

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION I

**Key West Marriott Beachside
Key West, Florida**

June 13, 2022

Transcript

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Judy Helmey
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Tom Roller
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Jamal Ingram
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Dr. Clay Porch
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Dewey Hemilright
Dr. Jack McGovern
LT Patrick O'Shaughnessy
Chris Schieble

Additional attendees and other participants attached.

The Full Council Session I of the South Atlantic Fishery Management Council convened at the Key West Marriott Beachside, Key West, Florida, on Monday, June 13, 2022, and was called to order by Vice Chairman Carolyn Belcher.

DR. BELCHER: I would just like to welcome everybody to the open session for the South Atlantic Fishery Management Council's summer 2022 meeting. I would like to welcome everybody, and hopefully we'll have good weather and some enjoyable time this week, while we're deliberating on other important issues. I would like to go ahead and introduce -- We have two representatives from the Mid-Atlantic and the Gulf Councils, and Dewey Hemilright is the Mid-Atlantic liaison, and Chris Schieble is representing the Gulf of Mexico. Chris is from Louisiana, and Dewey is from North Carolina. Monica would also like to introduce a new person that they have on staff. Monica.

MS. SMIT-BRUNELLO: Hi. I would like to introduce a fairly new member of NOAA General Counsel. Jamal Ingram is over here, and so, if you have -- He's with the Enforcement Section, and you remember that Duane Smith used to attend these meetings. We had a retirement, and Jamal got hired, and NOAA GC got lucky, in hiring Jamal, and so, if you have any enforcement-related questions, or anything else, please see Jamal, and welcome, Jamal.

DR. BELCHER: Thank you, Monica. Jessica, did you want to introduce C.J.?

MS. MCCAWLEY: Yes. Thank you, and so we have C.J. Sweetman here, and he's with the FWC, and he is the new Gulf Council rep for FWC, and so he's learning about the South Atlantic this week, and then we will be over at the Gulf Council next week.

DR. BELCHER: Great. Thank you for that. Moving on, the first item is to adopt our agenda. Does anybody have any recommended changes to the agenda, or is the agenda good to go as currently published? Okay. Seeing no opposition, the agenda is adopted. The next item is approving the minutes from the March 2022 meeting transcript, which we held in Jekyll. Does anybody have any recommendations or -- I'm sorry, but suggested edits or corrections that are needed for those documents? Okay. Seeing none, we will consider the minutes approved as well. Next up is our reports from the different groups within the council. First off, we would ask for NOAA Office of Law Enforcement to give their report.

LT. O'SHAUGHNESSY: First off, everybody had it in their brief, and we got it out early this time, but, in their briefing materials, has our twenty-six-page report, and so this is just a short summary. If anybody has any questions whatsoever about anything that's contained in there, I will be here all week, and I'm more than happy to answer any of your questions or research anything that you want me to follow-up on as well.

A brief summary from that report, and there's 193 open incidents, seven that were referred to General Counsel. Of those seven, a number were failed to take an observer, observer harassment, unpermitted charters, or exceeding the possession limits and fishing in the SPA, the special preservation area, in the Keys, and so, again, it's been a while, and the summary settlements we have are the ticket version of our violations, and then those more serious, or egregious, go to NOAA General Counsel, and they issue a notice of violation, and so those were the seven that were sent.

Of the thirty-seven summary settlements that were issued, they ranged from \$275 to \$2,500, and the more prominent ones, or more common ones, were retention during the closure periods, or undersized, lack of descending devices, and that's something that has been on the books now for over a year, and we did a lot of compliance assistance, and we're starting to write those tickets for those that haven't caught on. The compliance period is somewhat past, and so you're seeing more of those being written by both us and our state partners. Others were for permit requirements, or fishing in a sanctuary. The remaining of those 193 were either unfounded, boardings with no violations, or we handled them with fix-its, which means they were corrected on the spot, either compliance assistance or written warnings.

Enforcement highlights, we do many things within NOAA OLE, and a big priority for us now is the Atlantic Large Whale Take Reduction Program, and so we've been doing patrols, particularly for traps and pots, to make sure that they're in compliance, as well as the large merchant vessels that have speed restrictions for sixty-five feet and greater, and so we've had a considerable amount of work that we've been doing with that.

IUU/SIMP, we've worked with our FWC partners extensively, down in the Miami area, and that's all of the products that are coming in, coming into the United States, that have to meet a host of federal requirements and regulations, and we have IUU officers in Savannah and Miami, and they work extensively down in those ports, with CBP and FDA, as well as their state partners.

For our joint enforcement agreements, those are our agreements that we have with all of our South Atlantic states, minus North Carolina, and we had forty-four overall enforcement referrals. As a reminder, for the JEA, you can extend out from state waters out to 200 miles, and they have the same enforcement jurisdiction and authority that we, as federal enforcement officers have, with our state partners, and so we received forty-four cases referred from our partners, being FWC, SC DNR, and Georgia DNR, and we prosecute those cases just as well, and we have a great working relationship with all of our states.

Special ops patrols, Operation SPA Hopper, that was a sanctuary patrol, and the mutton spawn is what we focused on, as well as the two closure areas north and south of the Dry Tortugas, and so we get our boat out there quite regularly to patrol those areas. SEFHIER compliance has also taken up a lot of our enforcement officers time, and my officers, particularly in the South Atlantic, are getting out, and we received lists, from the SEFHIER program, of those vessels, or owners, that have not been in compliance with the regs that have been out there for a while, and so our uninformed officers are now making visits to those vessels, and we seem to have a lot more luck, when a uniformed person shows up, in gaining compliance than the SEFHIER folks on the phone, and so we'll continue with those.

So far, it's still been compliance assistance, and hopefully we don't have to go much further with that, and, again, on North Atlantic right whales, we have increased our patrols, and gear patrols as well, to make sure the requirements with the North Atlantic large whale take reduction requirements on markings, on weak links, and everything that's out there, and our St. Petersburg staff has sent out 138 compliance letters. Those are merchant vessels that have exceeded the speed limit, but not at a significant speed, and so we sent out compliance letters, to give them their first notice. Unfortunately, some of those vessels are cited again, and then that moves into a NOVA and goes to our General Counsel side.

Current spotlight that we're working on, that are of major emphasis, SEFHIER outreach and enforcement, and, obviously, that's a very hot topic, as well as the Gulf even has the VMS requirements, and we don't have those over on the South Atlantic, but we do have a number of South Atlantic vessels that have Gulf permits, which therefore require them to have VMS, even though they may be moored in North Carolina, and so we're working through those challenges as well.

Unpermitted charter operations, the Coast Guard is heavy into doing the merchant mariner licensing, and we as well work on the permits, and we get a lot of calls to us, some anonymous, and some don't want to give names, but reporting that the vessel to their left, or their right, does not have a federal permit, and are taking business away from them, where they have purchased the federal permit, and so we respond to all of those, and we're doing a number of those cases as well, and then, again, the North Atlantic right whale enforcement measures takes up a lot of our time.

In your brief, these are just some of the slides, and you can go to our OLE website to get a lot of this information, as well as others, and one thing that I did want to point out, while I was up here, is the South Carolina rule -- I don't see Mel today, but they opened their red snapper up in state waters, just like some of the other states have, and so we're seeing a lot of stuff on the Facebook pages and other areas, where they're holding up these large red snapper at the jetties, highlighting the large red snapper they're all catching at the jetties, sort of flaunting that they're bringing them in and taking their photo at the jetties, and so we will be increasing enforcement with three of our NOAA vessels, as well as our state partners, to try to ensure that red snapper remains closed out in federal waters, and that is all I have this morning.

DR. BELCHER: Thank you for that. Any questions? Laurilee.

MS. THOMPSON: Thank you for that. When you're doing your container inspections, are you seeing any shark fins? Are people still trying to sneak shark fins into the country through containers?

LT. O'SHAUGHNESSY: We have not come across that much of that. Fish and Wildlife has had one of those cases, but we have not seen -- What we saw in the past, we're not seeing today.

DR. BELCHER: Judy, and then I'll come to Tim.

MS. HELMEY: Thank you very much for the presentation. When you do stop somebody at the jetties with a thirty-pound red snapper, what do you do? I mean, you obviously know they didn't catch it at the jetties, and so how do you contend with that, or what do you do? What's the process?

LT. O'SHAUGHNESSY: First of all, the preference is to catch them at five miles offshore, so they're two miles into federal waters, so we don't have the jurisdiction. Otherwise, we can assume they caught it there, but that does not do anything for us, prosecution-wise, and so we really have to be able to prove that that fish was taken from federal waters, and so whether it be through GPS or air assets that observe them fishing, and then do a straight transit into port, without stopping and fishing again, but the onus is on us to prove that that fish came from federal waters, and so it's not easy on our part at all.

DR. BELCHER: Tim.

MR. GRINER: Thank you. In North Carolina, with the lack of JEA that we have, I was curious as to what assets NOAA has in place there, whether it be vessels or air or -- What exactly, vessel-wise, do you all have in North Carolina? Thank you.

LT. O'SHAUGHNESSY: First off, for people-wise, we have one special agent in New Bern that works the larger cases, and we have one enforcement officer, also in New Bern. He has a twenty-six-foot Metal Shark vessel that we just got earlier this year. However, he works very closely with the Coast Guard stations all along the coast. He's there almost weekly. Each Coast Guard station has a living marine resource petty officer that coordinates their fishing activities, and he is constantly working with them. He gets underway on the Coast Guard vessels, to do patrols, as well as his own, but, again, our presence there is one special agent, one enforcement officer, and one vessel.

MR. GRINER: Thank you.

DR. BELCHER: Any other further questions? Tom.

MR. ROLLER: You mentioned, earlier, that people have been turning in unpermitted charter vessels, correct, and I haven't looked, and I was just looking here, and is the list of available permits still online, to your knowledge? I haven't been able to see it, and someone commented to me that it wasn't there.

LT. O'SHAUGHNESSY: When you say list of available permits, do you mean a list of permitted vessels?

MR. ROLLER: That's what I meant, yes.

LT. O'SHAUGHNESSY: That is on the Southeast Regional Fisheries website, under the permits section, and it lists all the current permit holders that are there, and that is updated daily, once, and so there are instances where someone could get a permit that day and it doesn't show up on there, but that's the first place that we recommend that people go look, if they're trying to see who has permits in their area, as well as we go into the actual permit database, to see if somebody has applied for a permit, or is waiting for a permit, and we can see a little bit deeper than that. It's basically an Excel spreadsheet, and we can sort it by state and find out everybody in your state, in your city, who is a federal charter snapper grouper or whatever permit, and it's right there.

MR. ROLLER: Thank you.

DR. BELCHER: Any other questions? Monica.

MS. SMIT-BRUNELLO: Not a question, but I wanted to correct, because I've asked, and did Duane Smith retire, and I kind of mangled that a little bit. Duane Smith did not retire. He is advising -- He's attending Gulf Council meetings, and we had someone else who retired in the office, and Jamal replaced that person.

LT. O'SHAUGHNESSY: I would like to do one last notification, if Matt Walia could stand up, and Matt Walia is our Office of Law Enforcement Compliance Assistance Liaison, and he works

out of our St. Pete office. You've heard him on some of the briefs, but this is the first time he's been able to get out to see anybody, and he's had twenty years working with fisheries, and he started out as an actual observer, on HMS vessels, mostly, out in the -- Just about everywhere, and then he started with the observer program, down in Miami, and then we hired him as the VMS technician, and he worked for OLE, as the VMS technician, and then he slid in as our compliance liaison, and so he's working extensively with all of the councils, a lot of charter associations, fisheries associations, and his goal is to gain compliance, and so he's a valuable tool, if you need assistance or any help whatsoever.

I can't give him enough accolades for the work that he's done. He has really helped a lot of my enforcement officers in creating some compliance assistance handouts, flyers, emails, letters to associations, so we can keep people from having to get written with a ticket or a violation, and he's the man that can help us do that, and so I just wanted to let everybody see him, and he'll be here all week as well.

DR. BELCHER: Thanks again. Okay. The next report that we have is from the U.S. Coast Guard. This is a remote presentation, and so, Myra, if you could assist with that.

MS. BROUWER: I believe that Lieutenant Copeland is online to provide that report, and so go ahead, Bobby.

LT. COPELAND: Good morning, everyone. There is nothing further to pass from the last meeting. Of note though, I am departing in two weeks, and so my replacement is Lieutenant Cameron Box and Lieutenant Pete Hutchinson, and they will be stepping into this role. I tried to get them on this call, but, unfortunately, they had some other military obligations that prevented them from being able to attend this virtually and in-person, but, pending any questions, I'm standing by. Thank you.

DR. BELCHER: Thank you. Any questions for Lieutenant Copeland from anyone? Okay. Seeing none, we will move into our council liaison reports. Dewey, would you be willing to start off with the Mid-Atlantic for us?

MR. HEMILRIGHT: The Mid-Atlantic met in Riverhead, New York last week, and one of the most pressing things that was passed was the harvest control rule, a new way of accounting for allowable harvest of the recreational industry. Another thing that took place is we had a presentation on the environmental equity justice presentation from National Marine Fisheries Service, and we also set the specs for the river herring and shad cap to 129 metric tons, and that kind of sums up my report. Thank you.

DR. BELCHER: Thank you, Dewey. Any questions for Dewey? Okay. Seeing none, Chris, would you be willing to come up and do the Gulf's report for us, please?

MR. SCHIEBLE: Good morning. Thank you, Madam Chair. Just a brief introduction, and my name is Chris Schieble, and I'm the Director of Marine Fisheries for the Louisiana Department of Wildlife and Fisheries. I serve as the proxy for Assistant Secretary Patrick Banks on the Gulf Council, and I want to thank you all for allowing me to be here today to give you a quick report.

I believe in your Attachment 1c is the actual report, and I am not going to verbatim go through the entire thing, and I'm going to try to touch on the high points, and add a little bit of content there as well, and do my best to keep us on schedule here, and so the Gulf Council met between April 4 through 7, and we made preliminary appointments to our Coral, Data Collection, and Spiny Lobster APs. The final appointments will be made during the June council meeting, next week, which is in Fort Myers.

We also awarded the 2021 Law Enforcement Team of the Year to the crew of the Florida Fish and Wildlife Conservation Commission's offshore patrol vessel the Gulf Sentry. They will be honored during the June 2022 council meeting, also next week, and here's a few other agenda items that I wanted to hit on.

The historical captain permit conversion, we took final action on a framework action to convert three reef fish and three coastal migratory pelagic historical captain permits to standard federal for-hire charter/headboat permits. Three entities took advantage of the opportunity to redeem their letters of eligibility. Each received both reef fish and coastal migratory pelagic historical captain permits. This framework action converted historical captain permits into standard federal charter/headboat permits, and it will be transmitted to the Secretary of Commerce for implementation.

King mackerel, and so there's a bunch here, and we took final action on Amendment 34 to the Coastal Migratory Pelagic Fishery Management Plan that addresses the South Atlantic migratory group king mackerel catch Levels and Atlantic king and spanish mackerel management measures. We selected the same preferred alternatives at the South Atlantic Council and recommend the following: revise the Atlantic king mackerel catch limits by incorporating new recreational landings estimates and creating a small buffer between the ABC and ACL; retain the current sector allocations of Atlantic king mackerel at 62.9 percent recreational and 37.1 percent commercial; increase the recreational Atlantic king mackerel daily bag limit in the federal waters off Florida to three fish per person. The amendment will be transmitted, also, to the Secretary of Commerce for approval and implementation as soon as practicable.

Just a reminder, and so the SEDAR 38 2020 update determined that Gulf king mackerel is not overfished or experiencing overfishing. However, the spawning stock biomass was found to be below the biomass necessary to achieve maximum sustainable yield, and so the document was split into a Framework Amendment 11, and the modifications to the Gulf of Mexico migratory group king mackerel catch limits are contained in that framework. The council will solicit public comment on this framework amendment before taking final action at the meeting next week. The South Atlantic Council will have the opportunity to respond to any of those modifications to the FMP objectives suggested by the Gulf Council and further review them during the September 2022 South Atlantic meeting.

We'll be working on Amendment 33, which addresses modifications to king mackerel sector allocations, also at the meeting next week, and it's anticipated that it will come back as a public hearing draft for our October Gulf Council meeting. After hearing a request from the industry, we initiated a framework amendment that will consider removing the prohibition on weekend and holiday fishing for the king mackerel gillnet fishery in the Southern Zone of the Gulf of Mexico, which is down off of this coast down here.

Shrimp, we approved the annual Texas shrimp closure for 2022. It's part of a cooperative seasonal closure with the State of Texas that aims to allow shrimp to reach a larger, more marketable size prior to harvest. We received an update on the short-term process for collecting shrimp effort data, due to the cellular electronic logbook program no longer automatically transmitting effort data at the end of 2020. This was due to the expiration of the 3G cellular phone network.

The units are still collecting data, but they're not automatically transmitting those data to NMFS, and so, for 2021 and 2022, NOAA continues to collect data manually from the shrimp industry, via mailed-in SD cards that come out of the units. Unfortunately, the SD card return rates have been relatively low. We committed to using our Outreach and Education Technical Committee to identify the best process for conveying the importance of returning these SD cards to get the data.

Red snapper, our favorite, the SSC reviewed revised abundance data available for red snapper. The SSC updated red snapper catch advice based on the LGL Ecological Research Associates, Inc. study of red snapper absolute abundance off the coast of Louisiana only, and, also, the post-stratification analysis from the Great-Red-Snapper-Count-derived data for the State of Florida, and also a catch analysis incorporating both studies developed by the Southeast Fishery Science Center. The SSC modified its recommendation for the red snapper OFL and set it to 18,910,000 pounds whole weight, and then it increased its recommendation for the red snapper ABC to 16,310,000 pounds whole weight. The council initiated development of a framework action to update the red snapper catch limits based on the new catch advice.

Greater Amberjack, we began work on Reef Fish Amendment 54, Modifications to Greater Amberjack Catch Limits and Sector Allocations. SEDAR determined that greater amberjack is both overfished and experiencing overfishing. This is the sixth time that the greater amberjack stock has been assessed and determined to be overfished and experiencing overfishing since 2000. The stock is scheduled to rebuild by 2027.

In response to the stock assessment results, the SSC recommended a significant decrease in the OFL and ABC levels for greater amberjack. Additionally, new recreational catch estimates, collected using the MRIP-FES survey, indicated that recreational landings are greater than previously estimated, and the council may modify the sector allocation to account for this change in the estimate of historical participation by each sector. We're going to continue work on this document next week, at the June meeting.

Gag grouper, SEDAR 72, which included new recreational catch and effort data and an ecosystem-based red tide analysis, determined that gag grouper is overfished and experiencing overfishing. Additionally, the assessment identified that the proportion of males in the gag grouper population is less than 2 percent, which negatively impacts the stock's ability to reproduce. We as a council are obligated to end overfishing and develop a rebuilding plan for gag grouper, which will dramatically reduce catch limits during the rebuilding period.

The plan will need to consider revised catch limits, accountability measures, and other management measures. However, this plan amendment likely won't be in place until 2024, and so the council asked NMFS to produce analyses for an interim rule to reduce harvest and end overfishing, beginning January 1, 2023. The interim rule should include options for the equitable distribution of commercial and recreational quota, based on an annual catch limit of 660,000 pounds, which corresponds to the longest rebuilding timeline.

The interim rule should also focus on maximizing the number of recreational fishing days, which is anticipated to occur with a later start to the recreational fishing season. The council agenda includes continued work on this interim rule next week, at the June meeting, with the hopes of finalizing the request to NMFS on the proposed management measures by the January 1, 2023 fishing year.

Goliath grouper, after hearing a summary of Florida's limited goliath grouper harvest regulations in Florida state waters, the council directed its SSC to reconsider goliath grouper catch limits in federal waters.

The commercial IFQ focus group, the council populated its new IFQ focus group, whose charge includes reviewing the current goals and objectives of the IFQ programs and recommending their replacement or retention. The following nine positions were filled by qualified applicants: a dealer, a crew member with no shares, a permit holder who leases allocation, a small shareholder, medium shareholder, large shareholder, new entrant, public participant, and knowledgeable person not financially invested in the program.

The modification to for-hire location reporting requirements, we continued work on a framework action to ensure that for-hire trips are not delayed or canceled in the event of VMS equipment failures. As of March 1, 2022, the vessels with charter vessel/headboat permits for reef fish and/or coastal migratory pelagics must be equipped with a satellite or cellular position reporting unit that operates twenty-four hours a day, collects location data at least once an hour, and automatically transmits all that data to NOAA.

We also discussed concerns expressed by permit holders, captains, and Reef Fish AP members regarding the burden of making multiple trip declarations, or hail-outs, when moving short distances for non-fishing trips. In an effort to ease this burden, we considered action to address proposed changes to the hail-out regulations.

Our fishery ecosystem plan, we heard a presentation from LGL Ecological Research Associates, who were contracted by the council to develop a draft fishery ecosystem plan, with guidance from the council's Ecosystem Technical Committee. The plan lays out a systematic approach to fisheries management that considers physical, biological, economic, and social interactions, and seeks to optimize benefits among a diverse set of societal goals. The plan suggests beginning implementation of the fishery ecosystem plan by identifying and basing its work on specific fishery ecosystem issues that are identified by the public, council, and the scientific community.

We accepted the draft FEP as a framework to begin discussions on how to develop a more refined FEP that develops the framework for identifying, prioritizing, and operationalizing fishery ecosystem issues.

Electronic voting, and this one you might find interesting. After hearing feedback from the public asking for greater transparency of council votes, we decided to pilot an electronic voting system for council and council committee motions that have opposition, and also all roll call votes. The results will be reported and included in the minutes.

Allocation review, we were presented with an allocation review guidelines document, which outlined the process to follow to conduct allocation reviews in the Gulf of Mexico. We recognize that it is a “living document”, end quotes, and voted to approve it. We asked the NOAA Southeast Fisheries Science Center to analyze alternative approaches to determining sector allocation. Historical landings are commonly used to make allocation decisions, and the council would like social and economic factors to be considered. Madam Chair, that concludes my report.

DR. BELCHER: Thank you, Chris.

MR. SCHIEBLE: You're welcome.

DR. BELCHER: Are there questions for Chris? Laurilee.

MS. THOMPSON: I will let Kerry go ahead and do her questions, and then I was the liaison to that meeting, and I just wanted to make a couple of comments.

DR. BELCHER: Sure. Kerry is deferring to you, and so --

MS. THOMPSON: Okay. All right, and so I went to the Gulf Council meeting in April, and it was really interesting, because there are some major differences between our two committees. First of all, they have IFQs, and we don't, and so there was a lot of discussion over who was going to sit on their IFQ review committee, but, on the gag grouper, their reduction, on their first year, is going to be somewhere between 77 percent and 82 percent, and so that's a big hit to the fishery, probably kind of similar to ours.

Cooperative research, in the cooperative research discussion, it was brought up that maybe there could be some questions that could be added to the SEFHIER reports that people are turning in that would be useful, that the captains could turn in some data that would be useful for some of the stock assessments and stuff, and Andy Strelcheck did confirm that information from the fishermen would be welcomed, and so I thought that was pretty cool.

There was comments, during public comment, that sharks are out of control in the Gulf also, and they're eating up their fish too, and so, again, we need to look at probably doing something about sharks, and I liked their ecosystem -- The fisheries ecosystem plan, and the presentation that was done by the consultant was really, really good, and, under the red snapper, even though they did get an increase in the ABC, there was concern, from some of the fishermen themselves, that the stock is being overfished, and they were concerned that the next stock assessment in 2025 would yield drastic reductions, and so there was some heartburn over the increase in the ABC, based on what they perceived might happen in the future.

My biggest revelation that I wanted out of there with was the difference in the frequency of the SSC meetings, and so it seems like we're always waiting on information from our SSC, which meets two times a year, and the Gulf Council -- They have little -- They have some sub-committees, and then they have their main SSC meeting, and so, collectively, over the year, they have twenty-five SSC committee meetings per year.

They have five main SSC meetings, and they have an SSC meeting in front of every one of their council meetings, and they meet five times a year, because there is five states, and so they have

five main SSC meetings, and then they have five Special Reef Fish Sub-Committee SSC meetings, five Special Socioeconomic SSC Sub-Committee meetings, five Special Ecosystem Sub-Committee SSC meetings, three Special Coral Sub-Committee meetings, and two Special Shrimp SSC Committee meetings, and so I'm wondering if somebody can explain to me why the Gulf Council gets so many SSC meetings, and they have all this data coming at them, and they're not waiting on information, and we only have two SSC meetings a year.

DR. BELCHER: John.

MR. CARMICHAEL: I can't necessarily answer the first part, about why they have so many, and I think that's something we would have to hear from the Gulf representatives, and perhaps Jessica may know more some more about that. They do, as you noted, have a much different SSC structure, and they have many standing sub-committees and such that meet in addition to the full SSC.

We have our two regular SSC meetings, but the reality is, for the last as many years as I can remember, we also have additional SSC meetings, via webinar, which is something we expect to continue. This year, we'll have at least two, and maybe more. Last year, we had two, or perhaps three, and so we do end up having our SSC meet more often than just the two regular standard in-person meetings that we have.

Other than that, it really comes down to, you know, one of the things about any of these meetings is the expense for the council to gather people in-person and all that, and the other thing is we've tried many times, over the years, to have -- To consider doing like a third standing regular in-person SSC meeting, and it's always been very difficult with the timing of the members. You know, you get academics and others, and they have challenges, and the state people are like, well, I have another job that I'm doing, and it's really hard to make time to do that, and so we've kind of avoided doing that, in a more formal sense, and have followed this path of doing these webinar meetings, really to make them more accessible, to address the really impending things.

Like we have one coming up that we're going to look at the Spanish mackerel assessment, and a couple other things, in August, and so that's kind of been our approach, is just a little, I guess, different philosophy than what the Gulf has followed for that.

MS. THOMPSON: Okay. Thank you. That's helpful, and, out of twenty-five committee meetings, I'm going to assume that a big majority of them are probably done on the internet, and so, if we're having webinar meetings also -- As long as we're getting enough SSC meetings to meet our committees' needs, so that we're not held up waiting on stuff to be reviewed by the SSC -- That's my main concern, is that it just -- It looked like they were way, way ahead of us, as far as getting the data that they need, and I appreciate that answer, John. Thank you.

DR. BELCHER: Okay. Any other comments or questions for Chris? Okay. Thanks again, Chris, for your information, and, Laurilee, for your added insight on that as well. We're going to move into the state representative reports, and I'm going to go ahead and start with Florida, and so, Jessica.

MS. MCCAWLEY: Thank you. I just want to talk about one thing that our commission did at our May commission meeting, and they approved rules for cobia for state waters of the Gulf and

the Atlantic, and all of these rules are consistent with the pending federal regulations, and so I just wanted to point that out.

DR. BELCHER: Any questions for Jessica about anything else that you've heard, goliath grouper maybe, or anything else on the table? Okay. Thanks, Jessica. I will go for Georgia. We've been pretty short for stuff to report right now too, and our biggest thing was the shrimp season opened, and we did it jointly with South Carolina, and it's the first time in a while that we've done that. Effort wasn't very high, and there was about sixty-six boats, a couple of distinct clusters, off of the southern part of the state and the middle part of the state, but definitely not up where other years have been.

Then we've been working on our redfish, or red drum, regulations, in the sense that we finished the survey. When Spud was director, we did a survey, five years ago, that kind of looked at angler satisfaction for some key species, and we re-did that angler satisfaction survey, and we swapped out a couple of species of interest, and flounder is one of those, obviously, with the regional concerns about flounder. Then red drum and seatrout, and then we also looked at sheepshead in our area.

The interesting thing that we did with it this go-round was we actually asked the same questions for red drum and seatrout that we did in 2015, or 2017, and so we actually have the ability to look at the trend, relative to angler satisfaction, and so what were they telling us then versus now, and so we've got some feedback on red drum, and that was our big one, because we were getting a lot of information from a lot of different people about the quality of the fishery, what's been happening in the fishery, and so we were using that to kind of help augment what we were not seeing in the population, which is that we're not really seeing any strong signals to say that the population is struggling.

We just did townhall meetings this week, to kind of gauge the idea of some actions that we could be considering, moving forward, and we'll take that information in-hand and work with that, to go and talk to our board about whether or not we're going to make some regulations changes here upcoming. If they do go through, we would be looking at finalizing some rule changes in October, with implementation for the first of the year, and this is our first step into that idea of the balancing of the science and the socioeconomic stuff, more so to the socio than the econ, but still it was a very interesting process.

It's a very detailed document, if you're interested in seeing the survey. It's about 150 pages long, and it does anglers and charter people individually, and so you get those reviews as well between the two sectors, but it is on our website, and so, if you're interested in looking at it, just go to the coastal resources website, and you will find it there, and that's pretty much our two big things that we've done since we met in March, and so are there questions for me? Tom.

MR. ROLLER: What sort of regulation changes are you for with red drum, out of curiosity?

DR. BELCHER: We put five action items before the public. Again, we've told them there's no commitment to what's there, and it's just kind of this is what we're looking at, and it could be some, or it could be none, but we started looking at basically gauging interest in changing size limits, changing bag, daily bag, with the understanding that we have to comply with ASMFC, with the 40 percent SPR, and so that one is a little bit harder for us to lock down to them, as to what we

could offer, but vessel limit is one that we got some support from, and also the exemption of captain and crew from retaining their bag, and then the last one, which was kind of more of -- We already knew where it was going to go, but the season, to ask if anybody was interested in a season, just to kind of -- Again, they can't say that we didn't look at it.

Those are the five that we put forward, and then we just got the feedback from them, and then, within those, what would you suggest for bag limits, and we looked at everything from a vessel limit from ten to five, the bag, and there was a lot of support for dropping to three or less, and so we'll bring all those comments together, along with what came out of the survey, and carry it forward. Laurilee.

MS. THOMPSON: When you're looking at what's impacting your red drum fishery, are you looking at habitat, and quality also, because what has happened to us, with the Indian River Lagoon, is, ten, or fifteen, years ago, we were marketing ourselves as the redfish capital of the world, and, at the last FWC meeting, they approved going to catch-and-release only for our redfish, because the habitat is so badly damaged that it has impacted the fishery, and so just, you know, lowering bag limits, and changing your size limit -- They have done all of that in Florida. That's the first thing that they did, and it didn't help, and so keep an eye on your habitat, too.

DR. BELCHER: Yes, and so Georgia -- The little bit of the difference is we don't have the grass beds that you all do, and so the specialized habitat for us is a little bit different, but, environmentally, we're recognizing that there is definitely some trends in there, because all stages of red drum life history is being affected similarly, and the same ups and downs are showing up, regardless of year class, and so there's obviously something that affects all the gamut of red drum life history there.

The other part of where we were looking at it is some of the trends in the basic effort. You know, we're seeing -- Relative to the trend analysis we did, there's a shift from offshore to nearshore and inshore, the guides specifically, and there's also been an uptick in the number, or the percentage, of guides who are doing targeted red drum trips, and so we are seeing a lot of it being more so effort driven, and so we're a little bit more liberal than the other states, and I think that we do have that potential to have -- If that effort keeps shifting and going up, that we could have other problems with it, and so that's what we're trying to be attentive to. Okay, and so, Mel, if you're out in the ether, can you give us a report on South Carolina?

MR. BELL: Yes, with my disembodied voice. Just a few things that sort of touch on our world, coming from the state, and the General Assembly did a couple of things this year, and Pat O'Shaughnessy mentioned one of them, which was basically establishment of red snapper laws, which basically would be for state waters, for retention of twenty-inch or greater red snapper taken from state waters only, and it would be two per person, and that basically just mirrors the laws that are in existence for Georgia and Florida already.

I did get in touch with our law enforcement folks, and I know that NOAA OLE does monitor social media, and they kind of mine that for intel, but I want to make sure that our guys hook up with Pat and all, to kind of see what's going on there, and so, yes, that was one bill, and another one that touches on us a little bit is the General Assembly actually passed a law prohibiting the deployment of traps in state waters in our general trawl zone, and that extends into offshore waters out to three miles, and so I mention that just because that, at times, could be useful in removing vertical lines,

particularly if we have large whale take reduction issues going on, and so that's something that I know that NOAA OLE is paying attention to, the large whale take reduction thing, and so that would kind of overlap into there, and there should be no crab traps, or any type of trap, in state waters when shrimp trawling is taking place, at those times of the year.

Then, speaking of shrimp, we opened our general trawl zone completely on the 1st of June, and, interestingly enough, we're seeing some differences now, and white shrimp, in particular, for us, are sort of a poster child for species range shifting and things that are occurring, due to increasing water temperature, and so, you all know, I think that shrimp, white shrimp, have shifted all the way up to Virginia and Maryland, and maybe even Delaware, and so there are some interesting things going on in waters out there, particularly with white shrimp, but we noticed a little bit different type of opening, where white shrimp were down a little bit, and our brown shrimp seem to be up a little higher than normal for that early in the year, but that does touch our world, because we do have a penaeid shrimp plan.

Artificial reefs, it's our busy time of year, and most of those are deployed in federal waters, and we have our normal artificial reef deployments going on. Of note, we had an addition to the Charleston Deepwater MPA artificial reef, which is our one of MPAs offshore. Thanks to support, primarily from the Governor's Cup Billfishing Series, we were able to sink the 250-foot Coastal Venture, on the 2nd of June, I believe it was, in 350 feet of water out there, and so we've made another significant addition to bottom habitat out there on that MPA, and we do really appreciate the support we receive from the Governor's Cup to be able to do that.

Then last, but not least, it's summer, and it's field season, and the R/V Palmetto, which supports the MARMAP work that you're all familiar with, is underway and busy. I believe, this week, the Lady Lisa is actually out doing bottom longline work, and so it's that time of year again, where both research vessels are staying busy offshore supporting things that we do related to MARMAP, and that's really all I have.

DR. BELCHER: Thanks, Mel. Any questions for Mel? Okay. I appreciate it. Trish, what's up in North Carolina?

MS. MURPHEY: All right. Let's see what we've got going. Talking about shrimp, we did put -
- As you know, we finalized our shrimp FMP, and so we've put those management measures in place, starting on May 15, and those include things like prohibiting shrimp trawling in the Carolina Beach Yacht Basin and Bogue Sound, with the exception of the intercoastal waterway. We also prohibited trawling in our crab spawning sanctuaries, which are basically all around the inlets, and we've put in a statewide recreational cast net creel limit of forty-eight quarts, heads on.

We also -- Our commission also gave final approval to our southern flounder fishery management plan, Amendment 3, and it includes several measures. Basically, we'll do an annual harvest quota for commercial fisheries, and that's going to be divided by gear types and harvest areas. We've set -- We have a recreational flounder season window, which is between August 16 and September 30. For this year, the 2022 rec season will be September 1 through the 30th, and that will have a one-fish bag limit and a fifteen-inch size limit.

We are going to have a March 1 through April 15 recreational Gulf and summer flounder season for hook-and-line, and that's in the ocean, basically, and the commission also approved a 2022

fishery management plan for interjurisdictional fisheries, and that was basically an update, but that FMP is what gives us the authority to manage the federal and ASMFC species.

Just another thing of interest to this group, I think, is we had a state record graysby grouper. He weighed, or it weighed, two pounds and three ounces, and it was caught forty miles off of Masonboro Inlet, in about a hundred feet of water, and this was on May 31, and it was actually close to the world record, which was two pounds and eight ounces, which was caught off of Texas.

Our marine patrol, we now have a swift-water rescue team that's available to our Emergency Management Department, and we've got seven officers that have been trained in this swift-water boat operators course, and we've actually got a boat just for that now, and they will be available for flooding and hurricane events, and, also, we had -- As far as our wind, our Wilmington East area, which is an area off of Wilmington for wind energy, we had an auction for that, and two leases were auctioned off on May 11.

Out of sixteen eligible bidders, Total Energies Renewable USA, which is out of France, won one -- They got one lease for \$160 million, and then Duke Energy Renewables got the other lease for \$155 million, and so just to keep everybody up-to-date on the wind areas in our South Atlantic region, and then, also, BOEM has put out a call for central Atlantic call areas, for information and nominations, and comments are due on June 28, and North Carolina will be commenting on two of those areas, Area D, which is adjacent to the Kitty Hawk area, and Area F, which is offshore of the break.

I know we do have some fisheries that are prosecuted in both of these areas, some gillnet fishing for ribbonfish, and, also, in Area D, the offshore area, there is an HMS pelagic longline fishery that operates there, and that could have some impacts on that, and we actually have some recreational HMS fishing going on in the area around Kitty Hawk, and so just to bring everybody up-to-date on that as well, and that's all for North Carolina.

DR. BELCHER: Thanks, Trish. Any questions for Trish? Okay. Thank you again for all the information from everybody. We're going to move into our next item on the agenda, which is the Socioeconomic Panel report, and this will be Scott Crosson, and he'll be giving this remotely. Scott, if you're ready.

DR. CROSSON: I am. Good morning. We met right before the SSC meeting, as we usually do, in April, in Charleston, and so we met for one afternoon and one morning, and so went over a number of different actions, but, a lot of times, at these Socioeconomic Panel meetings, we're trying to give advice to council staff as they go through different analysis, different options and so we went through and looked at their recent and developing council actions, and I don't think we had any feedback on that.

There was a presentation that was given by Zander Gordon, who is a post-doc in economics at the Science Center, and so he's been experimenting with trying to design different field experiments for figuring out ways to distribute fish, and so he gave a presentation about how they've been doing that in the Gulf, and so we gave some feedback to him, and that was pretty technical, and we gave feedback to the council staff on different language to use for best fishing practices, and then those are the items that I'm not going to go into too much detail on. If you want to read more

about those, you can look at the Socioeconomic Panel report, but, if you will slip to the next slide, we gave some feedback to the council staff about Reg Amendment 35 dealing with red snapper.

I don't want to go into too much detail about this, because I know that Jeff will be also going into detail about this, when we give the SSC report, and some of these things kind of got redundant over time, but we did talk about the need for doing modeling, and, since the recreational sector is primarily the responsible party here -- I mean, the commercial information is certainly incomplete, and there are some issues there as well, but trying to model the reduction that you would need to get red snapper into compliance is going to be really difficult, given the time constraints that the council has, and so the most efficient way to do it -- It's very blunt, but it would be to start modeling the effects of shutting down different fishing waves.

That will be -- The council staff, I'm sure, will go into more detail about that, and so will Jeff, when he gives the SSC report, and there are some different modeling exercises that are underway right now in the South Atlantic, and one is the council's MSE project, and the other one is that the Science Center is doing a discard modeling project that I'm the principal investigator for, and so there is other members of the Science Center staff, and a couple other SSC members, that are on that with me, and so that is discard modeling exercise, where we're trying to figure out how the different species catch rates are all interacting with each other, since we tend to manage these things individually, and that is, obviously, causing a lot of frustration from the council and from stakeholders. That is still in its beginning stages, but you'll be hearing more about that, I guess, in the coming year or two.

We gave some information about citizen science and different ways to try and maximize feedback, and we're always being asked how to get people to respond to things, and then I gave a presentation -- Tracy Yandle, who has left the SSC, and actually left the United States, and she moved to New Zealand, and she and I wrote a paper that is under final, final review at Marine Resource Economics right now, where we compare the South Atlantic and Gulf of Mexico golden tilefish longline fleets, and we looked at the changes between 2009 and 2016.

During that time period, the Gulf moved to an ITQ to manage the fleet, and the South Atlantic moved to that endorsement that they put onto the snapper grouper permit, and so we looked at the changes over time. We did a difference in differences study, and, basically, there were some changes, obviously, in both fleets, but, as you're well aware, the South Atlantic's fleet still has a pretty big derby that's going on for golden tilefish longlining.

We were trying to figure out, you know, what would be -- I mean, it's certainly something that the Gulf has been able to get rid of, by moving to an ITQ, and the South Atlantic -- The SEP has been asked, several times, how can you extend that season, and I listened to the Snapper Grouper AP, as they deliberated about this and tried to figure out how they could best open up a fishery and still be able to supply fish through Easter.

I don't know that that's something that is necessarily going to work, but, if the council, or the stakeholders, did want to move to some sort of individual quotas, one thing that is of note is that the Gini coefficient, which is an economic variable that measures equality, basically, in the distribution of landings -- For the South Atlantic, it's at 0.31 right now, which means that, basically, because the council actions have limited the duration of the season, and they have strict trip limits that are on top of the fleet, most of the -- All of the main members, basically, of the fleet

have been pushed into the same sort of fishing behavior, which means that their landings are fairly well equally distributed among the different twenty or twenty-two vessels, I think, that have the endorsement on them.

If there were some sort of action to individually allocate the landings, and not necessarily at a transferable level, but just sort of to split that up, so that people wouldn't be compressed into that derby, you could probably do it without having as much frustration as you would have for a fleet where most of the landings were given to the high-liners. Most of the fleet, for the golden tilefish longline fleet, are basically -- The landings are pretty similar all the way around, and so that's something to be considered. I think I'm supposed to potentially present this to the tilefish endorsement holders, when they meet this fall, and I'm looking forward to doing that, and I guess I can answer more questions about that at that time period.

The allocation decision tree, I think that Christina or John is going to go into more detail about this, but we were, again, asked to look over the allocation decision tree, since it continues to evolve, and, again, the SEP gave its stamp of approval for this, but it's very time constrained, when you're trying to look at this different analysis, and so it was interested seeing the tool being demonstrated, and questions that were being asked were ones that could be answered in the time period that you would need to do allocation, and there are some of these species that it's certainly not something that you could do an in-depth model for for every single one, but we gave some different recommendations for, you know, how those questions could be analyzed.

We didn't have any big issues with the fishery performance reports, and that was something that was being considered to be brought into the allocation decision tool, and there was some information -- There was a question that was asked of us about a public input tool, and, while we didn't think it would be overly burdensome, there were some members of the SEP that were concerned that how that is brought into the allocation process is extremely important, because, if people know that that is something that's going to be helping the allocation process, it's something that different stakeholder groups could then theoretically try to use to maximize their allocation share. Otherwise, we don't have any huge concerns about that, but that is something that you will have to keep in mind when you move to that stage. Christina or John, I don't know if I should answer questions now, or are you going to go into more detail about the allocation decision tree? What's the structure here?

MS. WIEGAND: In a minute, I'm going to go into a bit more detail about the public input tool, but I think, if there are any questions about the broader SEP report, now would be a good time.

DR. CROSSON: Okay. Yes, I'm certainly open to any questions.

DR. BELCHER: Anybody have any questions for Scott? Okay. I don't see any hands, Scott. Thank you for the presentation.

DR. CROSSON: Great. Thank you, Carolyn.

DR. BELCHER: All right. On to you, Christina. We're going to review the data gathering tool to inform sector allocations, as Scott kind of teed-up and segued into.

MS. WIEGAND: All right, and so if you guys will think back to March, when we presented the allocation decision tool, one of the things you had requested was that staff develop a tool to gather additional public input that may be relevant to allocation, similar to the way the Gulf of Mexico Council uses their Fishermen Feedback tool, formerly the Something's Fishy tool. The purpose of this tool is going to be to gather information, similar to what is gathered during fishery performance reports that we conduct with the advisory panel, and so think of this as sort of the public companion to the fishery performance report process.

In that vein, we've titled this "Dispatches from the Water". I will say that I am in no way married to that title for this tool, if council members have any suggestions, but, before we talk about the easy, let's talk about the heavier stuff. The purpose of this, again, is to have members of the public provide similar information to what's being provided in the fishery performance reports, and so, to that end, we've got sort of a series of public input topics, if you will, that match up directly with what we discuss with advisory panel members, and so the first being just generally asking them if there have been any sort of substantial changes in fishing behavior and catch levels, and, throughout this document, I'm using our favorite species, the shadow shark, over the past five years, and then how important sort of catch-and-release is for shadow shark.

We'll also be asking them to provide their input on any social and economic influences that may be affecting a fishery and whether or not that fishery is a driver of tourism, and then, looking at what environmental conditions may be affecting the fishery, particularly in terms of changes in distribution of a species, size of fish, as well as spawning months, we'll be asking for input specifically on management measures that the council should be considering, whether that be size limits, trip limits, bag limits, or what have you, and then, of course, just an option to provide any other additional input they feel is valuable for the council to know about a given species.

We'll also collect information on their name, email, home port, state, stakeholder affiliation, whether they work for, you know, an NGO or are a private recreational fisherman or commercial fisherman, and all of that information is consistent with what we always collect when we're collecting public comments. Of course, all of this information will be kept private and will only be presented in an aggregated form.

That's sort of how the tool will be structured, and we'll have it available on our website, similar to how we always solicit public input, and so the process, since we're looking to this to be a companion for fishery performance reports, the thought is that it would be made available for the public to provide input on at the same time that an advisory panel was going to be completing a fishery performance report, and so I've got sort of a draft timeline here for our shadow shark species, and so say the shadow shark advisory panel is intending to meet in Spring of 2023 to conduct a shadow shark fishery performance report. That April, we would upload the Dispatches from the Water for shadow shark, and make it available on the council's website for approximately two months.

Information from the APs and from the public would then be gathered, and we would close that shadow shark dispatches from the water after two months in May. During June and July, analysis and summaries would be prepared for both the fishery performance report and the public input tool, and that information would then be made available in time for the data deadline for the hypothetical shadow shark stock assessment, and then, once the stock assessment has been conducted, all of this information would then, of course, be reviewed by the council, and the

council would direct staff to begin an amendment, and then staff would work through the allocation decision tool, which would include, of course, the fishery performance report and information from this new tool now, and so that's the tentative timeline we're working with.

In terms of analysis, again, we're trying to keep this pretty simple, so that it can be put together in a reasonable amount of time. If you're at all familiar with what the Gulf puts together for Something's Fishy, you're going to notice a lot of overlap between what they do and what we're proposing to do here.

The first would be sort of a very, very simplified thematic analysis, and, basically, staff would pull out topics and concepts and patterns that are coming up again and again and again in the comments that we received, and I've got examples from the Gulf Council's Fishermen Feedback tool that they did for Gulf cobia, noting that they were seeing things like the average size of fish encountered is smaller than it has been historically coming up in a number of comments, comments that indicated population declines have been occurring since about 2010, and so it's sort of that type of information that you could expect us to pull out.

We also might consider doing some sentiment analysis, and this is, again, what the Gulf Council does for their Fishermen Feedback tool. Staff goes through, by hand, and reads the comments and then classifies them as either positive, negative, or neutral. This can also be done with automated software, but there are some sort of pros and cons to that, and so it essentially allows you to see sort of what the negative comments are talking about and what the positive comments are talking about, and then, again, that can also be presented in a word cloud form, which would look like this.

That is what staff has put together for you, and I'm going to skip over the Socioeconomic Panel feedback, since Scott went over that, and so, basically, what we're looking for today from you guys is sort of any input on the tool design and whether or not you would like to see any modifications or changes to what we're proposing here, and then, if you're comfortable with what's proposed here, approving it for use, and we would be beginning with gray triggerfish and red grouper, which are sort of next up in the assessment line.

DR. BELCHER: Thank you, Christina. Are there comments from folks on this? Monica.

MS. SMIT-BRUNELLO: I think, Christina, before the council can use this, we need to work through some issues regarding the Paperwork Reduction Act and what you're going to be allowed to ask from the public and what you can't, and I see you had a question about the Paperwork Reduction Act that you put to the SEP, in terms of burdensome and those sorts of things, and we're also looking at the Gulf's Something's Fishy tool, regarding PRA issues. We've just started to look at that in our office, and so, before it can be deployed, I think we need to make sure that the information that the public provides to the council can be used by the council, and so, to do that, we need to make sure it complies with the PRA, or we call it PRA, but it's the Paperwork Reduction Act, in terms of what you're allowed to ask.

If it gets to be where you want to continue to ask all these questions that are on here, fine, and maybe we get authority, under the Paperwork Reduction Act, to ask those questions, and so I think there is a couple of different ways to go with it, and so just kind of stay tuned on that, and I will be happy to work with you on that.

DR. BELCHER: Thank you, Monica. Jessica and then Trish.

MS. MCCAWLEY: I really like this, and I appreciate staff spending the time to work on this. I really don't like the name though, Dispatches from -- That's just not -- That makes me think of killing small animals, and so -- You know, dispatch them, and so I think that we had a couple of suggestions, like Fair Catch, or Fishing Feedback, or something like that, and I love everything about it, but just not the name.

DR. BELCHER: Thanks, Jessica. Trish.

MS. MURPHEY: Actually, Fair Catch sounds good. I like that one. Just a little bit of input, from reading through it. Yes, this is great, and, on your Bullet 4, where you ask about new management measures, I wonder if you should reword that to say "different", and the only reason I'm suggesting that is because you might -- Since you go on and ask, you know, are you good with the existing management measures, you might just get into the people aren't good with whatever exists, and I'm just sort of thinking like with red snapper, and they're going to hate what's in place right now, and so I always wonder if you could reword that, so that you kind of can get -- You can still ask that question, but just use the word "different", and you may get something -- Anyway, I'm just trying to keep from getting the input you already know you'll get.

Then I was trying to figure out, and I may be getting in the weeds here, and so you can just stop me if I am, but you're talking about getting home ports and everything, and I was wondering, and how would you -- Like my home port would be Morehead City, but maybe I spend three months, or take a vacation, to South Carolina or Georgia or Florida, and I kind of want to give my input on Florida and not Morehead, and so I don't know if there's a way to be able to differentiate between that, and I think that was really all of my comments, but, yes, I love the little word thing, word cloud, I guess, and I think you guys have done a great job, and those are just -- Those are my, I guess, two comments, just how to differentiate somebody from their home port and where they're vacationing.

MS. WIEGAND: We could do something similar to what the Gulf does. If you've ever seen their tool, they use a grid that shows a picture of the Gulf coast, and it uses a grid to sort of get at a smaller area, and it asks you where specifically most of your observations are coming from, and so that is also an option for us.

DR. BELCHER: Okay. Thanks, Trish. I've got Mel and then Chester.

MR. BELL: Thanks, and I appreciate Monica's input here, and it sounds like we're going to need to get a little legal review on this before we move on too quickly, and it just seemed, to me, and this is just me thinking, but it didn't seem so much like potentially like a survey, as it is really sort of an open, passive means of collecting public -- Just like we collect public-hearing-type information, and it's voluntary, and, if you want to provide input, help yourself kind of thing, but that's just my take on it.

Then I would agree on a name change. I didn't think of Jessica's point, but I get that, and I would offer something like -- We used to have a thing, in South Carolina, that we called Saltwater

Conversation, and I don't think that's copyrighted or anything, if you like that name, but something different, other than the "dispatch" thing, would be fine, in my opinion.

DR. BELCHER: Thanks, Mel. Chester.

MR. BREWER: I kind of like Dispatches from the Water. It reminds me of one of my favorite novels, which is *Dispatches from Pluto*, I think it is, but, in any event, something to maybe be cognizant of, or have in the back of your mind, is, I mean, we get, or I get, requests to take surveys all the time, from different people that I do business with, and I will answer a few questions, but, if they then start asking stuff that I think is a little bit too personal, I shut it down, and I don't complete the survey, and I don't send it back to them, and so the information that is gathered here, like personal stuff, be cognizant that some people, old curmudgeons like me, will sit there and say, no, I'm not going to give you all that information on me, and I will shut it down. Thank you.

DR. BELCHER: Andy.

MR. STRELCHECK: Two comments. One, names are important, and I know the Gulf Council went out, last year at some point, to rename their Something's Fishy tool. Unfortunately, for the life of me, I can't remember what the new name is, but to avoid, obviously, kind of the implication that there is something bad going on, when maybe there is some good things happening in the fishery, and so certainly I agree that, you know, maybe some further consideration on the name.

The other thing that I will comment on is you had made note, and I see it in the document, about specifically using this for sector allocations, and I don't disagree that the information can, or should, be considered for sector allocations, but I'm a little concerned about kind of pointing that out right upfront, and that it may aid in the management process may just be more generic, and that we would consider it, obviously, for a whole suite of management decisions, but, by calling it out, I'm fearful that it could result in bias, or potentially people submitting input differently than maybe they otherwise would, given how contentious allocation can be, and so something to consider.

DR. BELCHER: Thanks, Andy. Anybody else? Okay, Christina. I guess then the question comes down to whether or not the draft motion is anything that we need to act on at this point, as far as a discussion point, and it seems, to me, that there's still potential for it to be held, pending review.

MS. WIEGAND: I guess, if the council is comfortable, sort of with the tool as-is, it might be helpful to sort of get approval from you all that you're comfortable with it as-is, and then we can start working with Monica and NOAA GC, to see what we need to do to get what the council has approved through any sort of PRA process.

DR. BELCHER: Okay. What does the group feel like, relative to that? Are you in support of the motion or not making it? I am just trying to help Christina here. Jessica, would you like to make a motion?

MS. MCCAULEY: Sure. **I move that we approve the public input gathering tool, as modified.**

DR. BELCHER: Okay. Is there a second? I've got Kerry. Is there further discussion on this? Okay. There you go, Christina. Thanks for the presentation. All right. It's 11:45, and I am looking to Myra, as to -- Our next item is the commercial electronic logbook amendment, which is the reviewing of the options paper.

MS. BROUWER: I anticipate this discussion not taking very long, and so, if you want me to just speed through the presentation, I am happy to do that, or we can leave it until after lunch, whatever is your desire.

DR. BELCHER: I will put it to the group. What's the pleasure of the group? Would you like to get this done before lunch, or do you want to just come back fifteen minutes early? Go ahead? Okay. Go ahead, Myra.

MS. BROUWER: I will reference an attachment in your briefing book, but I did put together a little PowerPoint here, to help us go through it a little bit more quickly, rather than scrolling through the document, and so let me just get myself situated here, so I can reference my notes. This is an amendment that would implement electronic reporting for commercial vessels, and so this has been -- You've been hearing about it for quite a while, and here we are trying to get this off the ground.

Why is this amendment needed? The Southeast Fisheries Science Center, together with ACCSP, have been putting together a mobile app to accept electronic submissions, and that work has been completed, or is very close to completion, and you guys have been receiving presentations from the Center at every meeting for some time.

The problem is the language that is in the existing regulations does not specify that that submission can be electronic, and it needs to be on paper forms, and so each of the FMPs that require that paper logbook are going to need to be amended to allow for the submission to be done via an electronic means, and so this amendment would apply only to the coastal logbook, and, as I said, it would require the logbooks to be submitted by electronic reporting forms instead of the paper forms.

First off, I have a little bit of background here, and so I'm going to spend a little bit of time on this slide, just to get everybody -- To give you some context, and so, back in 2011 and 2012, the South Atlantic Council began developing Comprehensive Ecosystem-Based Amendment 3, which included an action to do what I've just been talking about. That amendment was developed through to the public hearing stage, and then, in December, the South Atlantic Council removed that action pertaining to electronic requirements for commercial vessels from the amendment.

There was a motion, at the December meeting, that said that staff should work jointly with the Gulf Council staff to continue development of that amendment. In February of 2013, the Gulf Council followed suit, with a motion of their own, expressing the same desire and guidance to their staff. In June, the South Atlantic Council requested a presentation from the Southeast Fisheries Science Center on a pilot that was set to begin in August of 2013. Then, subsequently, the council requested periodic updates on the progress of that pilot project.

The Southeast Fisheries Science Center conducted the pilot, and it began in May of 2015, and it established -- Basically, they were looking at a possible hardware and software combination to

support the e-logbooks. There were eight laptops and three iPads that were deployed on a total of twelve vessels. One vessel was utilizing an onboard PC, and fifty-eight trips were submitted, and this was also done across various fishing gear that included bandit, handline, longline, both reef and pelagic, buoy gear, and trap.

There were six South Atlantic vessels, five in North Carolina and one in Florida, two vessels that were highly migratory species, one in North Carolina and one in Florida, and four vessels in the Gulf, two in Florida and two in Texas, and so fishermen, during this time, between 2015 and 2016, provided regular feedback on their e-log use, and including the hardware and the overall experience collecting and submitting those data.

After that, the database development began, and the testing of this mobile application, in cooperation with ACCSP, and then that brings us to almost current times here. In March of 2021, the Gulf Reef Fish and the CMP Advisory Panels provided feedback on a presentation that was given to them by the Science Center. In September of last year, that presentation, or a similar one, was given to the Gulf Data Collection Advisory Panel, and, at that presentation, the Southeast Fisheries Science Center indicated the pilot is still undergoing NOAA review, and so we don't yet have the results of this pilot, is my understanding. That brings us to December, when you guys got the last update from Julie Brown on the status of the database.

As far as who is currently required to report through the coastal logbook, all commercially-federally-permitted vessels in the South Atlantic and the Gulf, if selected, are required to report, and so this applies to snapper grouper species in the South Atlantic, dolphin wahoo in the Atlantic, Gulf reef fish in the Gulf, and the coastal migratory pelagic species in the South Atlantic and the Gulf, and it also includes -- The coastal logbook also includes sharks.

Fishing trip records have to be submitted on paper, no later than seven days after the end of each trip, and there is also a requirement for no-fishing reports to be submitted no later than seven days after the end of each month, and my understanding is that those no-fishing reports have been -- There's been a way to submit them online voluntarily.

Just a few things that this amendment would not do. It would not change the frequency of reporting, unless the councils want to do that, but then you would have to have an action to do that, and so, right now, we're not looking at changing that. There is not going to be any change to the general data requirements, and I emphasize the word "general" there, because I believe there is going to be some very minor things that may be a little bit different, and that's just mainly from going to paper to electronic, and so there may be some small changes there.

It would not change the exceptions that are in place for catastrophic conditions. That would still be at the discretion of the RA, and it would not affect the collection of economic add-on logbook data, and so that would continue to be done -- I believe it's requested at the beginning of the year, and permit holders that are selected would be expected to complete the economic questions within the electronic form. Another thing this amendment would not affect would be the Gulf IFQ holders' reporting requirements, and I put that little star there, because we are going to talk about whether you guys would like to include an action to amend the Gulf Reef Fish FMP in this amendment, and so do it jointly.

In terms of timing, this action may qualify for a categorical exclusion, and, if that's the case, and we have received preliminary guidance from NOAA General Council that we can in fact do it that way, then hopefully we could wrap this up by the fall of this year. If not, we would have to follow the same process, and include some public hearings in there, which both councils could do in the fall, and the councils would each approve the amendment in the winter of this year, and a final rule -- We're looking at hopefully something being published late in 2023, and so there's two different timelines there.

We're very early in the process, as you know, and we have not yet convened a full IPT. We have been talking, South Atlantic Council staff, with Gulf staff and SERO folks, and, as I mentioned, Monica and Mara as well, and so we've been communicating on how we can get this done most efficiently for you, and so what I'm looking for is currently just guidance on whether you would like to include amending the Gulf Reef Fish FMP in this amendment and then any feedback you want to give us on the timeline for developing, and that's what I have.

DR. BELCHER: Thank you, Myra. Are there thoughts from folks? Kerry.

MS. MARHEFKA: I know you mentioned the economic data collection, but would bycatch, the subset that gets the bycatch logbook, would they be able to report electronically as well, or are they going to have to send a separate paper one still?

MS. BROUWER: I am not sure, Kerry. That would be a question for the Science Center. I don't believe that that would be included. That's a whole separate thing, and that's something that my understanding is the Center would like to do eventually, but that would be down the line. Right now, we're looking to just do the migration to electronic, and I see Clay nodding his head over there.

DR. BELCHER: Mel.

MR. BELL: Thanks. Related to the question about the Gulf, again, I was kind of flashing back to I think it was the last time that I was actually in the Keys, and we were dealing with the for-hire reporting amendment, and we sort of had a parting of the ways there, but I would just -- Related to that now, I guess what are the pros and cons of amending the Gulf Reef Fish FMP as well?

I know, from a -- Obviously, approaching it from a standpoint of having consistency across-the-board, you know, between the Gulf and Atlantic would be great, and, from a regional perspective, that would be desirable, but are there some things that we need to be aware of now, so we don't sort of start down a road and then realize that, oh, gosh, maybe we need to separate again? I just remember that very distinctly from the development of the for-hire amendment.

DR. BELCHER: Monica.

MS. SMIT-BRUNELLO: You know, this is already a joint amendment with the Gulf. If you're going to amend the Coastal Migratory Pelagics FMP, then that's a joint amendment that you share with the Gulf. Myra can speak to this, or we can get, you know, additional comment, but it seems like, if it's a one-action kind of thing, where you're going from paper to electronic, it makes sense to, from my perspective, to include the Gulf Reef Fish FMP in this action.

I don't know that it would change the timing at all, because the Gulf, remember, still has to look at this. The Gulf Council still has to look at this, because of the Coastal Migratory Pelagics FMP, and so that's my thought. I know the Gulf Council is meeting next week, and, of course, they would have to agree to this as well, but it seems, from -- Maybe Clay even wants to talk about this, and I don't know, but, from a Center perspective, it makes sense to have those four FMPs included in this particular action.

DR. BELCHER: Thanks, Monica. Clay.

DR. PORCH: Well, I agree. I mean, obviously, our biggest priority is just to get it migrated over, and we can move into the twenty-first century and stop using paper.

DR. BELCHER: Okay. Are there further comments? All right. Chris.

MR. CONKLIN: So, if we're not able to -- If we still would have to mail in our discards, if we're selected, can we at least have an option to upload it as part of the report, because that just would make a lot more sense.

DR. BELCHER: Tim.

MR. GRINER: Maybe I'm not remembering it right, but we had that presentation, and I forget, but was it the last meeting, and it was a pretty thorough presentation, and I remember having discussions, because one of the things that stuck out, in my mind, was how they were wanting us to use numbers of fish, instead of pounds of fish, and so there's still quite a bit of tweaking to be done to this thing, but it seems, to me, that I specifically remember that the discards were part of this electronic program, if I remember correctly, and is there any way that we could get that presentation maybe back up, after lunch or something, or at Full Council or something, and kind of just go back through that presentation?

MS. BROUWER: I am happy to pull it up. I don't know that I would be the right person to walk you through it, but it is part of your briefing materials from -- I believe you're talking about the presentation that Julie Brown gave to you guys in December.

MR. GRINER: Yes, that's right, and so I can pick it back up on the last briefing book? Yes, and that will refresh me, because, if I remember right, it has screenshots of all the different screens and all the different data points and everything, and it was pretty thorough, and so maybe it's in there.

DR. BELCHER: Okay. Additional -- Kerry.

MS. MARHEFKA: Listen. I don't want to beat a dead horse, but, as the person who has to sit there and do this, I'm just flabbergasted, and I need someone to explain to me why the -- If Tim is wrong, and the discard reporting is not included in this, someone explain to me why it's so hard. I mean, we're already -- You're going to disenfranchise the people that are already reporting accurately on the discard logbook, and I know there's already a question about it, and so, you know, whether or not and when we use that data, and the validity of that data, and, every step we take to weaken that, all we're doing is weakening that data, which could be so good, and we need all the time, but you cannot expect us to sit around and go to one website for, you know, SAFIS and one website to do our trip logbooks, and then have to do a paper logbook, and for every trip.

The economic stuff is fine, and we do it once a year, and that's not a big deal, but it blows my mind, and I need someone to explain to me, as not a smart person, why the bycatch one is hard to include right now, and I don't understand.

MS. BROUWER: I think I'm going to bounce that to Clay, because I am not the person to tell you why that is, and so do you have any additional information on that, Clay?

DR. PORCH: No, and I will have to get back to you on that.

DR. BELCHER: Jessica.

MS. MCCAWLEY: In the back of the document, it talked about reporting for things like spiny lobster, and I was just hoping that, when someone starts working on that, that they can work with the FWC on that.

MS. BROUWER: Thanks for bringing that up. I have, in my notes here, that I had meant to clarify that implementing electronic reporting in fisheries like spiny and golden crab and shrimp -- It's my understanding that it's going to require significant time for development, because of their reporting requirements, and this amendment wouldn't apply to those FMPs, and so, also, you're working on Amendment 48, and so it wouldn't apply to wreckfish either, and so it's going to have to, unfortunately, be done in a little smaller chunks at a time. I guess I will mention that Appendix A of the document that's in your briefing book has the actual regulatory language, what's currently in place, for each of the FMPs, including the Gulf Reef Fish FMP.

DR. BELCHER: Okay, and so further discussion or questions? Okay. The only other thing I will ask is what about the timeline development? Does everything seem like it's a good timeline for folks? No questions on it or concerns with it? Myra.

MS. BROUWER: So, just to clarify then, is it the council's then direction to include an action, or to include amending the Gulf Reef Fish FMP, in this amendment, and hopefully, as I said, we can get it done through a categorical exclusion, and what you see up on your screen is how it would be worded. It would mainly be one action amending all FMPs all at once.

DR. BELCHER: Jessica.

MS. MCCAWLEY: Yes, I would say include the Gulf as well.

DR. BELCHER: Okay. Trish.

MS. MURPHEY: I agree.

DR. BELCHER: Okay. Laurilee.

MS. THOMPSON: I have a dumb question. If you have an owner, or operator, of a vessel that doesn't -- There are some out there, because my sister has to fill out the reports for them, and they don't have internet access, or they don't -- They're not computer savvy, and so, if this becomes a

requirement, would every single operator, or owner, have to report electronically, or would some of them still be allowed to submit a paper report?

MS. BROUWER: I think the intent would be to make it a requirement, and so, if you have exceptions, I believe that kind of just defeats the purpose of making the data more timely and better able to be available, and so I believe it would do away with the paper requirement altogether. That's as far as I understand it right now, but I'm going to look into that for you some more.

DR. BELCHER: Other comments or questions? Everybody is good with that moving forward? Okay. Well, thank you, Myra, for that. It is 12:05, and so we will be -- Do you have something else to add, Myra? Okay. We have an hour-and-a-half for lunch, and so we will be back at 1:35, and we will go back into Full Council at that point.

MS. BROUWER: Just a quick note, and we, as you noticed, have a new website, and so Nick Smillie is here to do sort of like a very short demo, a Q&A type thing, and we were going to do it today, but I think we're going to put that off until tomorrow, at lunch, so that you guys -- If you want to sit here with Nick at lunch tomorrow, he can do a little demo then. Thank you.

(Whereupon, a recess was taken.)

DR. BELCHER: Okay, everyone. We're going to get started again. It is 1:35, and we're going to get back on the clock. We're going to start with the Acceptable Biological Catch Control Rule Amendment, and Mike Schmidtke is going to walk us through that. Mike.

DR. SCHMIDTKE: Thank you, Madam Chair. I am going to go ahead and get us started back up on the ABC Control Rule Amendment. Okay, and so, on the screen right now, you see a summary of the timeline that this amendment has gone through to this point, and it was started up and put on pause, and then there was some additional guidance from NMFS, and it was then started back up again.

Now we're getting into kind of the later stages of it. At this meeting, we are looking for the council to review the actions and consider approval of the amendment for public hearings, and it's gone through several rounds of SSC review and contributions. We don't have any new SSC contributions in this round, and, really, what we're going to be doing today is kind of walking through the different actions and alternatives and hearing some council discussion and feedback.

As a reminder, the ABC Control Rule Amendment considers three general actions, and the first one is modifying the actual ABC Control Rule. The second two actions are incorporating some flexibility that has been discussed by NMFS, and guidance provided on that, phase-ins and carryovers. One of the things that we noted last time, and I will just bring it up again, is that the carryover action -- The action of putting carryovers into this amendment is done through two actions.

It includes Action 3, which addresses the eligibility of a stock to have carryover go into place, and then Action 4 addresses the implementation and adjusts the framework, the framework actions, of the different amendments to accommodate that.

Here we have our goals for today, and we're going to kind of slowly, step-by-step, walk through all of the actions and alternatives. Up to this point, we've kind of taken it in chunks, and today is the first meeting where we're smashing it all together, and we're going to take some time to explain these different things. We'll talk a little bit about the preliminary analyses, and then, if there's any additional guidance that you have for the IPT in developing the options, we can hear that today, as well as consideration of approval for public hearings and the timing of any public hearings, at the end.

Really, at the forefront of this amendment are these two definitions of "risk" and "uncertainty", and I am continuing to remind you of them, because that is kind of the crux of what motivated this amendment, risk being a denotation of the management risk, and this is evaluated on an annual time scale, and is evaluated, in a way, as a risk of exceeding the overfishing limit. I will talk a little bit more about that definition of risk as we get into some of the later slides, because there were some questions that were brought up, related to that, at the last meeting.

Then we have uncertainty, and this is used -- When we're using this term, it's used to denote the scientific uncertainty, and that is information that gets incorporated into the stock assessment. The risk aspect of this is the purview of the council, whereas the uncertainty aspect is the purview of the SSC.

The current ABC Control Rule is divided into different levels, and these levels evaluate the information that is available, and so the first level would be an assessed stock, and, within this assessed stock, you can look in Table 1 of your decision document, and that kind of walks through the different tiers within the assessed stocks. Levels 2 through 5 are all unassessed stocks, and they're unassessed stocks of varying levels of information, and so, as you get lower and lower down that list, higher levels, so to speak, you're having less and less information, and you're getting what would be thought of as kind of a lower-tier evaluation of the stock. These wouldn't be full stock assessments, and these would be data-limited methods that are used to come up with an ABC.

One of the points in adjusting the ABC Control Rule was that the current rule is inflexible. You have a finite list here of data-limited methods that are used for these unassessed stocks, and one of the goals of this amendment was to increase the flexibility for those data-limited stocks, to be able to incorporate some of the methods, especially those that have kind of come out of scientific investigations over the last ten to fifteen years.

In this slide, I'm just going to talk through, so that we're understanding how the ABC is estimated, is derived through the ABC Control Rule currently for your assessed stocks, and so there is an initial P^* , and P^* is an accepted probability of overfishing, and that is -- That is determined -- The P^* is initially set at 50 percent, and there are tiers that are shown in that decision document, looking at the assessment information, the uncertainty characterization, stock status, and then the productivity and susceptibility analysis.

As there is more and more uncertainty related to these items, the SSC evaluates these different tiers and then comes up with an adjustment from that initial P^* level, and the adjusted P^* is then applied to the assessment projections, and that is what produces your ABC, but it's important to remember, as we're talking through these different items, that the OFL is affiliated with a P^* of 50 percent, and then ABC is an adjusted P^* , at some level that is lower than 50 percent.

Action 1 addresses changing the ABC Control Rule. In presenting each alternative, there is some summary language, followed by how risk tolerance, which is depicted through P*, will be determined, and, finally, application of the control rule to overfished stocks. While it is common practice for ABC to be determined by a rebuilding plan for overfished stocks, this is not overtly specified in the current control rule, and so another one of the goals of this action is to more directly state how these situations are handled. I won't spend a whole lot of time talking about this aspect, but, in short, both of the other two alternatives state that ABC for overfished stocks, if those were selected, would be determined by the most current iteration of the rebuilding plan and not by the more or less standard application of the control rule.

Alternative 2 removes the tiers language that I spoke of before and kind of changes the whole structure of the ABC Control Rule and replaces it with assessment categories based on uncertainty characterizations. These categories can be seen in Table 2 of your decision document, and they will be talked through a bit in the next slide. P* would be specified by the council, using a stock risk rating, and this stock risk rating would be combined with relative biomass information to come up with a P* level. Rebuilding plans would be specified to set ABC, rather than the standard control rule, like I mentioned before.

Under this method, Alternative 2, we would have the characterization of assessments based on how the uncertainty is evaluated, and, here, we have the categories that are coming out, and that should be -- I'm pretty sure that should be Table 2, shown on the screen, rather than Table 3, but Category 1 is that the stock is assessed, and scientific uncertainty is adequately incorporated, as determined by the SSC, and so the P* would be applied to the assessment information, pretty similar to current practice, and you would just be getting the P* from a different place than the control rule.

In Category 2, the stock is assessed, and uncertainty is not adequately evaluated, and so, in this case, the SSC has the ability to adjust the uncertainty, and so the way that you can think about this is, when you see those projections that come out and tell you what the OFL and what the ABC are, there is a distribution around those, and the SSC would have the ability that, if they determined that uncertainty is not adequately accounted for by the assessment, they can make that distribution wider, and so the effect that that has on an ABC is a wider distribution, at a given P*, would have a lower ABC. A narrower distribution, meaning less uncertainty, at a given P*, would have a higher ABC.

In Category 3, the stock is assessed, but uncertainty is not adequately evaluated, and it can't be addressed by adjusting. In this case, the SSC would -- They wouldn't be adjusting something that was put forward by the assessment, but they would be developing an estimate of uncertainty, before applying the P*, or they would apply a direct buffer to the OFL, and then, finally, Category 4 is where there is no formal stock assessment. There's been a lot of discussion about this already, and the SSC came forward with a recommendation of how to handle this through a working group, and the council supported that being the preferred approach within this alternative, and so I'm not going to spend too much more time on that. Just to make sure that people are still paying attention, this kind of wakes me up in a bit of fear, and so hopefully it does the same for you.

Next, talking about that stock risk rating that I mentioned before, how do we get P* under the Alternative 2 approach? This was discussed in March, in a fair amount of detail, but I do want to

give a reminder of the description and talk about some of the questions that we had in March that may not have been fully addressed or understood.

I'm just bringing this back up, and there are three categories of attributes, biological, human dimension, and environmental, that are incorporated into this stock risk rating, and the rating that it would be given -- It would be denoted as low, medium, or high risk of overfishing. By incorporating all of these different attributes of the stock in the fishery, we not just -- We not just look at whether the fishery will overfish relative to the OFL, but also we're looking at relatively, at least, how likely the stock is to experience the effects of overfishing.

What does that mean? When we set an OFL, that is our best estimate of the line, this line that, if we cross it -- If the fishery crosses it and removes more fish than the OFL, then the population would be reduced, would be less than what it was in the previous timeframe, and this can have cascading effects, like altering the age or size structure. On a longer-term, altering some of the biological dynamics, et cetera.

In reality, that line fluctuates, and we have some uncertainty about where exactly that line is, and so, in the assessment, we put a distribution around it, trying to describe that, and trying to take that into account. The stock reacts to the real-life fluctuations that it experiences, and so biological characteristics, like early maturity, or a high natural mortality rate, which would be indicative of high turnover rate in the population, things like these make the stock more resistant to and at a lower risk of experiencing the effects of overfishing, and that is something that is being taken into account in the stock risk rating, along with the attributes that describe the actual removals of fish and are evaluated against the OFL. There is some double meaning, as we talk about risk in this, in that there are multiple aspects contained within that risk rating, and summarized by it, and depicted through this high, medium, or low that you will see in the table.

We take that risk rating, and we then pair it with the relative biomass level from the most recent assessment, and that is to say that we would have information on the rating, about how likely the fishery is to exceed its OFL, and how resistant the population is, with its characteristics, to experiencing those effects of overfishing, and now we want to combine that with how healthy is the stock right now, and this would be depicted by where the biomass sits relative to the level of maximum sustainable yield and the overfished threshold.

The end result is that the lowest P^* , which is the most risk-averse, and the greatest buffer between OFL and ABC, and this would be for stocks that are at a high risk of experiencing overfishing and at a low biomass level. The higher P^* s move you in the amount of your -- Higher P^* s move you higher in your ABC, and put you closer to the OFL, and so, as you move to lower risk levels, and higher biomass levels, you see the P^* moves closer to the OFL level, and remember that the OFL P^* level is 50 percent, and so it gets closer and closer to 50 percent with higher biomass and lower risk.

Sub-Alternative 2a, that you see there at the bottom of the screen, if this were selected, this would make the biomass thresholds more conservative. It shifts them from the mark between high and moderate biomass being BMSY, and it would make it 110 percent BMSY, and it just makes it a little bit more conservative, and so that's what is being considered in that sub-alternative.

When we use these stock risk ratings, they will be updated with each assessment, and they will not be automatically changed and go changing ABCs with the passing of this amendment. Everything that's being talked about here is looking toward the future, and they would be prospectively applied, and so that's something to keep in mind, as you consider approval of this amendment and, in the aftermath, look at what the ABCs would look like moving forward.

The way that these would go about changing, process-wise, is, before an operational assessment, there would be preliminary attributes provided to the SSC and AP, and the SSC and AP would recommend any changes from what has been done previously. Those preliminary scores are included in the draft amendment, and they're in one of the appendices, towards the end, and it may be G, but don't quote me on that, but they're in there, and you all saw them in the last meeting. That's kind of the baseline that the SSC and AP and you all would be working from and then seeing has anything changed since those initial scores were developed.

We have some additional sub-alternatives under Alternative 2, and these sub-alternatives can be thought of as add-ons. They are not necessary to Alternative 2 being functional and working, and you can select all, some, or none of these. They are geared towards having some options to consider for greater conservation or different operational aspects, in making this alternative work, and so I already mentioned 2a, and that tweaks the boundaries of the stock risk rating, or of the biomass. Excuse me. The biomass boundaries that are used to come up with P*.

Sub-Alternative 2b would allow the council additional flexibility, by allowing deviation from the default P* values that are shown in Table 3, and this could be done by up to 10 percent, provided that P* does not exceed 50 percent, and Sub-Alternative 2c would address something that's come up in a few recent assessments, and that is requesting a constant ABC.

This isn't against the rules, so to speak, right now, but addition of this sub-alternative to the control rule, as part of the amendment, would help make it a bit more standard practice for the council to make this request and receive catch projections on these constant catch type of values, as well as the current standard that's being used. The normal projections that are produced right now are based on a specified fishing mortality rate.

Alternative 3, under Action 1, is somewhat of a hybrid between Alternatives 1 and 2. It would retain some of the structure and terminology of the current control rule, but it has some modifications, the first one being that Tiers 3 and 4 that evaluate stock status in the PSA are removed and replaced by the council determining that initial P* level, instead of it automatically being set at 50 percent. The council determines it between 30 and 50 percent, and there is not specification on necessarily how the council goes about doing that, although the council could decide to use a method that's similar to what's talked about in Alternative 2, if you all choose.

Tiers 1 and 2 would continue to be used to adjust that P* value, before it's applied to the OFL distribution, to get ABC, and Tier 1 was adjusted from the current control rule, as the SSC recommended, and you all directed in March, and the bottom two categories of that tier were taken out, and the adjustment percentages were reallocated.

The unassessed levels would be handled differently, and so Levels 2 through 5 of the current control rule would be removed and replaced by the SSC's recommendation for setting ABC for

unassessed stocks, through that working group, similar to what is in Alternative 2. This alternative would also include a sub-alternative for specifying a constant ABC over the projection timeframe.

One note on a difference between Alternatives 2 and 3 is, under Alternative 3, similar to the current control rule, there is no mechanism for the SSC to adjust the uncertainty coming out of an assessment, and this was something that the SSC felt pretty strongly that they wanted some ability to be able to do, to have some say over what the uncertainty that they would be recommending forward would be, and so the SSC, right now, and under Alternative 3, would only be able to affect the ABC through the Tier 1 and 2 adjustments to P*, and so that would be the SSC's contribution in that aspect.

Finally, Sub-Alternative 3a is that similar add-on of the constant ABC level, and so I'm going to pause here, and I'm guessing that there are questions, and what we can do is we can go through questions, and I'll put up the next slide, which kind of gives a summary of what we just talked about, and, after there are questions, if there's any additional guidance for these alternatives, then we can take that.

If you would like to select preferred alternatives before public hearings, that can be done today. It's not required, as this document isn't scheduled to go final until December, but, given the technical nature of this amendment, preferred alternatives could help the public focus in and understand what's being considered more heavily at the council level, and so it may be a useful thing to provide that more-informed feedback, and so I will move to the next slide and just pass it back to you, Chair, for any questions.

DR. BELCHER: Great. Thanks, Mike. Are there conversations or discussions about what Mike has put in front of us relative to Action 1? Clay.

DR. PORCH: Thank you for this, Mike. Just a point of clarification. On Sub-Alternative 2b, where it talks about the council can adjust the probability of overfishing by 10 percent, is that 10 percent of the probability, and so, for instance, if the P* came at 40 percent, does that mean that it can go up to 44 percent, or is it adding ten points to it, and so, in other words, 40 percent plus 10 percent equal 50 percent, and do you follow what I mean?

DR. SCHMIDTKE: I think the intent of it was 10 percent, as in ten percentage points, and so that 40 could go as high as 50.

DR. BELCHER: Andy.

MR. STRELCHECK: Related to then Sub-Alternative 2c, I guess my question is why is it necessary to call this out? I feel like the council has this flexibility already to ask the SSC to specify an ABC for a constant value, and so is it just to call it out in the document itself and be very explicit about it, because, to me, the council already has that authority.

DR. SCHMIDTKE: As far as I understand, and this is one of those pieces of it that precedes me working on it, and so, if there's more-informed minds in the room, I would appreciate them, but, as far as I understand, it is kind of putting it more forthright that this is something that the council would want, and they would want both the F-based and the constant catch projections and to make it more of that standard practice written into the control rule.

DR. BELCHER: Tim.

MR. GRINER: So, on that constant catch over a five-year period, is this still going back to -- Still that constant catch would have to be at or lower than the lowest ABC during that five-year period, or are we doing something else here?

DR. SCHMIDTKE: It's to do something else. It's so that, if the council wants a constant catch, that that can be projected from the outset, because, theoretically, if you're doing a constant catch level over that five-year timeframe, then it's probably going to sit somewhere in between. In a descending catch scenario, it's going to sit somewhere between your extremes of your five-year catch from your fishing mortality rate. Now, where it leans, one way or the other, you know, that's based on the data specific to that assessment, but, this way, you wouldn't have to be locked into that lowest step for that entire timeframe.

MR. GRINER: Thank you.

DR. BELCHER: Clay.

DR. PORCH: If I could just add to that, we've actually done some work looking at what those values would be, and, in general, if the stock is rebuilding, then that five-year average would be slightly less than the average of the individual five years in the projections. If it's going the other way, it can be about the same, and so it's not going to be a radical departure from the average of what those ABCs would have been.

DR. BELCHER: Kerry.

MS. MARHEFKA: I just want to make sure that I'm following along. It would mean that we're not tied into that year-one always being the lowest number, and then all five years have to be that way, if I'm understanding that correctly, right? Which is where we've been right now, because we don't have this written in here, and am I correct?

DR. SCHMIDTKE: It's not necessarily because it's not written in. It's because of the timing of things, because, the way we are with say yellowtail snapper, because that was one of the species where this came up, and the projections came out, and they are F-based projections, and there was a desire to have a constant catch, and so the only way to have a constant catch the same in all five years, over that five-year timeframe, was to take that lowest value, because that was the lowest -- That was the value that the SSC had recommended. That was the lowest value that they had recommended, and it couldn't exceed their recommendation in any given year.

What could have been done, alternatively, which would have taken more time, and that was an issue with yellowtail, because we started running into that time aspect of how many years are we removed from the terminal year of the assessment, but what could have been done, with more time, is that it could have been requested of the Science Center to run a projection with a constant catch in place, and that could have gone back to the SSC, and the SSC could have reconsidered their recommendations, and so it's not necessarily that it's against the rules now, but it's that it would have taken more time than what was feasible to get the ABCs in place for yellowtail.

DR. BELCHER: Okay. Andy.

MR. STRELCHECK: I guess two comments. One is I'm not a big fan of making things more restrictive, when it comes to how we operate, and so, if that's the council's intent, it seems like that should be kind of the ask of the Science Center when they're running the projections outright. The other comment is really to Kerry, which is the constant catch, and the main caveat though is we have to prevent overfishing, right, and so we can't allow overfishing in that year-one, right, and then, as it goes on in time, result in underfishing, quote, unquote.

DR. BELCHER: Okay. Are there additional comments or clarifications? Okay, and so, moving forward, does the council feel, at this point in time, that we could offer a preferred alternative to Mike? I see that Tim is shaking his head no, and so there's one person in the group. Does anybody else feel -- Do we have any confidence to say a preferred at this point? Okay. Chester.

MR. BREWER: We've had discussions, from time to time, about averages, and managing to say an average over three years, as a way to -- I'm not sure that -- Let me get my thoughts together. Just one second. We've talked about managing to an average, like say over a three-year period, to see whether we go over at the end of the three years, whether we've gone over the ABC for that overall period, and it was thought that to be a way of perhaps getting some more flexibility into our management. Does Sub-Alternative 3a play into that, or is that just going to be a completely different issue?

DR. SCHMIDTKE: Sub-Alternative 3a and Sub-Alternative 2c, those two are the same thing, and they're doing the same thing for two different proposed structures, but they're having the same effect, but I think the three-year average that you're referring to -- You're talking about evaluating, over a three-year timeframe, what the average catch was after three years, and did the average catch exceed or not exceed the ACL. That's a question that I would probably have to pass to the NMFS folks, because, as I understand, from the Magnuson standpoint, catch needs to be evaluated on an annual basis, and is that the case? The action isn't addressing that, but I'm wondering if that's what the rules are from Magnuson.

DR. BELCHER: Clay.

DR. PORCH: I mean, there are provisions in the NS 1 Guidelines that would allow you to work on three-year time scales before you have to reevaluate things, and I don't think there's an ability to go five years, at the current time, but perhaps counsel will correct me.

DR. BELCHER: Shep.

MR. GRIMES: It's all right, and we just went through with Dolphin Wahoo 10, and talking about dolphin accountability measures, and three years, a geometric mean, an arithmetic mean, are what are our options.

DR. BELCHER: Okay. I'm going to ask, at this point, again, do folks feel strongly about tabling, right now, the idea of picking a preferred, and then what information, if at all, do you have that you all would like to see that would help us determine preferreds in the future? Any guidance for Mike on that? Trish, and then I've got Andy.

MS. MURPHEY: I am just thinking out loud, because, to be honest, my brain is not grasping all of this, but I was wondering if Alternative 2, with Sub-Alternative 2c, if that's something to consider, and the reason I'm offering that is because I think having some flexibility is good, and I'm not sure if we want to have too much flexibility, and that's kind of why I'm wondering about not having 2a and 2b, but, anyway, maybe some discussion on that, because, again, I'm still kind of grappling with all of this together. I guess, with Alternative 3, what I'm concerned about is dropping Tier 3 and 4, and I'm not sure that's a good idea, and so, anyway, I just offer maybe Alternative 2, with Sub-Alternative 2c, and so just for discussion.

DR. BELCHER: Mike and then Andy.

DR. SCHMIDTKE: Just, on the lines of Alternative 3, removing Tiers 3 and 4, Tiers 3 and 4, those were used -- I guess those are being replaced by the council setting that initial P*, and so those are -- Tiers 3 and 4, they would have 10 percent adjustments each, and that's where they are right now, and, instead of there being an adjustment due to Tier 3, and I should remember what they are, and I know Tier 4 is the PSA, and Tier 3 is stock status, and so, instead of there being an adjustment to the P* based on stock status and the PSA, in Alternative 3, that is moved to the council setting the initial level instead, that 20 percent that would have been adjusted within those is moved to the council, for you all to set an adjustment, as you see fit.

In terms of Alternative 2, the information that's used in the PSA, and in the stock status, that is what is going into that stock risk rating, because the PSA has to do with the vulnerability of the stock, and a lot of the attributes that were used to develop the stock risk rating came from the PSA. There were additional tweaks to incorporate economic information, social information, and environmental information, and there was some structural change, but that's the information going in.

Similar to the PSA, it's going into the stock risk rating, and, when you see that table, the one that looks like this, and so you have the stock risk rating is comparable to the PSA, and then the stock status, which is Tier 3, and that's where we get this relative biomass level from, this high, moderate, or low biomass level. It's coming out of a stock assessment and so, even if changing in structure in form, there is still similar information that's being used in these two different alternatives.

DR. BELCHER: Okay. Andy.

MR. STRELCHECK: I know we've had a number of council meetings discussing the ABC Control Rule, and it sounds like there still might be some confusion, and I'm ready to make a motion, but I want to make sure that the council is ready for a motion, and so I guess I'll just talk through this, first.

My recommendation would be to select Preferred Alternative 2 as the preferred. I don't feel strongly about Sub-Alternative 2, but I don't necessarily think it's needed. I think this is an improvement over the current ABC Control Rule. It balances risk tolerance, obviously, with the stock risk rating, and I also think the SSC has kind of recommended this as a preferred improvement, relative to, obviously, what we're currently using, and so, for those reasons, I would recommend it as a preferred. I'm not making that as a motion, because I want to make sure we're

comfortable with moving forward, and, if people need more explanation of what we're voting on, then I'm happy to kind of discuss that further and what staff can bring back to the council.

DR. BELCHER: Thanks, Andy. Comments from the group on that, as a way to proceed forward? Are we supportive of -- Andy, back to you, if you would like to make that motion and see.

MR. STRELCHECK: I didn't make a motion, but I will. **I will make a motion to select Alternative 2, Action 1, Alternative 2, as the preferred alternative.**

MR. BREWER: Second.

DR. BELCHER: Chester seconded. Is there further discussion? I guess we move on from there. Thank you. Mike. I guess I have to ask for objection, right? Sorry. This is me still getting used to this. Too many years of consensus. Everybody is good? All right. Then we move on. **Is anybody opposed to moving forward with the motion, as currently put forward by Andy to select Alternative 2 under Action 1? I don't see any objection, and so it passes.**

DR. SCHMIDTKE: All right, and so, next, we'll go into the second action of this amendment, which is looking at phase-ins, and Action 2 is divided up into two sub-actions. The first one is evaluating phase-in criteria, and the second is looking at a phase-in timeline. When we talk about phase-ins, as a reminder, this is the gradual adjusting to a new ABC over multiple years, as opposed to changing immediately. Once you get a new ABC, it's put into an amendment, and the ABC immediately changes to the new level in the first year.

Under these alternatives, there can be -- I guess, outside of Alternative 1, there can be multiple alternatives preferred, if the council wanted to set up some type of multilayered structure to evaluating whether a stock is eligible for a phase-in, and so just keep that in mind as you consider these.

Under Alternative 1, there would be the current scenario of no phase-ins are allowed, phase-ins, under the guidance from NMFS, need to be included in a fishery management plan, in order to be used, and so that's why this is getting brought up with the ABC Control Rule Amendment. Under Alternative 2, a phase-in of increases would be allowed under any scenario, and phasing-in increases doesn't violate Magnuson in any way, and it's just kind of a gradual moving-up of the ABC, as opposed to a big jump in an increase in the ABC, but that's something that is just being noted here, so that the council, if you all wanted to do that, have a slower increase, then you could do that.

Phase-in of decreases is where there is a limitation by the ABC and OFL that needs to be considered, and so, under Alternative 2, this is looking at kind of the difference between an old ABC and a new ABC, and so you wouldn't want to -- This is considering whether you would want to have -- Whether you would want to allow phase-in for smaller differences between those levels, or reserve that only for larger differences, and so this would look at phase-in of decreases would only be allowed if the new ABC is less than 60 percent, 70 percent, or 80 percent of the existing level, and that would be one level of restriction, and then Alternative 3 would look at where the stock is in terms of its biomass, and phase-in of increases would be allowed, again, for any biomass level, whereas the phase-in of decreases would only be allowed if the stock biomass exceeds the levels that are specified there.

Under Sub-Alternative 3a, it would be the MSST, the minimum stock size threshold, and that means that it's not overfished, and so that's all that means. 3a, if a stock is not overfished, then it is eligible to phase-in a decrease to its ABC. Sub-Alternative 3b is more conservative, and it sets a line that the biomass needs to be above the midpoint between BMSY and the MSST, and so, if it's above that level, then it's eligible to phase-in a decrease to the ABC. Here's another grouper, just to throw you off for a second.

DR. BELCHER: Okay. Chester.

MR. BREWER: Let me make sure that I understand something, because this is -- Again, it's a lot of -- I feel a lot like Trish, and this is a lot of information. On Alternative 3, if we went with Sub-Alternative 3a, if there was overfishing occurring, but the stock itself was not overfished, you would be allowed to phase-in the decreases in the ABC?

DR. SCHMIDTKE: As it's written, yes. That Alternative 3 only speaks to the biomass level, and it does not speak to the rate of fishing, which would be the overfishing, or not overfishing, determination.

MR. BREWER: Right, and so it's just strictly -- Okay. Thank you.

DR. BELCHER: Kerry.

MS. MARHEFKA: I am still trying to understand it, too. For instance, in Alternative 2, if overfishing is occurring, we're legally allowed to phase-in a new ABC? I thought that we had to end overfishing immediately, and so that's where I'm just lost, and I'm sure it's in my head, but someone walk me through it.

DR. SCHMIDTKE: You would still be subject to the other rules of Magnuson, and so, if you have to end overfishing immediately, then, yes, then that would be something that would come into play and restrict that, and we can adjust the writing to write that more obviously, because we're certainly not trying to override anything, and we're trying to operate within the construct, but it would just be assuming that there was nothing else that prevents you from doing that, some overarching thing of Magnuson that prevents you from doing it, and then that would be the evaluating factor of the change in the ABC.

MS. MARHEFKA: Can you give me an example of a time that we have reduced the ABC, but overfishing was not occurring?

DR. BELCHER: Chip.

DR. COLLIER: We would have to go back a few years, because most of our assessments now are dealing with the change in MRIP numbers, which has caused an increase in the ABC, and so we'll have to dive back into some of them, and so probably 2015 or 2016, somewhere around there, but we can find some examples.

DR. BELCHER: Kerry.

MS. MARHEFKA: Bear with me. I'm sorry, but I just want to make sure that I understand this. In Alternative 2, or I guess and 3, there is some scenario in which the council, outside of a statutory mandate, has decided -- Not decided, but I guess has been given a lower ABC by the SSC, and, because there's no statutory mandate, we are able to phase it in, rather than just put a new one in, but it goes down, but maybe doesn't quite go down to the overfishing level, and is that -- I'm just trying to think of a real-life example, even if you make one up. Make one up and explain it to me.

DR. SCHMIDTKE: All right. I have a made-up example, and I can jump to the made-up example right now, and then we can come back to Sub-Action 2.1. Sub-Action 2.2 is just talking about these three different timeframes of phasing something in, okay? For the example, just putting numbers to things, these first two columns, OFL and ABC, you've seen these type of things before, and these are -- This is something that would be recommended from the SSC.

Now, you can think of the ABC. For many of our stocks, ABC is set, or ACL is set equal to ABC, and so, typically, the ABC is that total ACL fishing level, and so you can kind of think of that, for the case of this example. If you're phasing in over three years -- Actually, I will just walk through year-by-year.

In the first year of new management for this stock, and it's dropping from an ABC of 50,000 pounds, and it's dropping to the levels you see here on the screen, in the recommended ABC column, and that's what came from the SSC. In the first year of new management, the only requirement for the phased-in temporary ABC is that it does not exceed the OFL, and so the advantage here is that, in this year-one, instead of dropping from 50,000 to 25,000, there's a little bit more, at 28,000.

Then, moving to 2024, this is a fishing mortality rate projection, and it's a net-based projection that has an increasing landings stream, as you go through the time, and so you have this increase in ABC over time, and what you end up with is that you're going -- In any of these scenarios, there's going to be a drop in the landings, but it's just when is that drop happening and how long is it occurring, and so, if you're looking at a three-year timeframe, you initially go to 28,000, so that you're at your OFL, or below, and then there's another point between ABC and OFL, that midpoint that you're set, and so 30,500 goes in between 32,000 and 29,000, under this three-year scenario. Then, the next year, the requirement is that your temporary ABC needs to be less than the originally-recommended value, which is this 31,500.

Now, these yellow values that you see here, these are all based on revised projections. What would need to happen is that the Science Center and SSC -- There would need to be projections come up, and the SSC would have to recommend them again, that incorporate the fact that a phase-in was used in those years, instead of taking that initial drop in the landings all the way to the recommended ABC level, and so you end up here. As you get further and further out in the timeframe --

The later you wait to take that drop, or the more gradual the phase-in is -- When you get out to 2026, you have a larger difference between what you would have had in the ABC from the originally-recommended value, and you have a larger difference, because you used a larger phase-in timeframe, as opposed to say the one-year timeframe, where you only have this one year of transition in between. You're a bit closer, and you're not all the way to the recommended ABC, but you're closer. That's the give-and-take of a phase-in, is that you don't necessarily need to go

all the way down to the new level, but, the longer you take to get there, the lower your long-term ABC could become.

DR. BELCHER: Tim.

MR. GRINER: Wow. So I guess part of my confusion here now is so, if you're under a rebuilding timeframe, and it came out of the assessment, and came out of the SSC, and you've got this timeframe, and we've got these ABCs for these different years that have come out, and if you -- Without knowing which one of these the council was going to do, how would you ever know what your rebuilding timeframe is? Would you not have to go back and redo your whole timeframe? It seems like the rebuilding timeframe has got to be based on something. If you don't know what your -- If you haven't decided what your ABC is going to be in those future years, how do you know?

DR. SCHMIDTKE: I will show it here, and this Alternative 3 addresses that. Phase-ins would not be allowed to apply if a rebuilding timeframe is in place, if you all selected 3a or 3b. If either of those options were selected, then you wouldn't be able to phase-in, for a stock that is overfished, and it's recommended -- That was put in because the NMFS guidance recommended against phasing-in for any stock that is overfished.

DR. BELCHER: Okay. Further comments or questions at this point? Is it clearer than it was, I guess, earlier? Okay. So back to the group again, and what's your comfort level with potentially selecting a preferred, or discussions about a preferred?

DR. SCHMIDTKE: Since we're at this point, I can -- The second portion of this, the timeline, is a little bit simpler to talk about. Sub-Action 2.2 is the phase-in timeframe. It sets the maximum time that you can phase-in over, and so, under Alternative 2, you could do any of these options, any of these, the three-year, the two-year, the one-year. Under Alternative 3, you could only do the two or the one. Under Alternative 4, you could only do one year, if you're going to phase-in. That's all that action is going for. It sets the maximum length that you can phase-in over, and I can pass it back for any additional discussion related to this.

DR. BELCHER: Comments or questions from the group? Tom.

MR. ROLLER: Pardon me for this, and I'm trying to figure out how to word this, but, when we're looking at phase-ins, and you do the temporary ABC equals the overfishing limit, isn't that kind of risky, particularly in a situation like this, where we're trying to rebuild a stock, under this hypothetical situation? I just wanted to see if there's been any discussion on that.

DR. SCHMIDTKE: I guess, in terminology, you wouldn't be -- You wouldn't necessarily be rebuilding a stock, because, if you had to rebuild a stock that was overfished, you wouldn't be able to phase-in, if Alternative 3 is selected, but, yes, I mean, there is more risk that is the case in fishing at the OFL than there is in fishing at the ABC, at the recommended ABC, level.

DR. BELCHER: Other questions or comments or discussion? Andy.

MR. STRELCHECK: Well, I'm sorry if I'm going back on some territory here of discussion, but I'm still struggling with how this would work with the SSC, and so, building this into control rule,

we say that we would allow for phase-in, and it doesn't preclude the SSC from still specifying an ABC that is lower than a phase-in approach, correct?

DR. SCHMIDTKE: The SSC would still go through its regular approach of recommending an ABC. This is in the council's implementation of that ABC, and so this would be the SSC has recommended already, to the council, the values that you see here, and then the council is implementing that in a phased-in manner, as opposed to going straight to the lowest -- Straight to the initial value.

MR. STRELCHECK: All right. Well, that helps, and I think that addresses my confusion, because the council would not be able to do that, because they would be exceeding the catch level recommendation of the SSC, at that point, and so there has to be some agreement between the SSC and the council that this is going to be authorized, and this is the approach that would be taken, so that that higher ABC would be set that the council wouldn't exceed.

DR. SCHMIDTKE: I am going to pass this to John.

MR. CARMICHAEL: That's exactly the whole gist of this, and it's been the discussions of dealing with phase-in and carryover and such, and it's about establishing a process with enough safeguards that the SSC consents to this being a more expedited approach to get this temporary ABC that they would acknowledge within certain safeguards and situations, and the council could end up setting a temporary ABC, as shown here, that's a little bit higher, because the discussions, when this started, was about how long it takes to do these things and have meetings and council talk, and then SSC talk, and then get a recommendation. If there wasn't a more expedited approach, then it could really never happen. That's sort of why all of this is having to be written into the control rule, even though there's guidance that says you have the flexibility to do these things, but it also does say that you kind of need to work out all these details in your control rule.

DR. BELCHER: Andy.

MR. STRELCHECK: So, John, while you have the mic, I guess, would you envision -- Most likely, the process would work where we would get an SSC recommendation for an ABC, and, in this example, 25,000 pounds, and then the council would consider that and make a recommendation back to the SSC, to say we want to phase-in for this fishery, and this is our approach, based on revised projections, and ask for their blessing of that, essentially?

MR. CARMICHAEL: I think what we would do, and I don't know if this is still in there, but I recall it being suggested, and so this gets to the idea -- So you're at 50,000, and the SSC has given you a cut of 50 percent in the first year, and then you're going to go up a little bit each year after that, and so the idea is saying, to ease that pain slightly, yes, the SSC would agree to this, and so what I think would happen is the SSC would give us this ABC of 25,000, and, at the same time, if this is part of the control rule, then the idea that phase-in could occur would need to be considered by the SSC.

I think, ideally, when the SSC gives that ABC, they should give a comment as to whether or not they think allowing phase-in for this stock, and this stock situation, is excessively risky. I think we could perhaps make that part of our guidance to the SSC, to kind of get ahead of it a bit by a meeting, to say that, you know, SSC, if the council were to consider phase-in, given that this is a

circumstance where it could be considered under the ABC Control Rule, what are your thoughts on that, and what is the risk associated with that, and that would give them a chance to give the council information on that that the council would then weigh in deciding whether or not, gee, do we really want to do phase-in in this case, because I think that's another important thing to remember.

Just because you have the flexibility to do phase-in, it doesn't mean that you have to do phase-in. This is simply an option to you to address the other National Standards, the social and economic consequences and all that stuff, and so I think we would try to frontload it, if we can, and get the SSC to comment on, you know, the risk, which is really their purview.

DR. BELCHER: I've got Shep and then Trish.

MR. GRIMES: Thank you, Chair. John and I have talked about this before, and, procedurally, how is this going to work, and I had envisioned it being just that way, and so, each time the SSC has looked -- Well, let me back up. First, the council decides do we want to allow phase-in and carryover in our control rule, and that's what we're doing now, and we're going to do that after that is approved and it's implemented in the FMP, and then the SSC is working on the next ABC recommendation, and they get the stock assessment out, and, when that information goes to them for the ABC recommendation, they know that phase-in and carryover are options that are in the existing control rule.

I presumed that they would go through then, in setting the ABC, and say, okay, is this stock -- Is phase-in an issue, and, all right, well, we're increasing ABC, and phase-in is -- We don't expect it to be an issue, but here are the parameters, if we did want to address it. Is carryover an option for this stock? If they are, here are the carryover provisions, as they exist in our ABC Control Rule, and here is how carryover would occur. I don't know if they would get to -- We'll figure out the bumps of this once we go through the process, but would they then want, for every stock, to specify, okay, and so, if we were going to phase-in, here's the table that shows what the phase-in ABCs would have to be. If we're going to have carryover, here is how carryover would have to occur within the construct, and I don't know that you need to populate those tables every time, but, you know, I think we could easily get to that point.

DR. BELCHER: Okay. Clay, to that point?

DR. PORCH: Yes, and just, to be clear, what I understand is the SSC would come in with an ABC, and then there would be, after that, some proposal to gradually decrease to that ABC, and so what that means is that you would actually -- On average, you would be increasing the ABC over the SSC recommendation, right, because you're phasing it in, and so it's always above, and gradually equal, and so that's where I think you will get some pushback from the ABC, because they computed the ABC based on discounting the OFL, according to scientific uncertainty, and then, after that, it goes up.

The way you might want to structure something like this is to ask the SSC, to begin with, to give an ABC that phases in, and then they can figure out what that would look like, instead of this kind of iterative process, because that's what I imagine is going to happen. They come in with an ABC, and you say, well, okay, we want to phase it in, and then the SSC says, well, then we've got to

drop that base value of ABC, and so it has the exact same effect, but you could rephrase this to ask them to come in with something that more gradually decreases the ABC.

DR. BELCHER: John.

MR. CARMICHAEL: I think you possibly could, but I wonder how that would work, given with how they start this whole thing off, with Action 1 and applying the ABC, and that could make that part more complex. At least in this, you have them basically working through Action 1 and coming up with that first column of recommended ABCs and then considering this, and, as you see from that, depending on how long you allow the phase-in, your subsequent revised ABCs are, in most cases, below what the original was, and so it's just in that three-year phase-in, where year-one and year-two are -- Well, year-one actually is the only one -- 2024 is really the only one where your new ABC is actually higher than what the SSC initially recommended in 2023 and 2024.

You're going to catch up to that pretty quick, and so I think Clay is right that you could do that sort of in that way, but I don't know what that would -- How that would play out, in terms of them initially applying the ABC. At least, in this case, they apply it, and they see, and they get a sense of the amount of change, and then they can look at all these other criteria about phasing-in.

DR. BELCHER: Okay. I have Trish.

MS. MURPHEY: After all this discussion, this is probably not important, but I'm just looking at this, and then what you guys said earlier, and Alternative 2 gives you that three-year max, and it seems like there is flexibility right there, and so, with input from the SSC and everything, would that be the one to go with, just because you will be able to have that back-and-forth with the SSC? I am just sort of, again, thinking, on the one hand, being able to phase-in over one year, and there may be another species that should be phased-in over a longer time period, and does that just give the council the flexibility to work with the SSC on what is the best thing to do?

MR. CARMICHAEL: If you go with 3, then you can always choose to do it in one. If you go with 1, you can't come back later and decided to do it in three, and so, like I said, it's always an option, and it's something you may just look at and say, you know what, this isn't worth it, and the fishermen may look at it, as that table shows, that you're ultimately giving up some fish over that time period, and they may decide that, well, over the long run, it's not worth those few extra pounds in that first year to give up some amount of fish over the entire period, until year-five.

MS. MURPHEY: Yes, and that's I guess what -- You said that better than I did, and so just being able to talk it out, and you've got a longer time, and, like you said, if you start seeing that this isn't working, we can, you know, adjust.

DR. BELCHER: Chris.

MR. CONKLIN: I mean, it's a great idea, and I believe that the change in Magnuson, more than a few years ago now, gave us the latitude to create a tool like this, and we've done our best to try, but it seems like -- I know that science and management are supposed to kind of stay away from each other, but, if they have this fear, in the back of their mind, that we're going to yank this out and roll it, it seems like we might end up getting lower ABC, just right out of the gate, every time, and just -- I mean, I hate to say that, but that's kind of the writing that I'm seeing on the wall.

I wish it wasn't like that, but, if they know we have the latitude to do something like this, I just fear them being even more cautious and conservative, and that's sort of not what we're trying to get at with this, and it's sort of a double-edged sword. I mean, in my gut, I would like to -- In my gut, I think that. In my mind, I would like not to, but I've seen how this goes, and so have you all.

DR. BELCHER: Mike.

DR. SCHMIDTKE: So not advocating for anything here, but that is something -- There is a safeguard, so to speak, for that within the control rule, that type of like the SSC transitioning to more conservative recommendations. In that Alternative 2, the way that P* is set, because P* is how you get from OFL to ABC, and, in doing that, you all are the ones who are setting the risk rating, and you're giving that final sign-off on this stock is high, medium, or low risk. The biomass is coming from the assessment, and that's overtly seen in the assessment, and so that's not as much of an SSC determination.

They determine how much uncertainty is associated with that estimate, but you would still see the relative biomass, and so there's contributions to both, and they may feel like some data are more uncertain, but there's also some level of trust that needs to be given and, you know, a fair evaluation of the information.

DR. BELCHER: Okay. Other -- Spud.

MR. WOODWARD: Thanks, Madam Chair, and so I want to flip it around and talk about phasing-in increases, and so, Mike, if you can bring up that same shadow shark example, where it went from 25,000 to 35,000, and so, if you flip that over, and you said, okay, we're looking at a situation where projections are decreasing over time, there may be some merit in a phase-in, where you take less in your first year than you could, and then you reach sort of a midpoint, through the time series, and then you end up with less than you can have at the end, and so it's almost like a variation of constant catch, sort of moderating the effects of it, and so is that sort of the logic of when you might want to do a phase-in of an increase? Our tendency is to go, well, we can get all of it in the first year, but then you watch these decreasing projections, and so is that sort of a -- Is that a correct interpretation of the logic behind that?

DR. SCHMIDTKE: Yes, and that would be a correct interpretation. I would just add to it, that there is nothing legally restricting the council from doing that right now. There is no -- That's why, when we wrote all these options, there is no restriction on phase-in of increases, because there is that -- The boundary is there, and you would be increasing to a higher ABC, and, as long as your ABC are below, then you catch set any catch level or below.

DR. BELCHER: Spud.

MR. WOODWARD: But you would end up, in this example, in the last year, or latter year, having an ABC higher than what the SSC had recommended, and so we get back into the same thing we've been talking about, and when are you allowed to exceed the ABC, because, if you just flip this over, you would end up -- In your last year, you would have 28,000, whereas your ABC was 25,000, and so you've still got to have sort of an agreement to allow that to happen?

DR. BELCHER: Mike.

DR. SCHMIDTKE: Yes, you would need a projection that is supporting that, okay, we're not going to take as much of that increase in the first couple of years, and so then the Science Center would be able to rerun the projections, accounting for they're not fishing all the way to this level in the initial first and second year, or something like that, and so these later-year catch levels would be affected by the surplus, so to speak, in those early years, when you're not catching everything that you theoretically could.

DR. BELCHER: Shep, did you still have something? You're good? Okay. Circling back around, what is people's comfort, at this point, with talking about a preferred? Again, we don't have to, as Mike indicated, but just to see if folks have a thought. Tim.

MR. GRINER: Well, I don't know if Spud just got me more confused or not, but, first off, regardless of whether the ABC that you were given is decreasing over a timeframe or increasing over a timeframe, regardless of whether that specific stock is overfished or undergoing overfished or is in great shape, why would you -- What benefit would the fishery have to not set the ABC, or the ACL, equal to that ABC, unless --

Like you're saying you're going to re-look at it after that first year, and have the SSC redo ABC projections every single time, and, if that's the case, then you would still want to go with whatever the ABC is, and having that ability to say not take it all, and think that you're going to get something, some benefit, from that, from the SSC or from anything, is no different than doing an assessment on a stock that you only are catching 50 percent of its quota to-date. It's the exact same thing, and so you've already got that benefit, and so, if you've got a stock that you're only catching 30 percent of it, what difference would it really make at all?

DR. BELCHER: Mike.

DR. SCHMIDTKE: The potential benefit is in the catch levels that would be allowed for the later years, because what happens, in those projections, is that there is an inherent assumption that, if there is a catch level, and we're assuming that the catch level that's set is the projected level, but, if you set a catch at that level, that that level is getting caught, but, if it's the scenario that you're talking about, where there is underharvest occurring, and you're only catching 30 percent of that, that underharvest is not being captured in a projection that says the catch level is at 100 percent of the ACL.

The benefit is, if you know that you're going to catch 30 percent, and you set that lower limit at 30 percent, and you say this is where we're limiting the fishery, early on in this projection timeframe, then the projection knows, and then the model knows, that, okay, they're fishing at a lower level in year-one, and they're fishing at a lower level in year-two, and you're ramping it up as you go into the latter years, and so there are more fish available in the projection model, so that the limits can be increased later on, as opposed to, if you assume that 100 percent from the get-go, then you may be in a declining landings stream, and, by the time you get to the end of that five years, it's going to be at a lower ABC level than what it would be if you flipped it, if that makes sense.

MR. GRINER: It does, and maybe I'm just not looking at this right, or I can't wrap my arms around it, but, in the scenario you just said, you were given an ABC, for year-one, and we decided that we want to set the ACL at something less than that, because we know, for this stock, that, last year, we only caught 50 percent of it, and so we're going to set the ACL equal to what we caught last year, and then you're going to go, the next year, and you're going to have the SSC re-look at it and give us a new ABC, and so are they going to take that surplus and say that it was a decreasing landings stream, or that we caught all the fish that we said we wanted to catch, and now we can get more this next year, and does that make any sense? Do you understand what I'm trying to ask?

DR. SCHMIDTKE: I think I hear where the disconnect is, and so the SSC doesn't re-project every year. The SSC projects once they are done with an assessment, and they project out for five years, or they may project over longer, for a rebuilding timeframe, but they don't do it every year, and so we're talking about what they do at the end of an assessment, and when they set the ABC -- You know, when they recommend what the ABC will be for the next five years, and that's the place where you have that disconnect of, you know, if it's better to fish at a lower level early on, and then the model isn't capturing that, and the model won't capture that later, because they're not projecting every year, and they're only projecting in the beginning. Does that make a little bit more sense?

MR. GRINER: Yes, it does, but they're only projecting that one time for that five-year period, but, if we choose a decreasing ACL on our own, building in that buffer in the later years, then I guess what I'm not understanding is that that should, in effect, have some type of effect on your rebuilding timeframe, but, without re-looking at it, there is no effect on your rebuilding timeframe, and so, if there's no effect on your rebuilding timeframe, why would you just not set the ACL equal to the ABC, always?

DR. BELCHER: John.

MR. CARMICHAEL: I think the core question of why would you not take the full ABC you have really depends on the situation you're facing in a stock. Forget about the projections and all that, and take a stock that's not rebuilt, that's doing really good. It's biomass is above BMSY, and its yield, next year, is greater than equilibrium MSY. The reality, in those situations, and we've had it come up several times, is that, if you take that full ABC, that the projections show you can get, you're going to fish down that stock, over a number of years, and it's going to get back to the MSY level.

At that point, the council is going to have to have a lower landings level than it had back this year, you know, next year or what have you. What has happened in those cases, at times, is the council has said, well, you know, just as you're often skeptical of how pessimistic a projections can look, sometimes you're skeptical of how optimistic projections like that can look, and you also recognize the difficulty in reining-in a fishery that you've allowed to expand.

The council has done things like say, well, let's just set the harvest level at the equilibrium expected yield, and know that, in the first three, four, or maybe more years, we're going to be taking less than we really could, and so the idea there is to just bring some stability into the fishery, and find out if things are as optimistic as the projections look. You do another assessment, or an update or whatever, in three to five years, and then you go from there.

You get all these different scenarios going within an individual stock, but sometimes the council does find it best, for the fishery, to not always take that full ABC. Now, it's good to have that option though, and it's good to have that ABC that covers that situation, so that you can decide, as a council, do we really want to take all that now, or is it better for our fishery to be a bit more conservative in these first few years, so we're not taking -- You know, ratcheting our fishery down over the next five years, which is always so hard.

MR. GRINER: Thank you, John, and I do believe that, the more ability we have to be flexible, the better off we're always going to be.

DR. SCHMIDTKE: Kerry.

MS. MARHEFKA: Well, I would just like to point out that I think might be a discussion we'll be having later on with greater amberjack, because the AP actually came to us, and many members expressed that they thought -- That they weren't comfortable with the rosy assessment, and they thought that something else was going on, and so I think we're about to be dealing with it.

With that said, I personally, in order to move things along, if you guys want a preferred, and I'm interested -- I believe that Alternative 2, not specifying -- I wouldn't be comfortable, at this point, specifying any sub-alternatives, would be the most flexible, in my mind, along with Sub-Action Alternative 2, would be the way that I would lean, if we were to pick a preferred at the moment.

DR. SCHMIDTKE: So, just clarifying, Alternative 2 under Sub-Action 2.2?

MS. MARHEFKA: So 2.1, Sub-Action 2.1, the initial -- I am kind of grouping them, and so, just for the phase-in in general, the ability to have the phase-in of increases all the time, and then the phase-in of decreases -- I just don't -- I don't know about those three, the 60, 70, and 80 percent, and do you know what I'm saying? Like I don't know how to -- I don't feel comfortable pinpointing, but then, going to Sub-Action 2.2, Alternative 2, the three years. Do you follow?

DR. SCHMIDTKE: Yes.

DR. BELCHER: Mike, I'm going to wait for you to --

DR. SCHMIDTKE: I guess was that in the form of a motion, or just putting it out there, because I was just going to highlight, so folks can see.

MS. MARHEFKA: **Just for the sake of moving along, I will make that as a motion.**

DR. BELCHER: Do I have a second for that? Trish. Further discussion? **Anyone opposed?** Andy, sorry.

MR. STRELCHECK: I guess a couple of comments. Going back to something that John had mentioned about how this would kind of work with the SSC, and kind of them advising about how risky or not a phase-in approach would be, to me, it's still kind of left as very open-ended. I don't really understand exactly how that would work, how the SSC is going to react to that. Putting some bounds around the circumstances in which you use phase-in, both for decreases and increases, with the sub-alternatives, to me at least, it provides some guideposts, right, so that you

know you're going to be conservative or risky, and I hear what you're saying, Kerry, in terms of being flexible, but that, to me, might be a better approach, given kind of working with the SSC.

The other aspect of this that I'm struggling with is this whole idea of the control rule being set basically -- So you determine the ABC based on the control rule, but then we're going to come in and say, but we really want to phase-in, and so it's going to be somewhere above where the control rule told you that you were going to set the ABC, but below, or equivalent, to the overfishing limit, and so I'm wondering if there is ways that we could revise the document and word the phase-ins in such a way that, if we choose an alternative where it's phasing-in, that the ABC would be set somewhere between what the ABC Control Rule determines and the overfishing limit, right, and so it gives clear guidance that like the council would go back and communicate that to the SSC, to provide guidance back to us with regard to projected landings and new ABC levels.

I know that's not all directed at your motion, but it's, I think, important to obviously kind of think through this and how it's going to work with the SSC, and probably get the advice from the SSC as well.

DR. BELCHER: Okay, and I've got Kerry and then Shep.

MS. MARHEFKA: I mean, that's what I was going to say. I would like to go as sort of broad and take us much power, for the lack of a better word, that we can here. The SSC is going to see it in October, and so I would like to show them what we ideally want, and then they can come back to us and suggest whether it's procedurally how it goes on or if they're uncomfortable with sort of how far we've tried to stretch this, but, personally, I would like to stick with this, because I think it gives our body the most flexibility, and then we can hash out with them after they've had a chance to see it.

DR. BELCHER: Okay. Shep.

MR. GRIMES: Thank you, Chair. I just wanted to respond and touch on one thing that Andy said. I don't disagree with any of what he said, but I would change one characterization. Once this has been accepted, and it's in the control rule, it's part of the control rule, and so it isn't like the control rule is giving you an ABC and you're going above it.

The control rule is giving you an ABC, and it's giving you a phase-in option, if you pick that, and it will give you a carryover option, if you have that, and the ABC that you get from your SSC will allow for that, right, and so you would have an ABC in the absence of any phase-in and then an ABC should phase-in occur. You would have an ABC in the absence of carryover, and you would have an ABC should carryover occur, and they're going to be different, because they will need to change to accommodate phase-in or carryover, should that be triggered.

DR. BELCHER: Clay.

DR. PORCH: I would say, if that's the case, I think the language needs to be changed, because it says things like "60 percent of existing ABC", which implies the ABC is already set, but I think the way you could do it is prescribe the amount of annual change that you want to allow. I mean, that would be a way for the SSC to determine what ABC meets two criteria, buffers adequate for

scientific uncertainty over the timeframe that you're setting the ABC and meets the percentage change that you want to allow.

For me, if I were going to write this and put something before the SSC to review, I would say, you know, give me an ABC that allows the minimum change, or some percentage change, through time, or I guess I should say the maximum amount of change that I would be interested in seeing, and then they'll scale that vector up and down, so that it achieves -- It buffers adequately for scientific uncertainty.

DR. BELCHER: Thanks, Clay. I think the question that I have pretty much for the group is -- Because just the fact that we're not really having very -- I don't know what the right word is, but high-velocity discussion on this, and I do feel like some of this is really a lot to chew on, and so maybe, from the group, are we really ready for preferreds? Maybe the best thing to do, at this point, is to really just not pick a preferred. Mike, I don't know that factors in, and you said they weren't necessary today, but are you okay with us basically taking that -- I just don't feel that you're getting a lot of feedback on it. I don't really know how else to lead the group forward, other than to put people in headlocks and make them pick something.

DR. SCHMIDTKE: I mean, I'm fine with whatever you all decide. I mean, this motion hasn't been approved, and so, if you want to vote it down or withdraw it or something like that, then that's fine. I guess, from a development of the document standpoint, the question that you asked earlier, related to Action 1, of what would get you to a point where you could pick preferreds, and what information should be gathered for the next time that you talk about this, that could help inform your discussion, so that you could pick them and keep this moving.

DR. BELCHER: Personally, I think, for me, the hardest part is not being able to see the examples. I think that's one of those that -- Not knowing -- It's the chicken-and-the-egg argument of will the SSC see it, and then we make a decision, or do we make a decision and then the SSC sees it, and I think that has a lot of -- That before-and-after dance is kind of what makes it a little bit fuzzy, and that's what I'm struggling with, because I'm getting the logic, but, at the same time, I'm getting lost on some of it.

DR. SCHMIDTKE: I mean, the SSC has been involved with the creation of these options. They have seen everything that has gone into this amendment thus far, at various points over the last couple of years of their meetings, and so they have seen all of these things, and maybe it would be helpful, and I might have to look to superiors for this, but, when the SSC next gets together, if they have kind of a final look-over of this stuff, maybe in the summer meeting that they're going to have, and I don't know if there's time for it.

I don't know if October will be enough time for the council then to consider everything, but, I guess to get, I guess, another SSC say, or maybe have the SSC Chair come prepared to comment on the things that the SSC has already developed to this point, maybe in September, if that's something that could help, and we could see if that's a possibility.

DR. BELCHER: What's your thoughts on that, Kerry?

MS. MARHEFKA: Well, I think it would be most productive if we're not going to -- I think the question is what's going to change? Carolyn, you absolutely, because this is your realm -- Like,

given sort of like more discussion and stuff, I think, you know, I can see you progressing towards like honing-in on it. There's a lot of us that I think probably -- I don't know how much smarter we're going to get on this, and so how much it will change, but I think what would be productive, if there is a time for the SSC to see it, is not just have them --

I know they've looked at it every time, but maybe the specific questions, right, the specific thing, as far as like, if you know that the council has this phase-in option, is that going to change sort of how you think about advising on -- Where in the process are you going to change your thinking, or are you going to change your thinking, and then how would you expect the process to work in a way that would be effective for you, and those would be two specific questions that it seems that we're caught on here, and so if that would help inform everyone's decision. Otherwise, I'm not so sure how much more we're all really going to be like, oh, yeah, now we know the answer.

DR. BELCHER: I'm following along with you on that. I had Chris and then Tim.

MR. CONKLIN: I am prepared to vote on it. Just to give you a heads-up, I would vote in favor of to put this tool in the toolbox and keep it moving along, but, if you guys want to do that, that's fine.

DR. BELCHER: Okay. Tim.

MR. GRINER: I was just going to say that I agree with Kerry, and I think she kind of summed-up kind of where I am, too. I sort of get it, but some examples would really bring it all full circle for me, so that I can understand how this back-and-forth iteration would really and truly work in the real world, and so I don't think -- I'm not ready to pick a preferred. If you all want to do that, that's okay, but I really would like to see this come back with some type of examples that I can really kind of get my arms around. Thank you.

DR. BELCHER: I've got Mel.

MR. BELL: Well, I was originally going to say that I didn't really -- I wasn't necessarily needing a preferred right now, but, since the alternatives are the alternatives, I didn't know if just picking one at this point -- I mean, it can always be changed later, but I would agree that I don't know -- I don't feel comfortable enough with it, myself. I think, yes, examples and things would be helpful, and so I don't know if it's better to actually just pick this, and then it could be changed later, or just don't worry about it at this point, and I'm not sure which is a better place to be in right now to move it forward.

DR. BELCHER: Thanks, Mel. What's the pleasure of the group? I mean, for me, I would be hesitant to pick something if I'm not 100 percent understanding what it is, and so just to pick one for the sake of an argument, and it may not be the correct one, probably isn't the best way to go, and it might be worth it just to parking-lot it with no preferred for now, and then we can keep the conversation going, and, again, just to come back and recognize that we're going to need more information to be able to comment on this one.

DR. SCHMIDTKE: **Just to confirm, we're withdrawing the motion that's on the screen?**

MS. MARHEFKA: **Affirmative.**

DR. SCHMIDTKE: Okay. Carolyn, do you want me to keep going through the next action then?

DR. BELCHER: If folks are okay with it, can I go ahead and ask for us to have a ten-minute break, just for a step-out moment? Let's come back at 3:18, and we'll pick back up with this next part.

(Whereupon, a recess was taken.)

DR. BELCHER: Okay, folks. Let's go ahead and get started again, please. We're going to get started again. Mike, the floor is yours.

DR. SCHMIDTKE: All right, and so, before I jump back into the presentation and start talking through carryovers, I do want to make sure that I point out, in the decision document that's in your briefing book, just, as you consider how you're evaluating these alternatives against one another, there have been -- The analysis for these different alternatives is largely complete.

There is a summary of the effects, biological, economic, social, administrative, for each of these actions in your decision document, and so that's included there, and there are more full analyses that are included in Chapter 4 of the draft amendment that's in your briefing book, and so, as you go through your process considering these different alternatives against one another over the next couple of meetings, these are things that you can use. These are resources that you can use to help in your decision-making process, as this goes forward.

Coming back now to the PowerPoint, describing the action addressing carryover eligibility, this is another action that's divided up into two sub-actions, and the first sub-action looks at the criteria that are set for eligibility, and so, when a stock is being evaluated for whether carryover is an option, what are the boxes that it needs to check, in order for that to be something that could be considered, and there will still be a whole process that does have to be gone through, and we'll get to that in Action 4, as far as the SSC, when it recommends the ABC and OFL, it would be recommending it and acknowledging that carryover would or wouldn't be an option available for such a stock.

That's something that we can try to make more explicit, in terms of phase-ins, and we were thinking along those lines, but we can write it a bit more explicitly, that phase-ins would be met with a similar type of approach as what's being talked about as the carryover approach.

In looking at the eligibility criteria, Alternative 1, that would be the scenario where no carryover is allowed. Alternative 2, this is a place where you would be setting multiple checkmarks, potentially, of these are the things that need to be fulfilled in order for a stock to be eligible for carryover, when it's able to do so, and so Sub-Alternative 2a would be -- The requirement would be that biomass exceeds the BMSY and MSST midpoint.

Sub-Alternative 2b is the requirement would be that the sector carrying over has experienced a closure, due to landings being projected to exceed the ACL at least once in the previous three years. Sub-Alternative 2c would have the sum of the total landings over the previous three years being less than the sum of the total ACLs over that timeframe. Sub-Alternative 2d would require that ABC decreases are not being phased-in for that stock, and Sub-Alternative 2e would require that that stock has both in-season and post-season accountability measures in place.

Next, looking at the amount eligible for carryover, Alternative 1 is the scenario of no carryover. Alternative 2 is ABC and total ACL can be increased to accommodate the carryover, up to the OFL, or the amount of the total ACL plus the carryover, whichever is less. Alternative 3 is the same requirement, but it would add kind of another layer to it, and that would be this underlying portion, that the total ACL plus 25 percent of the sector's ACL that is trying to carry over, that the ABC can't be increased beyond that amount. Alternative 3 is kind of a bit more conservative version of Alternative 2, and it includes all of its benchmarks, plus one other point of evaluation for it.

One thing to note, under both of these Alternative 2 and 3 scenarios is, if both sectors are eligible, and are carrying over in the same year, and the OFL is the limiting amount, and so the carried over amount, plus the ACLs for each of those sectors would exceed the OFL, then you're limited by the OFL, and so the only amount that would be carried over is that difference between the OFL and the total ACL, and that would be allocated to the sectors using the allocation percentages in the FMP, and I will walk through a brief shadow shark example.

This is the same one that we went through in the last meeting, but I just wanted to reiterate some of the points that come along with it, and so, in shadow shark's case, it has a not overfished and not overfishing stock status, an OFL of 12,000 pounds, and the council has approved ABC to equal total ACL, at 10,000 pounds. The sector allocation is 50/50. Both sector ACLs are carryover eligible, as determined by the SSC when they made their recommendation of the ABC.

In the criteria for annual eligibility, this would be assuming that the council, in this amendment, has already selected Action 3, Sub-Action 3.1, Alternative 2, which just says that the stock is eligible if it's not overfished and not overfishing, and then, as far as the amount eligible for carryover, this would depict Action 3, Sub-Action 3.2, Alternative 2, that says that the temporary revised ABC and total ACL cannot exceed the OFL, and there is not that additional conservative measure of the 25 percent above amount.

This is the way that the numbers would kind of play out here, some of these example numbers, and I will walk through each of them, and so looking first at the year 2023, and you have your ABC. In this column, this is the ABC that is effective, that is in place that's being applied for the stock, taking into account any carryover that occurs, and so this is what is in play, but remember the set ABC, during this entire timeframe, is 10,000 pounds, and that is what has been recommended for this.

The ACL, which equals the -- Total ACL equals the ABC, and it's allocated 50/50 to the sectors, and so you have 5,000 commercial and 5,000 recreational. Now, in 2023, the commercial fishery underharvested by 1,000 pounds. The recreational fishery met their ACL, and so there is no carryover for the recreational fishery. The commercial is eligible to carry over 1,000 pounds from 2023, and, as you see, in 2024, the ACL is increased by 1,000 pounds.

Now, in 2024, the commercial fishery harvests 5,200. While it's less than 6,000, it's greater than the 5,000 that is set in the FMP, and so it's greater than the specified ACL for that sector, and so there is nothing for the commercial sector to carry over. It has met its ACL, and there is nothing there for it to carry over. On the recreational side, there was a harvest of 4,500 pounds, and that's less than its ACL, and so it's able to carry over 500 pounds to the next year, into 2025.

Next, looking at 2025, there is a commercial overage of 500 pounds, and so there's nothing for that sector to carry over. On the recreational side, there is an underage here, but the difference here, between the ACL that's in place of 5,500 and the landings is 1,000 pounds, but, relative to its original ACL, the difference is only 500 pounds, and so there is, again, only 500 pounds eligible for carryover from 2025 to 2026.

In 2026, there are underages for both sectors, as you see here, and the difference between these -- You would have 2,000 on the commercial side, and you would have 1,500 on the recreational side, and so that's -- Putting those together, that's 3,500, plus your 10,000 ABC, and that would exceed a 12,000 OFL, and so what happens here is your difference between your OFL of 12,000 and your ABC of 10,000, that gets allocated according to the allocation of the fishery, and it's 50/50, and so 1,000 pounds gets carried over in the commercial fishery, and 1,000 pounds gets carried over in the recreational fishery, and that is regardless of the difference here, and so, even though there was a 2,000-pound difference on the commercial, and relative to the ACL, a 1,500-pound difference for the recreational, it doesn't matter how much they underharvested, and, if both are carrying over, then the carryover is allocated to both sectors.

In 2027, we have a scenario where there is underharvest for the commercial fishery, and the underharvest is greater than the 2,000-pound difference between the OFL and ABC, but there is the limitation of the OFL, and so the only amount that's able to be carried over is the 2,000 pounds. There is no carryover in the recreational sector, and so the commercial is able to carry over all of those 2,000 pounds into the next year.

That's kind of a year-by-year walkthrough scenario of this hypothetical fishery that shows some of the intricacies and the different scenarios that can play out and where those would go, and so now we have a nice picture of the top of a remora, and then we have another place where we can pause and address any questions. There was one place where the IPT does need further council guidance, and it was brought up in March, and the IPT has kind of discussed it, and I will give you some of the information on that discussion.

It was brought up, at the last meeting, about a split season and sub-sector allocation fisheries, and split seasons are mostly -- I think they're all commercial, commercial fisheries, but we do have the case where some of the ACL is allocated to one portion of the year and some to another, and whether these should be eligible for carryover. The IPT discussed this, and we need some further council direction. What the IPT came up with is that --

(There is a gap in the audio recording.)

DR. BELCHER: Mel, can you hear us?

MR. BELL: I've got you now. Can you hear me?

DR. BELCHER: We've got you good.

MR. BELL: Good. I thought I was lost in a hole.

DR. SCHMIDTKE: All right, and so coming back to where I was going, where I was going with it was that the split seasons and sub-sector allocations, those types of fisheries, it is legally doable, but it's complicated. That's the bottom line for those fisheries, and what the IPT is looking to the council for is do we need to develop the how to make that happen and put that into the amendment, or is that something that you all would like to put in as those types of fisheries are not eligible for carryover? I guess, once the council has that discussion, then any additional guidance, or selection of preferreds, or anything like that for Action 3, that can be discussed as well.

DR. BELCHER: Chris.

MR. CONKLIN: I mean, it looks like more and more of our commercial fish are going towards these type of split season and gear -- Intersector gear allocation, and I don't see any other way that this would behoove the consumer side of the fishery, other than to figure out a way forward to include these increases or whatnot, carryovers, so we can reap the benefits.

DR. BELCHER: Thanks, Chris. Jessica.

MS. MCCAWLEY: I agree. I think that we need to allow carryover in these fisheries as well.

DR. BELCHER: Okay. Other comments? Mike.

DR. SCHMIDTKE: I guess just a question, and is there any guidance on the how to do those types of things? Is it basically treating an individual season as -- You know, in a similar way as we were treating a year, or treating a sub-sector as we're treating a sector, in the sense of how a carried-over amount gets allocated among seasons, or among sub-sector groups, and is there any guidance to that effect that we can incorporate?

DR. BELCHER: Chris.

MR. CONKLIN: I've been thinking about it, and it seems that the fairest way to do would be, at the end of the year, if there's carryover, you just do like we're doing now, and you roll it over, and you split it equally between the seasons, or proportionally to the gear type, and like, say with golden tilefish, if the hook-and-line sector didn't catch a certain amount of fish, then you could roll it over to the next year, and it goes on that year. If the hook-and-line, or the longline, didn't catch their portion of the quota, but the bandit did, then the longline would -- It would go to that gear type.

DR. SCHMIDTKE: I get where you're at for like the sub-sector gear component type of thing. For the seasons, should that be allocated in a 50/50 manner, or it should be allocated according to whatever the allocation is for the seasons, and like amberjack is 60/40?

MR. CONKLIN: I believe it should be allocated proportionally to the seasons, because the council had a lot of deliberations and thought out long and hard over the split and what was the right amount. Now, you could go another layer deeper, but I probably wouldn't, and so I think that's good guidance, for me at least.

DR. BELCHER: Other comments? Andy.

MR. STRELCHECK: I'm just trying to think about how we would do a carryover under a split season, because one of the challenges would be, like if we get a late-in-the-year closure, or they don't catch their catch limit in the prior year, there's still a delay, obviously, when we know how much has been reported and landed, and we wouldn't be able to like immediately apply that carryover to the following fishing year, and so I think there has to be some discussion, amongst the Fisheries Service and the IPT, in terms of how we would be able to implement that and if we could do kind of a mid-season increase, or change, to carry that over, or we would have to apply it to kind of the second season in the fishing year. We would want to talk with the Science Center and talk about the timing of that.

DR. BELCHER: Thanks, Andy. Other comments? Anything additional for you, Mike?

DR. SCHMIDTKE: No, and I think I have enough direction to kind of develop something along those lines. If you all are ready, any additional guidance or selection of preferreds or anything for Action 3?

DR. BELCHER: Does anybody feel strongly on any potential preferred? Shep.

MR. GRIMES: Thank you, Chair. I just wanted to mention one thing, that Alternative -- Sub-Alternative 2e was added to the document, based on guidance from -- It's technical guidance that came out, and, as you recall, when Mike was going over the timeline in the beginning of this, we had a sort of hiatus in working on this while the NMFS technical guidance was being developed and finalized, but there is a -- There is language in the guidance that talks about basically --

I don't want to say discourages, but it identifies the problems associated with carryover when you don't also have paybacks, and so that's why that sub-alternative is in there, and, regardless of whether the council ends up going with that as a preferred alternative or not, we need to have some discussion, because it is an issue specifically flagged in the guidance, because, in most instances, this council does not have any paybacks in its accountability measures, and so how would it be consistent to allow carryover while you didn't have payback?

I would just point out that, in the presentation that Mike gave you, you have an example of that, and you actually had two years where the commercial landings had gone over, and no carryover was available, but yet there was no payback, and so that has a potential to snowball and have negative consequences for the stock. Thank you.

DR. BELCHER: Dewey.

MR. HEMILRIGHT: To that point, don't you have -- Part of it is scientific uncertainty, and that's a percentage taken -- I will use blueline tilefish, and there is 98,000 pounds that is scientific uncertainty, and so, even though there's not paybacks, you're still not using up that 98,000 pounds, and so, if you have overages, you would use up a little bit of your uncertainty, but that's still not getting you to your OFL, unless this was certain fisheries, or certain sectors, that are fishing on different things, and so wouldn't that be helpful? I will leave it there.

DR. BELCHER: Shep.

MR. GRIMES: Thank you, Chair. On one hand, yes, that's correct. You have that scientific uncertainty buffer, but that scientific uncertainty buffer is there to address scientific uncertainty around setting the actual value, and so, if the value that you've been provided is too high, or it doesn't adequately take that into account, and you exceed it, that's, obviously, a problem for the stock.

DR. BELCHER: Chester.

MR. BREWER: I think I've expressed reservations about this before, and I just want to go on the record and say that I don't think we ought to have carryovers, period. As I've listened to the discussions here, it gets really, really complicated really, really quickly. Now Shep has just told us that we need to have some sort of discussion with regard to paybacks, if we're going to go down this road, and I think I mentioned before that we had carryovers on an international level, with regard to swordfish, and it -- The system was not well designed, and you ended up with some absolutely absurd results that would definitely, at least on a one-year period, would definitely have caused overfishing to occur, and I just -- I am really hesitant to go down this road, and so I want to just officially say that I don't support going forward with this thing.

DR. BELCHER: Okay. Other comments from folks to that point? Tim.

MR. GRINER: I can appreciate that, Chester, and I can certainly see the danger in that, especially from a recreational standpoint. The sector is not very accountable, as we know, and it's not their fault, and it's just the way it is, but Dewey made a really good point here. The commercial sector can only go over so much, and then we've got to pay it back, and so we already have a payback, and so the ability to carry over -- I think it could be a real game-changer, with certain species, under certain instances, and it's one more thing that gives some flexibility to this council, and it gives flexibility on the recreational level, too.

Maybe it's hard to see it today, until we can get some kind of better reporting, or accountability, of figuring out what we're catching, and who is catching it, so that we can absolutely know, but I think, all in all, our charge here is not to necessarily leave fish in the ocean that recreational anglers could have had encounters with, or kept, or people could be fed with. Thank you.

DR. BELCHER: Thanks, Tim. Dewey.

MR. HEMILRIGHT: Why couldn't you set a percentage of a carryover and do something like that? I don't know what the number is, 5 or 10 percent of whatever the amount is, or maybe even a little more, and I think the whole carryover should go forward, but I'm just curious about that.

MR. GRINER: That is an option, right? We have the option of doing a percentage or carrying over the full amount.

DR. SCHMIDTKE: If you set -- If you set your ABC with that, then yes, because, the way that this would get implemented, and that goes into -- Action 4 kind of explains that more in-depth, but, when you set ABC -- What would happen is, when you set ABC for a stock, you would either set it with or without carryover, and, if you set ABC with carryover, presumably, to this point, it would be whatever carryover is allowed would be carried over, while that ABC is in effect. In the years when the stock is eligible, from an annual standpoint that there is an underage, and in the

cases where it has been set with the ABC that this stock is eligible for carryover, and it meets all the rules set forward in the control rule, and it meets the criteria that are allowed under Magnuson, and, when it checks all those boxes, and it's in the FMP that this ABC is with carryover, that that would be the full amount.

Now, that doesn't -- That doesn't restrict a case where, you know, the council would want to say carryover at 50 percent of the maximum amount allowed under the control rule, or something like that, and I don't see why that would not be the -- Like not be allowed, because it would be kind of that inflexible process that we need in order to have the timing of the carryover happen, and so I guess I may need some GC advice on this, but I don't see why that would be an issue. Shep looks like he doesn't like that.

MR. GRIMES: I wasn't following the discussion, and so I'm not sure what the question is. Sorry.

DR. SCHMIDTKE: I guess they are talking about -- What we've talked about, up to this point, has been, in Action 4, when we define this process, and I'm going to skip ahead, but -- Actually, it's more well spelled out in the decision document, but, when we've talked about this process, we've talked about it's set up that, when ABC is specified for a stock, that the council says thumbs-up or thumbs-down on carryover, and, if the council says thumbs-up on carryover, then, in the years when that stock meets the criteria set forward in the control rule, then any amount that could be carried over will be carried over. What I think Tim and Dewey were asking is could the council, when they set ABC, say that 50 percent of an eligible carryover amount will be carried over, instead of the whole carryover amount.

MR. GRIMES: Well, if we said that in advance, and made that a condition of the control rule, then, yes, I would say we would carry it over, but it's just not on a case-by-case basis, that each year would look at it and say, okay, this year, how much of the carryover are we going to implement, right, and, I mean, if they make the decision, and it's in the control rule, then that's what the SSC reviews and looks at it when they're setting ABCs, then, yes, that's fine.

DR. BELCHER: Chris, go ahead.

MR. CONKLIN: So can you go back to your shadow shark example, Mike? Even if it's carried over, and did I read it right that we're still -- Each sector is constrained to their original ABC from year-one, or are we allowed to fish up to the effective ABC of the current year that the carryover is in place?

DR. SCHMIDTKE: Carryover is only evaluated based on the original ACL, and so, for example, 2024 for the commercial, and 5,200 is what was landed, and they had some carryover, and so they had a higher ACL that year. They're not evaluated on that 800-pound difference between 5,200 and 6,000. They are evaluated -- If they're going to carry over into 2025, they're evaluated on 5,200 versus their specified ACL, which is 5,000, and so, obviously, they're over their ACL, and they can't carry over that year, because they're over their original ACL. Does that answer your question?

DR. BELCHER: Shep.

MR. GRIMES: Sorry, Mike, and I hate to do this to you, but to turn it back to you, wasn't the question you just asked me -- It seemed like it's just kind of a variation on Alternative 3 that is in here already, for Sub-Action 3.2, placing limits on how much could be carried over.

DR. SCHMIDTKE: Kind of. Yes, it's kind of like that. The question was if -- Say this 2023 year, when commercial is trying to carry over 1,000 pounds. If, when they set the ABC -- If the council sets the ABC, and the council says the commercial sector is eligible for carryover at 50 percent of the amount that's available to it, and so that means, in all of these scenarios, when there is an available amount to be carried over, they wouldn't get -- Like, in 2023 to 2024, they couldn't get the full amount. They would carry over 500, instead of 1,000. Could the council make a rule like that, where they are not carrying over the full amount, and it just gets carried forward in every year where it applies? That was the question that I was asking.

MR. GRIMES: Thanks. I just wanted to make sure we were on the same page, and I would view that as just slightly different than what's being done there in Alternative 3. Thanks.

DR. BELCHER: Okay. Is there more conversation or discussion? Okay. Mike, help me along here. Moving forward, again, nobody has a preferred for this, correct, or wants to offer a preferred? I'm looking around the table, and I don't see anybody concurring to comment, and so, Mike, no preferred here.

DR. SCHMIDTKE: All right. Then, just keeping on in the carryover discussion, into the implementation action, which is Action 4, there are three sub-actions here, and they're all the same language. There is just one for each of the FMPs that is included in this amendment, one for Snapper Grouper, one for Dolphin Wahoo, and one for Golden Crab.

I kind of already described it, but, when specifying the ABC and ACL, the council would determine whether carryover will be authorized if the annual conditions cause the ACL to qualify for carryover. This means that carryover is written into the amendment that sets the ABC and ACL, and it would happen -- If it's written into that amendment, it would happen automatically in every year when the annual conditions that are set by the control rule in Action 3 -- When those are met, and so not overfished and not overfishing and whatever else you all select from Action 3. Every time it meets those, and it has an underage, that it would be able to carry over within the bounds that are described in Action 3.

The council is not required to approve carryover for every stock, and you don't have to do it in every stock. You can select it, but you select it -- The time when you select it is in that amendment process, when you are setting the ABC and the ACL. Once it's set in that amendment, with the ABC and the ACL, then it is in place, and then it happens with an automatic mechanism, and the reason for that is because, if the council had to come back and deliberate every time that there was a potential carryover, on a year-to-year basis, then the timing would not work to actually have the carryover in place in the following year, and so it's set at the beginning, and it goes away only if there's another amendment takes it away, a new ABC or something of that sort, or if the stock no longer meets the requirements that are set by the control rule.

That is really all there is in Action 4, and the alternatives there are to either modify the framework procedures to allow for carryovers in this way or to not modify them to allow carryovers in this way, and that's the case for each of those sub-actions.

DR. BELCHER: Comments or discussion or questions? Okay. Seeing none, again, I'm going to assume that there is no preferred, or do folks have a thought on this? I know, obviously, we don't have anything above that to tie into this, and so I would assume that we're not going to put a preferred forward, correct? Okay, and so no preferred here either, Mike.

DR. SCHMIDTKE: Then the final action for the council to consider was approval for public hearings and then any direction on the timing of public hearings. I guess I would pass it back to see if there is council approval for public hearings for this amendment at this time. As you're thinking about it and considering -- I know that there was discussion about the SSC looking at things again, and I can make sure that their comments are in the next round of when you look at this, and we would presumably be looking at this again in September.

I just didn't have time to move the comments from the previous decision documents into the draft amendment in time for the briefing book this time around, but the SSC has provided comments on each of these actions, and they've been in your previous briefing books, and so those are all available, at least online, in the record that's built online, as well as you can look in the meetings, pervious meetings, areas of the website, and look at those briefing books where we've had the control rule, and the SSC comments are within that, and so you all have heard them before.

I can compile them for the next meeting, so that they're all in one place, but their comments on these things are available to you as you go through your decision-making process, as well as the analyses that the IPT has put together in the draft amendment and summaries of that in the decision document.

DR. BELCHER: Okay. What does the group say, as far as approving it for public hearings? I saw a head shaking from a few folks around the table, up and down. I've got Tim over here going in one direction, and two on this side going in the other direction. Tim.

MR. GRINER: **I will go ahead and make a motion to approve it for public hearing, if I can get a second.**

DR. BELCHER: Okay. We had a motion from Tim, and a second by Kerry. Is there further discussion? I have Andy and then Trish.

MR. STRELCHECK: I will support the motion. I do think that we need to come back at Full Council, having digested the discussion today, and make some preferred alternative recommendations, if we're going to go out to public hearings.

DR. BELCHER: Thanks, Andy. Trish.

MS. MURPHEY: I'm good with it, too. I was just going to suggest what probably is obvious now, is to make sure the public gets to see examples of all these things, because it is, I think, difficult. I think, since it's been difficult for us, it will be difficult for the public to follow some of this, and so just a suggestion to have plenty of examples of some of these options.

DR. BELCHER: Okay. Other comments or discussion? Laurilee.

MS. THOMPSON: I just have a question, and so would it go to public hearing before we make any kind of recommendations for preferred alternatives, and we would just throw it out, the way it is, to the public, along with some examples?

DR. SCHMIDTKE: We would make a public hearing document, and we would make a document for this, trying to gear the discussion in a way that would solicit feedback, but, yes, it would go out -- Preferred alternatives are not necessary for public hearings. They can just be helpful in guiding the public in seeing like this is where the council is kind of thinking, and the public can direct their comments of either, yes, they like what the council is doing or, no, they don't like the direction the council is going, and it kind of helps direct those comments in a way that gives more of that yes or no, as opposed to look at all of these options and pick from them.

DR. BELCHER: Okay. Shep.

MR. GRIMES: Thank you, Chair. I would like to just offer, on this, that I think it's very complicated, and I think you can see the discussion around the table and the level of understanding associated with it, and I think, when you go to public hearing, if you don't have any preferred alternatives in there, and you're not giving any kind of direction, given the level of complexity, I don't know that you're going to get that much useful feedback.

DR. BELCHER: Okay. Tim.

MR. GRINER: I can certainly appreciate and agree with that, but I can also state, with some certainty, that, regardless of whether you pick preferreds or don't pick preferreds, this is a very complicated issue, and the general public is going to struggle with it one way or the other, and I would be very surprised if we had any comments out of the State of North Carolina for public comments. I think that it's such a complicated thing that you're not going to get enough public input to even consider, other than the fact that we've done our job to go out to the public, and that's what I believe.

DR. BELCHER: Okay. Laurilee.

MS. THOMPSON: But isn't part of our job to help the public understand what it is that we're trying to do? I am very confused, and I don't see what we're going to accomplish by just throwing this out for public comment, and I don't -- I think that it's our job to help the public understand what we're trying to do, and if we don't -- If I don't understand this, I'm not comfortable putting it out for public comment.

DR. BELCHER: Other comments on that? Kerry.

MS. MARHEFKA: I already moved on to the next presentation on my computer, but I forget -- I mean, what is our timing, as far as -- How is that going to mess us up, if we don't approve for public comment at this meeting, in regard to everything else we're trying to puzzle into our schedule?

DR. SCHMIDTKE: I mean, at this stage, it would push it back a quarter. We're at the point in amendment development where, every time something gets pushed back -- What we have remaining for this are consideration of approval for public hearings at this meeting, public hearings

to be held -- The recommendation is around the September meeting, and then final action in December, and so, if it gets delayed today, then that delays the final action probably a quarter.

DR. BELCHER: Kerry.

MS. MARHEFKA: I guess, Laurilee, what I have in my mind is a little bit of a risk-benefit analysis going on, in that how much is there truly to be gained in, you know, taking an extra quarter, and how much more public comment, and how much can we simplify it, and, in my experience with complicated things that we've done like this in the past, it's going to be a low-public-comment issue, no matter what we do, and so it's just a matter of -- It's not that it's not important, and I'm not at all dismissing the fact that we need it to be clear to the public, but I'm just wondering how much pushing it back will allow it to be clear, because it's complicated no matter what, versus everything else we have to do in our schedule, and I don't know where I fall on that, and so I would follow whatever the crowd wants to do, but I think that's the calculus we need to do in our head, is how much does it really make sense to take the extra time.

DR. BELCHER: Okay. I've got Mel and then Tim.

MR. BELL: Thanks, and I appreciate what Laurilee is saying, but I think, in this particular amendment, this is so technical, and so complex, and we've all struggled with it today as well, and I don't -- I think we just do the best we can, in terms of explaining it and trying to make sure that the public fully grasps something like this. We could be spending a lot longer than another quarter, but it's just particularly an -- I would call it an unusual sort of amendment, but it's not an easy thing to grasp in total detail, and so I would prefer to just kind of do the best we can and try to stay on schedule.

DR. BELCHER: Thanks, Mel. Tim, and then I've got Spud.

MR. GRINER: Kerry and Mel kind of put it a lot better than I was trying to say it, but I think you're absolutely right, and I think we're only going to glean, or be able to get the public comfortable so much, with a complicated thing like this, and I think it's -- Not to discount the public input or the process, but I think it's extremely more important that we understand it, so that we can pick preferreds that we even know what we're picking, more so than worrying about how easy we can make it for the public to understand, and so I think it's a hard enough thing for me to get my arms around, and it's going to take us some time, but I don't want to see it getting delayed any further either. Thank you.

DR. BELCHER: Thanks, Tim. Spud.

MR. WOODWARD: Thank you, Carolyn. I support moving forward too, and I do support what Andy said. I think maybe, in a few minutes later in the week, we might have a chance to focus in on something. If we can identify a preferred or two, I think that will help the public that is interested in this and capable of focusing-in their comments. Otherwise, it will be just this giant, abstract thing that most of them will just look at it and go, I don't have the foggiest idea, and so I would say, if we can do anything to help them, we certainly should, and not a long discussion perhaps, but at least some time.

DR. BELCHER: Thanks, Spud. Okay, and so back to the motion at-hand. I'm looking around the room to see what the support is for putting the motion through, and so we're approving the ABC Control Rule Amendment for public hearings. **Do I have folks who are opposed to that? I've got Chester, and so one opposed. Who is in support? Oh, sorry. Laurilee, and so there's two. Those in support of the motion. Okay, and so that's seven.** Mel, where are you at? I can't see your hand raised.

MR. BELL: Well, I put my hand up, and so I'm in support.

DR. BELCHER: Okay. **The majority supports the motion to put it out for public comment. Does anybody abstain? So there is three no. Hands again in support, just so we can make sure we've got it. The motion carries.** All right. What else, Mike?

DR. SCHMIDTKE: Timing of the public hearings, and the staff recommendation is that we would hold an online hearing, probably shortly before the September meeting, maybe a week before the September meeting, and then an in-person hearing at the public comment session at the September meeting.

DR. BELCHER: Thoughts on that timing? Tim.

MR. GRINER: I think that's perfect. I really do. Thank you.

DR. BELCHER: Okay, and so what else do we need? Is that it? Okay. Well, thank you, Mike. We appreciate your patience and time and great pictures. Okay. The last item on the agenda is Clay, and he will be talking about progress towards meeting the South Atlantic Fishery Management Council research recommendations.

DR. PORCH: Thank you, Chair. While they're doing that, although the presentation has my name on it, John Walter put it together, and so I'll give him the credit. For some reason, he didn't want to call in remotely while he was on vacation in Italy. As the title says, this is our response to the South Atlantic Fishery Management Council's research recommendations. As you recall, there is a 2020 to 2025 research plan, and, essentially, what John did is go through the whole plan and look at everything we've been doing, everything we can find the states have been doing, and all our partners, and try and figure out where we are in terms of answering the mail on those things.

As he points out here, there is three parts to this presentation, and the first thing he wanted to do is just emphasize that this is a community effort, and, obviously, the Southeast Science Center doesn't have the resources, by itself, to tackle all of the things in the very large research plan, and nor should we, because there is other partners that have very valuable contributions, and so we've been trying to collaborate more and more as the years go by and work with all of our partners to do the best we can on some of these outstanding research questions.

Here, in the slide, and hopefully you can see it. If you can't see on the big screen, you can pull it up and look at it on your computer, but you will see here three categories. In green, it's a research project that was complete that answers the mail on at least one of the things in the 2020 to 2025 research plan. Yellow means that it at least has gotten started, but it's not yet complete, and then red means that nothing has been started, and, in many cases, it's unlikely to be started within the 2020 to 2025 timeframe, and what you can see here is that -- Granted, this is only -- Since it's 2020

forward, not many projects have been completed yet, since it's still fairly early in 2022, and he counted eight, and that was having to do with the short-term stock assessment objectives.

Then you can see there is a large number, I think something like forty-seven total, that are actually underway in one form or another, and then there's about twenty-two that haven't been started, or, in some cases, may not be started at all. About 77 percent of the objectives that are laid out in the research plan put together by the council are at least being addressed, in one way or another, by ourselves or state partners or academic partners.

In this case, I think John was making the point that, for a lot of the short-term stock assessments and the research needs, there were some delays associated with COVID, and some just associated with the rather busy assessment schedule.

For some of the things that are long-term research needs, there are some real challenges that are going to require probably more than two or three years to solve. They're just that complex of a problem, and it takes a while to marshal the resources, and some of them just take more than five years just to get an answer for, because you need that contrast in data.

Here, he's referring to the marine protected area research limitations, and those are challenging in a number of ways, and I think you've heard some presentations on this. Some of the things we would like to do, especially if they're extractive, are often frowned upon in marine protected areas, but there are a number of projects that are going on, and we're making some progress towards the objectives that are in the research plan.

Here, he's pointing out some projects that were initiated in 2021, and we have several that are funded through MARFIN. There is the chevron trap selectivity project, which many of you have heard, and it was discussed during the SEDAR topical working group with red snapper. There is the development of a juvenile survey and recruitment indices in the U.S. Atlantic that South Carolina DNR is working on, and then a project on genetic stock structure of mutton snapper being conducted by the University of Southern Mississippi.

We also run a Cooperative Research Program RFP, and that comes through the Science Center. One of the projects awarded there was early growth and maturity data collection for blueline tilefish along the U.S. Atlantic, to Virginia Tech, and then using a citizen science approach to characterize shark depredation in recreational fisheries of the southeast United States, awarded to FAU.

There is state research projects, and he points out there that staff from every state have been involved in the data collection or stock assessments and research for federally-managed species, and he lists a number of items here, like collecting fishery-dependent data on commercial, recreational, and for-trips, sending observers on charter and for-hire vessels, collecting length, age, reproduction, diet, and genetic samples from both fishery-dependent and fishery-independent samples.

Then monitoring red snapper mini-season, improving estimates of recreational catch, through FWC's, Florida Wildlife Commission's, new State Reef Fish Survey, the SRFS, and validating and updating conversion factors for gutted and whole fish, and then, elsewhere on the research and monitoring plan, he mentions, again, that we're addressing about 71 percent of them, and we also

have developed a new -- It's not really -- It's part of the monitoring part in the research plan that the council put forward, but we actually started that new survey that we reported on earlier, and Todd Kellison gave you a presentation on, on our deepwater snapper grouper tilefish longline survey.

We're assisting in both the red snapper and greater amberjack abundance estimates, as the Great South Atlantic Red Snapper Count, and then similar for the amberjack, and those are potentially game-changers, and they're expected to finish somewhere around early 2024, and then another thing we're doing is maintaining receiver arrays for acoustic telemetry studies.

Here, he's just reflecting on an item, and I think it was actually Item 6, but specific monitoring priorities, and one of the big things that is mentioned, in several different ways, is increasing funding for fisheries-independent monitoring in the South Atlantic, and, of course, we don't necessarily hold the purse strings on all that, but the big ones, that I already mentioned, were funded by Congress, the Great South Atlantic Red Snapper Count that Will Patterson and team is working on, and your SSC heard a presentation from him, and they're making excellent progress on that, actually better progress than was even anticipated, and so we think that will be a very successful project, and it will be incorporated in the next stock assessment.

Then, of course, the Great Amberjack Count is also ongoing, and that's both Gulf of Mexico and South Atlantic, and I think that's really kind of just getting rolling. We're also working on the dolphin management strategy evaluation, and I won't spend much time talking about it here, because we have another presentation, I think on Thursday, that focuses on that, and then we're trying to improve our ability to document commercial and recreational landings and discards, and you will hear a presentation later by Scott Leach that will document how we're trying to increase our observer coverage in the commercial fishery.

Then I think Scott, in his presentation earlier in the day, mentioned some exciting work that he's involved in that's looking at the distribution of discards and some innovative ways to reduce discards and hopefully allow more fishing opportunities for both the commercial and recreational fishery, and this one I think is going to take a couple of years before it come to completion, because it's a very comprehensive analysis, but it will prove extremely informative, and it's a very high-priority for the Southeast Center.

In conclusion, of seventy-seven research priorities that John was able to identify in the plan, about 71 percent are either completed or in progress, and MARFIN, S-K, Saltonstall-Kennedy, Cooperative Research Program, and the Coral Reef Conservation Program have all funded several of these projects. A lot of the rest comes from our base funding or from the state partners, and, of course, we look forward to further aligning our research with all of our partners, and so, after this, it's just some little teasers and some of the work that we've been doing, and I will let you look at that on your own time, and, if the council would like a more detailed presentation on any of these, we would be happy to give one. Thank you.

DR. BELCHER: Thanks, Clay. Spud.

MR. WOODWARD: Thanks, Clay. I am really interested in this Scott Crosson project, and is there a written scope of work, a proposal or something, that we can have access to? I would like to -- I'm really curious about the methodologies that are being trialed in this.

DR. PORCH: Yes, there is a proposal, and we can circulate it, and it's a proposal that was awarded, and so was it MSA or -- Do you remember? Was it Magnuson-Stevens Act funding? We can definitely distribute that to the council, and so it's going to be a very comprehensive look at our fishery-independent data, our fishery-dependent data, a look at where the discards are actually occurring, any information that we can get, and then looking at various ways that we can reduce those discards, and so a lot of it is -- Not all the methods have been identified, because that's part of the project, right, is thinking about exactly what we can do to increase opportunities for the fisheries and reduce discards.

DR. BELCHER: Kerry and then Tim.

MS. MARHEFKA: Thanks, Clay. Chip, can you go back to I think like the sixth slide, the one about MPAs? I just want to make sure that I'm following along. On the second slide, you talk about that there are three ongoing MPA projects, short-term, and then three delayed. Then, on the sixth slide, and I can't tell, and are these all projects that are delayed and not happening? I guess which are the three that are happening, and which are the three that are not happening, and can someone remind me -- Are we up against like a timeline for some of the managed areas, as far as a sunset?

DR. COLLIER: The spawning SMZs sunset in 2027. Although that sounds like it is a ways away, it is right around the corner.

DR. PORCH: If I could, some of the delays for the final stage of some of the projects was just getting the time on the white ships, but I think we're -- Because one of the problems we've had is that the, and the white ships are the big NOAA vessels, is that those days-at-sea have been cut, for a variety of reasons, but largely because of the repairs needed on the vessels, and so I think there's one more year of sampling left that we would like to complete.

DR. BELCHER: Tim.

MR. GRINER: Thank you. This is great information, and it seems like I -- Well, I know I've gotten some correspondence, here recently, about the attempt, or the wish, to increase observer coverage by quite a lot, and so a couple of things that I was curious about is I didn't see anything about observer coverage increases on these priorities, and is that a new priority, and is that -- I guess, number one, is that a new priority, and is it taking the place of something else that has not been started, or is not funded, and is the new observer coverage push fully funded, and, if it is, who funded it? Then I have a follow-up.

DR. PORCH: It is in the research plan, and it's like one I think that carries over from -- Maybe it's on monitoring, but I remember seeing it, and maybe Chip can point out what page it was on, and I don't know if you know off the top of your head, but it was in there, but, in any case, it's also a priority for us.

We have an observer program in the Gulf of Mexico for reef fish, and, in the South Atlantic, we didn't. Part of the problem is there just wasn't the funding for it, and so what we're doing this year is we had a little bit of carryover, and a couple other sources of funding, that we're going to

try and put to it, and at least get something on the order of 2 percent coverage, but Scott Leach will be speaking to us, and he'll give you a lot more detail on that.

MR. GRINER: So we will be talking more about that?

DR. PORCH: Yes, and there's a whole presentation about it.

MR. GRINER: Okay. Excellent. Thank you so much.

DR. BELCHER: Additional questions or comments for Clay? Okay. Thanks again, Clay, for that. All right. We are at 4:35, and we've hit the end of the day's agenda, and so I'm looking to John and staff to see -- Is there anything that we have that's short that we can put into the next twenty-five minutes, or would the preference be just to recess for today?

MR. CARMICHAEL: I think we should probably try to --

DR. BELCHER: All right. Rick DeVictor, would you be willing to do the EFP? We're going to change your card, Rick, and what about the office report? Could you do that? It's just that it's on a different -- It's a Snapper Grouper, versus Council, and so I'm trying to draw out of the Council II and what we might be able to move forward. Rick, we've changed our minds, and you've off the hook. John is going to do the CCC report, but thank you for being willing. Okay. We're going to get started, and John is just going to go through the Council Coordinating Committee report.

MR. CARMICHAEL: All right. Thank you, Carolyn. Just a reminder that the Council Coordinating Committee is composed of representatives from all the councils. It's the chairs, vice chairs, and executive directors. They typically meet twice a year, one hosted by one of the councils on a rotating schedule, and then, in the fall, they tend to meet in Washington, D.C., hosted by NMFS.

We met recently, hosted by the Mid-Atlantic, a few weeks ago, and it started on May 17, and so I will highlight a number of the things that were discussed. There were a lot of topics covered during this meeting, and we hit on many of the things that we're hearing a lot about on the national stage, such as wind power, climate change, dealing with, you know, science issues, et cetera, and so there's a lot of things that were addressed here.

We started out with a highlight from the Mid-Atlantic, and that's just something the CCC is doing now. Rather than hear from every council, it's giving more time to the host council, to tell us a bit more about what they've been working on, and so we got that from the Mid-Atlantic, and then another normal topic is to get updates from the National Marine Fisheries Service about various things that they have going on that are long-term projects, often developing technical memorandums and various guidance, et cetera, that they go through, and so one that they've been working on is about information law and electronic monitoring.

They've been working on a policy there for a while, and they're continuing to progress on that. There is some workgroups that have been working on National Standard 1, and so remember this is the stuff that deals with overfishing and all that and dealing with technical guidelines for MSY proxies, and this has been underway for a long time, and we keep seeming to be close to getting it

done, and COVID has been a real issue within this working group, as it has been with so many, but we're hoping to get some information from that at our fall meeting.

Then the CCC is quite concerned about how long this has been taking, because some of us councils do deal with quite a few stocks that fall under data-limited-type situations, and we discussed the best scientific information available regional frameworks that recently were completed in our region, and it was something that the regions had three years to get wrapped up and develop a policy for each region applying an overall national strategy.

There was a good bit of discussion about the seafood competitiveness and marketing and the national seafood strategy, and I sent some of that information around. NMFS is trying to really work with that, and there's often question about how involved NMFS should be -- How much they should be involved with things like marketing, and them having the expertise to do that or not, but there is certainly interest in learning more about the national seafood strategy, and that was discussed some later in the agenda. I will just remind everyone that there is a national council website that has the full briefing materials and all the presentations, and things like the draft strategy, et cetera, are in there.

They're also working on a policy for recusal, which means, for you as council members, when you decide that you have such an interest in a fishery that you would not be allowed to vote, and we got into budget updates, another normal topic that we hear, and, you know, they were still working on the final spending plans for the budget at that time. The majority of disbursements have gone out to councils, but the final bit should be coming out hopefully pretty soon, and this is kind of typical of the federal budget process, and it takes a long time to get all the numbers finalized and all the Ts crossed and the Is dotted and get all the money out. Then they're also looking ahead to the next fiscal year requests.

Much like the last fiscal year, there is request in there to get additional money to support things like climate initiatives, environmental justice, wind power, all the things related to that, aquaculture. I'm not sure if they're going to get those fundings, but one of the things we had a discussion about is how important it is to keep doing the basic science that we need to get done in the face of these initiatives, and it became pretty clear that the agency is going to need to do both, and so I think that's going to be an issue and a continuing discussion in the future, is how do we keep doing the basic fisheries we need, while they respond to these initiatives for things like climate and wind, et cetera.

Dr. John Hare, who was from the Northeast Center, who is now the Acting Director for the Scientific Program, basically Chief Scientist up there at NMFS, and so he gave the report on what's going on with science. Some of the things that we've seen drafts go out about, like the climate science strategy, and there is this thing called DisMAP, that we sent a notice about, which is showing information for the distribution of species, and it's mainly looking at independent surveys, and one of the challenges we have, of course, is it's tied to climate change, but it draws a line between the Northeast regions and the Southeast regions, partly because there are such different ways of surveying the fish, but, ultimately, at some point, tools like that are going to have to crack that nut of how do you make Northeast data and Southeast data somewhat similar, so we can really compare how a species like cobia, perhaps, has actually shifted its distribution. That's a challenge that's going to be coming down the road.

Let's see. What else did they talk about? Dr. Hare spent quite a bit of time talking about the issues that they're working on, like wind energy development, and that's where we had the discussion that is addressed in the report about just dealing with all the issues and all the challenges to the scientific enterprise at NMFS, recognizing that resources are often scarce, and we may have to make some hard decisions, in the future years, about what we do in response to that.

Another big area for the CCC is dealing with the legislation, and so, primarily, this is in responding to things like Magnuson Act revisions, and we can't support or oppose any specific actions, and that would be considered lobbying, but what we do is talk about how the specific actions that might be proposed affect us in our operations, and so there was some updates into the CCC document that conveys the legislative opinions across all of the different proposals in the Act, and then there was a discussion of the potential fate of the next reauthorizations.

I think everyone is aware that Congressman Young, a supporter of MSA all along, he recently passed, and he, with Huffman, were the sponsors of the current Magnuson reauthorization act, and that's on hold until there is a new representative to replace him, and so we're keeping an eye on that, to see where that goes, and we'll certainly keep you caught up to date. That wrapped up day-one.

We did approve revisions to a forage fish consensus, and so forage fish is a bigger issue in some areas, but there is a paper on that that is part of the documentation of the CCC on legislation, and that was approved.

Day-two started with a discussion of climate change in fisheries, and so this was definitely an interesting discussion, and, as you guys know, and we'll hear more this week, is the scenario planning initiative that we're working with with our other councils, the Mid-Atlantic and New England, on the coast, and so Mid-Atlantic staff presented on that, and they gave a good overview of what's going on there. We're going to talk more about that later this week, and we'll actually have a presentation on it in September, which will be really your first chance to dive into that with both feet and start learning about it, and so we're looking forward to this quite a bit.

NMFS is also working on a council governance policy that is tied back to climate change, and this gets at the idea of which council will have authority for a stock if the distribution were to shift, and so, if there's a species that we have authority over that has its distribution shift northward, to where it was seemingly more appropriate for the Mid-Atlantic to be the lead council, then the Secretary has the authority to potentially change which council is responsible for the species.

What NMFS is doing, led by Kelly Denit, is to try to develop a policy statement that would better define how NMFS would make such decisions, what the Secretary would consider, what the process would be, how it would all work, and so, while there was certainly support at the CCC for doing that, one of the concerns was how this could potentially sow some confusion with the scenario planning effort, because they're both kind of related to species shift and how the councils work together.

The CCC actually asked that this process be put on hold a bit, until the scenario planning is wrapped up, and we're really viewing that as being a workshop that is anticipated, a meeting that is anticipated, with representatives of all three councils, to be held probably early next year. NMFS was actually a little concerned with doing that, because they want to get the policy put forth, and

so they slowed it down a little bit, but certainly not to the extent that the CCC had requested, and so that's probably one of the biggest places, during the meeting, where the council position was - - I would say it significantly differed from what the NMFS leadership position was, as far as CCC business.

We then talked about the area-based management and the America the Beautiful, the Thirty-by-Thirty issues, and the CCC has a sub-committee that's been working on that for quite some time, and they're trying to provide information on the areas that are already protected by the councils, and there's a great report in there, and it shows the work of this group in putting this information together, and there's a lot of areas that are protected by councils nationwide. A significant portion -- I think, overall, it says that 54 percent of the EEZ is covered by various areas, and we just, all along, since this came out, have been working to make sure that the actions that you're doing receive appropriate credit in this process.

One of the things the councils have asked for, and we haven't had a lot of success, was trying to get some additional GIS support from the agency, to really tabulate all these areas and get it all together in one single database, and so that remains a little bit of a frustration from the councils, that we haven't gotten as much support as was desired for dealing with this, and I will also say that we don't really have an answer for the question about conservation versus preservation yet, and that's still out there, and that was one of the first questions raised about the Thirty-by-Thirty initiative, and it's still a bit of a question out there, as to, you know, just exactly what is going to be desired, in terms of that protection of 30 percent.

Then we moved into recreational fisheries, and that's always a very interesting topical area. Russ Dunn talked about the RecFish 2022 Conference and Summit, and Julia Batey talked about the Mid-Atlantic's -- What are they calling it? The recreational harvest control rule framework, and so they're under a pretty big effort, in the Mid-Atlantic, to change how they approach recreational fisheries, working closely with Atlantic States, and we're watching them closely, to see where that goes, obviously, because recreational fisheries are such a big component of our program, and so we'll continue to keep tabs on that, from a staff position, and let you know how that plays out.

The things that they're doing really fall into what happens between the ABC that the SSC gets you and the ACL that you decide and then how you go about configuring regulations from year-to-year for a given stock, and so it has the potential to be kind of interesting, and it just really matters where it goes and where it ends up.

We talked about management strategy evaluations. I told you that we covered a lot of ground here at this meeting, and some councils have quite a bit more experience with that than we do, and one of the general lessons is really that one of the hardest things is going from an analysis to actually influencing management, and so, later at this meeting, Chip will talk about our MSE plans for dealing with the snapper grouper fishery, and one of the things that we are trying to pay attention to is these lessons learned from other councils and making sure we know how we're going to use that kind of information.

Then there was a good discussion of the national seafood strategy, and NMFS presented what they were proposing, and there are four goals in there of optimizing wild-capture production, increasing aquaculture, fair and reciprocal trade, and addressing infrastructure issues, and so those are the

main things they're looking at. The strategy document they have is not particularly long, and so it's a pretty easy read for folks, if you want to look into it. That wrapped up day-two.

Then, on day-three, we started with the equity and environmental justice issue, which is another thing that we hear a lot about, and it's in many of the initiatives that the agency is working on right now, and the CCC is another area where we have a working group that's looking at that, to try to make sure that councils' positions and the councils' needs are addressed in these activities, and so the CCC gets regular reports from what the agency is doing, as well as what our CCC working group is doing, so we can keep up-to-date with it.

One of the biggest challenges that continues to exist here, particularly for regions such as ours, is just not really having a good handle on what are the underserved communities with regard to the fisheries the South Atlantic manages. Some regions have -- Like, in Alaska, they have native peoples with long-standing claims to fish, and you take something like salmon, and you have an ocean resource, which makes it way much farther inland, and is much more accessible to people. When you're dealing with the species that we manage, it tends to be a bit more challenging situation. For starters, you need to have a boat to go out there and get them.

That's just one of the challenges that we face, repeatedly, in dealing with this and trying to get enough information. I think we're all well aware that we have very little social and economic information on any of our constituents, and then it's even more difficult to get down into typically traditionally underserved communities and to find out how well we're doing meeting them, but we continue to work on that, with staff monitoring it and keeping up with the agency and doing what we can there.

We talked about the Endangered Species Act and Section 7. This is a place where the councils have been trying to get more involved in ESA findings early on, if we have an opportunity to review draft reports and potentially contribute to them, but one of the challenges has been that, you know, we're able to review things basically once they're made available to the general public, and that's causing some consternation amongst the councils, that would really like to be seen more as partners in these situations and not as constituents, or users, or the general public, that just gets a draft when the public can get the draft.

I think this will be another ongoing bone of contention between councils and NMFS in doing this, but, you know, a lot of times, we understand that NMFS has got rulings that are based on GC findings and interpretations of the law, and it's just what it is, and we have to essentially live with it, but we are looking at another CCC working group that's going to look at changes in the ESA policy directive. It's not something that we've been particularly involved in issues, but we do keep an eye on it, because, occasionally, we have an ESA issue that crops up in our region.

One interesting bit of development for us was in the report on international issues, and we'll be talking more about this probably, I anticipate, in September, but there is a group called WECAFC, the Western Central Atlantic Fisheries Committee, and they are setting up a working group for dolphin and flyingfish, and so Myra is our point of contact on that, and we're not sure what the working group is going to do, but the idea is to try to look at that broader area of the Atlantic and try to make some progress on fisheries issues, essentially.

We're going to hear from them in September about what's going on with that working group, and what its scope is going to be, and what their intent is going to be, because, obviously, dolphin is a pretty important issue to us, and looking at that from more than a U.S. perspective is going to be important, to really successfully managing that stock down the road, and so some important issues popping up with us on the international front.

Then we went through our committee member and working group updates, and we're doing training, and we've got a number of our folks going to training this fall, to talk about ecosystem management, and we have the Scientific Coordination Sub-Committee, and the National SSC is meeting this summer in Alaska, talking about ecosystem-based fisheries management, and we have a habitat group, which gives us regular reports, and a communications group.

One of the things that communications group is working on is doing a national calendar of all the council meetings, so that we can better schedule things, and you can imagine, with eight councils, and all our meetings, fifty-two weeks a year, and throw out some holidays where you can't meet, like Christmas, and there's not a whole lot of weeks during the year when, from a national perspective, there's not a council meeting. Then you throw in a couple of CCCs too, and so it's really quite a busy thing that goes on, but that will be on that councils website, if you're ever curious, or wonder about meetings sometime, and you can take a look at that.

The last thing in the report is just a summary of the motions that were made, and there's not a whole lot of motions that usually come out of that, and just some clarifying guidance, and then the report ends there, with just an agenda, to give you a birds-eye view of what was discussed, and so any questions about any of those topics? I know I went through quite a bit pretty quick, but, yes, sir, Chester.

MR. BREWER: I am very interested in the dolphin and flyingfish working group, and I really look forward that presentation. Do you know, and maybe this is something that nobody knows, but what kind of management authority they might have, because I am firmly convinced that not all of the problems that we're seeing with dolphin originate within our EEZ. I think there are probably some factors that are outside of our EEZ. Those fish are not managed by ICCAT, and so I don't know that there is any such thing as management of dolphin internationally, and so I would be really curious to find out what authority they might have.

MR. CARMICHAEL: I think that's a great question. We should ask when they come in September, because I am not aware of what strong authority they have to really affect management within that group alone, but I think you're right that there is the potential for other entities and nations to have a very big impact on this dolphin stock, and they don't even all report their data, and so it's a pretty big black hole, in some cases.

DR. PORCH: Just to that point, you may remember that a member of the U.S. Department of State came and talked to us about that, and the thought is to -- For the U.S. potentially to be signatories to a convention that would make it essentially the same as ICCAT, as an RFMO, and so it would have similar teeth, as far as the U.S. is concerned. Having said that, the Caribbean is notoriously data-poor, and so how it's going to work itself out, in practice, is maybe a little bit different, but, in principle, it's supposed to run like a full RFMO, like ICCAT, and the U.S. potentially could become signatories to that.

DR. BELCHER: Anyone else for questions for John? Okay. Well, that put us right at 5:00 on the nose. I guess -- Do we recess or adjourn Session I? How does that work for today?

MR. CARMICHAEL: You can recess Full Council, and we'll be in Snapper Grouper Committee in the morning.

DR. BELCHER: So we'll pick up at 8:30 tomorrow with Jessica and Snapper Grouper. Thanks, everybody, for your time and for persevering through the ABC Control Rule revisit. We'll come back around to it, I'm sure. Thanks.

(Whereupon, the meeting adjourned on June 13, 2022.)

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Transcribed By
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July 21, 2022

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Ashley Oliver

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SAFMC June Council Meeting (6/13/22 -

Attendee Report: 6/17/22)

Report Generated:

06/15/2022 05:38 AM EDT

Webinar ID

778-545-691

Actual Start Date/Time

06/13/2022 10:17 AM EDT

Duration

6 hours 45 minutes

Attendee Details

Attended

Yes

Last Name

BROUWER

First Name

MYRA

Yes

BYRD

01JULIA

Yes

Bailey

Adam

Yes

Bell

00 Mel

Yes

Bianchi

Alan

Yes

Bonura

Vincent

Yes

Chaya

Cindy

Yes

Conklin

00The Real Chris

Yes

Copeland

00 Bobby

Yes

Crosson

Scott

Yes

Curtis

Judd

Yes

DeVictor

Rick

Yes

Dukes

Amy

Yes

Flowers

Jared

Yes

Foor

Brandon

Yes

Gentry

Lauren

Yes

Glazier

Ed

Yes

Glazier

Ed

Yes

Gore

Karla

Yes

Hadley

John

Yes

Hart

Hannah

Yes

Heffernan

Katie

Yes

Helies

Frank

Yes

Hemilright

Dewey

Yes

Hollensead

Lisa

Yes

Hudson

Rusty

Yes

Iverson

Kim

Yes

Keener

Paula

Yes

Laks

Ira

Yes

Latanich

Katie

Yes

Malinowski

Rich

Yes

Masi

Michelle

Yes

McGovern

Jack

Yes	Mehta	Nikhil
Yes	Muehlstein	Emily
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	O'Shaughnessy	Patrick
Yes	Oliver	Ashley
Yes	Package-Ward	Christina
Yes	Peterson	Cassidy
Yes	Pierce	Brett
Yes	Ralston	Kellie
Yes	Ramsay	Chloe
Yes	Records	David
Yes	Reichert	Marcel
Yes	Reynolds	Jon
Yes	Roller	00Tom
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Shertzer	Kyle
Yes	Smart	Tracey
Yes	Smillie	Nick
Yes	Sramek	Mark
Yes	Stemle	Adam
Yes	Stephen	Jessica
Yes	Thompson	00 Laurilee
Yes	Travis	Michael
Yes	Vecchio	Julie
Yes	Walia	Matthew
Yes	Whitaker	David
Yes	brewer	00chester
Yes	sandorf	scott
Yes	vara	mary