marine Sanctuary.

## **Action 5. Develop a recreational tag program for deepwater species** **(Data Collection Committee)**

The Council has had preliminary discussions about options to address overages in recreational annual catch limits (ACLs) for golden tilefish and snowy grouper, and concern of anticipated overages in the pending wreckfish recreational ACL. These species have low recreational limits that are measured by individual numbers of fish. Currently, recreational ACLs are established for golden tilefish (1,578 fish) and snowy grouper (523 fish) under Snapper Grouper Amendment 17B. Under the Comprehensive Annual Catch Limit Amendment (approved on 1/18/12; waiting on final rule), a recreational ACL would be established for the wreckfish fishery (11,750 pounds).

### **Public Scoping Comments Summary**

Most commenting on this issue (~11) were in favor of Council pursuing development of a tag program. A reference was made to terrestrial game management and the absence of such a strategy in marine fisheries management. They cautioned the Council associating fees with such a program, but many see merit in a program that will effectively monitor recreational catch. A couple of fishermen offered a specific recommendation to consider establishing a deepwater species permit or endorsement and tie the permit/endorsement to the vessel (include for-hire permit/endorsement to incorporate charter sector). A commenter opposed the placement of this measure in CE-BA 3.

### **SAFMC Staff Recommendation**

Staff recommends pursuing this measure through CE-BA 3 in order to address bycatch and overages in recreational ACLs with the forthcoming limits.

The Council could allocate the recreational ACL amongst the 4 states and the corresponding number of tags would be available for each state for the following species:

Snowy grouper; blueline tilefish; yellowedge grouper; misty grouper; queen snapper; silk snapper; golden tilefish; and wreckfish.

The Council could then designate the appropriate state fishery management agency (NC DMF; SC DNR; GA DNR; FL FWC) as the responsible entity for distributing allocated tags for annual recreational harvest by state for these deepwater species, OR, develop an entire federal system to administer the tags. The Council will need to select preferred alternatives for this action in June.

## **Action 6. Increase the minimum size limit for hogfish** **(Snapper Grouper Committee)**

The Snapper Grouper AP recommended, during their October 2011 meeting, that the Council consider increasing the minimum size limit of hogfish to 18" FL. The current minimum size limit is 12" FL in the South Atlantic EEZ and there is a 5 per person recreational daily bag limit off of east Florida, only.

### **Public Scoping Comments Summary**

Second to comments received on possible expansion of the Coral HAPCs, the majority of comments during the CE-BA 3 scoping period were in regards to this measure. Most comments were opposed to changes in the minimum size limit for hogfish, and pointed out that larger hogfish are not commonly found in FL waters as they are in NC waters (northern end of their range). Many expressed concern that the Council should consider regional management approaches for this type of fisheries issue. Several opposed the Snapper Grouper AP's recommendation to increase the minimum size limit to 18" FL are amenable to an increase in minimum size to 14" TL, with the majority of these comments from fishermen in FL. Many comments expressed that a change, if necessary, should be addressed after a comprehensive SEDAR assessment.

A few comments were received favoring an increase in the minimum size limit, discussing that large hogfish are not as commonly seen, and other regulations have resulted in increased pressure on this species.

### **SAFMC Staff Recommendation**

FL FWC is taking the lead on a benchmark assessment for this species in 2013. Staff recommends the Council remove this from further development in CE-BA 3, wait for the assessment results (anticipated availability is late 2013), and modify measures specific to hogfish as needed during 2014 through the framework process.

## **Action 7. Change the bag and size limit for gray triggerfish** **(Snapper Grouper Committee)**

The Snapper Grouper Advisory Panel recommended, during their October 2011 meeting, that the Council consider an increase in the size limit of gray triggerfish to 14" TL (both recreational and commercial) and establish a recreational bag limit of 5 per person per day. Currently the minimum size limit is 12" TL off of east Florida only. This species is included in the recreational 20 fish snapper grouper aggregate bag limit.

### **Public Scoping Comments Summary**

Few comments were received on this measure, with an equal number in favor of the Snapper Grouper APs recommendation as there were opposed to any change in management. One comment supported removal of this measure from CE-BA 3.

### **SAFMC Staff Recommendation**

A SEDAR benchmark assessment is planned in 2013 on gray triggerfish. Staff recommends the Council remove this from further development in CE-BA 3, wait for the assessment results (anticipated availability is late 2013), and pursue any necessary changes in 2014 through the framework process.

## **Action 8. Add African pompano to the appropriate fishery management unit (Snapper Grouper Committee)**

The Snapper Grouper Advisory Panel also made a motion during their October 2011 meeting to add African pompano to the species of jacks managed by the Council under the snapper grouper fishery management plan. In Florida waters, and in the EEZ off Florida, a 24" FL minimum size limit and a bag limit of 2 per person or per vessel per day is in effect for commercial and recreational fishermen.

### **Note**

In November 2009, the FL Fish and Wildlife Conservation Commission expressed their intentions to the Council to extend their regulatory authority of African pompano into federal waters off Florida in order to address permit modifications for this fishery. Under the MSA, a state has the ability to extend regulations into federal waters if there is no federal fishery management plan or if there are no regulations for federal waters. Because the Council had no immediate plans for managing African pompano in federal waters, FL FWC pursued extending their management for this fishery into federal waters after a deliberative public input process.

### **Public Scoping Comments Summary**

Minimal comments were received on this measure, with a few in support of the Council pursuing inclusion of this species within the snapper grouper fishery management unit. One comment suggested this measure would be better addressed through a plan or framework amendment.

### **Staff Recommendation**

Staff recommends the Council drop this measure from further development as a result of Florida's management of African pompano in federal waters off FL.

**Action 9. Modify permits and data reporting (commercial, for-hire) to ensure ACLs are not exceeded**  
**(Data Collection Committee)**

The South Atlantic Council approved a motion at their December 2011 meeting addressing the need for modifications to dealer permits and reporting requirements. With additional annual catch limits for snapper grouper species forthcoming through implementation of the Comprehensive Annual Catch Limit Amendment, concern has been expressed over the existing reporting system's ability to track limits and ensure overages do not occur. The Council has discussed improvements to permits and data reporting, including a universal permit versus separate Gulf of Mexico and South Atlantic permits; electronic dealer reporting (daily, weekly, or monthly); and modifications to penalties and permit renewal requirements. Modifications to dealer permits/reporting are being addressed in a joint Gulf/South Atlantic Council Generic Dealer Amendment. The Council opted to include measures to modify commercial and for-hire vessel permits/reporting in the scoping process for Comprehensive Ecosystem-Based Amendment 3.

**Public Scoping Comments Summary**

Generally, the comments for this measure were in support of modifications to commercial and for-hire permits and data reporting. Many suggested that weekly electronic reporting should be implemented as protocol, and voiced frustrations that the existing system is positioning fishermen for failure with delays in submission of reports and subsequent overages in annual limits. A few commented that permit sanctions should be implemented to penalize those reporting late. One comment suggested this measure would be better addressed through a framework or plan amendment.

**SAFMC Staff Recommendation**

Staff recommends the Council pursue this measure in CE-BA 3 in order to effectively address commercial and for-hire vessel reporting and bycatch mortality and discards in a timely manner. With the pending annual catch limits and urgency among fishermen to avoid overages in their limits, inclusion of this measure in CE-BA 3 is recommended as the appropriate vehicle. The Council will need to select preferred alternatives for this action in June.