

**SUMMARY REPORT
FULL COUNCIL II
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
June 14, 2024**

Litigation Brief

Monica Smit-Brunello, NOAA General Counsel, briefing the Council on pending lawsuits. A new lawsuit was filed on May 15, 2024, claiming NOAA Fisheries and the Council have not taken action to end overfishing of red snapper and doing so has negatively affected the commercial industry.

Offshore Wind Presentations

Special Initiative on Offshore Wind

Kris Oleth, Executive Director, delivered a presentation to the Council to introduce the Special Initiative on Offshore Wind, a program to compensate fishermen (commercial or recreational) for impacts from offshore wind. Program partners include 11 Atlantic coast states, but program extends to all fishermen along the east coast regardless of the port of origin or the port of landing.

- Scoping took place earlier this year. Having a third party come in and administer the funds was paramount.
- New York issued an RFP, on behalf of the other states, to obtain a third party administrator.
- A third party administrator is in the process of being selected. The administrator will design the fund, with input from stakeholders.
- Compensatory mitigation and fund administration were explained.
- Design oversight committees (recreational and commercial) will provide info from stakeholders to the regional funds administrator.
- A bottom-up design and development approach is envisioned to have broad engagement with stakeholders
- It is expected that the fund will launch 18 to 24 months from now.

Responsible Offshore Science Alliance

Dr. Renne Riley, Executive Director, introduced the Council to the Responsible Offshore Science Alliance (ROSA), a nonprofit organization that advances research, monitoring, and methods on the effects of offshore wind energy development on fisheries across US federal and state waters. ROSA works to facilitate the coordination of regional scientific research by addressing three objectives: (1) administering regional offshore wind fisheries research and monitoring, (2) facilitating the assessment of regional and cumulative impacts from offshore wind development, and (3) building coordination through engagement. ROSA intends to streamline communication with the Council, support existing and upcoming Council efforts relative to offshore wind development, and providing a service to the broader community.

Scoping initiative for gear considerations in Atlantic Highly Migratory Species (HMS) fisheries

The HMS Division is conducting scoping from May to July 2024 on possible changes to HMS fishing gear regulations. HMS is evaluating fishing gear regulations to determine if any changes are needed as fishing gear and techniques have changed due to various factors. Additionally, changes may be needed to reach OY. The objective is to increase flexibility while targeting HMS while staying in line with regulations and international agreements. Becky Curtis, HMS staff, presented options for changes to gear regulations for various fishing gear types, including buoy gear, pelagic longline, and spearguns. Ms. Curtis encouraged Council members to share any feedback on the proposed changes.

Stakeholder Engagement Meetings and Mackerel Port Meetings Update

Christina Wiegand, staff social scientist, presented an update on mackerel port meetings conducted to date and recommendations from the stakeholder engagement meeting planning subgroup regarding the structure of stakeholder meetings, timing, and possible locations. The Council provided the following input on stakeholder engagement meetings:

- Information gathered during stakeholder engagement meetings should speak directly to challenges currently being experienced in the management process.
- It will be important for meeting attendees to understand the management process and Council limitations.
- While advertising these meetings as a Council “report card” may increase attendance, if used for a metric it will be important to consider that negative comments are more commonly voiced than positive comments.
- Stakeholder burnout may be a concern given the variety of public participation opportunities being provided by the Council and state agencies.
- Consider the timing of these meetings and whether January and February (fisheries not as active) or March and April (fishermen gearing up for spring fishing) will produce better attendance. Consider offering a daytime webinar version of the meetings.
- Reach out to Florida FWC for recommendations as they have conducted similar meetings in the past.

Citizen Science Update

Julia Byrd, Citizen Science Program Manager, provided an update on Citizen Science Program activities not covered in Full Council 1. Activity highlights included the launching of the Citizen Science Project Idea Portal and updates on the SMILE and FISHstory projects, including a Zooniverse re-launch date for the FISHstory project in July 2024. Additionally, staff provided an update on the program evaluation work being led by researchers, Rick Bonney and Jennifer Sweeney Tookes. Researchers will present project findings to the Council in December and staff will present recommendations on ways the Program can respond to these findings.

Staff Report

John Carmichael, Executive Director, updated the Council on staff activities since the March 2024 meeting and the status of Inflation Reduction Act (IRA) funding. The latter is still pending despite the agency having assured the Councils it was imminently forthcoming.

Council Coordination Committee Report

John Carmichael summarized the outcome of discussions at the May 2024 CCC meeting, held in San Juan, Puerto Rico, and hosted by the Caribbean Council. Highlights included adding flexibility to the confidentiality rule, recent guidance on NEPA, Sanctuary regulations guidance, Councils' budget outlook, and anti-harassment discussions. The CCC also discussed IRA funding, MRIP-FES evaluation and calibration, and the governance procedural directive addressing changes in Council governance for new fisheries or shifts in fishery and stock distributions.

Topics for Fall 2024 Outreach and Communications Advisory Panel Meeting

Kim Iverson reviewed a list of topics for the upcoming meeting of the AP. The Council did not suggest changes or additions.

Terms of Reference for SEDAR 90 and Statement of Work for Black Sea Bass

Chip Collier reviewed the Terms of Reference for SEDAR 90 and noted changes to the terms of reference since they were last presented to the Council in March 2024. Staff added requested items related to metrics for measuring spawning potential, reorganized items related to data collection, and added items for reviewing status in the Review Panels Terms of Reference. The Council requested projections for catch separated by sector prior to splitting between landings and discards. The Council approved the revised terms of reference.

The Council reviewed a scope of work for the Black Sea Bass assessment for 2026. The Council approved of the scope of work and recommended moving forward with an assessment in 2026 to evaluate stock status and update fishing level recommendations.

NMFS Reports

Andy Strelcheck, SERO Administrator, updated the Council on the status of the permits system. Issues with the system are continuing to be evaluated and updated. However, a new issue was identified that will delay the availability of permits data until later this summer. It was acknowledged that the system's issues are affecting Council activities.

A scheduled update on disaster relief changes was not provided due to unforeseen circumstances and will be provided to the Council at its September 2024 meeting.

Jennifer Lee, Protected Resources Division, updated the Council on activities related to protected resources.

Rick DeVictor, South Atlantic Branch Chief, provided an update on the status of the Commercial Electronic Logbook Amendment. The amendment was submitted to NOAA Fisheries in February 2024. Rick explained that for this amendment there are additional steps to the rulemaking to address requirements of the Paperwork Reduction Act. Additionally, the permits system issue will need to be resolved before SERO can proceed with rulemaking. Technical specifications will also need to be developed. Hence, implementation of this amendment is delayed to a time uncertain.

Ken Brennan, Southeast Region Headboat Survey, provided a presentation on the program's annual report. The report comprises individual species pages showing trends and statistics for the past 10 years. John Carmichael noted that the report is very useful and fishermen appreciate it. Not all the platforms that are currently used to disseminate data are accessible to fishermen so reports like these are a good way to convey information in a concise way that fishermen can access and understand. It was acknowledged that the headboat survey has had a long and productive history in the South Atlantic region.

Committee Reports, Workplan, Upcoming Meetings

The Council reviewed committee reports, the workplan, and upcoming meetings.

Other Business

In summer 2023, the Florida Keys National Marine Sanctuary (FKNMS) put in place emergency measures to protect corals from elevated ocean temperatures. A Temporary Special Use Area was established to relocate corals to deeper, cooler, waters and increase their chance of survival. Coral survival was found to double using this temporary emergency measure. The area was in place for 60 days, with the potential for a 60-day extension. Entry was prohibited except for conducting restoration activities under permit; however, continuous transit without interruption was allowed.

In anticipation of increasingly hot ocean water temperatures this summer, the FKNMS is proposing similar measures in 2024. The FKNMS is proposing to establish three Temporary Special Use Areas for the same purpose and requesting public comment to inform future management in light of changing ocean conditions.

The draft emergency rule is in NOAA clearance. When published, the rule will be in effect and there will be a 30-day public comment opportunity. The FKNMS is communicating with agency partners, the Sanctuary Advisory Council, and affected constituents. The USCG will issue notice to mariners.