

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

COMMITTEE OF THE WHOLE

**Westin Jekyll Island
Jekyll Island, Georgia**

March 6, 2019

SUMMARY MINUTES

COUNCIL MEMBERS

Jessica McCawley, Chair
Anna Beckwith
Dr. Kyle Christiansen
Tim Griner
LCDR. Jeremy Montes
David Whitaker

Mel Bell, Vice Chair
Chester Brewer
Chris Conklin
Doug Haymans
Stephen Poland
Spud Woodward

COUNCIL STAFF

Gregg Waugh
John Carmichael
Cierra Graham
John Hadley
Kelly Klasnick
Cameron Rhodes

Dr. Brian Cheuvront
Myra Brouwer
Dr. Mike Errigo
Kim Iverson
Roger Pugliese
Christina Wiegand

Other observers and participants attached.

The Committee of the Whole of the South Atlantic Fishery Management Council convened at the Westin Jekyll Island, Jekyll Island, Georgia, Wednesday morning, March 6, 2019, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: We are in the Committee of the Whole now, which means we're all on the committee, just for clarification. The first order of business is Approval of the Agenda. Are there any changes or modifications or additions for the agenda? Seeing none, any objection to approval of the agenda? Without objection, the agenda stands approved. Our first order of business is the ABC Control Rule Amendment, and I'm going to turn it over to John.

MR. CARMICHAEL: Thank you very much. I will go into -- This is Tab 5, Attachment 1, and it's the ABC control rule document with the scoping comments included. This is what was taken out to our scoping that we held at the end of January, on two evenings, and we had a pretty good turnout for the topic, considering that this isn't the kind of thing that tends to bring a whole lot of people out, and we got some pretty good comments that I think are helpful toward our efforts to refining this amendment, and I will get into those.

One of the first things you will see highlighted is the timing update, and so, just to refresh you, our plan on the timing has been for a while to finalize the language once we got the NMFS guidance on the carryover and phase-in provisions. At one point, that guidance was very prescriptive, and we wanted to be sure that we didn't do something that was contrary to what was going to be proposed.

It seems that the guidance now has become a bit more general, which is probably very good, and it gives us more flexibility and probably is better for all the councils nationwide, and we have also seen the Gulf moving ahead, as has been discussed with their amendment addressing this for the CMP species, and so that could factor somewhat into our thoughts on timing and when we could finalize the language.

A couple other things are that the SSC did not discuss this in as much detail as we had hoped when they met in October, due to some of the time concerns of that meeting and dealing with those MRIP estimates and some other things, which took a lot of their time, and so they had a few general comments on the amendment, which George will go over when we get to that, but I think there's more that they need to do in terms of discussing the risk tolerance aspects, and we're hoping that they will be able to do that in April and really wrap us up on that, and I think it's important to have that worked out before we certainly finalize this and go to public hearings with it, for sure.

We are hoping that maybe that language on carryover and such will be available in time for the SSC meeting, which would be very nice, and then the other point on timing is that, due to the shutdown and recovering things and this not being as high of a priority as some of the other issues, and the concerns about waiting for this language, the IPT team has not met, and so they haven't really looked at the language in a while as well, and so I think we could be in a position to approve the final language for the actions and alternatives in June, if all goes well and if this makes it to the council's priorities to talk about that step in June, and then maybe consider public hearing approval, perhaps, in September or something, within the context of your other priorities. I think that's reasonable from the technical and IPT side.

MS. MCCAWLEY: All right. Thanks, John. I'm going to pause there and see if there's any questions about the timing of this document. All right. I don't see any hands in the air. Back to you, John.

MR. CARMICHAEL: Okay. Thank you. We'll move on down to the scoping overview, and so we held this via webinar, as I said, and all the comments are available for you to look at. Because there weren't a whole lot of comments, I just listed them here right upfront under each action, and I will go through them, and it won't take long, because, like I said, there weren't a whole lot.

The first action is dealing with the acceptable biological catch control rule, and there was support for addressing this, for just taking a general look at the control rule and trying to make it better, and there was a lot of support for giving an ABC range that is based on uncertainty, which is certainly something that we can consider.

In Action 2, we talked about an approach for determining the acceptable risk for overfishing, and there was support for generally higher levels of risk, which probably isn't too surprising from the fishermen's perspective, and I thought it was really helpful that a statement was made that there was support for clearly stating the risk levels at this high, medium, low approach that we're using and feeling that that would probably give the fishermen a much better understanding of what the risk tolerances mean, and, actually, by letting them know those risk tolerances in advance, it could help their understanding of how the council is deriving things like the ABCs and the ACLs.

It was noted that there is going to be percentages underlying all of those, and the SSC is going to be dealing with that, and that was considered fine from this perspective, in that fishermen could probably best understand this high, medium, low approach, which I think was a good support for where we're trying to go with this amendment.

We didn't receive any specific comments on dealing with the determining the probability of rebuilding success, and we talked about the phase-in, and there was support for the phase-in, some for not being too liberal with that, such as doing it within one to two years and not over three, which is consistent with where we're heading. There was support for taking the greatest cut in year-one, which I think was some folks recognizing that a lot of times that's important to preventing long-term overfishing, and then just allowing if it's not overdone, which was an interesting comment, but I think it says within bounds, which is where we're heading.

Then the Action 5 is allowing the carryover, and, again, there was support for allowing the carryover, and there was a lot of support for doing this within sector, and there was opposition to allowing this to carry over several years, and so some of the actions and alternatives that we have are doing that within one year, and certainly that's supported by the public that we talked to, and then the doing it within sectors was a pretty strong point that people felt confidence in, and there was a just a concern of crossover of allocations and whatnot and those battles and keeping the tallying within each fishery sector, which I think is certainly consistent with where we're going as well, and so that's the quick overview of the comments that we had.

MS. MCCAWLEY: Any questions about the comments? Seeing none, I'm going to pass it back to you, John.

MR. CARMICHAEL: I will turn it over to George, and he'll give us the SSC comments from their discussions last fall.

DR. SEDBERRY: As John mentioned, the SSC did review this options paper at the October meeting, and we kind of ran out of time to spend a lot of time on it, and so deferred action until our meeting next month, about a month from now, but we also heard, from council staff, a presentation on the proposed method for gauging risk tolerance when setting catch limits, and that presentation included biological and human dimension attributes related to overfishing risks that were scored so that each stock could be categorized as low, moderate, or high in risk tolerance.

We ran through some examples, and the SSC added some items for consideration when assessing risk, many dealing with the human dimensions and the social issues, and those items are in the report from our October meeting, which is in the briefing book, and I guess in the root directory. Some of those socioeconomic considerations were generalist versus specialist fisheries and making the attributes consistent among stocks, for example the size of the community and the size of the fishery and the economic impact on the fishery. I believe that was all the comments we had from our October meeting, and there are additional comments in that options paper that have been made as it has been developed all along as well.

MS. MCCAWLEY: That's great. Any comments or questions about what the SSC has discussed so far? As George mentioned, there were a number of comments that were already in the document, as the SSC has discussed this while we've been developing it, and they're going to look at it in more detail at their April meeting, and so we'll have more specific comments to the document when we see it again in June, if it comes back in June, but do you have any questions now on the comments that are in there from the SSC? I see heads shaking no, and thank you very much that, Dr. Sedberry. John, are we going to actually walk through the amendment? Do we need to?

MR. CARMICHAEL: I don't think that we need to in detail. I think I would open it up to see if anybody has any guidance to provide, and I will say that I will just rehash where we stand, and that is to plan to have an IPT meeting before June and to work on finalizing the language and probably do that after the SSC meeting and get their comments in there and hopefully be able to finalize the language in June, and so, if you have any guidance on any of the actions and alternatives at this point, that would be helpful.

MS. MCCAWLEY: All right.

MS. BECKWITH: Thanks. I do have a request, under Action 5, for the sub-alternatives considering the carryover provisions. I think you guys have heard me chat about this before, that I suspect that we're going to end up choosing multiple alternatives, because this is going to be criteria on under what circumstances we can allow carryover on different species, and it's going to be sort of a catchall in our ABC control rule that will go across all of our FMPs, but, taking that into consideration, if you guys pull up I think it's page 27, I always have a little bit of concern with carryover for our snapper grouper species, because they are so prone to overharvest and overexploitation.

Given that Alternative 4, which reads, "carryover of unharvested catch will be allowed for a fisheries sector if that fisheries sector has experienced a regulatory closure due to catch exceeding

that sector's annual catch limit in at least one of the previous three years", it seems like that would actually be the most prudent option forward for say a snapper grouper species, so we're not doing carryovers for species like red grouper, just because they're not hitting their ACL, and they're still tanking, and we wouldn't be considering a carryover for something like that, if we were to choose that criteria, but something like that doesn't work for the dolphin fishery.

My goal in a carryover provision for the dolphin fishery is to actually cushion years of high abundance, and so I'm not planning for them to have a closure before we consider carryover, and I would like them to have an annual carryover, in order to prevent a closure in years of particularly high abundance, and so my request to the SSC is to have them consider language for an additional alternative that would exempt or allow for an annual carryover for species of high productivity or high natural mortality rates, or possibly even species that don't spend all of their time in U.S. waters and making it specific enough that that criteria would be clearly only for dolphin and that dolphin would be the only species that we're sort of considering an annual carryover for, and I am sure that there is a bunch of different ways to explain that, but, if you understand what I'm asking, let me know.

MR. CARMICHAEL: I mean, if the intent is to just do it for dolphin, I think, to avoid any confusion, I would just say for dolphin, rather than try to describe it.

MS. BECKWITH: Fantastic. I would be looking for an annual carryover for dolphin.

MR. GRIMES: We can probably work in sub-alternatives that would allow carryover only for certain FMPs, and I think the IPT would probably be the best place to flesh that out and bring you alternatives.

MS. BECKWITH: Yes, and I'm fine with that, and I know that we're trying to make the criteria broad enough so it can work across all of our FMPs within the ABC control rule, and so I can see us choosing multiple of these alternatives and putting them into the ABC control rule, but, if say the council decides to choose Alternative 4, because it's a criteria that's most appropriate for the snapper grouper species, it would be in opposition to what would make sense for dolphin, and so I just want to make sure that there's a criteria written in there that would allow for a carryover for dolphin without having had a previous closure and allowing for a cushion for years of high abundance.

DR. CRABTREE: Well, I don't mind looking at that, but carryover makes sense to me when you have a closure and you left fish in the water, and so you carried over catch to the next year, but I'm not sure how you carry over fish that you just didn't catch, and, in the case of dolphin, you would always carry over large amounts, but that would result in your ACL being higher than your ABC, and then the argument that high natural mortality seems to me to work against carryover, because the idea of carryover is you have left the fish in the water and you catch them the next year. If you have high mortality, if you leave them in the water, they're going to die of natural mortality anyway, and there is nothing to carry over. I don't mind looking at it, Anna, but it's not clear at all to me how carryover makes sense in a fishery like dolphin.

MS. BECKWITH: Carryover is used in most of the highly migratory species, and I wouldn't suggest that we carry over large portions of it, but, for dolphin, particularly in the commercial

sector, it would make sense to have some carryover to allow use for a year that they're going to encounter those fish at a higher level, to prevent a closure.

We're not seeing closures in the commercial dolphin fishery in any regularity, and we've noted that on the record numerous times, but there seems to be no reason to not allow the commercial sector to carry over a bit of their unharvested fish in order to prevent a potential closure in a year of high abundance that we can't predict in dolphin. I mean, I understand your concerns, but I think HMS uses carryover all the time, and, quite frankly, dolphin is a highly migratory species, and I think it needs to be treated differently than we treat our other FMPs.

DR. CRABTREE: As I said, I'm fine with looking at it. HMS is a different animal altogether, because a lot of the things they manage are ICCAT species, and so they're not subject to a lot of the same requirements, but I am still having a difficult time seeing how you carry over a short-lived species just because you didn't catch it, and it's not clear to me how that relates to the high abundance year, because the carryover is not tied to the fact that there is high abundance. In fact, you have no way of knowing in advance if there is high abundance or not high abundance, and so I think it's something that folks are going to just have to look at, but it is a departure from how I have thought of it and we have considered carryover.

MS. BECKWITH: Right, and, to that point, I mean, you're right that we can't predict high abundance in mahi, and that is exactly why I don't want to tie it to a previous closure, because this would help prevent, for example, what happened in 2015. If they had the opportunity for a carryover, they would have had a cushion to make sure that that closure didn't occur, certainly in the commercial fishery, and that's not to say that we need a carryover in the recreational portion of the dolphin fishery, but, given the new MRIP numbers, all of a sudden, we might need to consider having a carryover in the recreational dolphin fishery, given the new MRIP catch numbers.

Yes, I agree, and it's something to look at, but I do feel like this is a different animal, and I would like the council to consider treating it differently, and certainly -- Maybe I am not explaining it properly, but I suspect that, between the IPT and the SSC, there might be an opportunity for something to be written appropriately for consideration of this request.

MS. MCCAWLEY: Thanks for that discussion. Anna brought up something that reminded me, and, as I read the document, there was a lot of rationale about how, in the recreational sector, based on the landings in the past, that various quotas had never been caught on the recreational side, and I am wondering now, with the new MRIP numbers, if that's going to change that, and Anna reminded me, and so I'm wondering if some of the rationale might need to change when you're looking through the document, because I saw that throughout the document.

MR. BELL: When Anna was talking about -- I know we kind of focused on dolphin there, but possible multiple alternatives and then I start thinking about species-by-species, and Shep mentioned we could have sub-alternatives, but I can see this thing getting a little too complicated, and I think the intent was to have options that will fit, and I guess I wouldn't want it to get too crazy.

MS. MCCAWLEY: Can I ask a question before we go back to you? Your intent was that it could be for recreational or commercial, for either sector, and it wasn't just a recreational alternative, but just for either one, right?

MS. BECKWITH: Originally, my intent was primarily for commercial, but, given the new MRIP numbers, the council might want to consider it for recreational. To Mel's point, I agree, Mel. I mean, when I was originally looking at these alternatives, where my mind originally went was looking at Alternative 4 for snapper grouper and the mackerel species, with an additional phrase put in there exempting basically dolphin from that requirement to have had a closure in the previous three years, because I think that would keep it simple enough and cover everything, but I don't want to give that level of direction to the IPT or to the SSC, because that's not my place, but my vision was to see Alternative 4 written as is, because I think that's probably the best approach for most of our FMPs, but exempting dolphin in some fashion.

MS. MCCAWLEY: Okay. John, I don't think we need a motion, but do you think that you understand all of the things that we have thrown at you on this particular request, or do you need a motion, or do you need more information from us?

MR. CARMICHAEL: Let me try to try to put it succinctly and we'll see if we need a motion. I think the intent is to simply exclude dolphin from Alternative 4 if the council were to choose Alternative 4. That's really what we're asking, and we could have a sub-alternative that simply says that, to exclude dolphin. Now, is this the Dolphin Wahoo FMP, or is this simply the species of dolphin?

MS. BECKWITH: Honestly, for me, it's just the species of dolphin.

MR. CARMICHAEL: Then we can put that in as a sub-alternative, and I think it would be that straightforward. If you guys are happy that we understand the guidance, I will put that in the report, and I don't know that we need a motion at this point.

MS. MCCAWLEY: Okay.

MR. GRIMES: I am not arguing that we shouldn't do that, but, just thinking about it, is it just going to be Alternative 4 and one sub-alternative, and so, only in this one instance, are we excluding one species, and that might be a little odd, and why aren't we considering that for our other alternatives, and so we'll figure that out, but I would hate -- At least at this stage, I am somewhat uncomfortable with just having it as a sub-alternative for that one alternative in one action.

MS. MCCAWLEY: All right. More discussion on this particular document, more questions, more concern, guidance, direction? All right. John, do we need anything else on this one?

MR. CARMICHAEL: No, I'm happy with the guidance, and I think this helps us, and we'll move forward with the plan that I talked about earlier.

MS. MCCAWLEY: All right. Sounds great. Are we ready to move into the recreational AM amendment?

DR. CHEUVRONT: Okay, and this is -- We're going to go through the decision document for the recreational accountability measures modifications, and this is Tab 5, Attachment 2 in your briefing book, and so I will give you all a moment to find that before we get too heavy into things here.

As you recall, this amendment has come about to propose modifications for recreational accountability measures, and, over the years, AMs have been set for different species in different amendments, and, while we tried to keep them relatively similar, and they are sort of similar, they really aren't all the same, and so one of your criteria that you wanted to use in looking at this was to come up with some consistency across time.

We have been working on this amendment, and the IPT did have a chance to meet before the government shutdown, and the IPT was able to make some recommendations, and some work was done on the amendment during the shutdown, and some work was done after the shutdown. However, the IPT didn't really have a chance to meet to discuss all the changes and all that had happened, and so I want to put out there from the very beginning that, just like the ABC control rule, we're probably going to have to adjust the timing on this amendment back one meeting, because there needs to be more review, and so it's still tracking along basically as the same timing as the ABC control rule amendment is at this point.

Some of the things that we have done with the IPT and subsequent review is looking at the actions that are here. We have shown now that there are nine actions, and some of the recommendations coming from the IPT today are going to contract some of these actions. There is a few scoping comments, and they are embedded within this document by action, and remember that you all decided that you wanted to limit this amendment to the Snapper Grouper FMP species as well as dolphin and wahoo, and, because of the different natures of these two FMPs, we separated the actions out by FMP.

However, we received two scoping comments, and both were rather extensive and quite elaborate, but the comments were free of application towards applying these things to specific species, or even FMPs, and so the scoping comments are included under each of the individual actions under snapper grouper, and they also apply to dolphin wahoo, and you will see the nature of those.

What we would like to try to do for this meeting is we're going to discuss the scoping comments, and we're going to review the purpose and need, and, kind of like you did, I believe it was for Regulatory Amendment 29 in the snapper grouper fishery, this purpose and need can change, depending on what you're going to do with these actions, and so we'll go over it now, but don't consider, if you accept or make modifications now, that this is necessarily the way it's going to end up, because it may need to change, based on what we do with the actions later on.

Then we're going to look at the actions and alternatives that should be in the document and modify it as needed. One of the things you may remember, from the very beginning development of this document, I guess practically a year ago or so, is that it was very, very complicated, and one of the things that staff have been trying to do, in working on this, is to simplify it as much as possible and group like things together, and so that's part of the rationale for some of the suggested changes that you are going to see.

Just to give you some of the amendment timing, we actually have draft actions and alternatives, and we had more last June than we do now, and, maybe, by the end of today, we'll have fewer than we had coming into this. In December, you talked more about what type of accountability measure actions you wanted in the amendment, and you did send it out for scoping. It was scoped in January, on the same days as the ABC control rule, and remember, at one time, this was all just one amendment, and we split it out, and so it seemed logical that we would just do the scoping on those, and we did have a fairly good turnout and some fairly lively discussion, but, at this point, it's still fishery-wonk-type people that are involved in this, because this is policy, and people aren't seeing how it's going to affect them on the water yet, but you will see, from some of the comments, the commenters were thinking about how it's going to affect people on the water.

The idea is we're going to look at the scoping comments and modify actions and alternatives and look at it again in June and perhaps have public hearings this summer, if you decide the document is ready. In September, we'll review public comments and modify and then, perhaps in December, vote to send the document to the Secretary for formal review. This is probably our most optimistic time table at this point. This is assuming that everything goes really great, and we'll just take it from there.

The first thing we would like to look at -- Also, I want to make mention that Rick DeVictor is sitting up here with me, and he and I have tag-teamed on this amendment really, really closely from the very beginning, working on actions and alternatives, with and even sort of trying to repack some things around the -- Even to help the IPT on this, because this is very overwhelming, the amount of stuff, and we wanted to package it as concisely as we could even for the IPT to work from. Rick and I are going to work on this together, and so we're like twins today.

On the purpose, for the actions, highlighted in yellow are the changes that the IPT came up with last December after your council meeting for some changes that we thought would be more comprehensive for the actions that are currently in the document, and so it's to revise the accountability measures for the recreational sector for species in the Snapper Grouper and Dolphin Wahoo Fishery Management Plans to address uncertainty in the estimates of recreational catch and increase standardization of accountability measures across species as well as improve predictability and stability of fishing seasons. That last part was not captured at all in the purpose for actions, yet we have two actions in there that do exactly that.

Then the need for action was to maintain optimum yield in recreational fisheries while limiting discard losses and promoting social and economic benefits to recreational anglers, and so the IPT, at this point, has said we just think that this wording is probably a good way to go, and that's the only suggestion that the IPT has at this point, and you may -- The committee, at this point, can discuss the purpose and need, if you want to, and you can punt until you have looked at actions more, or however you want to go with this, but this would be the time if you have comments that you want to give about the purpose and need.

MS. MCCAWLEY: I like the modified purpose and need. I think that it better captures what we're doing in the amendment. Are there any other comments or discussion? I like the idea of coming back and approving this after we go through the document.

DR. CHEUVRONT: Okay, and so I will try to remember to loop us back around on this. We are going to jump into the actions and alternatives now. There is one action that sort of cuts across all

the species in both FMPs, and so we have that upfront, and that is to revise the units for tracking recreational sector annual catch limits. The interesting thing is that, right now, there are two ways that we can track, that we are tracking, recreational ACLs. It's either by pounds of fish or numbers of fish, and we have a few recreational ACLs that are currently tracked in numbers of fish, and those are red snapper, hogfish, mutton snapper, golden tilefish, and snowy grouper. All the rest are calculated in numbers of pounds.

The comments -- The alternatives that you have are just leave it the way it is, versus Alternative 2 is track all recreational ACLs in numbers of fish, and Alternative 3 is basically track them all using pounds. Well, the IPT has discussed this quite a bit, and we had a big discussion in December, and the discussion points are in this document, if you want to take the time to read them. The big thing is that, right now, I want to point out that this is a framework amendment, is the way we have it set up. However, if we change how we're going to track ACLs, it now has to become some other kind of amendment, and I don't know if it could be a regulatory amendment, but it could end up being a full plan amendment, and so that will change the status of this amendment.

The IPT's recommendation is that there may need to be a fair amount of analysis that would be done, because you have to do the calculations back and forth one way or the other, where you have to go through and restate all of the recreational ACLs. The other issue is that we know that a lot of those are going to be changing soon, and so the IPT's recommendation is maybe the council could think about this and decide whether they want to include this action now in this amendment or would they like to consider putting it into some other type of plan amendment later on and then just keep this amendment focused solely on recreational AMs, because this really -- Recreational AMs really doesn't have anything to do with how you count the ACL. We wanted to put that out there and let you all have that discussion and give direction to the IPT of what you want to do.

MS. MCCAWLEY: It's a good point that it might be better covered in another amendment. Do you have another amendment in mind that this would go into or --

MR. GRIMES: I hadn't realized that this would be a framework. I would think changing all the accountability measures like this would require a plan amendment anyway.

DR. CHEUVRONT: No, I think we have it in our framework that we can modify accountability measures specifically for these two FMPs, and so, in looking at it, it seemed like it was okay to do it as a framework, and we had this discussion, I think, last summer.

MR. GRIMES: Well, we can always choose to do things via a plan amendment as well, but I know, at least -- I know we're not the Gulf Council, but, in advising the Gulf Council in what is framework-able, I have maintained that there are limits on what you can do via framework, and what they did was specify a list of accountability measures in their framework and then, via framework, they can choose from those accountability measures that are in the FMP, but they can't just whole cloth come up with something new that's not already in the FMP and implement that via framework.

MS. MCCAWLEY: Before I go to the list of people that had their hands in their air, so then, if we made this a plan amendment, instead of doing it as a framework, then this action could, in theory, stay in there.

DR. CHEUVRONT: Yes, it could.

MR. POLAND: This isn't a statement on we should keep it in the plan or move it around, but it's more just a question I have on I guess the intent of this action. I know we do have a few stocks that we track by number of fish. Why do we track those by number of fish? Is that the currency of the assessments, or is it an issue with low intercepts from APAIS samplers and there is not enough weights to use for it? What is it?

DR. CHEUVRONT: Well, you will notice that some of these species that we count as numbers of fish are relatively low ACLs, and that was a decision that the council just made at the time when they established those ACLs, and I don't recall the specific logic behind each of these fish and why it was done that way, but the one common thing that they all pretty much seem to have is that their ACLs are relatively low.

Now, in the scoping comments, it was mentioned that both of those who commented really liked the idea of counting numbers of fish, because, from the fishermen's perspective, they don't think in terms of ACL and pounds. The comment was that bag limits are set in terms of numbers of fish, and why don't we just count towards the ACL in the same currency, and, if somebody does go to look on the ACL website, they would understand what that meant, in terms of how many fish out of all of the fish that are allowed on the recreational sector, for the recreational sector, have they caught, and that was the rationale from the scoping comments.

MS. MCCAWLEY: Yes, and I remember a lively discussion about this, particularly when we were talking about hogfish. I can't remember the discussion on the other species, but Mike apparently has this.

DR. ERRIGO: I remember, particularly when we were looking at snowy grouper, and we were trying to set the ACL, the total ABC and ACL, and looking at the recreational sector, and we could not come up with an average weight for the recreational sector, because the sampling was so poor. One year, the average weight was like fifteen pounds and one year it was like sixty, and it was really, really variable, and so we decided to -- Because the recreational ACL was so low, we decided just to do it in numbers.

Then, when we got to hogfish, again, there was very low intercepts and a low ACL, and so we decided the same thing, to just go ahead and do it in numbers, and golden tilefish was the same way. There were extremely low intercepts, and it was very variable weights, and so that's why those particular species were chosen to be done in numbers.

MR. POLAND: So it's not tied to the currency used in the assessment, and it's just an artifact of just low intercepts and rare event?

DR. ERRIGO: Right, because, in every assessment, they actually use numbers of fish for the recreational landings, and then they have average weights, the weights by age and average weights and things like that, so that they can convert into either number or pounds.

MR. BELL: I may have already had the question answered, but I was just going to say that I viewed the currency you use as a secondary thing, and the primary focus was the accountability measures, and, if it was going to really get us side-tracked, but it sounds like, if we have to go to

a plan amendment anyway, you could just deal with it all at once. Of course, then -- Again, I thought the reason we had gone to numbers with some had to do with low ACLs and all, and so Mike explained some of that, and so I could see, in that analysis, if you were going to go one way or the other, you would need to look at it sort of species-by-species and see if you have accurate average weights or something, and so that would take a little time to do the analysis, I guess, but, if it's a plan amendment, then maybe we have the time anyhow, but the most important thing I thought was the accountability measure.

DR. CRABTREE: My memory of the issue is kind of like Mike said. These low ACL species, you might only actually have one or two fish weighed and intercepted in a year, and so it became a problem. The difficulty, and why I don't think just a wholesale shift in numbers necessarily makes sense, and there is two problems with it. One, if you have a change in the selectivity of the fishery, like fishermen all start harvesting bigger fish, and you are tracking numbers, you are going to have a big change in fishing mortality rate that you didn't anticipate, and I think it could create some real problems for you.

The other thing is, as far as I know, all of our allocations are allocated in weight, and so, ultimately, you're going to have to take whatever the total catch is and convert it into weights and allocate it out and then take some average weight and apply it to the pounds you're giving the recs, and that's the numbers they get, and so you can't get around that kind of problem, and I think, for species that we have a reasonable number of weights, I am not sure we gain much of anything, and I don't find the comment that recreational anglers think in terms of numbers and not pounds -- Well, that's because their bag limits are in numbers, and I don't know that that really has anything to do with how we track the annual catch limits so much.

DR. CHEUVRONT: I think part of the reason why this whole discussion even came up was one of the things that the council was thinking about was consistency, and this is an area of inconsistency that you all might just decide is fine or that you want to address, or however you want to do it, but I believe that was the origin of this whole discussion of pounds versus numbers of fish.

DR. CRABTREE: I am pretty sure I know the origin of this. It came out of the Gulf of Mexico, and it was red snapper, and what happened in the Gulf is the average red snapper size went way up over a few years, and the fishery closed real early, and the recreational guys got it, and they said, well, start giving us numbers of fish, so we can ignore the fact that the sizes are going up, and, of course, you can't really do that, and then it kind of rooted from there, and I think it spilled over just as a general thing that recreational fishermen think would work better for them, and, in some cases, I think it does make sense to do that, but I don't know that a blanket shift across-the-board makes sense.

MS. BECKWITH: I actually was originally looking at this action and thinking that we were going to push those over to weights, because I like the idea of -- I actually don't think that recreational fishermen often go on and really look at the quota monitoring and that sort of stuff, and so I don't know that the weights -- But I like having the comparisons apples-to-apples with the commercial, so you can get some perspective.

Given that some of these have specific reasons why we have them in numbers of fish, I just -- I don't see the particular value in pursuing this action, especially if the idea is to go back to numbers

of fish, with all the MRIP changes and all that stuff, and so, as far as I'm concerned, I can see us not pursuing this action at all.

MS. MCCAWLEY: All right, and so I've heard a plan amendment -- I will take a motion.

MS. BECKWITH: **I move that we take Action 1 and move it to the Considered but Rejected.**

MS. MCCAWLEY: All right. Is there a second? It's seconded by Mel for discussion.

MR. BELL: So I guess we're comfortable with the list of the ones that we're doing one way versus the other at this point, and there's none that we would feel the need to convert currency on?

MS. MCCAWLEY: That's how I interpret this, because the no-action alternative, and Brian can correct me if I'm wrong, is that there is just no single universal tracking metric for recreational ACLs, but guess the bigger question is does there need to be, and I think part of this discussion is maybe it doesn't need to be. Is there more discussion on this?

MR. POLAND: Anna mentioned MRIP, and Roy gave a perspective from the Gulf, but I know the two North Carolina fishermen who sent in comments, and I know that their perspective is probably coming more from all the discussions we had about cobia and ASMFC looking at allocations across states and that kind of stuff, and we really went down a rabbit hole of looking at MRIP estimates and looking at precision and variability around those estimates, and there is anglers, especially in North Carolina, that believe that the number of fish estimate is more accurate than weights coming out of MRIP, and I think that's a discussion that we need to have, and, I mean, there is some truth to that, especially for species that have lower bag limits, where, if all you've got to do is count zero, one, or two, you're going to have a lot more variability in those counts than if you take those counts and then you have to get average weights, or compute those to the weight, using average weights from the region, and, if your sampling average weight is low, then that introduces some more variability in there.

I am not saying that I am advocating that we just move forward with tracking everything in numbers, but it's just I feel like that we need to have a little bit more discussion on this and maybe investigate that, because the big issue is recreational fishermen. They have a lot of heartburn with the catch string coming out of MRIP right now, and they want everything -- They want to do everything that they can, or they feel like can be done, to increase confidence in those estimates.

MS. MCCAWLEY: That's a good point, and what I basically heard from that was it's okay to not have a consistent metric across all of the different species, and so, if there are certain species that we're tracking in numbers and others that we're tracking by weight, that that's okay, and that's kind of what I heard from that comment.

MS. BECKWITH: In looking at it, it looks, even for the weights, that we've got some that we do in whole weight and gutted weight, and I don't know if that's got some discussion that is worthwhile and how easy that would be to switch to at least one unit.

MR. BELL: I am totally onboard with it makes sense some one way and others another, so we don't have to have it all standardized. Earlier, I was just -- If we take this out, I just didn't know if there were some others that we wanted to adjust or consider for a different way of counting.

MS. MCCAWLEY: Yes, that was my concern as well about taking it out. If there is others, like cobia, that we want to consider changing -- Is there more discussion on moving this particular action to the Considered but Rejected Appendix? **Is there any objection to moving this to the Considered but Rejected Appendix? Seeing none, that motion stands approved.**

DR. CHEUVRONT: Moving right along, we're now going to jump into the Snapper Grouper FMP actions that are currently in the amendment. You will recall that the actions, as we have been looking at them, have divided up the AMs into two different sort of classes. One are AMs that occur while the fishing season is ongoing versus AMs that would occur after the fishing season has ended, and we are calling those in-season and post-season accountability measures, and so keep those two concepts in mind as we're talking about the different ones.

Right now, the in-season AM that basically is used is one of closing the season, stopping the season, and so the IPT recommended adding the word "closure", and so revise the in-season closure recreational accountability measures, to the title of this action. The IPT -- Well, Alternative 1 is what is currently in effect. Alternative 2, there is some suggested wording changes and the addition of sub-alternatives, and, for Alternative 2, the IPT recommends to remove the existing in-season closure accountability measures for the recreational sector for the following snapper grouper species. Then Sub-Alternative 2a is all snapper grouper species, and Alternative 2b is, if you didn't want to do it for all, but this gives you the opportunity to list either species or groupings of species that you want to consider continuing to have the ability to close in-season.

The IPT recommends deleting that is now currently Alternative 3, which is the language, in some form or other, that exists currently in the CFRs for most of your snapper grouper species, and that is, if recreational landings, as estimated by the National Marine Fisheries Service Southeast Regional Office, reach, or are projected to reach, their recreational sector annual catch limit, the Regional Administrator will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year. We are just suggesting that that's really not a necessary alternative at this point.

What used to be Alternative 4, and now the IPT is recommending be Alternative 3, and this is where sort of the numbering gets a little confusing here, and so we'll try to keep it straight, but recommend a wording change that is now retain the existing in-season closure accountability measure for the recreational sector accountability measures if the most recent annual PSE, as determined by MRIP, does not exceed X percent of the total recreational landings, and then the sub-alternatives tell you what that percent is. Now, the word "retain" is in blue because we actually had the wrong word that was in there before that was in the document that you received, and we now have it -- It is correct now.

Basically, the idea behind this alternative and the sub-alternatives is it wants to take into account some measure of certainty, or in some cases uncertainty, on the MRIP estimates, and the way that that's typically done is by using the PSE value, which stands for proportional standard error, and that gives you a measure of how certain that estimate is of landings, and so, the lower the number, the more certain the MRIP estimate is that you're getting the accurate number.

These bins and these sub-alternatives of 40, 60, and 80 percent are bins that are similar than are used I believe by the ACCSP in looking at proportional standard errors, and there may be times

that the ACCSP may have to help out with some of these numbers, and, if we keep it in the same currency as they are already using, it makes it much easier to do those conversions.

If you look down here at the discussion, we have the list of species under Alternative 3a with a PSE of less than 40 percent, and so this is that list from tomtate down to -- Well, dolphin and wahoo are on here, and you can see they are both pretty low, dolphin and wahoo, but all of these are relatively commonly-caught fish, and so, if you chose something from this alternative and a sub-alternative, you are saying -- For example, if you chose Alternative 3, Sub-Alternative 3a, as your preferreds, you would say that you could still use the in-season closure mechanism as the accountability measure just for these species, because you feel that the estimates of them have a fairly high level of certainty that you are not closing a species because of an anomaly in something that just happened to be caught and captured through MRIP at that time.

Sub-Alternative 3b then adds these additional species, from jolthead porgy to gags and all these other species, all the way down through red snapper. I'm sorry. Just through red porgy. It's the ones that are in Sub-Alternative 3a plus these additional species in Sub-Alternative 3b, and so they are cumulative as you go down the list, and so, when you get to species with a PSE of less than 80 percent, it includes all the species above, plus it adds blueline tilefish through red snapper, and so the idea was to try to get -- In this alternative, to get some measure of MRIP uncertainty included in deciding, and I believe the scoping comments were basically to get rid of in-season closures, and they are really, really disruptive, and it hurts the for-hire sector, in terms of planning trips, and they could end up having to cancel trips, if somebody wanted to go specifically for one of these species.

You can see some of the IPT's concerns here, and we wanted to get a clarification is that, when you're talking about in-season AMs, a clarification that you really do mean just in-season closures, and did you have something in mind that was bigger than just in-season closures, and, if so, the IPT would like for you to help us out in figuring out what other things you would like to have included.

The other thing is that PSEs change over time, and so how often would this need to be evaluated or updated, and the other wrinkle that sort of came out at the last discussion of this is we have a couple of cases where we have species that are in groupings, and some species in that grouping are in one bin, and other species in that grouping are in a different bin, and how do you want to handle those cases, and so it would be helpful if you could give us some direction on how you would like to pursue dealing with in-season closures.

MR. BREWER: I would kind of like to see us do away with them, because, if you take a look at this thing for most of the really commercially-valuable fish, and the one that is the most controversial, that we have struggled with the most, you've got a PSE of 71 percent, which means you don't know what the hell is going on. I would kind of like to see us get rid of them altogether.

I do have a concern when I say that, and I don't want to stop the ability, if there is an emergency, and I don't know if this qualifies as, quote, an accountability measure, but I think times that -- Like we've had huge, huge algae blooms, or we've had freezes in Florida, and a particular species just gets decimated, and the FWC has had to come in and say, okay, on an emergency basis, we're closing the fishery, and so I don't want to take away from the ability to react to those kinds of

situations, but, and to repeat myself, I think that AMs in-season for the recreational, when you're very highly uncertain on your data, is just not a good idea.

MS. BECKWITH: I guess my main question is, when we were sort of talking about this originally, the idea was, at least for me, to set a PSE, but not necessarily to set the species in concrete, but to have it be sort of fluid when we got information back from MRIP. They always have a PSE associated with them, and so, for me, as I read this, I share the same concerns of, if PSEs change all the time, then we would have to come back, and we would have to be setting a time period to update these to re-put them in concrete, basically, but is that a requirement? I mean, are we not able to have a sort of higher discussion on PSE levels without having to name the species and sort of set them in stone?

DR. CHEUVRONT: I think the list right now that was shown to you is just to give you an idea of what species would fall under these bins currently, and so you would probably -- You can do it either way. You can set it at the PSE level, if that's what you wanted to do, and the analysis would be done given whatever guidance you gave for it to be done, and then the species would be announced, but we would also -- If you want to go that route, we would need to know something about the frequency of how often you want that to occur.

DR. CRABTREE: A couple of things. One, to Chester's observation about the red snapper PSE being pretty high, remember though that we are basing the red snapper catch estimates on the state survey and not on MRIP to begin with, and so we're not using that data. Just a couple of things in this whole action. One, it seems, to me, if you did choose Alternative 2, which is to remove the in-season accountability measures, that -- The implication of that is that you are then going to select a post-season accountability measure, because you have to have an accountability measure.

I think that there is an issue with the PSEs that -- One, I think we need to evaluate how PSEs and using a cutoff there would perform versus using multiyear averaging, and the trouble with a high PSE is the estimates are bouncing around a lot from year to year, because they are not very precise, and, if you went to something like a three-year geometric mean, that might do enough smoothing on it to get you where you want to be, and it might be more straightforward to do than the PSE threshold.

Then, with multispecies groups, we're going to have to figure out how the PSE would then apply, and I guess you could calculate a multispecies PSE some way or another and do that, and then we're going to have to come up with some -- If we do go down the PSE, we're going to have to come up with some pretty rational basis as to why we're going to use the PSE cutoff, but, Brian, if we selected Alternative 2 and got ready of the closure, and said we're not going to do in-season closures, wouldn't that make Alternative 4 moot anyway?

DR. CHEUVRONT: Yes, it would.

MR. GRIMES: Just two quick things. My understanding is the same as Brian mentioned and along the lines of what Anna was saying. The species in there now are just examples, and so, if you had this in 2017, these would be the species that fell under each alternative, but, if you're specifying the PSE, then I assumed that each year that you would look and see -- At the time you might need to implement the in-season closure, you would look at the PSE associated with the

catch estimate and then decide whether or not you would apply an in-season accountability measure.

I will also, and I think Brian had asked for clarification on this, or mentioned the document, but what exactly are we talking about? To me, an in-season closure is monitoring the catch and then announcing the closure of the harvest of that species. If it's something like red snapper, where you're looking at it and then say, okay, we estimate that you're going to have a five-day season, and here is what it is, that, to me, is not necessarily -- That's not what we're talking about here, because you are not monitoring landings during that five-day season and deciding when it's been reached and announcing the closure, and it's all done in advance. Thank you.

MR. HAYMANS: This is one of those times when we've had the discussions where other actions are so intricately linked, and I can't have this discussion, to me, without looking at Action 5, because I am perfectly happy with getting rid of in-season closures, but we've got to link that to are we going to announce the closure date in advance, which I think is the direction that fishermen want to go in, what's the predictability, what's the known open and closed dates, and so, if we can introduce some discussion on Action 5, that would be great.

MS. MCCAWLEY: All right, and so let's have a discussion on Action 5, and so Action 5 is about the in-season closures. Brian, I don't know if you want to talk a little bit about that action right now.

DR. CHEUVRONT: We can jump to that one. Right now, Action 5 is starting and ending dates before a season starts. Currently, you do that for black sea bass and for red snapper. In the last couple of years, however, the black sea bass recreational ACL has not been caught, and so only the opening date has been announced, with the assumption that it is going to last, and I think the opening date is April 1, and the season is going to last through March 31, and so there is no closing date. The expectation is that the season is going to last for a full year.

With red snapper, of course, like we've been talking about, in red snapper, you define that season before it begins, and that's the season. Alternative 2 now says that, when a season opens for a particular species, you will -- National Marine Fisheries Service will announce the closing date at the same time, and, the two scoping comments that we got, they were both very much in favor of doing that. It helps fishermen to plan, and it helps the for-hire sector to plan, and so they seem to be in favor of doing that wherever you possibly can.

MR. HAYMANS: I can't quite recall Rick's presentation from the beginning of snapper grouper yesterday, but, of the fifty-five species in the complex, how many, roughly, go over on the recreational side? It's less than half-a-dozen, right? Anybody?

DR. CHEUVRONT: Rick is looking it up specifically.

DR. CRABTREE: Do you mean, on average, how many go over the --

MR. HAYMANS: Right, and I think it's less than a half-a-dozen species, and maybe I'm wrong, but it seems to me that it's a very small majority of the fish that we would actually have to set, currently set, a closure date on, and so it seems to me to be a no-brainer to do away with in-season

closures, and, for those species right now that are going over 100 percent, the Regional Administrator sets the season.

MR. BELL: To that too, then you would -- They would have to have an assumed catch rate, which they would have to base on a previous year or a couple of years average or something, and, I mean, I don't see how they would be able to predict that, unless it's consistently over or something, and I'm not sure how, Roy, they do that, because you don't really know what is going to happen in terms of the catch rate in a given year. I don't know.

DR. CRABTREE: My staff don't want to go down this path, because they think it's going to be administratively too burdensome to do it for everything every year, and the way you -- One of the problems -- Well, let's back up. No one likes in-season closures, and they are disruptive and all that, but I'm not sure they're going to like post-season announcements of closures any better. Maybe they will, but, either way, you're going to have to do a lot of projecting what you think is going to happen, and, if you're going to say when the stock is going to close at the beginning of the year, then you're going to do that without any knowledge of what the catch rates are, and so you're going to take the average catch rate from the previous couple of years and you're going to say, okay, with this catch rate, they get this many days and there is your closure date.

Now, if it's a long season and you get a wave of data that shows, in fact, the catch rates are much lower than that, I guess -- I don't know if that just means too bad and we've already set the closure date, and, if you get a wave that shows you're way over what you thought it would be, that indicates you're going to go over, but then, if you make an adjustment, that would be an in-season closure.

The other trouble with trying to do it this way is it -- If you have a species, like sea bass, where the year is pushed back, and there is closures and all, it's one thing. In red snapper, it's very short, but, for most of these things, we wouldn't even have all of the landings from the previous year when we had to make the determination, and so, any way you go at this, you're going to have to make projections, and you're going to ignore some of what is happening as the year progresses to make adjustments to it, and so there's not a really good way to do this, because the data delivery for MRIP is -- The timeliness is not what you would want to try and do these things.

I have generally tended to agree that let's get out of the in-season adjustments kinds of things and have post-season accountabilities, but I don't know that writing it in that we're going to announce the start and the end dates at the beginning of the year like that is the way to go with it, and I think there are some other things in one of the actions with using averaging and multiyear that might be the most productive thing we're going to get out of this.

MS. MCCAWLEY: So, Doug, you're the one that suggested that you needed to see this particular action before you made a decision on the previous action, and what are your thoughts now about the previous action?

MR. HAYMANS: I am looking at, across 2017 and preliminary 2018, there is five species, or species groupings, that we exceeded on, or maybe six.

MS. MCCAWLEY: Rick has those exact numbers, if you want to hear the exact numbers.

MR. DEVICTOR: Doug, we have preliminary 2018 MRIP landings and headboat landings, January through October, and these are on our website, and so, so far, we have exceeded blueline tilefish, golden tilefish, jacks, and red grouper.

MR. HAYMANS: That's what I wrote down too, and so we agree, and so that's good. We have done this in the past, using multiple years previous, to determine when the season would close, and I guess I don't understand how the administrative burden is there for what winds up being a few species of fish that you're going to set a season for in 2020.

DR. CRABTREE: Well, it depends on how many species it is. If we were to say it's only going to be for a small number, maybe so. Then, normally, we wouldn't put it out at the very beginning. We would put it out later in the year, because we would try to look at -- Get some more landings data, or at least get the complete landings for the previous year, to make sure if we actually went over, and so I think it's a timing kind of thing of trying to do it all at once at the beginning of the year like that, and you never know how many you're going to go over, and so how many you are going to have to do.

MR. WOODWARD: I looked back at the purpose and need statement, and the word "predictability" is pretty prominent in there, and, to me, basing some sort of management approach on PSEs that are going to vary from year-to-year, from species-to-species, to me does not fit the model of predictability at all. I mean, to me, it seems directly contrary to that.

MR. CONKLIN: I was just thinking, on those deepwater species, we set a recreational season for them already, and it's predictable, isn't it?

MS. BECKWITH: A couple of things. To Spud's point, the discussion on the PSEs came from us having to close down the deepwater species with incredibly high PSEs, and so it was kind of trying to figure out how to not have to implement accountability measures on blueline tilefish or something recreationally because the PSEs were like 90 percent or something for the following year, and so I think there is a place for a PSE discussion, but certainly not during in-season closures.

To some of Doug's concerns, I mean, if you look under Action 3, Alternative 4, there is an option in there, where, if you go over in one year, then you would accommodate the next year to assure that you weren't going to jump your ACL, basically, and so, by choosing a post-season accountability measure, we may get to where you are trying to go, which, if we have a species that does close, then, in the following year, that species that went over is adjusted appropriately, but not necessarily go in advance and say we're going to have to set an end date for all of these species.

MR. HAYMANS: Isn't that essentially the same thing as what we're talking about?

MS. MCCAWLEY: All right. I don't know where this leaves us with these two actions and what we want to do with them.

MS. BECKWITH: I think it's clear that we don't want to manage for in-season closures. I mean, we don't want in-season closures, and so we could probably get rid of that PSE alternative in Action 2, and I can make that motion if you want.

MS. MCCAWLEY: Okay. Go ahead.

MS. BECKWITH: **It would be to move Alternative 4 under Action 2 to the Considered but Rejected.**

DR. CHEUVRONT: Might I also suggest that you -- If you're going to remove alternatives, you might want to consider Alternative 3 at the same time. That was the IPT's recommendation.

MS. MCCAWLEY: Okay. Do you want to do both?

MS. BECKWITH: **Sure.**

MS. MCCAWLEY: **Anna, is your motion to move Alternatives 3 and 4 of Action 2 to the Considered but Rejected Appendix?** Okay. Can I get a second? It's seconded by Spud. We have had a lot of discussion on this, and I'm not certain that we need any more, but, if other people want to comment, now is the time. **Is there any objection to this motion? Seeing none, that motion stands approved.**

MR. BREWER: Not a comment on the motion, but Roy, I think, is right about smoothing the reaction to the data for a particular year, and, while I agree you shouldn't -- If you've got a little bit of overage, or if you've got some overage in one year, you don't just, boom, take it out of the next year, because you might well get in a situation where you close down that fishery for the entire next year, but the concept of smoothing the data over a three-year period maybe I think is very valid, and I'm not sure that that's captured anywhere in here. It may be and I just haven't picked it up.

DR. CHEUVRONT: It is, Chester, in the post-season AMs, and so we bring it up there, but, Madam Chair, if I could ask for a clarification on Alternative 2, and this is under Action 2. We currently have two sub-alternatives. Is the council's direction that they want to consider closures, in-season closures, for all snapper grouper species, or do you want to go down the route of naming some -- Having in-season closures for some species, and, if so, we need some direction on what those species would be.

MS. MCCAWLEY: Thanks, Brian. Good question.

DR. CRABTREE: Well, my concern has been with getting rid of in-season closures for a species for which you have a payback, and we have often had paybacks for things that are overfished, and maybe, Brian or Rick, you could tell me -- We have paybacks for some things, right? Assuming we do have a payback, I would not want to get into a position where I'm watching the MRIP data come in by waves, and I know we're way over, but, because we don't do in-season, we're not going to do anything, and then we're going to pay it back.

It seems, to me, where that leads you is to have a big catch one year and then a potentially zero fishery the next year, and so, if you have a payback, it seems, to me, if you see the catches going way up too high, and you know you're likely going to go over, you ought to shut the fishery down there, to avoid having a too extreme reaction the following year. To the extent that we're going to keep some paybacks in place, I would maintain the in-season closure authority for things with paybacks.

DR. CHEUVRONT: We're having a little discussion over here, and, right now, we're pretty certain that there is paybacks for hogfish and red grouper, and I'm not certain if there are any other species, but we know that we do have some species that do have paybacks. I think there might be two ways to handle this if you want to address Roy's concern about species with paybacks. Sub-Alternative 2b would be for all snapper grouper species that don't have payback provisions if they exceed their ACL, and so that would be a fluid thing that would change over time as species get added or taken off of the paybacks. That would be one way that I would think that you could handle it.

MR. DEVICTOR: Let me just clarify. When we go through the next action, we'll go through the post-season, and it's listed in the no action alternative, but, actually, we do have paybacks for most species, if not all, if the total ACL is exceeded and it's overfished, but it just happens to be that we have red grouper that's overfished and hogfish, and so we actually have paybacks in place for most of the species.

MS. MCCAWLEY: Okay, and so it sounds like we need two categories.

DR. CRABTREE: One way you could do it would have 2b say that we're not going to have in-season closures unless the species has a payback, which means it's on the report to Congress as overfished, and so, if it meets that, then we do the in-season closure. It comes off the list, and we don't do the in-season closure anymore.

MS. MCCAWLEY: Instead of the report, we would want to say overfished or undergoing overfishing.

DR. CRABTREE: Yes, and it's overfished, I think, and not the overfishing, and we normally use the report as the basis, and so I think you could just let the IPT figure out the exact wording.

MS. MCCAWLEY: Okay.

MR. HAYMANS: Just sort of a general comment, and, of all the -- This is unfair, because we only have availability for the last two years on the website right now, but, in those last two years, it's the same fish that have gone over each time, and nothing else is closer than about 12 or 15 percentage points, and so I would think that setting the appropriate seasons would keep those fish that are currently going over from going over, or getting closer, at least, than what they've been, and I am comfortable enough, with that 10 or 12 percentage points, that the other species wouldn't go over.

Now, I guess, if they do, then they get a shortened season the next year, which is essentially the payback, right? So, I mean, I'm comfortable with not having the payback and it set by the season, but we have worked under payback for a long time, and so I guess we could continue to do that with the overfished, which is what the motion says, but that's my level of comfort.

MR. GRIMES: I just want to clarify two things, or one thing, I guess. A payback is when you have an overage and you deduct that overage from the allowable catch the next year. It shortens the season. A post-season accountability measure could be, well, you caught -- We gave you a six-month season last year, and you exceeded your ACL, and you're getting a four-month season

next year, which shortens the season. One is designed to constrain you to the ACL, and the other is designed to constrain you to an ACL minus the amount that you over-drafted the previous year.

MS. MCCAWLEY: That's a good point.

MR. HAYMANS: Understood, but the end goal is still the same. You're telling the angler, in advance of the season, how long he's going to be able to fish, and they don't understand what goes around -- I don't understand what goes around this table either, but all they want to know is when they have to stop fishing.

MS. MCCAWLEY: Okay, and so staff has written a draft motion on the board here, if this is what we would like to consider. It seemed like that was the discussion that was happening. If this is something that we want to consider, I would be looking for someone to actually make this motion.

MS. BECKWITH: **So moved.**

MS. MCCAWLEY: All right. Motion by Anna. **The motion is to modify Sub-Alternative 2b so that in-season closures could be applied to overfished species listed in the Report to Congress.** Is there a second? **Can we clarify, Brian, that it's 2b of Action 2?**

DR. CHEUVRONT: Yes, I will clarify that.

MS. MCCAWLEY: Okay, and so it's in Action 2. It's seconded by Chris. Any more discussion on this?

MR. BELL: The Report to Congress, that's an annual thing, and what's the timing of that?

DR. CRABTREE: We actually do quarterly updates.

MR. BELL: Okay, and so it would change quarterly.

DR. CRABTREE: If we got a stock assessment, and it changed the status of the stock, we draft a memo, and it goes, and then the quarterly report changes.

MR. BELL: Okay, and so there wouldn't be a timing issue with it.

DR. CRABTREE: Yes, and we can tweak that language as we ponder it.

MS. MCCAWLEY: All right. Any more discussion on this motion? **Is there any objection to this motion? Seeing none, that motion stands approved.** Let's take a ten-minute break, and we'll come back to this.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. I believe that we are on Action 3, the revising post-season recreational accountability measures, and I'm going to turn it back to you, Brian.

DR. CHEUVRONT: Thank you, Madam Chair. Action 3, now we're moving into post-season recreational accountability measures. The way the actions are set up now, we actually have two actions for post-season recreational accountability measures, and the IPT is recommending, for simplicity and directness, rolling it into one action, and, when we get to that point, I will show you what the IPT is suggesting.

Right now, Alternative 1 is what is currently in place, and Alternative 2 is remove the existing post-season accountability measures for the recreational sector, et cetera, but, since you just said to essentially remove the in-season accountability measures, if you want to stay with that, you must have the post-season accountability measure, and you can't get rid of them altogether, and that was a point that Roy had made earlier, and I wanted to reiterate that. Alternative 2, really, if you're going to stick with the alternatives in Action 2, you have to realize that you may not be able to select this one.

Alternative 3 is replace the existing trigger for post-season accountability measures for the recreational sector and only specify post-season accountability measures if, and this is where the IPT came in. What happens if ACLs change during the time period when you are looking at them together, and so we put in a comment there that allows you to consider this only if the ACL stays the same from year-to-year.

Then 3a is the ACL stays the same from year-to-year and the three-year geometric mean of the landings exceed the recreational annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multiyear geometric mean of landings will start over again. Sub-Alternative 3b is for those species where recreational annual catch limits stay the same from year-to-year and the sum total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational annual catch limits. In essence, what we're doing here is we're taking into account not just single-year issues, but multi-year, for the smoothing.

Sub-Alternative 3c is for those species where recreational ACLs are constant and recreational landings exceed the recreational sector ACL in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year. Sub-Alternative 3d is the total commercial and recreational combined ACL is exceeded, and Sub-Alternative 3e is the stock is overfished, based on the most recent Status of U.S. Fisheries Report to Congress, which is what we were referring to in that previous motion. For a species complex, at least one of the species in the complex is overfished, based on the most recent status of that report.

Alternative 4 is replace the existing action taken following a trigger for the post-season accountability measure for the recreational sector. If a post-season accountability measure is triggered, monitor for persistence and increased landings. Then Sub-Alternative 4a is reduce the recreational sector annual catch limit in the following fishing year by the amount of the overage to the recreational ACL. 4b is reduce the length of the following recreational fishing season by the amount necessary to ensure that landings do not exceed the recreational ACL in the following fishing year. Then there is some language that the IPT recommended removing.

Now, the idea is -- What the IPT is suggesting is that, if you take Alternatives 4 and 5 from the next action, you can move them into this action, and they become Alternative 4, Sub-Alternatives 4a and 4b, and, if you decide to go this route, and I think we should hold off on this discussion until you look at the next action, then you would just be able to remove the next action altogether,

and so you could reduce the total number of actions, and you could have an in-season closure action and you can have a post-season AM action, and that makes it just a little bit clearer, I think, for people to follow.

MS. MCCAWLEY: Should we go ahead and discuss that next action now?

DR. CHEUVRONT: Sure, we could do that. Action 4 is revise post-season accountability measures. Right now, just retain the current ones, and Alternatives 2 and 3, the IPT -- I think you all really hated that, because it's very prescriptive about how you would do it, and so then what -- You are left with Alternatives 4 and 5, which I just read as part of the part of the previous action, and move them all into one action, and we can just delete this action altogether.

MS. MCCAWLEY: Okay, and so do you need a motion to delete this action, or is it clear, based on the fact that you have already moved 4 and 5 into the previous action, that that's what we're doing?

DR. CHEUVRONT: I think it would be helpful either to get -- I think it would be helpful, to be very clear, to have a motion that basically states the IPT's recommendation, which would be to move Action 4, Alternatives 4 and 5, into Action 3 and to move the remaining alternatives in Action 4 to the Considered but Rejected Appendix. If you give me a moment, I can write a motion that says that.

MS. MCCAWLEY: Okay. Doug, were you making that motion?

MR. HAYMANS: **I will make the motion.**

MS. MCCAWLEY: Okay. While Brian is getting that typed up, do we have a second for that? It's seconded by Mel. Let's get it on the board.

MR. HAYMANS: I will read the motion. **The motion is to move Action 4, Alternatives 4 and 5, into Action 3 as Alternative 4, Sub-Alternatives 4a and 4b, and move the remaining alternatives of Action 4 to the Considered but Rejected Appendix.**

MS. MCCAWLEY: All right. Thank you, and that was seconded by Mel. Is there any discussion on this particular motion? Once again, we're just taking the sub-alternatives that we want from Action 4, and we're moving them into Action 3, and then we will go into our discussion, a more detailed discussion, of Action 3. **Is there any objection to this motion? Seeing none, that motion stands approved.** Now we're going to back up to what is the new Action 3 that also has these additional alternatives.

DR. CHEUVRONT: Thank you, Madam Chair. I think that was a pretty efficient way to handle that. In Action 3, now you have your post-season AMs that you want to look at, and so this is looking at what you will do should your post-season AM get triggered, and then what you would do, and so only specify a post-season accountability measure if -- I am looking at Alternative 3. Well, Alternative 2 is simply remove the post-season AM, which we have decided that, if you're removing the in-season, you can't do Alternative 2, and so we're going to jump down to -- I am going to assume that you are going to leave that in now, but you know that, if you choose

Alternative 2 in Action 2, you cannot choose Alternative 2 in Action 3. We will help keep you straight on that over time.

MS. BECKWITH: But, under Alternative 2, we could remove -- Or add an alternative that would remove just that piece that is the payback that is in Alternative 2, right? Because there is that verbiage in there that says that the recreational annual catch limit in the following year -- Reduce it by the amount of the recreational overage, and so I would like to see an alternative in there that retains the post-season accountability measure, but removes the payback provision, and then we would deal with the trigger in Alternative 3 and the action in Alternative 4, and does that make sense?

MS. MCCAWLEY: I am not sure.

MS. BECKWITH: Right now, under Alternative 2, you're right that we can't remove the accountability measure, but that accountability measure currently has that payback provision, and so, if we want to remove just the payback provision, because, if we go down under Alternative 4, we're going to choose a new action that we would be taking if -- Based on a trigger that we choose in Alternative 3, and so does that --

DR. CHEUVRONT: I am thinking here though that, if you select something from Alternative 3 and Alternative 4, then that wipes out any consideration of Alternative 2 that needs to be done, and so you still have the opportunity to make that kind of decision of how you're going to deal with it, and so I think those concepts are in there, Anna.

MS. MCCAWLEY: Okay, and so, Brian, what are you looking for from us on this action? I mean, I see a lot of edits or suggestions from the IPT, and we've already made one of these changes, and are you needing more from us on this particular action?

DR. CHEUVRONT: Actually, what I would like to suggest, maybe, at this time is -- I think it can just be direction to staff, and you don't need to do a motion, but to accept the IPT's edits. Then maybe what could now happen is, if you like these the way they are, then you can -- The IPT would then start to work on doing the analysis of these, which we haven't done yet. There is no analysis, but I think there was another issue that Anna wanted to put into this action.

MS. BECKWITH: Under Alternative 4, this is actually the place where I wanted to see the PSE discussion come in, because, if we look at Alternative 4, Sub-Alternative 4b, reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational annual catch limit in the following year, I think that's great, but, for species like blueline tilefish and golden tilefish, where we already have a set four-month season, and our PSEs come back quite high, I would not want to see us reduce that four-month season based on a PSE of 60, 70, or 80 percent. My request is that we add in somehow verbiage where that shortening of that recreational season length would not occur if the PSE was say above 40 percent, and that would protect that deepwater season when those blueline tilefish numbers come back with PSEs of 80 or 90 percent.

MS. MCCAWLEY: Then are you suggesting that there would be numbers or percentages as part of this 4b sub-alternative that would go with this? Is that what you're suggesting, that we would need to update this so that we had some percentages in there?

MS. BECKWITH: Yes, basically. That would be up to the IPT to decide the best way of doing that, and I think Brian had some ideas.

DR. CHEUVRONT: I think one of the ways that we could do this is just add some additional sub-alternatives. For example, you could take Sub-Alternative 4b, which applies to all species, and then, at the very end of that sentence, you could add “only if the PSE is greater or less than whatever value”, and we already were using 40, 60, and 80 percent, and, if you want, we can add alternatives, and it would be three additional sub-alternatives, that could use that, if you think those are the appropriate numbers to include, but whatever you would like.

MS. MCCAWLEY: Anna is saying yes on that, and so I’m okay with that. I don’t know what the rest of the committee thinks. Once again, this would still have to come back for us to check it out. We’re a little earlier in the process here.

MR. CONKLIN: Is there a recreational way with updated landings that come in the middle of the deepwater season that would trigger us to --

DR. CHEUVRONT: I don’t think you would ever get any deepwater landings in time that would allow NMFS to close the fishery in that relatively short period of time. I think it’s May through August now, and May is partway through Wave 3, I think. No. May and June are Wave 3, and Wave 4 is July and August, and the earliest you are going to get your Wave 3 data is going to be mid-August, and sometimes it comes even later than that, and so the season would be over before Roy could probably do much about it, and is that not correct, Roy?

DR. CRABTREE: It seems like it is, and, if we’re going to explore the PSE issue some more, I think we need to be clear that we’re talking about annual PSEs and not by wave PSEs, because they are much higher.

MS. MCCAWLEY: That was a good point. Brian, as two directions to staff here, one, I think we want to accept the IPT’s edits, and then I think that we’re talking about making a modification, based on what Anna is suggesting, and also based on what Roy is suggesting, that we’re talking about annual PSEs. Chris, did we complete your point, or do we need to go back? We’re good? Okay. Other comments?

MR. GRIMES: I would just mention, just like Brian had said for some of the other alternatives, if you go removing -- You have to have an accountability measure for each stock, and so, if we remove the in-season accountability measure, and all you have is a post-season accountability measure, you can’t kick out the ones that have high PSEs and have no accountability measure, and so, as we make decisions on actions in the future, keep that in mind.

MS. MCCAWLEY: Okay, and I hope that, when the IPT edits the document, that they’re going to note that in these actions.

MS. BECKWITH: Well, I mean, I guess I would want some clarification on that, because it’s not that we’re not putting in an accountability measure, but it’s that we don’t have confidence in the data coming back to us in order to put in the accountability measure, I guess. I don’t know how to phrase it, but we do have an accountability measure, but, when you give us an intercept that

causes an 80 percent PSE, or how we usually have, particularly in blueline tilefish, where it's a 61 percent PSE, then I'm not -- One of the biggest complaints that we hear from the recreational community is that we're doing closures based on information that they don't have any confidence in, and, quite frankly, some of us don't have confidence in those particularly high estimates. This is a way of -- We do have an accountability measure on all these species, but, if the estimates are so high that there is no confidence in them, then why would you put in an -- Why would you put in an early closure on something you don't have any confidence in?

DR. CRABTREE: I think what we're saying is, if the PSE of the landings estimate exceeds some threshold, that we don't believe that landings estimate conveys any meaningful information about what the catch was, and so we're not going to trigger any management reaction based on that, and certainly there is some point at which an estimate is so poor that it doesn't tell you anything, and so you wouldn't want to take an action on it, but the trouble is I'm not sure where exactly that is, but I think that's what Anna is getting at, and so it's not like the AM goes away, but it's just that the landing estimate effectively goes away and we don't have a landings estimate.

MR. GRIMES: I think, in the end, then you still don't have an accountability measure, though. You can say we have an accountability measure that applies in these instances, and then that's creating a class of instances when you don't have an accountability measure. I mean, I understand what you're saying and how you try to argue that. You can say, no, we have an accountability measure, but we just don't have enough confidence to trigger the accountability measure, and then I think a court could easily look at that and say, no, then you don't have an accountability measure.

DR. CRABTREE: Well, if I could, and I think this is a tricky issue, but we have had issues where, for example in the Virgin Islands, we don't have any estimate of recreational catches, and so you could argue that surely Congress, when they required us to have annual catch limits, the implication from that must be that we have to have catch data in order to have the annual catch limits, and so they have to be connected somehow for it to make any kind of logical sense, and so then the question becomes at what point is a catch estimate so poor that you can say I don't have a catch estimate, and that's what I think we've got to figure out here, but I agree with you, Shep, that it's subject to a lot of interpretations, and it's a tricky thing.

MS. MCCAWLEY: Maybe, some of what Shep is asking about, the IPT can add some of those things to the document, if it's needed to explain this further.

MR. BELL: Just to kind of deal with all of that, it's really important where you set that threshold, because, if you have an accountability measure, but you've set the threshold such that you never - I mean, your PSEs are always above it, whatever the threshold is, and then you really don't have an accountability measure, if it's 100 percent of the time you're going to -- That's where whatever you set as a threshold is critical, and I don't know what that number is.

DR. CHEUVRONT: But, you know, Shep is on the IPT, and so all those comments and all that discussion will definitely be in the document.

MS. MCCAWLEY: I had a sneaking suspicion that he might be. Is there anything else you need?

DR. CHEUVRONT: Madam Chair, I don't think so. I think we've got enough to move on, and, of course, we're going to come back to it once we start looking at more information that the IPT

is able to gather to give you some analysis and discussion in the future, and so you've already taken action on Action 4, and the last one that we have for snapper grouper is this announcing the starting and ending dates before a season starts, and we had discussed it, but I don't believe the committee has given direction on how you want to handle this action. I can tell you that the IPT thought it was appropriate for black sea bass and red snapper the way it's being done, but didn't think it was to add additional species to this, but clearly this is the council's prerogative to make that decision, and the scoping comments from both commenters were they liked the idea of fixed opening and closing dates for every species.

MS. MCCAWLEY: Right, and so, if we keep it for black sea bass and red snapper only, I guess we don't really need this action, since that's already in place, but, if we're going to expand it, then that's when we would need this action, if we're going to expand it to other species. I know we've talked about this a little bit, but maybe a little bit more discussion about this.

MR. HAYMANS: I would simply like to see it stay in until we've fleshed the rest of the document out. I don't see a need to take it out just yet.

DR. CHEUVRONT: That's fine, if you all want to give also direction to staff about the language changes that the IPT has recommended, and that will help us just to know that you definitely want to keep that in there.

MS. MCCAWLEY: I think that the direction to staff is that we want to accept the IPT changes.

MR. HAYMANS: What about the second part of Alternative 2 and the IPT -- Why don't we make that a sub-alternative?

MS. MCCAWLEY: Okay, and so he was talking to Mel, and it's Alternative 2.

MR. HAYMANS: If you took that suggested language and it became a sub-alternative, such that it could be everything or it could be a sub-group of species.

DR. CHEUVRONT: Right. There is that aspect of it that, if you want to start specifying -- I mean, one option could be all species, and other options could be specific species, or groupings of species, however you want to deal with it.

MS. MCCAWLEY: Yes, I like that, and so is that good enough direction to have sub-alternatives here?

DR. CHEUVRONT: It would be really helpful to the IPT if you could tell us how you wanted -- What species you want to consider, either individually or groups or somehow, because the IPT is not going to have any direction and know how to start an analysis on this.

MR. HAYMANS: Well, to me, I guess it would start with blueline tilefish, golden, gray trigger, the jacks complex, red grouper, and hogfish. I mean, that would be kind of where it started, I think, because those are the ones that are exceeding their ACLs now.

DR. CHEUVRONT: So perhaps it could be -- Instead of having to name species there -- I am thinking in terms of ease of categorizing it, and that would be those species that have exceeded their ACL in the previous year.

MS. MCCAWLEY: That sounds good to me.

MR. GRIMES: I was just going to suggest that we could look at species that have had ACL overages in the last three years or whatever and that that would start to populate our list of species, but, in thinking about this, in terms of writing the alternatives, I am thinking we would want to identify actual species and not -- We're going to do this, and then you're basically setting up a framework-type thing, where every year you're looking at which species had overages in the last three years, and then ones that we had to do the season for would change regularly, and that's just one more thing that we have to keep track of and figure out every year.

MS. MCCAWLEY: Yes, I agree with that, Shep, but I'm wondering, right now, at this point in the document, we identify those category, and the IPT can look at it and make some suggestions about it, and they can give us some examples of the few species that that would apply to, and then we can either choose those species or not, and I agree that I don't want it jumping around based on a categorization.

MR. BELL: The list then is those species that have exceeded their ACL in the past three years, or every year in the past three years, and do we need to be that specific right now?

MS. MCCAWLEY: I think that we've had some good discussion, and I think that the IPT would have enough information to go back and look at those species.

DR. CHEUVRONT: So you're okay if we just look at the ones that we're aware of for the past three years? Okay.

MR. GRIMES: If you want five years, or some other time period --

MS. MCCAWLEY: It seems like there was some more discussion on this side of the table, and so we were suggesting they look at species that exceeded its ACL for the past three years, and is there some folks over here that are actually wanting that to be five years instead of three years?

MR. HAYMANS: Three works for me.

MS. MCCAWLEY: Okay. I think three. Three looks good.

MR. BELL: Just so I'm clear, do you mean every year for the past three years or just any one year within the past three years?

MR. GRIMES: That's up to you guys, but I was thinking any, and I envision there being a table that you get in the document that is going to show which species have had three years or five years or whatever timeframe, and we'll have the species and when they experienced ACL closures and how often during that three-year time period.

MS. MCCAWLEY: Yes, I agree, at least one, and so Brian edited that. All right.

DR. CHEUVRONT: I think we have enough direction for the IPT to work on this some more. Like I said, all the stuff will be coming back. Now we can jump into dolphin wahoo, and you're going to see, in some of these cases, that the comments that you made regarding snapper grouper are also going to apply here, but, in a couple of instances, there are some issues that are specifically relevant to just dolphin and wahoo that were not relevant to snapper grouper.

For example, I believe, in Action 2, which is the snapper grouper version of Action 6, you removed what we have listed as Alternative 3 here, and, frankly, that alternative isn't very relevant to dolphin wahoo, since both of those species have fairly low ACLs. They are both below twenty, I believe, and so neither of the species would be affected by the criteria here, in essence.

Right now, there is no in-season closure for dolphin and wahoo, and, if you're leaning towards removing in-season closures for the snapper grouper species, to keep things analogous, you might want to consider moving Action 6 to the Considered but Rejected Appendix, because the recommendation in Action 2 was to remove Alternative 2, which you did, and then Alternative 3 is not relevant, and you don't already have any in-season closures for this, and so you're not left with any alternatives other than the status quo, which is no action. Unless somebody has something that they want to add at this point to this action, you might want to consider moving this action to the Considered but Rejected Appendix.

MS. MCCAWLEY: Okay.

MS. BECKWITH: I am happy to do that. **I move that we remove Action 6 to the Considered but Rejected Appendix.**

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

MR. GRIMES: I was going to ask where the recommendation to remove Alternative 2 came from, and I am just thinking that -- You guys can do whatever, but we have -- Regardless of what preferred alternative you may select for in-season accountability measures, we had that alternative for non-dolphin wahoo species earlier in the document, and it just seems to me, for the purposes of taking a more comprehensive look at it, why would you completely take it off the table for one of your FMPs, but, if you're really not interested in doing it, then I guess we could justify that.

MS. MCCAWLEY: More discussion on the removal of this entire action? **Any objection to removal of this action? The motion stands approved.**

DR. CHEUVRONT: Moving on to Action 7, we also have the same issues that we could modify -- We currently have two post-season AM actions, in terms of Action 7 and Action 8, and you could give staff direction to make the same modifications to Actions 7 and 8 as were done to Actions 3 and 4 by combining and creating the sub-alternatives, and we would follow along with all the other things.

The thing that would come up, however, is that the PSE part that we had would be irrelevant here, and so, if you wanted to make these two actions similar to what you did for snapper grouper, you could make a motion to do that, with the understanding that the PSE sub-alternatives would not be relevant.

MS. MCCAWLEY: Anna, is that your motion?

MS. BECKWITH: **That is certainly my motion.**

MS. MCCAWLEY: All right. While it's going on the board there, basically, we're making this similar to the action that we modified for snapper grouper, minus the PSEs, because they are not relevant here. Is there a second to that motion, as it's going on the board? Seconded by Doug. I am going to let Brian get it typed up.

DR. CHEUVRONT: I wrote this in a way that will give some direction to the IPT as to how you want it. I mean, I can put the language in there that you will see in the report at Full Council to show you how the actions will look, presumably, but I think this pretty much captures, I think, what you all have said, and so probably somebody needs to read that into the record.

MS. MCCAWLEY: Yes. Certainly. Anna, do you want to read that?

MS. BECKWITH: Sure. **I move that we modify Actions 7 and 8 to be similar to Actions 3 and 4 for snapper grouper. However, there will be no additional sub-alternatives to incorporate PSE considerations under the new Alternative 4.**

MS. MCCAWLEY: Thank you, and that motion was already seconded by Doug.

MR. BELL: It's just the same cut-and-paste exercise we did previous with 3 and 4, minus the PSE thing? Okay.

MS. MCCAWLEY: Is there more discussion on what we're doing here, modifying these actions based on our previous direction?

DR. MCGOVERN: I am wondering how this meshes with Amendment 10, the dolphin wahoo amendment. Isn't there an action in there for the recreational AM as well?

MS. BECKWITH: I feel like there is, but, in discussion of Amendment 10, we sort of said that, between this discussion and the SSC discussion on the potential new ABC, that we would be cleaning up Amendment 10 in June, appropriately.

DR. CHEUVRONT: I think that might be a discussion that will probably happen among IPTs and staffs of both organizations, and we could probably come back to you all in June with a recommended approach for how to handle these two. I mean, one possibly could be either to remove things out of Dolphin Wahoo Amendment 10, if it's not appropriate, and, if it is appropriate, move it into this amendment, or to move the dolphin wahoo actions from this amendment into Dolphin Wahoo 10, which is already an amendment that has a huge number of actions in it, but, if you want to give staff the leeway to weigh the pros and cons of the different approaches, I would think that we could come back to you in June with a recommendation, or at least show you the pros and cons, and you can all decide how you want to handle it.

MS. MCCAWLEY: I think that sounds like a good plan. Thanks for the reminder of that, Jack. **Is there any objection to this motion? Seeing none, that motion stands approved.**

DR. CHEUVRONT: There is one last action in here right now, and this is the same as the one that was in snapper grouper about announcing the starting and ending dates before a season begins. Right now, the fishing year for the recreational season -- The history of it is that it has never closed for either dolphin or wahoo. However, we don't know what is going to happen with these new MRIP numbers, and so we don't know if the pie is going to get bigger and account for that, and we just don't know, and so the IPT recommendation to remove this was based before I think we really had a thorough understanding of what could be happening to the ACLs for dolphin and wahoo, and so you can all let us know how you want to handle this.

MS. MCCAWLEY: I heard a keep it on this side of the room. I see heads nodding that we need to keep it.

DR. CHEUVRONT: There is some additional language that you wanted included in the snapper grouper version of this, and I would like to go back and look at that, so you can at least give the direction to staff if you want us to look at and modify this action to be analogous to the one that you have for snapper grouper.

As you can see, there was a little bit of a language change here, and we obviously -- We wanted to know if you wanted to include just specific species, and there is this sub-alternative for Alternative 2 that should be those species that exceeded its ACL at least one time in the past three years, and neither of these have, and so just leave it as is? Okay. That's fine. I just wanted to get that clarification, to see if you had anything else that you wanted to put in this. At this point, there are no motions or anything that I think that you need to make on Alternative 9, and you just want to leave it as it is, and we'll bring something back to you as soon as we can.

MS. MCCAWLEY: That sounds great.

DR. CHEUVRONT: I am going to go back and look at the purpose and need statement now that you have looked at some of the actions and alternatives here, and so the purpose that you have is revise the accountability measures for the recreational sector for species in the Snapper Grouper and Dolphin Wahoo Fishery Management Plans to address uncertainty in the estimates of recreational catch and increase standardization of accountability measures across species as well as improve predictability and stability of fishing seasons, and that's the recommended language changes from the IPT.

Considering that you have left Actions 5 and 9 in, I think that yellow part at the end of the purpose for actions captures what was missing previously from those actions, and so, if you all are okay with that language, direction to staff to accept the IPT's recommended language changes, or whatever discussion you want to have on this.

MS. MCCAWLEY: All right. It looks good to me. I see thumbs-up to accept the IPT's suggested edits.

MR. HAYMANS: Just a question. The predictability is what we're trying to get to, and do we really improve stability of fishing seasons through this?

MS. MCCAWLEY: Good question.

MR. GRIMES: I don't know. I guess maybe removing the possibility of in-season closures, and that's giving stability to the season more than it would be if it was there and it could close in the future.

MS. MCCAWLEY: All right. Fair enough. What we're going to do is we're going to go ahead and break for lunch right now, and we'll come back in an hour-and-a-half, and so what's going to happen after lunch is we're going to go into Mackerel Cobia after lunch, and so we're going to pause this discussion of the Committee of the Whole, and we'll go into Mackerel Cobia as scheduled after lunch, and we'll go into Executive Finance and talk about the tiering, and then we will come back to this Committee of the Whole, assuming that there is time, which I think there will be, before we go into public comment, and we'll go into the allocation triggers document, and so is everybody good with that, for breaking for lunch now, and then we'll come back to the Committee of the Whole later on this afternoon. Be back at quarter after one.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We are going to go back to Committee of the Whole for the last couple of items, and I believe next up is the allocation review trigger policy.

DR. CHEUVRONT: That is correct. Thank you, Madam Chair. I want to give you all an update. The document in your briefing book is essentially the same document you saw in December, but what I did was I took the discussion that you all had in December, and I highlighted some new things that I added to this document, and so the things that are in this document that are not highlighted are things that you saw in December, and what we're trying to do here is we're using this document to prepare the memo that is going to be sent by the council after the June meeting to state this is what the South Atlantic Fishery Management Council's policy is for allocation review and what is going to trigger a review of those allocation policies.

In doing that, this document is going to remain as our source document to explain how we got from the beginning to how we're going to get to the end, but, in preparing that memo for you, which you will have a copy of at June, I needed to have some questions answered based on the conversation that you all had in December, and I added a little bit of extra information in there.

For one thing, Senate Bill 1520 was passed on the last day of 2018, and that's also known as the Modern Fisheries Act, and so, if you don't mind, I will just walk you through where we are and remind you of some of the decisions that you made, and then I'm going to ask the questions that I need some clarification on, so that I'll be able to help put that memo together for you all to see in June. You will look at it and make any corrections, additions, changes that you want to the memo, and then I will make those edits after the meeting, and then we'll be all set to go to get this out.

Now, the interesting thing about the Modernizing Recreational Fisheries Management Act of 2018 is there was an important part in there that applies to the South Atlantic Council, and it applies to the Gulf Council as well, but the bill requires the Comptroller General of the United States to conduct a study within a year of the passage of this act, and, for the South Atlantic Council, that Comptroller General's report is supposed to recommend criteria that could be used for allocating and reallocating fishery privileges, identify sources of information that could support the use of the above criteria, access the budgetary requirements for performing periodic allocation decisions,

and develop recommendations of procedures to allocation reviews and potential adjustments to allocation.

Well, that sounds a lot like what we're doing here in this document, and that's fine, but one of the things, if you read further down into the bill, it also directs the Comptroller General to consult with the South Atlantic Council and the Gulf Council about these issues, and so it makes sense for this council to continue to develop its policy on allocation triggers, and so, while the August 2019 deadline is less of an imposition on the council to get this done, it really behooves the council to go ahead and finish this policy up as soon as possible, because we don't know when the Comptroller General is going to ask for this information from this council, and it would be really helpful to give the Comptroller General a copy of the memo as well as this source document that we have, so that they'll be able to see that this is what the council came up with and this is how they got there. That is, I think, the reasoning behind why we need to continue moving forward on this and just keep on going.

I included this because I was thinking, at some point, some of you who -- You're aware of this act, and you were wondering what is the implication for what we're already trying to do, and I think the implication is that we need to move ahead, so that your policy statement is out there and available to those who want it in the future. Now, there was some discussion earlier, particularly -- First off, Madam Chair, do you want to take any questions on that?

MS. MCCAWLEY: Sure. Any questions on what we've reviewed so far about why we think staying on the original deadline of August is probably the best route here? Any questions or comments?

MR. BREWER: Absolutely we should stay on this. I mean, it's not a topic that is dear to my heart, but we already, I think, pretty much were ahead of the game. We were doing this before the Modern Fish Act got passed, and I think that what we decide here is going to have a lot of influence with the powers that be in Washington, and so we've got -- This council is, in so many ways, a leader for the other councils, and I think this is just another example of that, and I do think that we definitely should go forward.

DR. CHEUVRONT: Okay. Thank you. Going back to the guidance from the CCC on developing this policy, it was that the councils need to review and modify, as necessary, the goals and objectives for those FMPs where there are sector allocations, and that is when we went back and looked at things, and it was discussed during visioning for snapper grouper that the council looked at goals and objectives of the FMPs, and that's also going to be a part of Dolphin Wahoo 10, and, the next time the council has a regular plan amendment, it will probably come up as part of the CMP, in the next amendment.

There is no requirement that you have to do something specific with the goals and objectives for each of these FMPs, but they just need to be compatible with whatever this policy is that you come up with, so that there is nothing in those goals and objectives that go against this policy or anything like that, in terms of looking at allocations for the future, and so what seems to be happening, at this point, is just simply a general review of goals and objectives of the different FMPs, which is probably not a bad thing to do occasionally anyway, just to make sure that you're still on track.

That is kind of where we are with goals and objectives for the FMPs. There is nothing specifically in here that says you must do this by a date certain, and you must do this kind of editing to them, but it's just this was part of the recommendation from the CCC that the councils do for each of those type of FMPs.

MS. MCCAWLEY: So are you suggesting that it's okay that the goal and objective review continue past when we send the letter in about our trigger policy? I think that's what you're saying, and I just want to make sure.

DR. CHEUVRONT: That is what I am saying, because there was nothing in the CCC guidance that said these goals and objectives must be reviewed and modified by a certain date.

MS. MCCAWLEY: Okay. Any more questions or comments on that? Okay.

DR. CHEUVRONT: We're now going to get into the -- Let me get into that point. A lot of this stuff that I'm scrolling through right now are things that were discussed in December, and so what I wanted to do is I added a section on the council's decisions and the decision process that you went through in December.

You selected the trigger criteria, and remember there were three different kinds. There were indicator-based, time-based, and then there were stakeholder-based criteria, and you chose to pursue the indicator-based and the time-based. The public-interest, or stakeholder-based, criteria was not included, because the council decided that they already receive significant input from the public on fisheries management issues like allocations through other forums, such as solicited and unsolicited public comment and opportunities.

The public can give that input at any time, and this council has a very good system of allowing public comment, far more than is required under MSA, and so you all kind of decided that you really wanted to focus on indicator-based and time-based, and, from the discussion of indicator-based criteria, you said that you would like to re-look at allocations for those species where either or both of the sectors exceeded their sector's allocation or continued underharvest of a sector's allocation, and something would come out of a stock assessment or a fishery performance report that could indicate a need for an allocation review, and those are the three criteria that you gave related to indicator-based.

Then time-based is that, if a period of time passes without a review of allocations, a review would automatically be started, and one of the discussion points that you had was that you might consider instituting a shorter period of time between allocation considerations for species, or at least those top ten or fifteen species, and that was an intriguing idea, the idea being that perhaps the species that are important to the recreational or commercial sector might need to be reviewed on a more frequent basis than -- We have a lot of particularly snapper grouper species that have allocations, but they are low-frequency species, and the thought was that maybe they don't need to have their allocations reviewed quite so often, and so that's the third bullet point.

Now, there was some discussion about should certain species be excluded from consideration of an allocation review, and there was discussion about whether allocation should be reviewed for a species undergoing rebuilding, and, as that conversation went on, there were some folks who said, no, we shouldn't reallocate while it's rebuilding, but then what about species like red snapper that

are under a very long rebuilding plan, and it would be pretty -- Maybe not such a great idea to wait another twenty-five or thirty years before we look at allocations for red snapper, and so there was some discussion about that.

There also was some discussion that no species should have its allocation reviewed more frequently than every few years, whether it's by indicator or time-based criteria, and so, for example, if a species had its allocations reviewed because of a sector exceeding its allocation, would the species allocation be reviewed again in three years because it met a time period requirement? That is something that needs to be considered.

What I did was, based on the discussion, and I went through all of the minutes and gleaned out everything that I could from the discussion you had in December, and I came up with a list of questions that we need some clarification on, and so, assuming that you don't want to change from the indicator-based criteria and the time-based criteria, and you're happy with the bullets that we have under here now, I had some questions based on that, but I think, at the same time, we also need to make sure are there other things that you want to put under indicator-based criteria or time-based criteria, and so maybe it would be better to have that discussion first, and then we'll get into some of the specific questions, because that may also bring up some additional questions later on.

MS. MCCAWLEY: Okay, and so let's start there. Right now, we're trying to make sure that the council wants to use both indicator-based criteria and time-based criteria, and so, if I could speak on that just a little bit, I am fine with using both of these criteria. On the time-based, I was looking at a draft of the Gulf Council's letter, and I noticed that, in their letter, they actually picked time periods for different species. Now, they have a lot less species than we do to look at that have an allocation split, but they actually picked the time-based criteria, or the number of years that they would be looking at the species, including the species in IFQs, et cetera, and listed that out in their letter, and so I don't know if we're wanting to do that.

One of the reasons why I think they listed it in the letter is because they didn't want all of these to come due at one time, and so they were staggering the time periods with which they would look at that, if the time-based trigger was what triggered the allocation look, and so I will just throw that out there, but, right now, I think we're trying to get some feedback on the council still wanting to use both the indicator-based criteria, and you see the bullets there on what that would mean, as well as the time-based criteria.

MR. GRINER: I would like to look at both of them, continue to look at both time and indicator.

MR. POLAND: Likewise, and, especially if we move forward with the indicator-based criteria, I feel like you need a time-based criteria, just for those cases where you've got a species where they might not hit the indicator, but you need some trigger at some point for you to go back and look at that, and so I feel like we can't have one without the other.

MS. MCCAWLEY: Okay. I'm going to go to Mel, and then we'll go to Greg to talk a little bit more about what the Gulf did.

MR. BELL: For right now, just at this level, I am fine with indicator and time-based both, and then we can get into details later.

MS. MCCAWLEY: All right. Go ahead, Greg.

DR. STUNZ: That's exactly what the Gulf Council did, is that we put the time in, because then it's sort of a time certain, and you know it's going to be done at these time periods, but we also left the door open that, if there was some indication that it needed to be done sooner for whatever reason, for example coming out of public testimony or other things, that we still had the option to do that, but, at least at a minimum, everyone would know that those discussions will be at these particular time certain periods that we specified in the letter, and we did have a lot of discussion about what was the best way, but that's where we landed.

MR. BELL: Greg, to that, did you actually set years for species, or was it just a periodicity and they are staggered or something, or how did you do that?

DR. STUNZ: I believe they were staggered, and Jessica has that letter. I would have to look, because I haven't seen the actual letter of how it ended up.

MS. MCCAWLEY: I don't know if I have the final version, but, the version that they had in their briefing book, they had five different bullets under the time-based. They said red snapper allocations within the recreational sector, and so that's between for-hire and private angling, because they have sector separation, was a four-year timeframe. Red snapper allocations between the five Gulf states, and remember they're working on a state-by-state management, that's a five-year timeframe. Gray triggerfish and greater amberjack between commercial and recreational is a six-year timeframe. Gulf of Mexico group king mackerel allocations between sectors, zones, and gear types was nine years. Black grouper, mutton snapper, and yellowtail snapper allocations between the Gulf and the South Atlantic, they suggested a ten-year timeframe.

MR. BELL: So they're all synchronized though based on a start time and then --

MS. MCCAWLEY: Yes, and I thought it was interesting that they were indicating a timeframe with which they were going to be consulting with the South Atlantic on these species that are primarily the Florida fisheries, and they're indicating a ten-year timeframe.

DR. CHEUVRONT: What it would be good is to look at the bullets under each of the indicator-based criteria and the time-based criteria and see if there are additional bullets that you would like to include there.

MS. MCCAWLEY: Okay, and so let's start with the indicator-based. I think that Tim indicated that these were the right three points to put underneath this indicator-based criteria, and I like all three of these. This is using the fishery performance report, underharvest, or one sector exceeding their allocation.

MR. BELL: To the third one, something comes out of a stock assessment or a FPR, and, I mean, do we need to be more specific, or it's just something?

MS. MCCAWLEY: I like it kind of vague, but --

MR. BELL: Yes, I like the general, but --

DR. CHEUVRONT: To address that, Mel, you're always going to see what the results of a stock assessment are, and, by leaving it really vague, it leaves it up to the council to decide that, wow, we need to do something about allocation, regardless of what it is. Now, I said something comes out of a stock assessment, and that's not only pretty vague, but it's very casual, and we would need to tighten up that language, but we would have essentially that same kind of a gist, that it's up to the council's discretion to determine whether something out of a stock assessment indicates that you all need to look at allocations for a given species.

MR. BELL: Yes, and I like the idea of having the flexibility, and I understood exactly what you meant, but just word it differently, I guess.

A year

MS. MCCAWLEY: Anything else? Any other bullets that we want to add under indicator-based criteria? That last bullet is both a stock assessment or a fishery performance report, and so we've kind of got some broad things here. Anything else that we want to add here? Any more discussion on the indicator-based criteria? I feel like people need coffee or something, jumping-jacks or something to wake us up.

DR. CHEUVRONT: Madam Chair, I will offer the fact that you all did have a pretty extensive discussion in December, but I just wanted to give you all once more chance, another whack at this, to see if something else had come up in between, and it won't hurt my feelings if you don't come up with more ideas, but I just wanted to make sure that opportunity was out there.

MS. MCCAWLEY: Okay, and let's move on to the time-based criteria. There are three bullets there under the time-based criteria. A period of time passes without a review of allocations, and the review would automatically begin. Institute a shorter time period for the top ten or fifteen species to be considered for allocation review, and then institute a longer period of time for the remaining species to be considered for allocation review.

Dare I say that I think, like the Gulf, we should list out some species and put some year timeframes on there, and I especially think we need to look at black grouper, mutton, and yellowtail, since the Gulf is suggesting a ten-year timeframe, and do we even agree with that, since that would affect what we're working on here as well? I think some discussion of how we're going to do this and what the year time periods would be.

MS. SMIT-BRUNELLO: I think that's a great idea, and the Gulf has proposed ten years, I think, or they're pretty close to it, for those three species, and, if you didn't like that, then you could propose another time period, and I'm not suggesting that you do that, but then we could work it out between the two councils to figure out what is agreeable to both, but we do have to keep in mind those jurisdictionally-allocated species, I guess.

MS. MCCAWLEY: Right, and so, once again, if I understand it correctly, this would be a year timeframe that, if there's not an additional review of allocations through one of the indicator-based criteria, that then the time-based would kick in, and so we would be looking for some years, and possibly staggering this so that this does not all come due at one time, because that could be a significant workload on the council.

MR. HAYMANS: In my simplistic way of looking at this, right, which everything is, this is overly confusing, or overly complicated. We're looking at, right now, at least five species or complexes

where both recreational and commercial have met their limit, and an additional four where just the commercial, and so, if we were to discuss allocations today, to me, it would be sort of those nine, right?

We have seen those, over the course of time, be closed, due to overrunning their ACL, one sector or the other, and so, to me, the indicator there, which is either or both sectors exceed their ACL, is what cues us to look at the allocation, and there needs to be some time included with that, so that, if one or other overruns by three years or five years or whatever it may be, but I don't know that we have to automatically look at every species every X number of years, because we're seeing it as we move through anyway, and does that make sense?

MS. MCCAWLEY: It does, but I think I disagree with that statement. I think that there is a number of species that we have allocations on that maybe those species don't have a stock assessment, or maybe the stock assessment comes out okay, and maybe neither sector exceeds or under harvests significantly their allocation, and so it might not meet an indicator-based criteria, and, thus, you need a time-based criteria, or the council is not considering allocation.

DR. CHEUVRONT: One of the things though is that it doesn't mean you have to change it. It just means you have to look at it, and so you could say everything is fine, and then you can say, okay, fine, we're happy with the way the allocation is and we don't need to consider this any further, but what the time-based simply would do is instruct you at some point, if you haven't looked at it in the past, to look at it now. If everything is fine, state that it's fine, and you're done with your allocation review for that species.

It's a way to -- I think there was some concern. Like, for some of the CMP species, their allocations were set a long time ago, and there hasn't really been a formal record in an amendment somewhere that says, or in some kind of a document, saying the council looked at these allocations and they decided they're okay, and so that, I think, was part of the issue that had come up. It was, wow, it's been a long time since allocations for king mackerel have been looked at.

Well, that's not necessarily true, but it just wasn't ever captured in a formal document, and so what this is going to do is to basically create that record, saying we looked at the allocations for this species, the council is happy with the way things are going, there are no management crises, nobody is exceeding their ACLs or whatever, and write your paragraph or two and you're done with looking at allocations for that species. I think that's the logic behind setting the time-based, and it doesn't mean you have to change anything. You can leave it the same if it's working.

MR. CONKLIN: In December, we talked about that, generally, five to seven years was a good target, and so maybe we should do seven years on some of the less-important, per se, or less-popular species, or even ten, and that doesn't mean that we don't have to look at it if something else pops up, and then either seven or five for some of the ones that are more common and we're over-running and stuff like that.

MS. MCCAWLEY: Yes, and I like that thinking. We have so many species that have allocations, and I don't know if we want to look at a complex, or we stagger it even more, so it's -- Back to what Chris was saying, I like that thought, and that's what I was thinking as well, and that seems like that's what the Gulf did, but it's just that we have a lot more species than what the Gulf had, and so, that they don't all come up at once, if we haven't looked at them by some other means,

and, like Brian said, that could just be checking a box of, hey, we talked about it, and we don't want to reallocate, and then next, and we move on, just so that we had a discussion that we talked about allocation on that particular species.

MR. WOODWARD: I agree with using the time-based criteria. I think it shows our willingness to do our diligence for something that we otherwise would not necessarily do, because of this inherently vexing nature, and I think this is as much about the optics of it as exactly what we do in -- I mean, a review can be a very short, straightforward, simple analysis that says, yes, this is achieving the goals, and then we move on. I'm a little concerned about ten years. That just seems like kind of a long period of time to leave something at status quo. The likelihood that an indicator-based trigger may happen in ten years, maybe so, but, still, ten, at least from the optics standpoint, may seem like you're kind of kicking the can a little farther than you should.

MS. MCCAWLEY: Yes, I agree that ten is a little long.

MR. HAYMANS: Could assessed species -- Could the allocation review be included in the SEDAR, so that, when SEDAR is done, there is an additional section that's included that looks at the allocations? That way, the council reviews allocations for assessed species at the same time that it reviews that assessment, and then, for unassessed species, we see those as a lump, or two lumps.

MS. MCCAWLEY: Yes, I think is the short answer, and I think that could be one of the options, and so that's indicator and time-based.

DR. CHEUVRONT: I think one of the things about that, Doug, is remember the stock assessment is based on biology, and allocation is management, and so you could use a new stock assessment as one of your triggers to say that we need to look at allocations for each species after a stock assessment is done, but they need to be separated things, because you don't want your stock assessment people to get into management.

MR. HAYMANS: I wasn't thinking to that level. I was thinking more along the lines of, when that species comes up for its assessment, as part of that review of that species, we see the allocation, and we check it off or not. I mean, there's twelve species over the next four years that we're looking at for assessments.

MR. BELL: In looking at a schedule for setting up the time indicator-based, was there a desire to be in sync with the Gulf on particular species, or that was -- I didn't follow that, exactly.

MS. MCCAWLEY: I don't think so. The only one that I felt that we needed to really consider as similar would be what the Gulf was doing on the yellowtail, the black grouper, and the mutton. I too, like Spud, don't like the ten-year timeframe. To me, for those species, maybe seven is the maximum that I would feel comfortable doing, and so it seems like we should go through our list, and Doug is suggesting some timeframes are going to happen automatically, because of stock assessments, but I think that, like the Gulf, we need to indicate, if we're going to pick a time-based criteria, that here are the years that we're going to use if there is not an indicator that comes up sooner, and ten is a little long for me.

MR. GRINER: Well, we can review allocations anytime we see fit. Just because we're going to use these time and indicator-based triggers, it doesn't mean that we can't review an allocation any time that we want to, and so, yes, ten years may seem like a long time, and maybe it is a long time, and maybe it's not the right time, but, just because we're going down this path, it doesn't mean that we can't review allocations anytime we think that we have a problem we need to look at, and so we're not tied down to ten years.

MR. CONKLIN: The ten years was like for cottonwick and scup and -- We're not going to waste tax dollars on those every five years. Come on. We've got more important stuff to do than try and see who is fighting over those.

MS. MCCAWLEY: Okay, and so let me just make a suggestion here. Since we're trying to work on these times for the trigger that would be the time indicator, I suggest we go through these species, and there is a nice table here in the document, and we put some years on there, and Doug apparently has the stock assessment schedule, and so that can help us with this, but, yes, we have a lot more species in the Gulf that are split with an allocation either between commercial and recreational or allocation between the Gulf and the Atlantic, and so, yes, I think we need to pick some times, so that this can go in our letter as well.

Maybe we start with the three that the Gulf mentioned, and so the Gulf talked about black grouper, mutton, and yellowtail, and they had a ten-year timeframe. I think ten is a little too long, and I'm thinking maybe seven, especially if you're going to use the criteria that Chris mentioned, those more popular, more high profile species than -- I don't know, but cottonwick was one of the examples that he brought up, and so I'm going to suggest seven for those three species. Once again, at the very least, that would be the between the Gulf and the Atlantic as well as between commercial and recreational.

DR. STUNZ: Just on those interjurisdictional species, we had very little discussion, and so I don't think there's going to be any like major heartburn if you guys need something different, and so I'm sure that we'll work through that.

MS. MCCAWLEY: Thanks, Greg. All right, and so we've got three down. What other species would we like to tackle? Let me also bring up another point. One of the other points in the letter was about species that are in a rebuilding plan, and I think that we had some discussion last time, and there were people that spoke on both sides, and so, for example, if we did not consider species in a rebuilding plan, then we would not consider red snapper, which I believe right now is not supposed to be rebuilt until 2032 in the Gulf and 2034 in the Atlantic, and so that would be a long time that we would not be considering an allocation on that, and so I think I would be arguing for considering allocations even on species that are in a rebuilding plan, and so, as we put the numbers down there, and so Chester has a number of seven for red snapper.

MR. BELL: I think that was what we were probably thinking there, was once you have established this rebuilding plan and the fishery looked a particular way, and so I guess you didn't want to ticker with it and mess around with the dynamics of the fishery, which might affect the rebuild, but, yes, that is a real problem, when you've got something that's got twenty-five years or whatever, and so, I mean, I think we could work through that.

MS. MCCAWLEY: Okay, and so I heard seven for red snapper.

MR. BREWER: Actually, I was thinking across-the-board for the ones that are under a rebuilding plan, all species under a rebuilding plan. Every seven years or so, you would still go in and take a look. You're at the longer timeframe that we discussed, but they're also under a rebuilding plan, and so things are going to be in a state of flux, perhaps, and so seven sounds about right to me.

MS. MCCAWLEY: My one concern with that is if something -- Let's pretend that we give something like red porgy a timeframe of say five years, and then it gets in a rebuilding plan, and then now that switches red porgy to a seven-year timeframe, and so it would be in flux in the middle of this, and it might be easier to just go ahead and put a timeframe on it, a set timeframe on it, so that it doesn't go in and out based on the fact that it might be in a rebuilding plan. That's just a thought.

MR. HAYMANS: I am confused. We're assigning how often we want to see us review this species for allocations, right?

MS. MCCAWLEY: Yes, and so, in other words, if only the time-based applies, and so assuming that it doesn't come up under one of the indicators, then you had to put in a time period with which we would look at it and just consider it.

MR. HAYMANS: We have said for most, or at least for the first couple that you've talked about, that we're going to try to assess them at least every five, and so you've got a planned assessment -- I believe that's what we've said in the years past, like for red snapper, and so mutton and red snapper both come up in 2021, and so we're saying seven years here, but we're trying for a new assessment in 2021, and so we'll be looking at -- If we do the timing of the assessment, we would actually be looking at the allocation in 2021, and I guess what I'm saying is, if we hold to five-year assessments, or are trying to hold to five-year assessments for all these others, why pick a date?

MS. MCCAWLEY: I still would pick it because what if there's a time period in the future where we don't want to continue assessing the species at the rate that we're assessing them now? In other words, that or are you suggesting that we take those species that we look at frequently and give them the number five, or I'm not sure what you're suggesting.

MR. HAYMANS: I think what I'm suggesting is that these major species -- I thought that we have committed to trying to get an assessment done at least every five years, mutton and yellowtail and red snapper, all the ones we're about to talk about, which would be within or less than the seven years that we're about to start assigning most of these, because I can see seven being the number that everybody is going to pick. I guess I'm just looking at the exercise that we're trying to do right now as maybe futile.

MS. MCCAWLEY: I don't think it's futile, because, as you have heard other people on this side of the table mention, if there was some reason that the stock assessment did not trigger the review of the allocation, there would be a back-up time period with which we would look at it, and, if we don't have that back-up time period in there --

MR. HAYMANS: So there is the basic misunderstanding. It's a stock assessment triggering a review of allocation versus a review of allocation being on the same time schedule as the

assessment. We simply look at allocations at the same time that we look at assessments, and that's the timeframe we're on. It's not that the assessment triggers the review for some reason, and that was the disagreement, I think, or the misunderstanding.

MR. CONKLIN: The way I understood the trigger, the stock assessment, the way you were thinking about it, or the way I think you were thinking about it, Doug, it was -- The latitude that that stock assessment result bullet gives us is, if there is a stock assessment, then we can look at it if we want to, but we don't have to, if there is a reason, but that gives us any reason, right, and, if we're doing that, that's every five years, and so why not just make everything else seven years and be done with it, and it will be simple, and that's what I am leaning towards.

MR. BREWER: The reason this is in is because there is a great reluctance to look at allocation, and so, if we say we can look at it anytime we want to, that's true, but, unless we're forced to, we're not going to do it. I mean, it's that simple, and so I think you do need some maximum time period. Seven years doesn't seem out of line to me, and just go ahead and make it really, really simple.

MR. CONKLIN: Everybody's taste buds change every seven years, too.

MR. BREWER: You've got a whole different set of brain cells every seven years, and so just make it a maximum of seven years and be done with it, and then, if there's something that comes up like we've already discussed, where we've got indications, through under or over-catching, that you may need to look at it, and we've already got that in there, and so I would just try to make it simple, rather than what we're doing.

MS. MCCAWLEY: I appreciate that, and so Mel had his hand in the air, but, before I go there, I am just concerned that, for a number of these species, like the ones that Chris was bringing up, that we don't have a stock assessment on, and likely would not be hitting one of those other trigger criteria, then they are all going to come due in seven years, and it won't be staggered, and, basically, that's going to shut down the council's work so we can consider thirty-something species worth of allocations.

MR. BELL: I was kind of going back to what Doug was talking about, and so, if we could commit to an every five-year assessment, that's great, and so something could come out of the assessment, and that could trigger an allocation discussion, or not, and then you pick it up at seven years, and so you're going to look at it, but, to your last point there, with everything lumped into the same seventh year, that's where I don't -- If you could like tease them out and stagger them somehow, but I think the idea that seven being the maximum amount of time we're comfortable going with, and so, if no indicator-based decision occurs, then you're going to still hit it at seven.

MS. MCCAWLEY: I am going to go to Doug after I make a suggestion. We could use seven as the default, but we could also go through this list and see if we want to make it something less than seven, and I heard multiple people on this side of the room say that seven is the max number of years, and so we could go through some of these species and see if we want the default to be a number lower than seven.

MR. HAYMANS: A thought, outside of the box, that you just brought up that everybody can chew on. Allocation is one of the biggest issues, if not the biggest issue, that we face amongst the

council, and I am not opposed to, once every seven years, we have a council meeting that that's all that we consider, such that that's all the council's time leading up to that and all the council does, for those three to five days, is discuss allocation, if we need to do them all at one time, but I yield from here on out.

MS. MCCAWLEY: I appreciate you wanting to devote an entire council meeting to allocation. I love that, but do you really think it's just going to be just the one three days during one council meeting that is going to answer that question, because I'm not convinced. Let's go through the table, and, if you want something less than seven -- Remember that seven is our max default. If you want something less than seven, let's throw the number out there.

MR. POLAND: Are we going to try to stagger the start dates as well, because -- I mean, first off, this is what an allocation discussion is going to be like, and I don't want to have one council meeting where this is all we do, but I am fine with, for everything that is assessed, an assessment triggers it, and then, for everything else, let's do seven years, but why don't we just go ahead and, if we're all comfortable, say everything else is seven years, but then let's go through and just pick a staggered start date, so they all don't fall on seven years, and can we do that?

MS. MCCAWLEY: To me, picking the staggered start date is the same as decreasing the amount of time with which you're going to consider them, but -- I am just a little -- So then you're picking a start date for the seven-year timeframe, and if that's what you guys want, but it just seems that there might be some species on this list that you would want to consider in less than seven, because what you are saying to me is there are some -- Let's pretend that, as the letter is sent in, whatever date the letter gets sent in, that that starts the time period, and you want seven to be the max.

Seven is no longer the max if you're going to say, okay, now you're just -- Some of them are going to be more than seven. Like seven would be the start date, and, for some of them, it's really going to be nine or ten or eleven, if you're picking future start dates later than the date of that letter. Otherwise, you're actually picking a number less than seven, and you're saying, the first time, it's going to be three, four, five, six, and then, after that, we want it to be seven.

MR. BREWER: Madam Chair, may I make a suggestion? I am looking at this chart up here, and we've got some species that the allocation was looked at in 2015, and that's four years ago, and we've got some that it was 2006, and so that was thirteen years ago, the last time that the allocation was looked at, and maybe we can go through the list and pick out the ones that have not been assessed or we have not looked at the allocation, the longest period, like thirteen or fourteen years, and start them at three. Put them in that slot. From that point on, it's a maximum of seven.

Then we can stagger them out. Now, Chris and I talked about this, and we're both saying, you know what, we're going to be long gone before this even starts, and so we really don't have a dog in the fight. The people that have got a dog in the fight are the state folks, and so you all -- Anyway, it looks like, to me, that you can take the ones that have not been done in a long time and put them like three years out or four years out or whatever, and I think I would prefer four, when I think about it, because, by that time, I will be timed out.

MS. MCCAWLEY: You should not be making decisions about allocation based on how long you're going to be on this council. There is a staff suggestion, and then I'm coming back to the people who had their hands up over here, and so one of the suggestions made was that we could

pick that date, like what Chester is suggesting, if it has been more than however many years we suggest that we haven't looked at the allocation, and then we would give it a lower number, and we could let Brian go do that, and then we're going to see this at the next council meeting anyway, and then he could go in there and put these staggered timings, based on the last time that we considered allocation, and so that's the suggestion that Chester is making, and so that starts the staggering by using the older ones that would come up for an allocation decision first.

Now, that's kind of counterintuitive to what Chris was suggesting, where lesser-level species we look at less frequently, because this is actually going to force forward the species where we haven't looked at allocation in a long time, and it would force them forward sooner rather than later, and so there's a couple of different thoughts there, but, if we can give some kind of direction, then Brian can work on this. This is not the final time we're seeing this, and Brian can work on this and bring it back to the next meeting with some various timeframes, whether it's a staggered start or whether it's using some time period with which we haven't looked at the allocation to give those a shorter time period or what.

MS. BECKWITH: These groupings are in clumps of fish that we generally spend time thinking about them in these clumps, and so I can also see us saying, okay, well, the snapper complex and the grunts complex, we're going to assess for the first time in 2021, and then we're going to do the shallow-water groupers in 2022, and the porgy complex in 2023, and so on and so forth, and stagger them that way, rather than doing sort of individual species, because I think we think about these species and these groupings and the interactions of each, and so it wouldn't make a heck of a lot of sense, to me, to look at gray snapper along with dolphin, and so I think, at a minimum, we need to look at these and reassess them as groups.

MS. MCCAWLEY: I like that, and so that's basically giving a timeframe to each complex, but it's just that there is one complex that is going to be pretty big, but we could possibly maybe halve it or something, but I like the idea of considering the whole complex at one time.

MR. BELL: A schedule that actually exists for assessed species would be the SEDAR schedule, and we were saying that we were hoping -- Whether it's what's on the board now or what will be on the board in the future, and so you've got a schedule set up where those species are going to be touched by an assessment, hopefully on a five-year periodicity, and so, following that, if that's when you looked at those species for allocation consideration, yes or no, and there's your touch on those. Then there is everything that is not an assessed species, and those could be staggered at a seven-year period or something, but you've already got a schedule sort of set up to touch certain species at a certain time, but that was just --

DR. CHEUVRONT: I can throw out, just as a suggestion, for three different groupings, where you can divide up all of these species. You have the one set of criteria, and you're going to look at allocation after a stock assessment is done, and that's a completely separate thing. For those species that you have not yet looked at, and, just looking at the listing, going off of what Chester has suggested, you have a number of species whose allocation was set prior to 2013, and they could form one group.

In 2013, you have a lot of species that happened in 2013, and they could form a second group, and then you have species whose allocations were set since 2013, and so from 2014 on, and, that way, you could divide up all your species, basically into three groups, and they're not going to all

necessarily be equal size, and then all you would do then is to say what year do you want to start doing those allocations, thinking that you're going to work from oldest to newest, and, if that might make sense to you, and I'm throwing that out as an idea, but this is you all's discussion, and I am trying to synthesize some of the things that I am hearing everybody saying at the table.

MS. MCCAWLEY: I am fine with starting with that and bring that back to the next meeting as a suggestion for time-based, if everyone else is, and I see heads nodding yes.

MR. CARMICHAEL: I just wanted to share some caution about tying too much to the assessment schedule, because you make requests of that, but, ultimately, how that plays out really depends heavily on the Center resources, and we do have a long-term plan, if you recall the key stocks idea of taking those really influential things that drive our fisheries and keeping them more up to date, to get an operational assessment type of thing every maybe three to five years and then try to get more of the interim type of information on a much more frequent basis, ultimately even giving some analysis on some stocks on an annual basis.

The big monkey-wrench in all of that has, of course, been the MRIP data lately, and we're getting ready to do a couple of assessments next year that are updating seven and eight years' worth of data. Amberjack has been something like twelve years, and so we're really not at any sort of -- Anything approaching five years, in terms of how often we're updating our stocks, and hopefully we can get there, but there's a lot of things outside of our control before we get there, and I think we could end up in trouble if we tie too much of our allocation plans to these stock assessment schedules when there is so many other things influencing them.

MR. BELL: Yes, and I realize that the SEDAR schedule is not like clockwork, and it's subject to a lot of factors, and so that makes sense.

MS. MCCAWLEY: All right. Are there questions of John? Another little nugget of information to think about there, and so I think that we have got some points here for both indicator-based criteria and time-based criteria, and Brian is going to bring something back at the next meeting. I think that maybe we run through the additional information needed section of this document, some of which I think we have already answered, and see if there is any outstanding questions that we need to answer before this document comes back the next time.

DR. CHEUVRONT: Thank you, Madam Chair. Some of the things that you do have, you have things like, if a sector exceeded its allocation, and one of the things we would need to know, and this is an indicator, is how often does that need to happen? I don't think you want to do it every year that it happens, and so it might be helpful if you could give us some criteria to use on how often you would like to see a sector exceed its allocation before you review it.

MR. BREWER: Two out of the past three years.

MS. BECKWITH: Three out of five. I mean, some of our accountability measures, if you read some of those options -- Some of the accountability measures that we'll be considering for the recreational fishery will actually consider two out of three years before we hit an accountability measure, and so I don't think that that should be the same timeframe as us also reviewing allocations, and so I would encourage us to think of a longer time period of having them go over than what we might consider for kicking in an accountability measure.

MR. CONKLIN: I just maybe want to add a bullet, or I know it will probably strike up a good conversation, but, if a sector -- If both sectors are exceeding their ACL, then how -- Then I don't think we should look at reallocating, because there is not enough -- It just doesn't make any sense to do that.

MS. MCCAWLEY: Okay, and so what Chris just threw out there took off one of our indicator-based bullets.

DR. CHEUVRONT: Well, I think it modifies it, Madam Chair. It just says, "either or both sectors", and it's probably just "either sector".

MS. MCCAWLEY: Okay. Yes, it's removing the words "or both". All right. Let's go back to the questions. The first question, I've heard how often would a sector need to exceed its allocation to trigger the review, and I heard two out of three, and I heard three out of five. Is there a preference? Anna is right that some of our accountability measures are two out of three, and so I hear another three out of five.

MR. CONKLIN: I'm a three out of five.

MS. MCCAWLEY: All right. Three out of five, and I see multiple people -- Let's go with three out of five, and this document will come back at the next meeting.

DR. CHEUVRONT: Then, again, how much of an underharvest of a sector's allocation, and for how long before a review is triggered?

MS. BECKWITH: I guess that would depend on our definition of optimum yield on the recreational side.

MR. GRINER: Well, regardless of what your optimum yield is, when we get through that part, that is the optimum yield, and we're trying to find a percent that, once you're below that, that we're not reaching the optimum yield, and so I don't know. Whatever your optimum yield is, if you're not getting within 75 percent of that, then you're not getting all that close.

DR. CRABTREE: Are you talking about underharvest relative to optimum yield or underharvest relative to the ACL? They may not be the same. It seems, to me, that it would be relative to the optimum yield that you have decided.

MR. CONKLIN: I wouldn't measure it to the sector allocation. I would do it to OY, because OY in one sector is certainly different than OY in another, and, depending on where that OY ends up, but, I mean, if they're not catching at least 50 percent of it, it's worth looking at, or that makes sense to me.

MS. MCCAWLEY: Okay. I heard relative to OY, and I heard 50 percent. Okay. Another good point here, and I don't even want to bring this up, is that this is going to require us to reconsider an optimum yield definition for every species. I really think this is a bad idea to do it relative to OY. I would rather put a sector's allocation, meaning relative to either ACL or ACT, and so most

of the commercial fisheries don't have ACT, and so relative to ACL. I think that OY is a slippery slope here, and it's not defined for a number of species, and so I would change that.

MS. BECKWITH: Would it be worth also, relative to 50 percent of the sector ACL, but could we work in an ACT issue for recs, because we might be able to handle the issue if we have recreational fisheries that have an ACT. We don't have a lot, but the council might want to create an ACT for some species. It's better than optimum yield.

MS. MCCAWLEY: I agree that it's better than optimum yield, but not everything has an ACT, and so you could say relative to 50 percent of the sector's ACL or ACT, if it has one.

DR. CRABTREE: I mean, you're going to have to deal with optimum yield, because you're not going to be able to change the allocation unless you have a valid specification for optimum yield, because the purpose of allocating is to basically achieve optimum yield, and so I don't have a problem if you want to use something else for the trigger, but, ultimately, we're going to have to come up with more meaningful definitions of optimum yield to make any progress on this.

MS. MCCAWLEY: I agree, but I guess I would just rather use something else for the trigger, since OY is not developed for a number of species. Then, as the allocation is considered, developing the OY.

MR. WHITAKER: As I understand this, if you had three consecutive years, it would automatically kick in, and you wouldn't wait two more years to see if indeed it was just three out of five.

MS. MCCAWLEY: Okay. Let's go to the next bullet.

DR. CHEUVRONT: If an allocation review trigger is tripped, what information does the council want to see to help them determine whether or not a review of the sector allocation needs to occur? If you can give me a list of the things that you want, we can include that in there, and so I think PSE is probably an appropriate value.

MS. MCCAWLEY: PSE. What else?

MS. BECKWITH: If the other sector is overharvesting, and so one is other underharvesting, but is the other -- Rec is underharvesting, and is the other sector, commercial in this example, overharvesting?

DR. CHEUVRONT: This was meant as a general statement for any, and so that could be one criterion, but it wouldn't necessarily apply in all cases.

MS. MCCAWLEY: Let's take a ten-minute break, and we'll come back to this list.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We took a look, on the break, at the questions that were remaining. Some of them, we have already answered, and the one that we were working so hard on, we don't necessarily need that information for the letter that is due by August, and so we don't necessarily need to answer that particular question right now, and so we're going to come back to that

particular question at a later date. The rest of the questions were pretty much answered, but I'm going to turn it over to Brian.

DR. CHEUVRONT: Madam Chair, I have one other question that didn't make it on this list. It is possible, for example, that a species could have its allocation reviewed as a result of a stock assessment, or because there is some other kind of indicator that happens, but what if, when that happens, its seven-year time period is up the next year? Are you going to look at allocations two years in a row? My question then is, is there a minimum number of years between times that you want to look at allocation, or do you just want to deal with that on a one-on-one basis, and is that something you want to address?

MS. MCCAWLEY: I would rather deal with it on a one-on-one basis as it comes up.

DR. CHEUVRONT: Okay, and that ends the questions that I had, because all these other questions, which are now lined-through, are things that you already discussed before we got here to these questions, and so they are either now irrelevant or you have already answered those questions as part of the discussion.

DR. CRABTREE: In the indicators, we've got the stock assessment, and we have a fishery performance report. It seems to me that the thing that most likely would trigger an allocation review on the science side is an economic analysis that indicated the economic value is greater here than it is there and benefits would go up, and would that be covered under the notion of a fishery performance report, and is that umbrella broad enough that something like that would be included?

DR. CHEUVRONT: There are social and economic issues brought up under the fishery performance report. It could come under that umbrella, but you could also state explicitly that there could be -- An indicator could be a change in the economics or the social condition of either sector in the fishery.

DR. CRABTREE: Well, one of the needs that I talked to Clay about, and I try to emphasize when we put our MARFIN RFPs and things, is studies, economic studies, that would be relevant to determining what allocation should be, and so, if that stuff gets going, I think that would be a trigger, certainly, for this kind of thing, because it seems to me that the biggest problem we've got is not that we don't want to look at allocation, but it's, when we do look at them, we really can't come up with a good basis to decide what the change should be or what the allocation ought to be.

DR. CHEUVRONT: To clarify, we could add yet another bullet under there and just put in something about a significant change to the social or economic status of at least one sector of the fishery.

MS. MCCAWLEY: That sounds good.

DR. CHEUVRONT: Done.

MS. MCCAWLEY: Okay. Can you -- I'm not sure what is left in this particular document, but, when you get to the end, can you remind us of the timeframe and the next steps for the document?

DR. CHEUVRONT: Sure, and I think that's where we are now, is looking at what next steps might be, and so we have some steps that are going to need to happen, and we talked about the -- You have had the initial review, and you've had a follow-up discussion. At the June meeting, I would bring you back a memo, which would take into account all the guidance that you have given as part of the December meeting and this meeting, and it will look very similar to the memos that have been constructed by I think the North Pacific as well as the Gulf Council, and you will have a chance to edit, evaluate, modify, whatever you want to do to that memo at that time.

I think the idea of revising goals and objectives of the corresponding FMPs -- That's an ongoing thing until it gets done, and then we have done Number 3, and I discussed and identified the allocation review triggers, and they have been identified, and then what's going to happen after you see the draft memo in June is we will incorporate whatever changes, and then you, Madam Chair, would be the one that it would be sent out under your signature, and so then the council conceivably would be done with it at that point.

I think part of one of the things that the council may want to wait until June to discuss, unless you really want to do it now, is we talked about the potential of binning these things into three groups of when those allocations would be looked at, but the one thing that you didn't tell me is what year-one is going to be, but you can wait until June and to decide if you like the way it's laid out, and then you can just tell us what that year would be, and we can add that in after that point, and so it doesn't have to happen now, but that's something you probably need to keep in mind.

Other than that, the timing is we're still on-track for this, and, by August, and I'm assuming at this point probably by early July, we'll have this thing done and prepared, and we'll send it on to NMFS Headquarters, so they can have a copy of it, just like they do for the other councils, but then we'll just hold on it to and, assuming that the Comptroller's General Office is going to be contacting the council at some point, they will have this document that will show the history of what the council did to get there and then have an actual copy of the memo that shows this is what the policy is. They won't just see what you came up with, but they will have the logic behind it as well.

MS. SMIT-BRUNELLO: I suggest too that you think about how to let the Gulf Council know, with those three species, that you would prefer a shorter time period, and maybe you even want to -- Whether you want to send them a letter or whatever, or you could even give them a little rationale as to why, and they meet early next month, and so maybe they would be able to look at it then.

MS. MCCAWLEY: Good point.

DR. CHEUVRONT: I will put that on the timing and tasks list for this committee to write that letter, and we will get it out prior to their briefing book deadline for next month.

MS. MCCAWLEY: Thanks, Brian.

DR. CHEUVRONT: Madam Chair, that's it for this.

MS. MCCAWLEY: Thank you. Then the other item, the allocation discussion that was in here, as well as you mentioned the objectives of the various FMPs, we would do both of these at a future meeting, and so I'm not even 100 percent sure what the allocation discussion was, and can you talk about what that was a little bit?

DR. CHEUVRONT: Sure. The allocation discussion, because you're all going to get into this discussion of allocations eventually, and there were the four species that the SSC looked at in their webinar, plus we had dolphin and wahoo coming out of Amendment 10, and so there is going to be starting some discussions of allocations, and there is a lot of new folks who are on the council who weren't here when the council went through this process, starting back about 2007, and it kind of culminated in the production of the Comprehensive ACL Amendment that I think went into effect in 2012.

What we were going to do is the council staff, basically Cameron, had created a Story Map showing the history of allocations with this council and how we got to where we are now and why the council is going to be considering this in the future and how these MRIP recalibrations and all of that fit in, and so we were going to go through that, and then we were going to talk specifically about some of the species that you are probably going to be looking at sooner rather than later and telling you what those allocations are and give you all a bit of history of how the council got to its current allocation formula, that 50 percent of what at that time was the long-term trend in landings plus 50 percent of the short-term trend in landings, and that determined the allocation.

We were going to do some discussion about some of the difficulties, possibly, of extending that formula into the future and present you with some ideas regarding things that you can consider in looking at allocations for the future.

As part of that whole discussion, when you all did the visioning, which many of you were not here for, when we did the visioning for snapper grouper, there was a discussion of allocations as part of that process. You did the Survey Monkey thing yesterday, and we took all of those items that came out of the snapper grouper visioning, and you gave us some information on how relevant or not relevant you thought those things might be for the discussion.

I have already compiled all of that, and that will become part of the briefing materials, if you take this up at a future meeting, but, if you take it up at this meeting, I have got that stuff ready to go for you, but that's kind of where we were going to go. We wanted to have more of a philosophical discussion and not have a species-specific discussion at this time.

We wanted to try to help get everybody up-to-speed on the language of allocations and what is involved when you start getting into it, because, when the council gets into it, it's not going to be an easy process at all, and, if you have some guidelines of things that you want to look at, and, as important, things you don't want to consider in looking at allocations, that will help the staff, overall, to serve you better in providing you with actions and alternatives and things in the future that are more in line with the approaches that you are interested in considering and hopefully can eventually streamline some of that process.

It's a facilitation discussion and a history discussion and getting everybody up-to-speed, so nobody is feeling left out when it comes to these discussions of allocations, but, on the other hand, there is no impetus -- There is nothing pushing us that we have to do it right now, but we just know that this is coming, and so the discussion -- We think it would be helpful if it happened prior to the actual discussions of allocations.

MS. MCCAWLEY: Can you talk a little bit more about how the survey information is going to be used, because I felt like, on a lot of those questions, I answered something like I need more information or whatever that was, and so how is that information from the survey going to come back, especially if a lot of people checked that I need more information?

DR. CHEUVRONT: Well, and there are actually one or two items -- Now, remember, all the items that you saw, those were generated by council members when we did the sticky wall thing and all this, and, frankly, when staff looked at some of these, we kind of scratched our heads, and weren't sure either, and so you got the items as they were presented at that point.

What we wanted to do with that exercise was to show you what the council had come up with before, and some of them are very clear and straightforward, and there was a couple of things where people -- The overwhelming majority said, no, we don't want to consider this, and there were some that a clear majority said yes, but there were even a few that a clear majority said that we need to discuss this more, because we're not sure what it means.

We actually had a few, when we were looking at them as staff, that we were scratching our heads and saying we don't even know what this means, and so what we would like to see happen come out of this is that we could have a discussion of which ones do you want us to pursue in helping you to figure out more of what it means, which ones can we take off the table, and then what additional things that aren't on this global list do you want to consider, and that's kind of where we were hoping that -- That was our ultimate end-goal, if we could get to that, and so I think, when we have this discussion in the future, that's still going to be our end-goal, and I don't see that changing.

MS. MCCAWLEY: Okay. Any comments or questions on what that last item that I don't think we're going to get into today, and maybe at a future council meeting, but that people understand that they took that survey, and that this information is going to come back as part of a broader discussion that is partly about the history of where the council has been on allocation and why they made the previous decisions that they did, what formulas they used, and are there any questions?

MR. BELL: There was a reference to an Attachment 4, and was there an Attachment 4?

DR. CHEUVRONT: Attachment 4 was the Story Map, and there is a link to the Story Map on the agenda for Attachment 4, and so you could go out and look at that, if you haven't already done so, and Cameron did a great job at setting this up to help explain to the public that the council is going to start embarking down this road of looking at allocations, and it gives, in broad, general terms, a discussion of all those things that I was sort of talking about, and the wonderful thing about Story Maps, of course, is that they have links that, if you want more information, click here, and it just takes you right there, and it brings you right back, and it's a wonderful tool that, if there is something more you want to know, it leads you exactly to that spot, and so the Story Maps are great, great tools.

MR. BELL: The link is in the agenda somewhere?

DR. CHEUVRONT: If you look at the agenda for the Committee of the Whole, and you get down through the agenda items, and I believe right below that is committee members, and then right below that is the attachments, and it explains each of the attachments there.

MR. BELL: Got it.

DR. CHEUVRONT: That is a hot link, and so, if you look at it even in the PDF, you should be able to click on it and get to the Story Map.

MR. CONKLIN: I was just wondering how long we are going to spend on -- Like have that big discovery session in June, I guess it would be, but I think we need to allocate a pretty large amount of time towards that, and then maybe take a long break or sleep on it and come back and have some kind of real good idea about what we need to do.

DR. CHEUVRONT: Well, we would certainly be glad to have your input on how long you think that needs to be. We were thinking that it was going to take at least an hour-and-a-half to have that discussion, but the presentation and all that stuff, to get through it, we figured that was going to be probably at least a half-an-hour to get through the Story Map, and then we have a short PowerPoint, and then we have the results of it, and so that's going to be half-an-hour or forty-five minutes just to get through those three things, and then you could have your discussion, but it could take a significant block of time, depending on how much you want to jump into it. If you want to give us direction on how much time you think needs to be blocked out for it, now is the time to do it.

MR. CONKLIN: Now or in Executive Finance?

MS. MCCAWLEY: Either one is fine, and so I'm good with it coming back to June, and I agree with you that I think it needs to be a longer period of time than what Brian was suggesting, and isn't that what you were suggesting?

MR. CONKLIN: Yes, it was, and so, if we talk about it in June, and then we come back -- We're supposed to have this done by August?

DR. CHEUVRONT: No, not this part you don't have to. This is a separate thing. This is separated from the allocation trigger policy. That will be taken care of in June no matter what, but the next step now is, once you have your trigger policy defined and sending that off, you're going to be dealing with doing those allocations and how you're going to go about doing that, and that's the part that we're going to start talking about, presumably in June.

MR. CONKLIN: Okay, and so we just need to think about how long you think it's going to take, and I would say probably come back at Executive Finance and have everybody kind of marinate on it.

MS. MCCAWLEY: We can discuss it now. We have time right now, if you want to discuss it.

MR. CONKLIN: I was thinking that maybe like we should even have a webinar meeting for a full morning prior to the June meeting to kind of tackle it.

MS. MCCAWLEY: Are you thinking that the webinar is just giving you the background information and then that prepares you for the discussion in June? Maybe. I'm not sure how much time and how we can squeeze this in, and we have tasked staff with a lot of other things between

now and June. I guess maybe we figure out what all else is coming to the June meeting and figure out how much time we could possibly allot to this, and, if it looks like we're not going to have an ample amount of time, then I agree that some other type of webinar or something outside the meeting -- Are you thinking, Chris, that this is like a four-hour discussion?

MR. CONKLIN: I was thinking before the June meeting, so we can all be up-to-speed and a little bit more educated, so we can then kind of hash it out in-person.

MS. MCCAWLEY: I see what you mean.

MS. SMIT-BRUNELLO: I have no comment on that. I mean, that might be a great idea, but I do think that the staff did a great job on this Story Map, and it really gives a good explanation of what's an allocation, but then also how did the council, in the past, arrive at certain things and the considerations, and I know I looked back through my notes a little bit, and then looked at different agendas from the past council meetings, and I remember that the council formed an Allocation Committee back in like 2006 or 2007 or something, and then had this special meeting in July, apart from the council meeting, to try to come up with a formula or some way of determining allocations, and this Story Map gets into a little bit of that, and so that gives you some pretty good background on just the barebones stuff to start, but I thought, Brian, you guys did a really nice job with this.

DR. CHEUVRONT: So much of that accolade goes to Cameron.

MS. SMIT-BRUNELLO: Thanks, Cameron.

DR. CHEUVRONT: She worked with tech staff on a lot of the content, but she's the one who put it together and made it so that it was totally understandable.

MR. BELL: I was just going to say that I looked at this thing some, and I think she should present everything to us in these Story Maps, because I don't know if she has a degree in early childhood ed or what, but it works. I can follow that, and so just turn her loose.

MS. MCCAWLEY: All right. Any more discussions for the Committee of the Whole here? We don't really have enough time to go into another committee right now, and I suggest we take another short break while we let Kelly get ready for the public comment period that we're about to have in a few minutes.

(Whereupon, the meeting adjourned on March 6, 2019.)

- - -

Certified By: _____ Date: _____

Transcribed By:
Amanda Thomas
March 22, 2019

2019 Council Members

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL



CHAIR

Jessica McCawley
Florida Fish and Wildlife Conservation
Commission
2590 Executive Center Circle E.
Suite 201
Tallahassee, FL 32301
(850)487-0554 (ph); (850)487-4847 (f)
Jessica.mccawley@myfwc.com



VICE-CHAIR

Mel Bell
SCDNR-Marine Resources Division
P.O. Box 12559
217 Ft. Johnson Road
Charleston, SC 29422
(843)953-9007 (ph); (843)953-9159 (fax)
bellm@dnr.sc.gov

Robert Beal
Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland St.
Suite 200 A-N
Arlington, VA 22201
(703)842-0740 (ph); (703)842-0741 (f)
rbeal@asmfc.org



Anna Beckwith
1907 Paulette Road
Morehead City, NC 28557
(252)671-3474 (ph)
AnnaBarriosBeckwith@gmail.com



Chester Brewer
250 Australian Ave. South
Suite 1400
West Palm Beach, FL 33408
(561)655-4777 (ph)
wcbsafmc@gmail.com



Dr. Kyle Christiansen
150 Cedar St.
Richmond Hill, GA 31324
(912)756-7560 (ph)
christiansensafmc@gmail.com



Chris Conklin
P.O. Box 972
Murrells Inlet, SC 29576
(843)543-3833
conklinsafmc@gmail.com



Dr. Roy Crabtree
Regional Administrator
NOAA Fisheries, Southeast Region
263 13th Avenue South
St. Petersburg, FL 33701
(727)824-5301 (ph); (727)824-5320 (f)
roy.crabtree@noaa.gov



Tim Griner
4446 Woodlark Lane
Charlotte, NC 28211
(980)722-0918 (ph)
timgrinersafmc@gmail.com



Doug Haymans
Coastal Resources Division
GA Dept. of Natural Resources
One Conservation Way
Suite 300
Brunswick, GA 31520
(912)264-7218 (ph); (912)262-2318 (f)
haymanssafmc@gmail.com

Dr. Wilson Laney
U.S. Fish and Wildlife Service
South Atlantic Fisheries Coordinator
P.O. Box 33683
Raleigh, NC 27695
(919)515-5019 (ph); (919)515-4415 (f)
Wilson_Laney@fws.gov

✓ LCDR. Jeremy Montes
U.S. Coast Guard
909 SE 1st Ave.
Miami, FL 33131
(305)415-6788(ph); (305)710-4569(c)
Jeremy.J.Montes@uscg.mil

✓ Stephen Poland
NC Division of Marine Fisheries
PO Box 769
3441 Arendell Street
Morehead City, NC 28557
(252)808-8011 (direct); (252)726-7021 (main)
Steve.Poland@ncdenr.gov

Art Sapp
2270 NE 25th St.
Lighthouse Pointe, FL 33064
(954)444-0820 (ph)
artsappsafmc@gmail.com

Deirdre Warner-Kramer
Office of Marine Conservation OES/OMC
2201 C Street, N.W.
Department of State, Room 5806
Washington, DC 20520
(202)647-3228 (ph)
Warner-KramerDM@state.gov

✓ David Whitaker
720 Tennent Street
Charleston, SC 29412
(843)953-9392
david.whitakersafmc@gmail.com

✓ Spud Woodward
860 Buck Swamp Road
Brunswick, GA 31523
(912)258-8970 (ph)
swoodwardsafmc@gmail.com

✓ Dr. George Seaberry

✓ Dr. Jack McGovern

✓ Rick DeVictor

✓ Erika Burgess

✓ Shep Grimes

✓ Dr. Clay Porch

Council Staff

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

✓ **Executive Director**
Gregg Waugh
gregg.waugh@safmc.net

✓ **Deputy Director-Science & Statistics**
John Carmichael
john.carmichael@safmc.net

✓ **Deputy Director-Management**
Dr. Brian Cheuvront
brian.cheuvront@safmc.net

✓ **Fishery Scientist**
Myra Brouwer
myra.brouwer@safmc.net

✓ **Public Information Officer**
Kim Iverson
kim.iverson@safmc.net

Citizen Science Program Manager
Julia Byrd
julia.byrd@safmc.net

✓ **Administrative Officer**
Kelly Klasnick
kelly.klasnick@safmc.net

**Admin. Secretary/Travel
Coordinator** Cindy Chaya
cindy.chaya@safmc.net

✓ **Senior Fishery Biologist**
Roger Pugliese
roger.pugliese@safmc.net

✓ **Purchasing & Grants**
Cierra Graham
cierra.graham@safmc.net

✓ **Outreach Specialist**
Cameron Rhodes
cameron.rhodes@safmc.net

Fishery Scientist
Dr. Chip Collier
chip.collier@safmc.net

Accounting
Suzanna Thomas
suzanna.thomas@safmc.net

✓ **Fishery Biologist**
Dr. Mike Errigo
mike.errigo@safmc.net

✓ **Fishery Social Scientist**
Christina Wiegand
christina.wiegand@safmc.net

✓ **Fishery Economist**
John Hadley
john.hadley@safmc.net

SEDAR Coordinators
Kelsey Dick
kelsey.dick@safmc.net

Outreach Specialist
Kathleen Howington
kathleen.howington@safmc.net

Dr. Julie Neer
julie.neer@safmc.net

Meeting - Day 3 of 5

Attendee Report: (Wednesday)

Report Generated:

03/11/2019 08:20 AM EDT

Webinar ID	Actual Start Date/Time	Duration
113-827-427	03/06/2019 08:15 AM EST	9 hours 8 minutes

Last Name	First Name	Email Address
BROUWER	MYRA	myra.brouwer@safm c.net
Bianchi	Alan	Alan.Bianchi@ncden r.gov
Bonura	Vincent	SailRaiser25C@aol. com
Brinson	Katherine	katherine.brinson@d nr.ga.gov
Byrd	Julia	julia.byrd@safmc.net
Bythwood	Justin	justin.bythwood@dnr .ga.gov
Califf	Julie	julie.califf@dnr.ga.g ov
Conklin	Chris	conklinsafmc@gmail .com
Cox	Jack	dayboat1965@gmail .com
Crimian	Robert	rcrimian@tnc.org
Culpepper	Anna	anna.culpepper@my fwc.com
DeVictor	Rick	rick.devictor@noaa. gov
DiLeone	Alisha	alisha.dileone@noaa .gov
Duffin	Benjamin	benjamin.duffin@no aa.gov
Fenyk	Cynthia	cynthia.fenyk@noaa. gov
Flowers	Jared	jared.flowers@dnr.g a.gov
Foss	Kristin	kristin.foss@myfwc.c om
Foster	Dean	dfoster@pewtrusts.o rg

Franco	Dawn	dawn.franco@dnr.ga.gov
Gallagher	Kevin	kevingallagher74@gmail.com
Gerhart	Susan	susan.gerhart@noaa.gov
Godwin	Joelle	joelle.godwin@noaa.gov
Gore	Karla	karla.gore@noaa.gov
Graham	Cierra	cierra.graham@safmc.net
Guyas	Martha	martha.guyas@myfwc.com
Habegger	Leigh	leighhabegger@gmail.com
Haddad	Kenneth	kenhaddad50@gmail.com
Harrell	Ryan	ryan.harrell@dnr.ga.gov
Hart	Hannah	hannah.hart@myfwc.com
Helies	Frank	frank.helies@noaa.gov
Howington	Kathleen	kathleen.howington@safmc.net
Hudson	Rusty	DSF2009@aol.com
Hughes	Ben	ben.hughes@noaa.gov
Iverson	Kim	kim.iverson@safmc.net
Jepson	Michael	michael.jepson@noaa.gov
Kline	Amanda	amanda.kline@dnr.ga.gov
Knowlton	Kathy	kathy.knowlton@dnr.ga.gov
Laks	Ira	captainira@att.net
Larkin	Michael	Michael.Larkin@noaa.gov
Levy	Mara	mara.levy@noaa.gov
Mask	Tad	TadMask@sfaonline.org
McGovern	John	John.McGovern@noaa.gov

Meehan	Sean	sean.meehan@noaa.gov
Mehta	Nikhil	nikhil.mehta@noaa.gov
Merrifield	Mike	mikem@wildoceanmarket.com
Merrifield	Jeanna	jeannam@wildoceanmarket.com
Milloway	Olivia	omillow@emory.edu
Morgan	Courtney	camorgan357@gmail.com
Neer	Julie	julie.neer@safmc.net
Pulver	Jeff	Jeff.Pulver@noaa.gov
Ralston	Kellie	kralston@asafishing.org
Records	David	david.records@noaa.gov
Reichert	Marcel	Reichertm@dnr.sc.gov
Reynolds	Jonathon	tagem4@gmail.com
SHIPLEY	KRISTA	krista.shipley@myfwc.com
Sartwell	Tim	tim.sartwell@noaa.gov
Sedberry	George	george.sedberry@gmail.com
Seward	McLean	mclean.seward@ncdenr.gov
Shipman	Susan	susanshipman@att.net
Smart	Tracey	smartt@dnr.sc.gov
Snyder	David	dave@halyardsrestaurant.com
Sramek	Mark	Mark.Sramek@noaa.gov
Stephen	Jessica	jessica.stephen@noaa.gov
Stevens	Laurie	Laurie@sfaonline.org
Takade-Heumacher	Helen	helen_takade@hotmail.com
Tong	Amanda	amanda.tong@ncdenr.gov

Travis	Michael	mike.travis@noaa.gov
Whitaker	david	David.Whitakersafmc@gmail.com
Williams	Erik	erik.williams@noaa.gov
brewer	chester	wcblaw@aol.com
collier	chip	chip.collier@safmc.net
edmondson	lucas	lucas.edmondson@ncdenr.gov
poland	steve	steve.poland@ncdenr.gov
sandorf	scott	scott.sandorf@noaa.gov
thomas	suz	suzanna.thomas@safmc.net